



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE May 21, 2024

TITLE Approval of Engineer's Report for Fiscal Year 2024/2025, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic) and appropriate \$750,000 from the Two County LLD, \$50,000 from the Dublin Hills Zone of Benefit, \$75,000 from the Stone Valley Zone of Benefit, and \$25,000 from the San Ramon Zone of Benefit

DIVISION Finance and Management Services

FROM Deborah Spaulding, AGM/CFO
Deborah Spaulding, Assistant General Manager Finance & Management Services / CFO

APPROVED Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors:

1. Receive public comments regarding the Draft Engineer's Report for operation of the Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1 (ACC-1), including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley) and ZB-6 (Sibley Volcanic) for Fiscal Year 2024/2025;
2. Approve the ACC-1 Engineer's Report for Fiscal Year 2024/2025;
3. Adopt a resolution confirming the diagram and assessment as set forth in the Engineer's Report for Fiscal Year 2024/2025 (available for review through the Clerk of the Board);
4. Order the maintenance and improvements and levy the assessment as set forth in the Engineer's Report for Fiscal Year 2024/2025;
5. Adopt a resolution overruling protests.

BACKGROUND

The regional trails system in Alameda and Contra Costa Counties enjoys widespread popularity and support. It was determined that the formation of a special assessment district would provide an equitable funding source to finance the cost of the regional trails within the Two County LLD by the

property owners within the Two County LLD boundaries. As a result, the Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1 (ACC-1) was established by District on June 1, 1993 and began operation on July 1, 1993. The assessment was established for all qualifying parcels at an annual rate of \$5.44 per parcel. In 1995, multi-unit parcels were added to the assessment at \$2.72 per unit.

Because this Landscaping and Lighting Assessment District was formed prior to the passage of Proposition 218, it is considered a “grandfathered assessment”. In conformance with the requirements of Proposition 218, the electorate of Alameda and Contra Costa Counties approved the continuation of this assessment in November 1996 by a 78.5% vote in favor.

ANALYSIS

The proposed program for FY 2024/2025 is described in the Engineer's Report submitted with this Board Report as Attachment A and is consistent with the District's Master Plan. The assessment, as recommended for individual parcels for FY 2024/2025, remains unchanged at the \$5.44 per parcel rate. Multi-family parcels of two units per parcel or greater will continue to be assessed at the rate of \$2.72 per unit.

The Draft Engineer’s Report contains six zones of benefit. The proposed assessment rates are adjusted for inflation as provided for in the proceedings when the zones were formed. Assessment rates vary from zone to zone depending upon the scope of work to be performed and the number of dwelling units. The zones of benefit and their corresponding assessment rates are as follows:

- Five Canyons Zone of Benefit (ZB-1), in Castro Valley, was established in 1994 and currently includes 1,089 units, which are proposed to be assessed at \$57.71 each.
- Dublin Hills Zone of Benefit (ZB-2), in the City of Dublin, was established in 1996 and currently includes 662 units, which are proposed to be assessed at \$41.77 each.
- Walpert Ridge Zone of Benefit (ZB-3), in the City of Hayward, was established in 1998 and currently includes 765 units, which are proposed to be assessed at \$186.23 each.
- San Ramon Hills Zone of Benefit (ZB-4), in the City of San Ramon, was established in 1999 and currently includes 140 units, which are proposed to be assessed at \$52.21 each.
- Stone Valley Zone of Benefit (ZB-5), near Las Trampas Regional Wilderness Area, was established in 2006 and currently includes 39 units, which are proposed to be assessed at \$217.25 each.
- Sibley Volcanic Regional Preserve Zone of Benefit (ZB-6), near the City of Orinda, was established in 2007 and currently includes 245 units, which are proposed to be assessed at \$129.24 each.

Fuels management activity is an eligible use of funds from the Two County LLD and Zone of Benefit, although funds are not currently allocated towards this purpose. Available fund balance may be allocated to healthy forest management projects at a future date.

The General Manager recommends that the Board approve the Engineer’s Report. By taking the recommended action, the Park District will make it possible for the ACC-1, including ZB-1, ZB-2, ZB-3, ZB-4, ZB-5 and ZB-6 to continue the trails and zone of benefit work programs in the 2024 and 2025 District budget years.

At this Board meeting on May 21, 2024, the Board will receive public comments and thereafter determine whether to approve the Engineer's Report (Work Program, Budget and Rate of Assessment).

A second resolution is a requirement of State law that the Board must adopt a resolution overruling any protest to the assessment if any should be received.

FISCAL IMPACT

Assessment revenues totaling \$4,784,367 are expected to be raised from the Two County LLD and the Zones of Benefit proceeding. These revenues are anticipated in the 2024 and 2025 District budgets and are restricted to fund regional trail maintenance and improvements as specified in the attached draft Engineer's Report. The Adopted 2024 Budget in these funds totaled \$5,339,753. Prior year fund balance is intended to be expended.

