



NOTICE OF RESCHEDULED PUBLIC HEARING NEWARK CITY COUNCIL

The July 11, 2024, City Council meeting has been canceled due to a lack of a quorum. The Landscaping and Lighting Public Hearing originally scheduled for July 11, 2024, has been rescheduled to July 25, 2024.

RESOLUTION NO. 11649 OF THE CITY COUNCIL OF THE CITY OF NEWARK DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 1, 2, 4, 7, 11, 15, 16, 17, 18 AND 19 FOR FISCAL YEAR 2025; INITIATE DISSOLUTION PROCEEDINGS FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 6, 10 AND 13; AND SETTING THE ANNUAL PUBLIC HEARING DATE FOR JULY 11, 2024 IN ACCORDANCE WITH THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council of the City of Newark previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (the "Act") to establish Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 (the "Districts") in order to fund ongoing maintenance and improvements authorized under the Act; and

WHEREAS, there are no new proposed improvements or any substantial changes to existing improvements in the Districts; and

WHEREAS, Section 22620, et seq. of the Act provides for the levy of annual assessments after formation of the Districts; and

WHEREAS, the City designates the City Engineer to prepare and file reports in accordance with Section 22565, et seq., of the Act (the "Annual Engineer's Reports"); and

WHEREAS, pursuant to Section 22622 of the Act, the City Council, with Resolution No. 11631 adopted on April 11, 2024, initiated proceedings to provide for the levy of assessments for Fiscal Year 2025 in order to provide for the necessary costs and expenses pertaining to the maintenance of the improvements benefiting the Districts and ordered the City Engineer to prepare and file with the City Clerk the Annual Engineer's Reports; and

WHEREAS, the City does not levy assessments within Landscaping and Lighting District Nos. 6, 10 and 13 because their respective improvements are privately maintained to City standards; and

WHEREAS, the City may initiate dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 by the adoption of the Resolution of Intention pursuant to Section 22610 of the Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that:



1. The City Council intends to levy and collect assessments within Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 and initiates dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 for Fiscal Year 2025.
2. The improvements to be made in these assessment districts are generally described as follows:
 - Landscaping and Lighting District No. 1: Central Avenue between Filbert Street and Willow Street - Provides for the maintenance of median landscaping on Central Avenue between Filbert Street and Willow Street and buffer landscaping adjacent to the Alameda County Flood Control channel immediately west of Filbert Street, and for the maintenance and operation of median streetlights along this portion of Central Avenue.
 - Landscaping and Lighting District No. 2: Jarvis Avenue and Newark Boulevard adjacent to Dumbarton Technology Park and Four Corners shopping centers – Provides for the maintenance of Jarvis Avenue and Newark Boulevard median island and in-tract buffer landscaping and landscape irrigation systems adjacent to and within the boundaries of Tract 5232, the Dumbarton Industrial Park, and the Four Corners shopping centers.
 - Landscaping and Lighting District No. 4: Stevenson Boulevard and Cherry Street adjacent to New Technology Park - Provides for the maintenance of Stevenson Boulevard median island landscaping from the Nimitz Freeway to the railroad tracks west of Cherry Street and maintenance of median islands and up to 50 feet of greenbelt landscaping adjacent to Cherry Street and the interior loop streets within the boundaries of Stevenson Point Technology Park, the maintenance of landscaping across from the Newark Unified School District property on Cherry Street, and the street lighting maintenance, trash capture device maintenance, and neighborhood park maintenance related to Benefit Zone No. 2 (Sanctuary).
 - Landscaping and Lighting District No. 7: Newark Boulevard and Rosemont Square Shopping Center – Provides for the maintenance of buffer landscaping and the landscape irrigation system within the public right-of-way and easement areas for Rosemont Square Shopping Center.
 - Landscaping and Lighting District No. 11: Edgewater Drive - Provides for the maintenance of landscaped medians on Edgewater Drive.
 - Landscaping and Lighting District No. 15: Robertson Avenue at Iris Court - Provides for the maintenance of the landscaping and irrigation systems on Robertson Avenue at Iris Court.
 - Landscaping and Lighting District No. 16: Kiote Drive in Tract 6671 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage of Kiote Drive in Tract 6671, along with the landscaping, irrigation system, recreation facilities associated with the mini-park common area and any related appurtenant improvements.
 - Landscaping and Lighting District No. 17: Newark Boulevard and Mayhews Landing Road in Tract 7004 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way of the Newark Boulevard and Mayhews Landing Road frontages of Tract 7004.
 - Landscaping and Lighting District No. 18: Cedar Boulevard along the frontage of Tract 8130 – Provides for the maintenance of landscaping and the landscape irrigation system within the Cedar Boulevard median area along the frontage of Tract 8130 between Central Avenue and Smith Avenue.
 - Landscaping and Lighting District No. 19: Willow Street and Enterprise Drive in the Bayside Newark Transit Oriented Development – Provides for the maintenance of landscaping and the landscape irrigation system within the Willow Street and Enterprise Drive medians and traffic circles, maintenance of public street lighting systems, and maintenance of other improvements related to each benefit zone associated with the Bayside Newark Transit Oriented Development.
3. City staff is recommending Fiscal Year 2025 assessments for Landscaping and Lighting District No. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 to be levied at or below the respective authorized maximum rates to pay

for operation and maintenance of landscaping and lighting improvements.

4. In accordance with City Council Resolution No. 11631 directing the filing of the Annual Engineer's Reports, the City Engineer, Engineer of Work, has filed with the City Clerk the Annual Engineer's Reports required by the Act. All interested persons are referred to the Annual Engineer's Reports for a full and detailed description of the improvements, the boundaries of the Districts, and the proposed assessments upon assessable lots and parcels of land within the Districts.
5. **On Thursday, the 25th of July, 2024, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing on the question of levy and collection of the proposed annual assessments. The hearing will be held at the meeting place of the City Council located in the David W. Smith City Hall, 37101 Newark Boulevard, Newark, California.**

The City Clerk is authorized and directed to give the notice of hearing as required by the Landscaping and Lighting Act of 1972.

If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Newark at, or prior to, the public hearing.

Sheila Harrington, City Clerk