

  
Oakland City Attorney's Office

OFFICE OF THE CITY CLERK  
OAKLAND, CA

OAKLAND CITY COUNCIL

2006 JUN -1 PM 12:49

RESOLUTION No. 79970 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE BALLOT FOR THE FOUR (4) CITY-OWNED PROPERTIES ON WHICH ASSESSMENTS ARE TO BE LEVIED (APN 025-0722-026-00, APN 033-2130-035-02, APN 035-2352-001-02, AND APN 033-2135-026-02) TO SUPPORT THE FORMATION OF THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2006.**

**WHEREAS**, the City Council approved an Oakland Business Improvement Management District Ordinance (Ord. 12190, 1999) delineating procedures and policies for the formation of a property assessment district within the City of Oakland; and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business owners in the City to assist in the formation of such districts; and

**WHEREAS**, property owners in the Fruitvale district have petitioned to form the Fruitvale Property Business Improvement District of 2006 (hereinafter "District") under said legislation to undertake the Management District Plan for the Fruitvale Property Business Improvement District of 2006 (hereinafter "Plan"); and

**WHEREAS**, the District includes four (4) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, APN 035-2352-001-02, APN 033-2135-026-02); and

**WHEREAS**, the four (4) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, APN 035-2352-001-02, APN 033-2135-026-02) have the right to take part in the balloting process related to formation of the district; and

**WHEREAS**, if the District is established, the assessments will take place on a yearly basis and the District will last for a period of five years; and

**WHEREAS**, if the District is established, the projected assessment for the four (4) City-owned properties will be in an amount not to exceed \$66,964.46 to be paid over the five year life of the district; and

**WHEREAS**, funds to pay the FY 06-07 assessments have been budgeted to the General Purpose Fund (1010), NCR & SDS organization (88569), Taxes and Assessments account (53511), Business Improvement District (BID)- NCR project (C138410), Neighborhood Commercial Revitalization program (NB30); and

**WHEREAS**, this resolution clarifies the City Administrator's authority to sign the ballot on behalf of the City of Oakland; and

**WHEREAS**, these assessments are to be made in accordance with the provisions of Proposition 218 and the Oakland Business Improvement Management District policy referenced above; now therefore be it

**RESOLVED** that the City Council hereby authorizes the City Administrator to execute the ballot for the four (4) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, APN 035-2352-001-02, and APN 033-2135-026-02) in support of the formation of the Fruitvale Property Business Improvement District of 2006.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 20, 2006


**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and  
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California