

BOARD OF EDUCATION SUMMARY REPORT

DIVISION: Business Services
SUBMITTED BY: Stan Dobbs, Assistant Superintendent, Business Services
SUBJECT: RESOLUTION #1112-31, MAINTENANCE ASSESSMENT DISTRICT FOR 2012-13 ENGINEER'S REPORT
BOARD GOAL: # 4: Sustain Efficient Business Service Practices

PURPOSE OF PRESENTATION:

On February 22, 2012 Hayward Unified School District Board of Trustees (the "Board") adopted Resolution 1112-24 directing SCI Consulting Group, the District's assessment engineer and assessment administration firm, to prepare an Engineer's Report for the Hayward Unified School District Maintenance Assessment District ("Maintenance Assessment District") for fiscal year 2012-13

SCI Consulting Group prepared the Engineer's Report that includes the special and general benefits from the assessments, the proposed budget for the assessments for fiscal year 2012-13, the updated proposed assessments for each parcel in the District, and the proposed assessments per single family equivalent benefit unit for the fiscal year. At the May 23, 2012 board meeting, the Board reviewed the Engineer's Report and adopted a resolution to declare its intention to continue the assessments, preliminarily approve the Engineer's Report, and provide for notice of the annual public hearing.

Today, the Board will conduct a noticed public hearing and receive public input on the proposed assessments and the services that they would fund. After hearing the public testimony, the Board may take final action on setting the assessment rate, establishing the services and improvements to be funded and ordering the levy of the assessments for fiscal year 2012-13.

HISTORY/BACKGROUND:

The Hayward Unified School District (the "District") owns school buildings, turf and play areas, public grounds, and/or other facilities, serving an area of over 40,000 parcels. In 1994, the Board approved the Maintenance Assessment District which provides funding to maintain and improve the school grounds, playfields, recreational facilities and other permanent public improvements within the District boundaries. In 1997, the assessments were supported by a weighted majority of assessment ballots received in an assessment ballot proceeding conducted pursuant to Proposition 218.

- Balloting Conducted: May 29, 1997 to July 14, 1997
- Ballot Results: 51.4% of the weighted returned ballots were in support of the proposed assessment
- Annual Approved Rate: \$28.00 per single family equivalent benefit unit (SFE)

IMPLEMENTATION:

SCI Consulting Group (“SCI”) will administer and process the current parcel data to establish current assessments for each parcel in the assessment district boundaries. SCI will submit those levies to the Alameda County Auditor to be included on the 2012-13 property tax bills.

The proposed assessment for MAD for fiscal year 2012-13 is \$28.00 per single family equivalent benefit unit. The total amount of revenue that would be generated by the assessments in fiscal year 2012-13 is approximately \$1,265,000.

RECOMMENDATION:

It is recommended that the Board hold a public hearing, consider all public comments, and subsequently approve Resolution #1112-31 that would approve the Engineer’s Report, confirm the diagram and assessment, and order the levy of assessment for fiscal year 2012-13 for the Maintenance Assessment District as the final step in levying the assessments.

Fund: _____
Program: _____
Amount: _____
Budgeted: ____ Yes ____ No

HAYWARD UNIFIED SCHOOL DISTRICT

Resolution No. 1112-31



**A RESOLUTION APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND
ASSESSMENT, AND ORDERING THE CONTINUATION OF ASSESSMENT
FOR FISCAL YEAR 2012-13**

Hayward Unified School District
Maintenance Assessment District - 1994

RESOLVED, by the Board of Education (the "Board") of the Hayward Unified School District (the "District"), County of Alameda, State of California, that

Whereas, by its Resolution 1112-24, entitled "A Resolution Directing Preparation of Annual Report" adopted February 22, 2012, this Board designated SCI Consulting Group as Engineer of Work and ordered said Engineer to make and file a report in writing for its Maintenance Assessment District - 1994 (the "Maintenance District") in accordance with and pursuant to the Landscaping and Lighting Act of 1972;

Whereas, the report was duly made and filed with the Clerk of the Board and duly considered by this Board and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that June 20, 2012, at the hour of 6:30 PM, in the City Hall, Council Chambers, 2nd Floor, 777 B Street, Hayward, California 94541, were appointed as the time and place for a hearing by this Board on the question of the levy of the proposed assessment, notice of which hearing was given as required by law; and

Whereas, at the appointed time and place the hearing was duly and regularly held, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

Now, therefore, it is found, determined, and ordered that:

1. The public interest, convenience and necessity require that the levy be made.
2. The Maintenance District benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the Clerk of the Board, which map is made a part hereof by reference thereto.

