

2016 SEP 29 PM 3:29

OAKLAND CITY COUNCIL

Approved as to Form and Legality

*Mark P. Walsh*  
City Attorney

RESOLUTION No. 86432 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**A RESOLUTION, AS RECOMMENDED BY THE LANDMARKS PRESERVATION ADVISORY BOARD, APPROVING FOUR (4) MILLS ACT CONTRACTS BETWEEN THE CITY OF OAKLAND AND THE PROPERTIES AT 523 41ST STREET (ESTIMATED \$4,589/YEAR PROPERTY TAX REDUCTION), 1824 MYRTLE STREET (ESTIMATED \$3,045/YEAR PROPERTY TAX REDUCTION), 1733 10TH STREET (ESTIMATED \$2,738/YEAR PROPERTY TAX REDUCTION), AND 1506 LINDEN STREET (ESTIMATED \$4,482/YEAR PROPERTY TAX REDUCTION), PURSUANT TO ORDINANCE NO. 12987 C.M.S., TO PROVIDE PROPERTY TAX REDUCTIONS IN EXCHANGE FOR OWNERS' AGREEMENT TO REPAIR AND MAINTAIN HISTORIC PROPERTIES IN ACCORDANCE WITH SUBMITTED WORK PROGRAMS**

**WHEREAS**, the General Plan Historic Preservation Element Policy 2.6.1 calls for the adoption of a Mills Act contract program pursuant to Sections 50280-90 of the California Government Code and Section 439.2 of the California Revenue and Taxation Code, to promote historic preservation; and

**WHEREAS**, the Oakland City Council adopted a permanent Mills Act Property Tax Abatement Program for qualified historic properties on January 5, 2010, via Ordinance No. 12987 C.M.S.; and

**WHEREAS**, the implementation of the Mills Act Program meets numerous General Plan Land Use goals and policies, including housing rehabilitation, preservation of community character and identity, sustainability, revitalization, and image; and

**WHEREAS**, the City has received four Mills Act contract applications in 2016 from qualified properties, all of which are City of Oakland Designated Historic Properties: (1) 1506 Linden Street, a Queen Anne house, is a contributor to the Oak Center S-20 Historic District, designated by City Council in 2002; (2) 523 41st Street, a Colonial Revival house in the Temescal neighborhood; (3) 1824 Myrtle Street, a Queen Anne house in the Oak Center neighborhood; and (4) 1733 10th Street, an Italianate house in the Oakland Point-Prescott neighborhood; the latter three were designated as Heritage Properties by the Landmarks Preservation Advisory Board on July 11, 2016, in conjunction with the Mills Act applications; and

**WHEREAS**, at a duly noticed meeting, the Landmarks Preservation Advisory Board on July 11, 2016, recommended the four applications for contract approval for the 2016 Mills Act program; and

**WHEREAS**, at a duly noticed meeting on July 20, 2016, the Landmarks Preservation Advisory Board's Mills Act contract recommendations were reviewed and unanimously recommended for approval by the Planning Commission; and

**WHEREAS**, the City Council Community and Economic Development Committee considered the matter at its October 11, 2016, duly noticed meeting and recommended its approval to the City Council; and

**WHEREAS**, the City Council considered the matter at its October 18, 2016, duly noticed meeting; now, therefore be it

**RESOLVED**, that the City Administrator, or designee, is hereby authorized to enter into Mills Act contracts, subject to review and approval of the City Attorney, in substantial conformity with the previously approved model Mills Act contract, with the following properties and to take whatever actions are necessary to implement the previously approved Mills Act Program consistent with this resolution:

- 523 41ST STREET, Oakland CA**
- 1824 MYRTLE STREET, Oakland CA**
- 1733 10TH STREET, Oakland CA**
- 1506 LINDEN STREET, Oakland CA**

OCT 18 2016

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

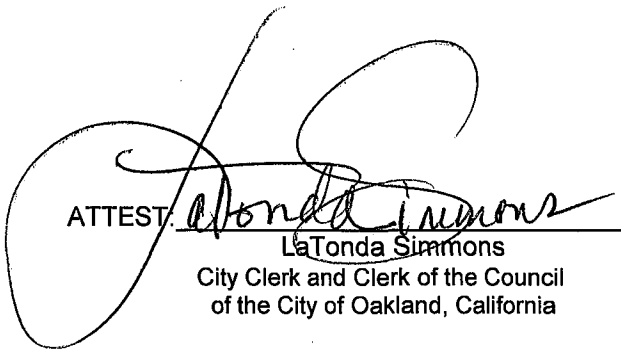
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and  
~~RESIDENT GIBSON, MCELHANEY~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

EXCUSED - GIBSON  
MCELHANEY - 1

ATTEST:   
 LaTonda Simmons  
 City Clerk and Clerk of the Council  
 of the City of Oakland, California