An appropriation of \$750,000 is requested from the Two County LLD (Fund 220) for the Point Molate Bay Trail Extension project (154000). This project will complete a 2.5-mile segment of the San Francisco Bay Trail along the shoreline of the San Pablo Peninsula, connecting with the trail over the Richmond-San Rafael Bridge to the City of Richmond's Point Molate Beach Park, and will restore and enhance San Francisco Bay shoreline habitats at several locations along the trail corridor.

Additionally, \$50,000 is recommended for appropriation from the Dublin Hills Zone of Benefit area (Fund 223) to a new project (168700) to install a water meter for separate service at Donlon Point staging area. Also, from the San Ramon Zone of Benefit area (Fund 225) \$25,000 is requested to be appropriated, and from the Stone Valley Zone of Benefit area (Fund 227) \$75,000 is requested to be appropriated for a shared "green climber" piece of equipment.

ATTACHMENTS

Attachment A: FY 2024/25 Engineer's Report for Alameda County – Contra Costa County Landscaping and Lighting Assessment District No. I (ACC-I)



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 05
MAY 21, 2024**

APPROVAL OF ENGINEER'S REPORT FOR FISCAL YEAR 2024/2025, ADOPT RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENT, ORDER MAINTENANCE, IMPROVEMENTS AND LEVY ANNUAL ASSESSMENT FOR ALAMEDA COUNTY/CONTRA COSTA COUNTY REGIONAL TRAILS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1 INCLUDING ZB-1 (FIVE CANYONS), ZB-2 (DUBLIN HILLS), ZB-3 (WALPERT RIDGE), ZB-4 (SAN RAMON HILLS), ZB-5 (STONE VALLEY), AND ZB-6 (SIBLEY VOLCANIC) AND APPROPRIATE \$750,000 FROM THE TWO COUNTY LLD, \$50,000 FROM THE DUBLIN HILLS ZONE OF BENEFIT, \$75,000 FROM THE STONE VALLEY ZONE OF BENEFIT, AND \$25,000 FROM THE SAN RAMON ZONE OF BENEFIT

WHEREAS, in November 1996, consistent with the provisions of Proposition 218, the continuation of the assessment rate and services provided by A/CC-I was placed on the ballot as Measure KK and this ballot measure was approved (78.5% in favor) by the electorate of Alameda and Contra Costa counties; and

WHEREAS, on March 19, 2024, the Board of Directors approved the resolution initiating proceedings and directed NBS, the Engineer, to prepare and file an Engineer's Report for Fiscal Year 2024/2025; and

WHEREAS, on May 7, 2024, the Board of Directors granted preliminary approval to the Draft ACC-I Engineer's Report for Fiscal Year 2024/2025, adopted a Resolution of Intention to Order Improvements within ACC-I for Fiscal Year 2024/2025, and set a public hearing to be held on May 21, 2024 at 1pm, Notice of the hearing was given in the time and manner required by law; and

WHEREAS, work is planned to be completed in the Two County Lighting and Landscaping Assessment District (LLD), the Dublin Hills Zone of Benefit (ZOB), Stone Valley ZOB and San Ramon ZOB in the current year, which will require funds to be appropriated; and

WHEREAS, at the public hearing the Board of Directors afforded to interested persons an opportunity to protest to the annual report either in writing or in person, and the Board of Directors has considered the protests; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the FY 2024/2025 Engineer's Report for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic), approves the diagram and assessment, orders the maintenance and operation of the Regional Trails Assessment District, and hereby levies the assessment, all as set forth in the Engineer's Report for Fiscal Year 2024/2025; and

BE IT FURTHER RESOLVED that \$750,000 will be appropriated from the Two County LLD (Fund 220) to San Francisco Bay Trail Project 154000, \$50,000 will be appropriated from the Dublin Hills ZOB (Fund 223) into a water meter installation project (Project 168700); \$25,000 will be appropriated from San Ramon ZOB (Fund 225) and \$75,000 will be appropriated from the Stone Valley ZOB (Fund 227) into the Major Equipment Fund 554 for purchase of equipment; and

BE IT FURTHER RESOLVED, that the General Manager and the Chief Financial Officer are hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary and appropriate to accomplish the intentions of this resolution.

Moved by Director _____, and seconded by Director _____, and adopted May 21, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 05
MAY 21, 2024**

**RESOLUTION OVERRULING PROTESTS
(PURSUANT TO THE LANDSCAPING & LIGHTING ACT OF 1972)**

WHEREAS, on May 21 2024, the Board of Directors opened a public hearing on the approval of the Engineer's Report on the proposed maintenance and operation of the Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic); and

WHEREAS, at or before the time set for hearing, certain interested persons made protest, or objections to the proposed maintenance and operation, the extent of the assessment district, or the proposed assessment; and

WHEREAS, the Board of Directors finds that the protest against the proposed maintenance and operation (including all written protests not withdrawn in writing before the conclusion of the protest meeting) is made by the owners of less than one-half (50%) of the area of the land to be assessed.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby overrules each of these protests.

Moved by Director _____, and seconded by Director _____, and adopted May 21, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: