

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OF OAKLAND
2004 APR 14 PM 1:30

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Budget Office
Date: April 27, 2004

Re: Resolution of Intention and Accepting the Fiscal Year 2004-05 Preliminary Engineer's Report for the City of Oakland Landscaping and Lighting Assessment District and Setting the Date for a Public Hearing

SUMMARY

A resolution has been prepared declaring the City Council's intent to levy and collect assessments for FY 2004-05 for the Landscaping and Lighting Assessment District (LLAD), accepting the Preliminary Engineer's Report for the LLAD, and setting a public hearing date for June 10, 2004 at 5:00 p.m.

Francisco & Associates, Inc., the District Engineer, has prepared the FY 2004-05 Preliminary Engineer's Report for the LLAD. The Preliminary Engineer's Report is attached.

FISCAL IMPACT

There is no direct fiscal impact from City Council action on this report. However, City Council action does affect the process for assessing and collecting revenues from the LLAD for FY 2004-05. For FY 2004-05, the City anticipates revenues of approximately \$17.6 million from the LLAD. LLAD revenues are used to support City services directly related to the installation, maintenance, and servicing of public landscaping and lighting.

The service and cost of preparing the Preliminary Engineer's Report is included as part of the contractual agreement with Francisco & Associates, Inc., approved by the City Council on February 11, 2003 and expiring on December 31, 2004.

Funding for the contract is available in the Budget Office budget as part of the FY 2003-04 and FY 2004-05 adopted budgets (Organization 02811 – Budget Office, Fund 2310 – LLAD, Non-project, Account 54411 – Architectural and Engineering Services).

BACKGROUND

The California Landscaping and Lighting Act of 1972 (California Streets and Highways Code 22500-22509) allows local governmental agencies to form assessments districts for the purpose of financing the costs and expenses of landscaping and lighting public areas. The City of Oakland formed a Landscaping and Lighting Assessment District on June 23, 1989. In 1994, the City of Oakland voters defeated a ballot measure challenging the LLAD and confirmed its existence. The LLAD, utilizing a direct benefit assessment, provides a funding source for the operation and maintenance of public landscaping, fountains, general lighting, recreational,

playground, and park facilities, and street lighting in defined benefit zones that encompass the City of Oakland.

In addition, the California Streets and Highways Code, Section 22620-22631, applies to all assessments that are to be levied and collected for a fiscal year. The code describes the requirements for levying assessments, which are as follows:

1. Adopt a resolution describing any proposed new improvements or any substantial changes in existing improvements and ordering the engineer to prepare and file a report. (The resolution of initiation was discussed at the Finance and Management Committee of March 23, 2004 and adopted by the City Council on March 30, 2004.)
2. Approval of the engineer's report and adoption of a resolution of intention. The resolution of intention declares the City Council's intention to levy and collect assessments within the LLAD for the fiscal year. It also states whether the assessment is proposed to increase from the previous year and sets a date, hour, and place for a public hearing. (This step is the subject of this report and resolution.)
3. Conduct the public hearing affording all interested parties the opportunity to hear and be heard. (This report and resolution proposes to set the public hearing date.)
4. Adopt a resolution confirming the information in the engineer's report and the levy of the assessment within the LLAD for the fiscal year, if a majority protest has not been filed with the City Clerk. (Staff will forward this item directly to the City Council in June, as part of the FY 2004-05 Mid-cycle Budget review and adoption process.)

The current rate assessment structure has been in place since FY 1993-94, the year that Oakland voters confirmed the existence of the LLAD. With rates held constant since FY 1993-94, revenues have been flat at about \$17.6 million annually. The FY 2003-05 Adopted Budget contains a FY 2004-05 spending authority of \$19.2 million. The variance of \$1.8 million is to be derived from the existing fund balance, which will be exhausted during FY 2005-06. Any increase in the rates requires voter approval.

Upon fulfillment of these requirements, the City of Oakland must submit the assessments in August to the Alameda County Auditor for inclusion in the FY 2004-05 property tax roll. The City of Oakland collects the LLAD assessments through the County of Alameda property tax bill.

