

2014 MAY -1 PM 3:21

OAKLAND CITY COUNCIL

RESOLUTION No. 85027 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR (1) TO SIGN THE BALLOT IN FAVOR OF THE FORMATION OF THE TEMESCAL/ TELEGRAPH BUSINESS IMPROVEMENT DISTRICT 2015 ("TTBID 2015") AND (2) TO PAY \$1,688.22 FOR THE FISCAL YEAR 2014/2015 ASSESSMENT FOR ONE (1) CITY-OWNED PROPERTY ON WHICH ASSESSMENTS ARE TO BE LEVIED (APN 014 1219 003 00 – THE TEMESCAL LIBRARY) IF THE TTBID 2015 IS ESTABLISHED**

**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**, the City has adopted a policy encouraging the formation of Business Improvement Districts; and

**WHEREAS**, pursuant to the requirements of the Oakland Business Management District Ordinance stakeholders in the Temescal /Telegraph district have circulated a Petition to form the Temescal/Telegraph Business Improvement District 2015 (hereinafter "District") to undertake the Management District Plan for the Temescal/Telegraph Business Improvement District 2015 (hereinafter "Plan"); and

**WHEREAS**, if the Petition in support of formation of the District is signed by more than 30 percent of the weighted value of the assessments that would be imposed on properties within the proposed District, then the City may adopt a Resolution of Intention and cause ballots to be distributed to all property owners within the boundaries of the proposed District; through such ballots, votes in favor of or against the formation of the proposed District may be cast by the affected property owners, and such ballots will be tabulated at a public hearing, and

**WHEREAS**, concurrently with this proposed resolution, the Council is considering the passage of a Resolution of Intention to form the District; and

**WHEREAS**, the proposed District includes one (1) City-owned property on which assessments are to be levied (APN 014 1219 003 00 – the Temescal Library) which gives the City the right to sign the ballot in support of District formation (the "Ballot"); and

**WHEREAS**, this resolution will authorize the City Administrator to sign the Ballot on behalf of the City of Oakland; and

**WHEREAS**, if the District is established, the assessments will take place on a yearly basis for the ten-year life of the District; and

**WHEREAS**, if the District is established, the maximum total assessment amount over the ten-year life of the district for the one (1) City-owned property (Temescal Library) is approximately \$21,234.25; and

**WHEREAS**, funds to pay the FY 14/15 assessment have been budgeted to the General Purpose Fund (1010)/Citywide Activities Organization (90591)/Taxes and Assessments Account (53511)/ Business Improvement District Project (C138410)/IP50; 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 (1) to execute the ballot in favor of the formation of the Temescal/Telegraph Business Improvement District 2015 and (2) to pay the FY 14/15 assessment for the one (1) City-owned property on which assessments are to be levied (APN 014 1219 003 00 – the Temescal Library) in an amount of approximately \$1,688.22.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 3, 2014.

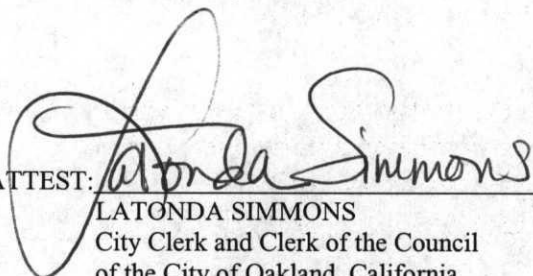
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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