



OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION REPEALING RESOLUTION NO. 88101 C.M.S. AND 1) REINITIATING THE FISCAL YEAR 2020-2021 ASSESSMENT PROCESS FOR THE CITY OF OAKLAND LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (“LLAD”); 2) APPROVING THE CITY OF OAKLAND LLAD PRELIMINARY ENGINEER’S REPORT; 3) DECLARING THE INTENTION TO LEVY AND COLLECT THE ANNUAL LLAD ASSESSMENT; AND 4) SETTING JUNE 16, 2020 AT 1:30 P.M. AS THE DATE AND TIME FOR THE PUBLIC HEARING

WHEREAS, pursuant to the California Streets and Highways Code, Sections 22500, et seq., known as the Landscaping and Lighting Act of 1972, the City of Oakland (City) established the Landscaping and Lighting Assessment District (“LLAD” or the “District”) on June 23, 1989; and

WHEREAS, pursuant to the California Streets and Highway Code Sections 22500, et seq., the City has renewed the District each subsequent year; and

WHEREAS, annually, the City Administrator files with the City Clerk reports for the continuation of the District and levy of the assessments in order to raise revenues for the installation, maintenance, and servicing of public landscaping and lighting; and

WHEREAS, on April 21, 2020 pursuant to Resolution No. 88101 C.M.S. the City Council adopted a resolution initiating the fiscal year (FY) 2020-2021 assessment process for the City of Oakland LLAD, approving the Preliminary Engineer’s Report, declaring the intention to levy and collect the annual LLAD assessment, and setting a public hearing; and

WHEREAS, to comply with state law noticing requirements and allow staff to notice the public hearing properly, staff wishes to repeal Resolution No. 88101 C.M.S. and reinitiate the assessment process, declare the intention to levy the assessments and set June 16, 2020 at 1:30 p.m. as the date and time of the public hearing for all interested parties; and

WHEREAS, the City desires to reinitiate the fiscal year (FY) 2020-21 LLAD assessment for properties within the District boundaries; and

WHEREAS, the Preliminary Engineer's Report for the District, attached hereto as Exhibit A, includes a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments, and confirms the applicability of the existing assessment rates for FY 2020-21; and

WHEREAS, as described in Section II, Part C of the Preliminary Engineer's Report, the boundaries of the District coincide with the boundaries of the City of Oakland and encompass all parcels of land within the City; and

WHEREAS, the improvements are described in Section II, Part A of the Preliminary Engineer's Report; and

WHEREAS, the City desires to levy and collect the FY 2020-21 LLAD assessment for properties within the District boundaries; now, therefore, be it

RESOLVED: That Resolution No. 88101 C.M.S. is hereby repealed; and be it

FURTHER RESOLVED: That the City Council hereby initiates the FY 2020-2021 LLAD assessment process and orders the engineer to file the Preliminary Engineer's Report in accordance with California Streets and Highways Code, Sections 22500, et seq.; and be it

FURTHER RESOLVED: That the existing boundaries of the LLAD remain the same as those described in the FY 2019-20 Engineer's Report confirmed by the City Council pursuant to Resolution No. 87703 C.M.S. on May 21, 2019; and be it

FURTHER RESOLVED: That the City Council approves the FY 2020-2021 Preliminary Engineer's Report for the District, attached hereto as Exhibit A, which describes the existing and proposed improvements and any substantial changes proposed to be made in existing improvements, for discussion purposes; and be it

FURTHER RESOLVED: That the City Council hereby declares its intention to levy and collect assessments within the City of Oakland Landscaping and Lighting Assessment District for FY 2020-21; and be it

FURTHER RESOLVED: That the assessments will remain the same as the FY 2019-2020 assessments; and be it

FURTHER RESOLVED: That all the area of land to be assessed is in the City of Oakland, Alameda County; and be it

FURTHER RESOLVED: That a public hearing is set for June 16, 2020 at 1:30 p.m., or as soon thereafter as the item may be heard, by teleconference (meeting agenda includes information to participate in the meeting), in order for the City Council to hear and pass upon said reports, together with all objections and protests by property owners liable to be assessed, and take final action regarding the levying of the proposed FY 2020-2021 assessments for the District; and be it

FURTHER RESOLVED: That, pursuant to California Streets and Highways Code, Sections 22500, et seq., the City Clerk or the City Administrator is directed to publish a notice of the public hearing no later than ten days prior to the date of the public hearing.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

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