DISCUSSION

The purpose of this report and resolution is to declare the City Council's intention to levy and collect assessments within the LLAD for FY 2004-05, state whether the assessment is proposed to increase from the previous year, and set a date, hour, and place for a public hearing.

The resolution states that the City of Oakland does not intend to increase assessments for the LLAD for FY 2004-05. The assessment rate structure has been in place since FY 1993-94. The following table, taken directly from the Preliminary Engineer's Report, summarizes the assessment rates for one equivalent dwelling unit benefit by zone and general land use.

**Summary of Assessments for
One Equivalent Dwelling Unit Benefit by Zone and General Land Use**

| Benefit Zones | Residential | Non-Residential |
|----------------------|--------------------|------------------------|
| Zone 1 - Lighting | \$11.87 | \$24.44 |
| Zone 2 - Parks | \$90.77 | \$88.36 |
| Total Zone 1 | \$102.64 | \$112.80 |
| | | |
| Zone 2 - Lighting | \$11.99 | \$24.76 |
| Zone 2 - Parks | \$99.55 | \$97.24 |
| Total Zone 2 | \$111.54 | \$122.00 |
| | | |
| Zone 3 - Lighting | NA | \$40.71 |
| Zone 3 - Parks | NA | \$189.79 |
| Total Zone 3 | NA | \$230.50 |

The Preliminary Engineer's Report estimates revenues of \$17,687,587 in FY 2004-05 and appropriations of \$19,490,328, leaving a projected transfer from the fund balance in the amount of \$1,770,313. This would leave an estimated \$775,514 in the LLAD fund balance by year-end.

There is one attachment to the Preliminary Engineer's Report that is not included with this report. Attachment A is the FY 2004-05 Assessment Roll, a document that lists all properties within the assessment district by Assessor's Parcel Number, provides each property's use code, and indicates the property's assessment amount. The FY 2004-05 Assessment Roll is on file with the City Clerk.

Pursuant to the California Streets and Highways Code, the City Council must hold a public hearing to provide an opportunity for any interested party to be heard. Staff proposes that the date of the public hearing be set for Thursday, June 10, 2004 at 5:00 p.m., or as soon thereafter as the item may be heard, in City Hall.

SUSTAINABLE OPPORTUNITIES

There are no direct economic, environmental, or social equity opportunities or impacts associated with the City Council action requested in this report.

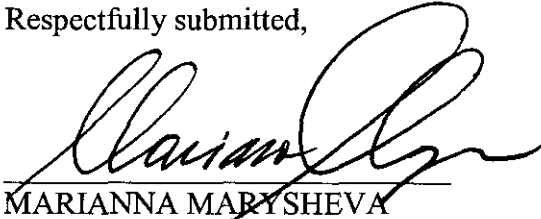
DISABILITY AND SENIOR ACCESS

LLAD revenues support the installation, maintenance, and servicing of public park and recreational facilities, and landscaping improvements, which are made accessible to persons with disabilities and seniors in accordance with the Americans with Disabilities Act.

RECOMMENDATION

Staff recommends that the City Council approve the proposed resolution.

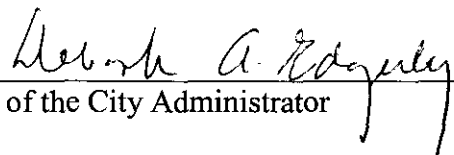
Respectfully submitted,



MARIANNA MARYSHEVA
Budget Director

Prepared by:
Stephanie Hom
Principal Budget Analyst
City Administrator's Budget Office

APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE


Office of the City Administrator

B. P. [Signature]

2004 APR 14 PM 3:31

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**RESOLUTION OF INTENTION AND ACCEPTING THE
FISCAL YEAR 2004-05 PRELIMINARY ENGINEER'S REPORT FOR THE
CITY OF OAKLAND LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT AND SETTING THE DATE FOR A PUBLIC HEARING**

WHEREAS, pursuant to the California Streets and Highways Code, Sections 22500, et seq., known as the Landscaping and Lighting Act of 1972 (Act of 1972), the City has taken a series of actions preliminary to ordering the establishment of the Landscaping and Lighting Assessment District ("District") and did establish such 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, the voters of the City of Oakland previously approved the continuation of the District, thereby exempting the District from the procedural requirements of the enacted Article XIII D of the California Constitution (Proposition 218); and

