



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

File #: CONS 18-854, **Version:** 1

DATE: December 18, 2018

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT

Authorization to Negotiate and Execute a Management and Disbursement Agreement with The Downtown Hayward Improvement Association (DHIA), Non-Profit Public Benefit Corporation; to Appoint City Staff to the Downtown Hayward Improvement Association Board, and to Release the Downtown Community Benefit District Annual Assessment

RECOMMENDATION

That Council takes the following actions related to the Downtown Hayward Community Benefit District (CBD):

1. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Management and Disbursement Agreement with The Downtown Hayward Improvement Association, Non-Profit Public Benefit Corporation, and to appoint City staff, as primary and alternate Board of Director members to the Downtown Hayward Improvement Association.
2. Adopt a Resolution Authorizing the City Manager to release the Downtown Community Benefit District Annual Assessment in the amount of \$595,644; to the Downtown Hayward Improvement Association (DHIA), a California Non-Profit Public Benefit Corporation.

SUMMARY

The Downtown Hayward Community Benefit District (CBD) is a property-based special benefit district in which the property owners within the district pay special assessments to fund supplemental improvements and services within the Downtown boundaries that are above and beyond general municipal service levels. On July 10, 2018, Council adopted resolution 18-151 approving the formation of the CBD and levying special property tax assessments as authorized by the property owners that will be used to fund enhanced services in the Downtown Hayward area. Downtown CBD property owners have established a non-profit management corporation to govern and manage the newly formed CBD. The interim Board of Directors has registered the Downtown Hayward Improvement Association (DHIA) with the Secretary of State of California Articles of Incorporation for a Non-profit Public Benefit Corporation.

This report requests Council action to negotiate an agreement with the newly formed DHIA, appoint City

staff members to the Board of Directors, and release the first year of property assessments to the DHIA. These property assessments come to the City through the property tax receipts from Alameda County and must then be turned over to the DHIA for execution of the activities in the Downtown Community Benefit District Management Plan.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution to Negotiate Agreement With DHIA
Attachment III	Resolution Authorizing Release of Annual Assessment
Attachment IV	Articles of Incorporation
Attachment V	Management District Plan