3. The Engineer's Report as a whole and each part thereof, to wit:
 - a) the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
 - b) the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land in the Maintenance District; and
 - c) the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Maintenance District in proportion to the estimated benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto; are finally approved and confirmed.
4. Final adoption and approval of the Engineer's Report as a whole, and of the specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report, as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any theretofore duly adopted or made by this Board.
5. The assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2012-13 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Annual Report.
6. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, the Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special events.
7. Immediately upon the adoption of this resolution, but in no event later than August 10th following such adoption, the Clerk of the Board shall file a certified copy of this resolution with the Auditor of the County of Alameda. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the Assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments. After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Chief Business Officer of the District.

8. The monies representing assessments collected shall be deposited in the District Treasury by the Chief Business Officer under the distinctive designation of the Maintenance District. Funds collected from the Assessment shall be expended only for the maintenance, servicing, construction or installation of the improvements.

PASSED AND ADOPTED by the following called vote this 20th day of June, 2012:

AYE:

NO:

ABSTAIN:

ABSENT:

Clerk of the Board of Education of
Hayward Unified School District of
Alameda County, State of California

Exhibit "A"
HAYWARD UNIFIED SCHOOL DISTRICT
Maintenance Assessment District
Turf and Irrigation Priority List

<u>Revised</u>	<u>Status</u>	<u>Project</u>
Cesar Chavez Middle	Completed	Turf and Irrigation
Park	Completed	Turf and Irrigation
Tyrrell	Completed	Turf and Irrigation
Shepherd	Completed	Turf and Irrigation
Bowman	Completed	Turf and Irrigation
Markham	Completed	Turf and Irrigation
Treeview	Completed	Turf and Irrigation
Fairview	Completed	Turf and Irrigation
Longwood	Completed	Turf and Irrigation
Eldridge	Completed	Turf and Irrigation
Schafer Park	Completed	Turf and Irrigation
Ruus	Completed	Turf and Irrigation
Ochoa Middle	Completed	Turf and Irrigation
Tennyson High	Completed	Synthetic Turf Football Field
Tennyson High	Completed 2006-2007	Turf and Irrigation
Cherryland	Completed 2008-2009	Turf and Irrigation
Bret Harte Middle	Completed 2009-2010	Hardcourt
Winton	Completed 2008-2011	Turf and Irrigation
Palma Ceia	In Progress 2009-2012	Turf and Irrigation
Mt Eden High	In Progress 2009-2012	Turf and Irrigation
Strobridge		
Hayward High		
Eden Gardens		
Lorin Eden		
Laurel Adult		
Southgate		
Darwin Center		
Harder		
Muir		
Sunset Campus		
Helen Turner Children's Center		
Highland		
East Avenue		
Martin Luther King Jr. Middle		



HAYWARD UNIFIED SCHOOL DISTRICT
MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FISCAL YEAR 2012-13

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:

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HAYWARD UNIFIED SCHOOL DISTRICT

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DIRECTOR, MAINTENANCE & OPERATIONS

Billy Martin

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

OVERVIEW

The Hayward Unified School District (the "District") owns school buildings, turf and play areas, public grounds, and/or other facilities, serving an area of over 40,000 parcels. In 1994, the Hayward Unified School District Board of Trustees (the "Board") approved the Hayward Unified School District Maintenance Assessment District (the "Maintenance Assessment District") which provides funding to maintain and improve the school grounds, playfields, recreational facilities and other permanent public improvements in the Hayward Unified School District. In 1997, the assessments were supported by a weighted majority of assessment ballots received in an assessment ballot proceeding conducted pursuant to Proposition 218. This Engineer's Report has been prepared to establish the basis for the continuation of the assessments for fiscal year 2012-13.

ASSESSMENT CONTINUATION

In each year for which the assessments will be continued, the Board must direct the preparation of an Engineer's Report, budgets and proposed assessments for the upcoming fiscal year. After the Engineer's Report is completed, the Board may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Board.