WHEREAS, the City Administrator filed with the City Clerk and presented before the Finance and Management Committee of the City Council, on April 27, 2004, reports for the continuation of the Landscaping and Lighting Assessment District in order to raise revenues for the installation, maintenance, and servicing of public landscaping and lighting; and

WHEREAS, the District Engineer has submitted a Preliminary Engineer's Report for the District confirming the applicability of the existing assessment rates for FY 2004-2005, which is on file with the City Clerk; now, therefore be it

RESOLVED: That the City Council intends to levy and collect assessments within the City of Oakland Landscaping and Lighting Assessment District for FY 2004-2005, with no increase in assessments from prior years; and be it

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FURTHER RESOLVED: That the City Council accepts the Preliminary Engineer's Report for the Landscaping and Lighting Assessment District for discussion purposes; and be it

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

FURTHER RESOLVED: That a public hearing is set for June 10, 2004 at 5:00 p.m., or soon thereafter as the item may be heard, in Oakland City Hall, One Frank H. Ogawa Plaza, Oakland, California regarding the FY 2004-05 Landscaping and Lighting Assessment District and the levy of assessments; and be it

FURTHER RESOLVED: That the Office of the City Administrator is directed to publish notice of the public hearing no later than June 1, 2004.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES---

NOES---

ABSENT---

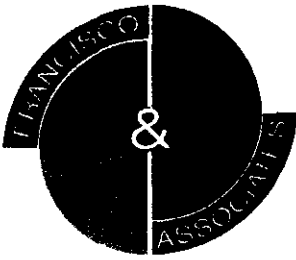
ABSTENTION---

ATTEST: _____

CEDA FLOYD

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

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APR 27 2004



PRELIMINARY ENGINEER'S REPORT

CITY OF OAKLAND



CITY OF OAKLAND LANDSCAPING & LIGHTING
ASSESSMENT DISTRICT

Fiscal Year 2004-05

Prepared for:
City of Oakland
Alameda County, California

Prepared by:
Francisco & Associates, Inc.

April 27, 2004

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FINANCE & MANAGEMENT CMTE.
APR 27 2004

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Appendix A - Assessment Roll (under separate cover)

**CITY OF OAKLAND
CITY COUNCIL MEMBERS AND CITY STAFF**

FISCAL YEAR 2004-05

Jerry Brown
Mayor

Jane Brunner, District 1
Council Member

Danny Wan, District 2
Council Member

Nancy Nadel, District 3
Council Member

Jean Quan, District 4
Council Member

Ignacio De La Fuente, District 5
President of the Council

Desley Brooks, District 6
Council Member

Larry Reid, District 7
Council Member

Henry Chang, At Large
Vice Mayor

Deborah Edgerly
City Administrator

John Russo
City Attorney

Ceda Floyd
City Clerk

Marianna A. Marysheva
Budget Director, Budget Office

Francisco & Associates, Inc.
Assessment Engineer

CITY OF OAKLAND
LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT

FISCAL YEAR 2004-05

The undersigned respectfully submits the enclosed Engineer's Report as directed by the City of Oakland.

Dated: 4/6/04

By Jennifer A. White
Jennifer A. White, P.E.
RCE No. 63464

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2004.

Ceda Floyd, City Clerk
City of Oakland
Alameda County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Oakland, Alameda County, California, on the _____ day of _____, 2004.

Ceda Floyd, City Clerk
City of Oakland
Alameda County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached was filed with the County Auditor of the County of Alameda, on the _____ day of _____ 2004.

By _____
Francisco & Associates, Inc.

SECTION I
INTRODUCTION
ENGINEER'S REPORT
CITY OF OAKLAND
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FISCAL YEAR 2004-05

Background Information

The purpose of this Report is to set forth findings and the engineering analysis for the City of Oakland's Landscaping and Lighting Assessment District (the "District") for FY 2004-05. The District was originally formed on June 23, 1989 and subsequently approved by the registered voters. This District, utilizing direct benefit assessments, provides a funding source for the operation and maintenance of landscaping, park and recreation facilities, and street lighting in selected areas (benefit zones) within the City of Oakland.

