

OAKLAND CITY COUNCIL

2006 MAR 29 PM 6:52

RESOLUTION NO. 79853 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE PETITION 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, 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 Fruitvale district desire to gather petitions of support signed by property owners representing 30% of the projected assessments for the proposed Fruitvale Program Business Improvement District 2006 (hereinafter "District"); and

WHEREAS, the above threshold of petitions must be secured to continue the District formation process; 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) which gives the City the right to sign a petition in support of District formation; and

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

WHEREAS, if the District is established, the assessments will take place on a yearly basis and the District will last up to a maximum five year period ; 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 \$100,429.56 to be paid over the maximum 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, 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, the City Council of the City of Oakland does hereby resolve as follows:

That the City Council hereby authorizes the City Administrator to execute the petition 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.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 2 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