

OAKLAND CITY COUNCIL

RESOLUTION NO. 81331 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE BALLOT FOR THE FIVE CITY-OWNED PROPERTIES ON WHICH AN ASSESSMENT IS TO BE LEVIED (APNS: 008 0623 006 01, 008 0635 001 00, 008 0649 005 00, 008 0655 006 00, 010 0768 004 00) TO SUPPORT THE FORMATION OF THE LAKE MERRITT/UPTOWN COMMUNITY BENEFIT DISTRICT OF 2008

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 Lake Merritt/Uptown district have petitioned to form the Lake Merritt/Uptown Community Benefit District of 2008 (hereinafter "District") under said legislation to undertake the Management District Plan for the Lake Merritt/Uptown Property Community Benefit District of 2008 (hereinafter "Plan"); and

WHEREAS, the District includes five City-owned properties on which an assessment is to be levied (APNS: 008 0623 006 01, 008 0635 001 00, 008 0649 005 00, 008 0655 006 00, 010 0768 004 00) to support the formation of the Lake Merritt/Uptown Community Benefit District of 2008; and

WHEREAS, the five City-owned properties on which an assessment is to be levied (APNS: 008 0623 006 01, 008 0635 001 00, 008 0649 005 00, 008 0655 006 00, 010 0768 004 00) 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 ten years; and

WHEREAS, if the District is established, the projected assessment for the five City-owned properties will be in an amount not to exceed \$565,728 to be paid over the ten year life of the district; and

WHEREAS, funds to pay the assessment will be identified in the resolution to establish the Lake Merritt/Uptown Community Benefit District of 2008, approving the Management Plan, directing filing of the proposed assessment district boundary description, making a determination with regard to the majority protest procedure for approval of the proposed assessments; and approving the assessments for the district to be presented on July 15, 2008; 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 five City-owned properties on which an assessment is to be levied (APNS: 008 0623 006 01, 008 0635 001 00, 008 0649 005 00, 008 0655 006 00, 010 0768 004 00) to support the formation of the Lake Merritt/Uptown Community Benefit District Of 2008.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2008

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, ~~REID~~, and
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Reid - 1

ABSTENTION- 0

ATTEST: _____


LATONDA SIMMONS

City Clerk and Clerk of the Council
of the City of Oakland, California