The cost of operation, maintenance, and servicing of improvements to be funded by the District is apportioned to each parcel within the City based upon the special benefit it receives. The Oakland City Council may amend the method of assessment from time to time, in order to apportion the costs in relation to the special benefit being received. However, any increase in the assessments from the prior year, will be subject to the applicable requirements of Proposition 218.

Payment of the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this Engineer's Report.

As required by the Landscaping and Lighting Act of 1972, this Engineer's Report describes the improvements to be constructed, operated, maintained, and serviced by the District for FY 2004-05, provides an estimated budget for the District, and lists the proposed assessments to be levied upon each assessable lot or parcel within the District.

The Oakland City Council will hold a Public Hearing on June 10, 2004 to provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified. Following the adoption of this resolution, the final Assessor's roll will be prepared and filed with the County Assessor's Office to be included on the FY 2004-05 tax roll.

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS LANDSCAPING
AND LIGHTING ACT OF 1972
SECTION 22500 THROUGH 22679
OF THE CALIFORNIA STREETS AND HIGHWAY CODE

CITY OF OAKLAND
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

FISCAL YEAR 2004-05

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), the Act, and in accordance with the Resolution of Intention, being Resolution No. _____, adopted May 18, 2004, by the City Council, of the City of Oakland, State of California, and in connection with the proceedings for:

CITY OF OAKLAND
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Hereinafter referred to as the "Assessment District" or "District", I, Jennifer A. White, P.E., the authorized representative of Francisco & Associates, Inc., and the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements to be maintained within the District. Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Public Works Agency and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements that are supported by assessment revenues for FY 2004-05, including incidental costs and expenses in connection therewith. This estimate is as set forth on the lists thereof, attached hereto, and is on file in the Office of the Oakland City Clerk and incorporated herein by reference.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the Assessment District showing the exterior boundaries of the District, the boundaries of any zones within the District, and the lines and dimensions of each lot or parcel of land within the District, and is on file in the Office of the Oakland City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for the fiscal year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENT

This part describes the method of apportionment of assessments based upon parcel classification of land, and location within the District, in proportion to the estimated special benefit to be received.

PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL

This list contains a list of the Assessor Parcel numbers of Alameda County, and the net amount to be assessed upon the benefited lands within the District for FY 2004-05. The Assessment Roll is filed in the Office of the Oakland City Clerk and is incorporated in this Report by reference. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The facilities and improvements that have been constructed and those that may be subsequently constructed within the District, which will be maintained and serviced consist of: street lighting; landscaping; public park and recreation facilities; and appurtenant facilities including, but not limited to, personnel, electrical energy, utilities such as water, materials, contractual services, and other items necessary for the facilities.

Street Lighting:

The street lighting system includes all street lights within the public right-of-way, easements, and other exterior lighting not part of a building system and which will be operated, maintained, and serviced by the District. Street lights and appurtenant facilities include, but are not limited to, poles, fixtures, bulbs, conduits, equipment including guys, anchors, posts, pedestals, and metering devices as required to provide safe lighting within the boundaries of the District. The locations of street lighting improvements are shown on a Street Light Base Map kept on file at the City's Electrical Engineering Section. There are more than 32,000 streetlights on residential, arterial, and collector streets, plus several hundred other public lights along pathways and outside buildings. Undergrounding projects, in accordance with PG&E programs, may also be included in the District improvements.

As lights are installed and upgraded, the District's operating and maintenance costs are impacted. Cost estimates prepared by the Public Works Agency, take into account the projected additional energy and maintenance costs for improvements to be installed during FY 2004-05.

Public Park and Recreational Facilities:

The public park and recreational facilities, and landscape improvements, which are located within the incorporated limits of the City of Oakland, will be operated, maintained, and serviced by the District. Public park and recreational facilities include, but are not limited to: landscaping; irrigation systems; hardscapes; plazas; street trees; sidewalks; trails; fixtures; and appurtenant facilities including but not limited to lights, playground equipment, including tot lots, play courts, public restrooms, sports fields, sports courts, parkways; and designated easements; and buildings or structures used for the support of park and recreational programs such as, but not limited to, recreation centers, swimming pools, picnic facilities, water-based recreation facilities, and nature oriented facilities.