This Engineer's Report (the "Report") was prepared to establish the budget for the improvements and services that would be funded by the proposed 2012-13 assessments, determine the benefits received by property from the improvements and services within the Assessment District and the method of assessment apportionment to lots and parcels within the Assessment District. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the *California Streets and Highways Code* (the "Act") and Article XIII D of the California Constitution (the "Article").

If the Board approves this Engineer's Report and the proposed assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the

assessments. This hearing is currently scheduled for June 20, 2012. At this hearing, the Board would consider approval of a resolution confirming the assessments for fiscal year 2012-13. If the assessments are so confirmed and approved, the levies would be submitted to the Alameda County Auditor by August 2012 for inclusion on the property tax roll for Fiscal Year 2012-13.

PROPOSITION 218

The continued assessments are levied consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIII C and XIII D of the California Constitution. Proposition 218 governs the levy of assessments to fund the cost of providing services and improvements, as well as maintenance and operation expenses for public improvement which benefit the assessed property.

Proposition 218 prescribes a number of important requirements, including property-owner balloting for the imposition, increase and extension of assessments and the preparation of this Engineer's Report, and these requirements are satisfied by the process used to establish and continue the assessments.

PLANS & SPECIFICATIONS

The Hayward Unified School District owns school buildings, turf and play areas, public grounds, and/or other facilities at the following locations:

Elementary Schools

Bidwell Elementary School
Bowman Elementary School
Burbank Elementary School
Cherryland Elementary School
East Avenue Elementary School
Eden Gardens Elementary School
Eldridge Elementary School
Fairview Elementary School
Faith Ringgold Elementary School
Glassbrook Elementary School
Harder Elementary School
Hayward Project School
Longwood Elementary School
Lorin A. Eden Elementary School
Palma Ceia Elementary School
Park Elementary School
Ruus Elementary School
Schafer Park Elementary School
Southgate Elementary School
Stonebrae Elementary School
Strobridge Elementary School
Treeview Elementary School
Tyrrell Elementary School

Middle Schools

Anthony W. Ochoa Middle School
Bret Harte Middle School
Cesar Chavez Middle School
Martin Luther King, Jr. Middle School
Winton Middle School

High Schools

Brenkwitz High School, Sunset
Hayward High School
Mt. Eden High School
Tennyson High School

Other Facilities

Darwin (Impact Academy)
Eureka (Leadership Public School)
Laurel Center
Hayward Adult Center - Sunset
Hayward Regional Occupation Center
Helen Turner Children's Center
Highland
John Muir
Pexioto
Shepherd

The work and improvements to be undertaken by the Hayward Unified School District Maintenance Assessment District and the cost thereof paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. The said work and improvements ("Improvements") are generally described below.

The improvements to be undertaken by the District are described as installation, maintenance and servicing of public recreational facilities and improvements, including but not limited to, turf and play areas, landscaping, irrigation systems, lighting, fencing, basketball courts, tennis courts, running tracks, swimming pools, security guards, graffiti removal and repainting, recreational facilities, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Hayward Unified School District.

Any plans and specifications for these Improvements will be filed with the Maintenance and Operations Director of the Hayward Unified School District and are incorporated herein for reference.

ESTIMATE OF COSTS

FIGURE 1 – ESTIMATE OF COSTS, FY 2012-13

Hayward Unified School District Maintenance Assessment District Fiscal Year 2012-13		
Capital Improvement & Maintenance Expenditures		
Field and Hardcourt Improvements		\$646,076
Irrigation of Fields		\$121,182
Capital Equipment		\$77,000
Maintenance & Operation of Grounds and Outdoor Facilities		\$2,061,111
Hardcourt, Fencing and Play-Equipment Repair		\$297,525
Graffiti Abatement		\$20,000
Subtotal		\$3,222,894
Incidental Expenses		
Assessment Administration Services and Contingency		\$15,200
County Collection		\$21,505
Subtotal		\$36,705
Total Budget		\$3,259,599
Less: District Contribution for General Benefits and Other Costs		(\$1,994,594)
Total Budget to Assessment		\$1,265,005
	Total SFE	Assessment
Total Budget	Units	per SFE
\$1,265,005	45,179	\$28.00

METHOD OF ASSESSMENT

The Maintenance Assessment District consists of all Assessor Parcels within the boundaries of the Hayward Unified School District as defined by the County of Alameda tax code areas. The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the assessment district over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

This section of the Engineer's Report includes an explanation of the benefits to be derived by the construction and maintenance of Improvements, and the methodology used to apportion the total assessment to properties within the Maintenance Assessment District.