All landscaping, park, and recreational improvements in Oakland, maintained by the City on public lands, are included in the District. The District includes approximately 2,500 acres of street, park, and plaza landscaping; 35,000 official street trees; more than 100,000 unofficial street trees; more than 100 City park and public grounds; and 25 recreation, community and interpretive centers.

Tables 1, 2, and 3 on the following page, present a partial list of the District's landscaping, and park and recreational facilities by each Benefit Zone. This list is not exclusive and many small facilities (e.g., street channels and islands) are not included. The benefit zones are those depicted on the Assessment Diagram for Residential and Nonresidential Zones.

Table I: BENEFIT ZONE 1

| Name of Park/Facility | Address | Name of Park/Facility | Address |
|--|------------------------------------|--|-------------------------------------|
| 25th Street Mini-Park | 2425 Martin L.King Jr. Way | Greenman Field | 1390 - 66th Avenue |
| 85th Avenue Mini-Park | 1712 - 85th Avenue | Grove Shafter Park | Martin L. King Jr Way / 36th Street |
| 88th Avenue Mini-Park | 1722 88th Avenue | Hellman Estates | 3400 Malcolm Avenue |
| Allendale Park / Recreation Center | 3711 Suter Street | Holly Mini-Park | 9830 Holly Street |
| Arroyo Viejo Park / Recreation Center | 7701 Krause Avenue | Ira Jinkins Recreation Center | 9175 Edes Avenue |
| Arroyo Viejo Tennis Courts | 7921 Olive Street | Jefferson Playground | 2035 - 49th Avenue |
| Athol Plaza Plaza and Tennis Courts | Foothill Boulevard / Lakeshore Ave | John Marshall | 3400 Malcolm Avenue |
| Beaumont Park | Beaumont Avenue / East 28th Street | Josie de la Cruz / Sanborn Park | 1637 Fruitvale Avenue |
| Bella Vista Park | 1025 East 28th Street | King Estates Playground | 8251 Fontaine Street |
| Bella Vista Tennis Courts | 1025 East 28th Street | Knowland Park | 9777 Golf Links Road |
| Bertha Port Tot Lot | 1756 Goss Street | Lazear Playground | 824 - 29th Avenue |
| Brookdale Park / Recreation Center | 2535 High Street | Linden Park | 998 - 42nd Street |
| Brookdale Tennis Courts | 2535 High Street | Lions Pool | 3860 Hanly Road |
| Brookfield Playground / Tennis Courts | 525 Jones Avenue | Live Oak Pool | 1055 MacArthur Boulevard |
| Brooklyn Park | 14th Avenue / Foothill Boulevard | Lowell Park / Playground | 1180 - 14th Street |
| Burckhalter Park | 4062 Edwards Avenue | Manzanita Park / Recreation Center | 2701 - 22nd Avenue |
| Burckhalter Playground / Tennis Courts | 4062 Edwards Avenue | Marston Campbell Park | 17th Street / West Street |
| Carmen Flores Recreation Center | 1637 Fruitvale Avenue | Maxwell House Park and Playground | 4618 Allendale Avenue |
| Carney Park | 10501 Acalanes Drive | McClymonds Mini-Park | 2528 Linden Street |
| Central Reservoir Park | 2506 East 29th Street | Morcom Rose Garden / Buildings | Jean Street / Olive Street |
| Central Reservoir Playground | 2506 East 29th Street | Morgan Plaza | 2601 Highland Drive |
| Chester Tot Lot | 319 Chester | Nicol Park | Nicol Avenue / Coolidge Avenue |
| Clinton Square Park | 1230 6th Street | Oak Glen Park | 3390 Richmond Boulevard |
| Coliseum Gardens Park | 966 - 66th Avenue | Oak Park | 3239 Kempton Avenue |
| Coliseum Playground | 5885 Oak Port Street | Peralta Hacienda House and Park | 2500 - 34th Avenue |
| Columbian Gardens Playground | Heskett Road / Empire Road | Peralta Oaks Park | Peralta Oaks Court / 106th Avenue |