DISCUSSION OF BENEFIT

Benefit categories have been established that represent the types of special benefit to residential, commercial and industrial lots and parcels resulting from the Improvements and maintenance of Improvements to be provided with the assessment proceeds. These types of special benefits, which have been updated to reflect a recent analysis of special benefits from parks and recreation areas, are summarized as follows:

- **Extension of a property's outdoor areas for properties within the Maintenance Assessment District**

The District's sites in the Maintenance Assessment District provide larger outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties with good and close proximity to the Improvements.

An analysis of the service radii for the Improvements finds that all properties in the Maintenance Assessment District enjoy the distinct and direct advantage of being close and proximate to District sites within the Maintenance Assessment District. The benefiting properties in the Maintenance Assessment District therefore uniquely and specially benefit from the improved outdoor and recreational areas provided by the Assessments.

- **Proximity and access to improved facilities**

Only the specific properties within close proximity to the Improvements are included in the Maintenance Assessment District. Therefore, property in the Maintenance Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Maintenance Assessment District do not share.

In absence of the assessments, the Improvements funded by the Assessments would not be provided in the Maintenance Assessment District. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Maintenance Assessment District, they provide a direct advantage and special benefit to property in the Maintenance Assessment District.

- **Improved Views**

The District, by maintaining the Improvements at its sites, provides improved views to properties in the Maintenance Assessment District. The properties in the Maintenance Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Maintenance Assessment District.

GENERAL VERSUS SPECIAL BENEFIT

The District's grounds and facilities provide a general benefit to the community and to the general public in the form of educational and recreational opportunities for students. The measure of this general benefit is the periods during which the District's grounds and facilities are used for such educational purposes and are, therefore, not available to be used as a public recreation resource. This general benefit cannot and is not funded by the Maintenance Assessment District.

Alternatively, the cost of improving and maintaining grounds and facilities for use and enjoyment by property owners and residents in the District is a special benefit to property in the District because the Improvements confer the special benefit factors described above. This special benefit can be measured by the proportionate amount of time the

District's grounds and facilities are available for use and enjoyment by property owners and other residents in the District.

The percentage of time that the District's facilities are available for public use is approximately 59%.¹ The remaining 41% of time the grounds and public facilities are used for general educational purposes. Therefore, approximately 41% of the cost of maintenance and improvements of grounds and facilities is for the educational purposes of the District which is a general benefit to the community. As noted, the cost of these general benefits cannot be funded by the assessments.

The District's total budget for maintenance and improvement of its grounds and facilities is \$3,222,894 and the District's contribution to the maintenance and improvement of its grounds and facilities from sources other than assessments is \$1,994,594 of this total. This contribution by the District equates to 62% of the total budget for maintenance and improvement of grounds and facilities and more than offsets the cost of the general benefits resulting from the Improvements. The remaining portion of the budget that is funded by the assessment is for the special benefits conferred on property in the District.

METHOD OF ASSESSMENT

The assessments are apportioned among all lots and parcels within the Maintenance Assessment District on the basis of Single Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated a SFE value, which is each property's relative benefit in relation to a single family home on one parcel. The "benchmark" property is the single family detached dwelling which is one Single Family Equivalent or one SFE.

¹ The percentage of time that the grounds and facilities are available for public use is calculated based on the number of daylight hours in a year that the facilities are available for public use divided by the total number of daylight hours in a year. This calculation is as follows:

$$\begin{aligned} \text{Total daytime hours available} &= 365 \text{ days} \times 12 \text{ hours/day} = 4,380 \text{ hours.} \\ \text{Hours for educational use (general benefit)} &= 180 \text{ days} \times 10 \text{ hours/day} = 1,800 \text{ hours.} \\ \text{Hours available for public use} &= 4,380 \text{ total hours} - 1,800 \text{ hours} = 2,580 \text{ hours.} \\ \text{Percentage of time for public use} &= 2,580 \text{ hours} / 4,380 \text{ total hours} = 59 \% \end{aligned}$$

PROXIMITY BENEFITS

The Hayward Unified School District recreational facilities and grounds, as identified in the Plans and Specifications, are open to the community and are used extensively throughout the year. The District's facilities are relatively uniformly distributed throughout the District and are easily accessible by anyone within the District. The benefits from the Improvements do not vary based on proximity of the parcels to the Improvements because the increased benefits resulting from proximity to the Improvements are generally offset by increased negative factors such as increased traffic, noise, etc. that derives to parcels from increased proximity to the Improvements. As a result, any increase in benefit that comes from being closer to a District facility is generally offset by a relational increase in negative factors.

Since all parcels in the District have good access and proximity to the District's grounds and recreational facilities and the benefits to relatively closer proximity are offset by other factors, proximity is not considered to be a factor in determining benefit and all properties in the Maintenance Assessment District are determined to be within a single zone of benefit.

RESIDENTIAL PROPERTIES

Certain residential properties that contain a single residential dwelling unit are assigned 1.0 SFE. Traditional houses, zero-lot line houses, and townhomes are included in this category.

The special benefits derived from the Maintenance Assessment District are conferred on property and are not based on a specific property owner's use of the Improvements. However, it is ultimately people who enjoy the special benefits described above, use the District's grounds and facilities and control property values by placing a value on the special benefits to be provided by the Improvements. Moreover, the opportunity to use and enjoy the Improvements, which is a special benefit to properties in the Maintenance Assessment District, is related to the number of people who live on or work at a property. Therefore, the benefits derived to property are related to the number of people who live on, work at or otherwise use a property.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the Improvements in proportion to the number of dwelling units that occupy each property and the average number of people who reside in multi-family residential units versus the average number of people who reside in a single family home. The demographic factors for the City of Hayward, as depicted in Figure 2 on

the following page, provide the basis for determining the SFE factors for residential properties. The resulting SFE factors for residential properties are also shown in Figure 2.

FIGURE 2 – RESIDENTIAL ASSESSMENT FACTORS

	Total Population	Occupied Households	Persons per Household	SFE Factor
Single Family Residential	63,138	20,285	3.11	1.0
Multi-Family Residential	34,840	14,572	2.39	0.8
Mobile Home on Separate Lot	3,679	2,238	1.64	0.5

Source: 1990 Census, City of Hayward

* The SFE factor for multi-family and mobile home parcels is based on the ratio of average persons per household for the property type versus the average persons per household for a single family residential home.

COMMERCIAL/INDUSTRIAL PROPERTIES

The SFE values for commercial and industrial land uses are also related to the relative number of people who work at or otherwise use the property. Employee generation factors for commercial and industrial land use from the San Diego Association of Governments Traffic Generators Study (SANDAG Study) are the basis for determining relative benefit because these factors are considered to be a good representation of the average number of employees per acre of land area for commercial and industrial properties. Moreover, these employee density factors were approved by AB 530 for use in justifying commercial and industrial school facilities fees.

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The average lot size for a single family home is approximately 0.18 acres and the average number of people residing in a single family home is 3.11. Therefore, the average number of residents per acre of residential property is approximately 17.

The average number of employees per acre for commercial and industrial property is 35, which is twice the population density of single family residential property; therefore, a commercial or industrial property with an average of 2 employees receives a similar special benefit as a residential property with 1 resident.

Likewise, the average single family home with an SFE value of 1 has approximately 3 residents, so a commercial or industrial property receiving equivalent special benefit would have approximately 6 employees. This factor of equivalence of benefit between 1 resident

to 2 employees is the basis for allocating commercial/industrial benefit. Figure 3 shows the average employees per 0.25 acre of land area for commercial and industrial properties and lists the relative SFE factors for each land use.

FIGURE 3 – COMMERCIAL / INDUSTRIAL ASSESSMENT FACTORS

Type of Commercial/Industrial Land Use	Average Employees Per Acre *	SFE Units Per 1/4 Acre
Commercial	24	1.0
Office	68	2.7
Shopping Center	24	1.0
Industrial	24	1.0
Self Storage or Parking Lot	1	0.04

Source: San Diego Association of Governments Traffic Generators Study

OTHER PROPERTIES

All properties that are specially benefited have been assessed. Agricultural parcels without living units, utilities, certain parcels in public use, church properties, common area parcels, vacant parcels, and school grounds generally provide recreational or scenic benefits to the community. As such, they tend to provide similar benefits as provided by the improvements in the Maintenance Assessment District. Any benefits they would receive from the Maintenance Assessment District are generally offset by the equivalent benefits they provide. Such parcels are, therefore, not specially benefited and are not assessed.

MAXIMUM BENEFIT

Parcels of a larger size tend to have open space, other recreational facilities specifically for use of residents or employees, or other amenities that confer benefits to the community. The benefit from the Maintenance Assessment District to these larger parcels tends to be offset by the benefit provided by the increased size of the parcel. As a result, the increase in benefit received tends to diminish as parcels increase in size. After the benefit units reach 5 SFE for larger parcels, the benefits provided by the Maintenance Assessment District are generally offset by equivalent benefits provided. As a basis of reference, the average size for residential, commercial and industrial parcels with 5 SFE benefit units is approximately 1 acre. Therefore, the maximum benefit for any parcel is determined to be 5 times the benefit to a single family residential home or 5 SFE.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the Assistant Superintendent, Business Services or his or her designee. The Assistant Superintendent, Business Services or his or her designee will promptly review the appeal and any information provided by the property owner. If the Assistant Superintendent, Business Services or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the Assistant Superintendent, Business Services or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Assistant Superintendent, Business Services or his or her designee, shall be referred to the Board of Trustees of the Hayward Unified School District and the decision of the Board of Trustees of the Hayward Unified School District shall be final.

ASSESSMENT STATEMENT

WHEREAS, on February 22, 2012 the Board of Trustees of the Hayward Unified School District, Hayward, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, adopted A Resolution Directing Preparation of Annual Report for the Hayward Unified School District Maintenance Assessment District for the Improvements and changes in existing public Improvements, more particularly therein described;

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the assessment district and an assessment of the estimated costs of the Improvements upon all assessable parcels within the assessment district, to which Resolution and the description of said Improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the Board of Trustees of said Hayward Unified School District, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, including the maintenance and servicing thereof and the costs and expenses incidental thereto to be paid by the assessment district.

The amount to be paid for said Improvements, including the maintenance and servicing thereof and the expenses incidental thereto, to be paid by the assessment district for the fiscal year 2012-13 is generally as follows:

FIGURE 4 – SUMMARY OF EXPENDITURES

Hayward Unified School District Maintenance Assessment District Budget Summary	
Capital Improvements and Maintenance Expenditures	\$3,222,894
Incidental Expenses	\$36,705
TOTAL BUDGET	\$3,259,599
Less: Contributions	
District Contribution for General Benefits	\$1,994,594
NET AMOUNT TO ASSESSMENTS	\$1,265,005
District Contribution	\$1,994,594
Percent Contribution ¹	61.9%

Notes:

¹ Incidental expenses excluded

As required by said Act, an Assessment Diagram is hereto attached showing the exterior boundaries of said Maintenance Assessment District as the same existed at the time of the passage of said Resolution. The distinctive number of each parcel or lot of land in the said Maintenance Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

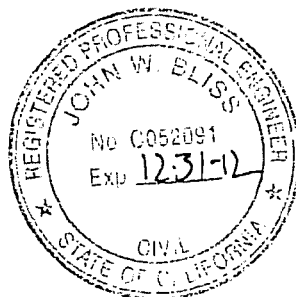
And I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including maintenance and servicing thereof, upon the parcels or lots of land within said Maintenance Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the maintenance of said Improvements, and more particularly set forth in the Cost Estimate hereto attached and by reference made a part hereof.

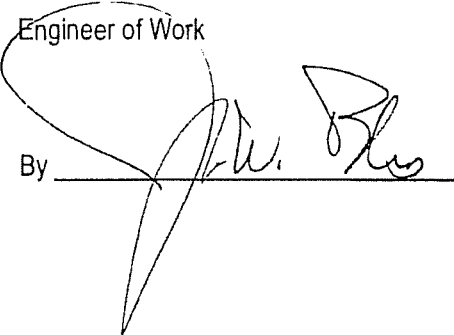
Said assessment is made upon the parcels or lots of land within said Maintenance Assessment District in proportion to the special benefits to be received by said parcels or lots of land, from said Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Alameda for the fiscal year 2012-13. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel within the Assessment Roll, the amount of the assessment for the fiscal year 2012-13 for each parcel or lot of land within the said Maintenance Assessment District.

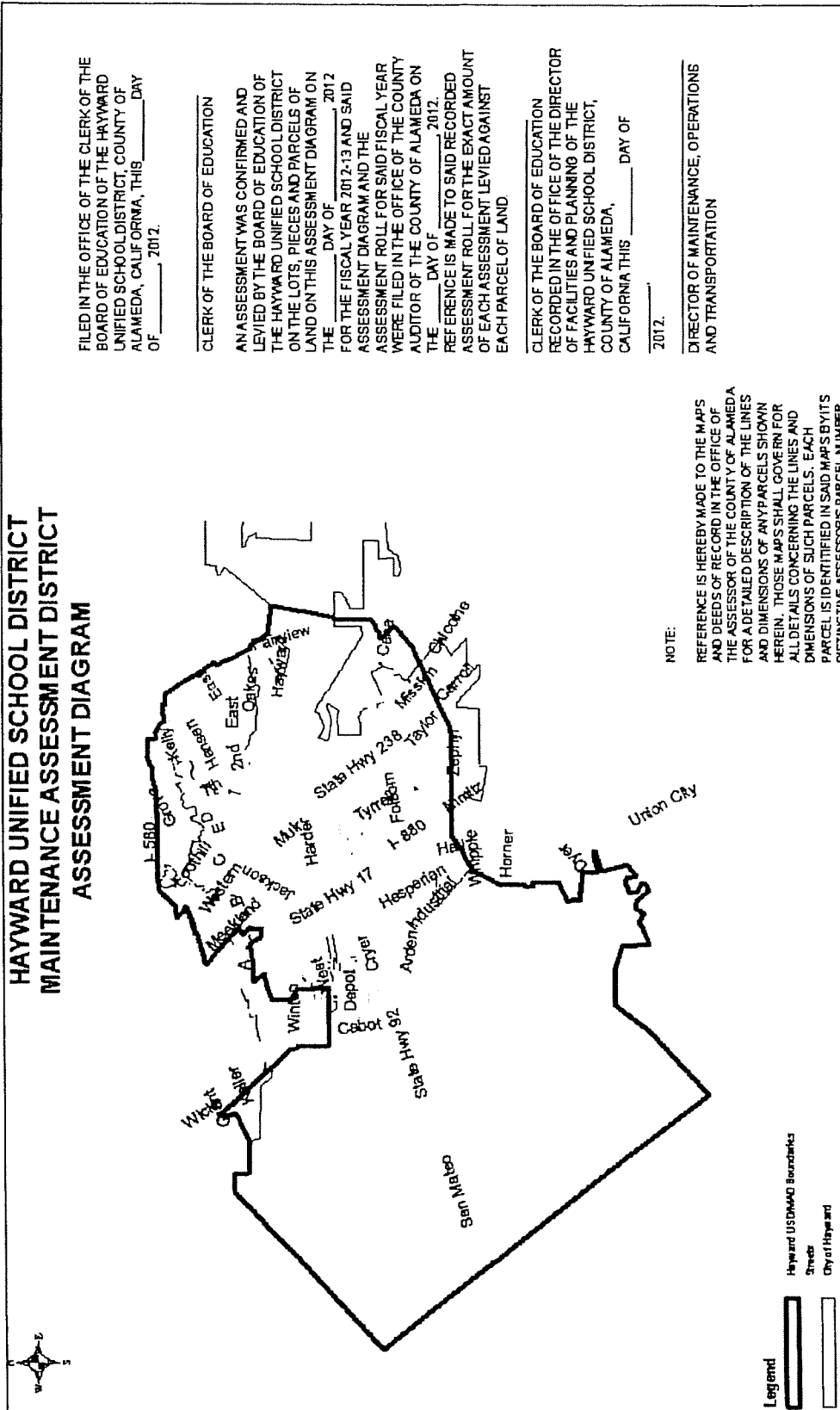
Dated: May 4, 2012



Engineer of Work
By 

ASSESSMENT DIAGRAM

The boundaries of the Maintenance Assessment District area are displayed on the following Assessment Diagram.



ASSESSMENT ROLL FISCAL YEAR 2012-13

An Assessment Roll (a listing of all parcels assessed within the Maintenance Assessment District and the amount of the assessment) will be filed with the Clerk of the Board of Trustees. It is too voluminous to be bound with this Engineer's Report and is, by reference, made part of this report and is available for public inspection during normal office hours.