| Concordia Park / Tennis Courts | 2901 64th Avenue | Pine Knoll Park | Lakeshore Avenue / Hanover Avenue |
| Curt Flood Playground | School Street / Coolidge Avenue | Poplar Park / Recreation Center | 3131 Union Street |
| Davies Tennis Stadium | 198 Oak Road | Poplar Playground | 3131 Union Street |
| Defremery Park / Recreation Center | 1651 Adeline Street | Raimondi (Ernie) Park | 1800 Wood Street |
| Defremery Playground / Tennis Courts | 16th Street / Poplar Street | Raimondi Field | 18th Street / Wood Street |
| Defremery Pool | 1269 - 18th Street | Rainbow Park / Recreation Center | 5800 International Boulevard |
| Dimond Park / Recreation Center | 3860 Hanly Road | Rainbow Tennis Courts | 5800 International Boulevard |
| Dimond Tennis Courts | Fruitvale Avenue / Lyman Avenue | Rancho Peralta Park | 34 East 10th Street |
| Durant Mini-Park | 725 Grand Avenue | Saint Andrews Park | 32nd Street / San Pablo Avenue |
| Eastshore Park | 550 El Embarcadero / Lakeshore Ave | San Antonio Park / Recreation Center | 1701 East 19th Street |
| Elmhurst Park | 1990 - 98th Avenue | San Antonio Playgound / Tennis Courts | 1701 East 19th Street |
| Elmhurst Playground / Tennis Courts | 1900 - 98th Avenue | Sheffield Village Park / Recreation Center | 251 Marlowe Drive |
| Estuary Channel Park | 5 Embarcadero | Sobranter Park / Playground | 470 El Paseo Drive |
| F.M. Smith Park | 1969 Park Boulevard | South Prescott Park | 3rd Street/ Chester St. |
| F.M. Smith Recreation Center | 1969 Park Boulevard | Splash Pad Park | Grand Avenue / Lake Park |
| Foothill Meadows Park | 3705 Foothill Boulevard | Stonehurst Park / Playground | 10315 E Street |
| Franklin Park / Recreation Center | 1010 East 15th Street | Studio One | 365 - 45th Street |
| Franklin Playground | 1010 East 15th Street | Tassafaronga Park / Recreation Center | 975 - 85th Avenue |
| Fremont Pool | 4550 Foothill Boulevard | Tassafaronga Playground | 975 - 85th Avenue |
| Fruitvale Bridge Park | 3205 Alameda Avenue | Vantage Point Park | 1198 - 13th Avenue |
| Fruitvale Field | 3200 Boston Avenue | Verdese Carter Park / Recreation Center | 9600 Sunnyside Street |
| Fruitvale Plaza | 1412 - 35th Avenue | Wade Johnson Park | 1250 Kirkham Street |
| Garfield Playground | Foothill Boulevard / 23th Avenue | Willow Mini-Park | 14th Street / Willow |
| Glen Daniels / King Estates Park | 8251 Fontaine Street | Wood Park | 2920 McKillop Road |
| Glen Echo Creek Park | Panama Court / Monte Vista Avenue | | |

Table 2: BENEFIT ZONE 2

| Name of Park/Facility | Address | Name of Park/Facility | Address |
|--|----------------------------------|--|---------------------------|
| Avenue Terrace Park | 4369 Bennett Place | McCrea Trout Pond | 4460 Shepherd Street |
| Bushrod Park / Recreation Center | 560 - 59th Street | Monclair Park / Recreation Center | 6300 Moraga Avenue |
| Bushrod Playground / Tennis Courts | 560 - 59th Street | Monclair Playground/ Tennis Courts | 6300 Moraga Avenue |
| Caldecott Playground | 6900 Broadway | Mosswood Park / Recreation Center | 3612 Webster Street |
| Chabot Park | 6850 Chabot Road | Mosswood Playground Tennis Courts | 3612 Webster Street |
| Chabot Playground / Tennis Courts | 6850 Chabot Road | Ostrander Park | 6121 Broadway Terrace |
| Colby Park | 61st / Colby Street | Pinco Park (Jones Field) | 5000 Redwood Road |
| Dunsmuir Estate Park | 61 Covington Street | Ranger Station | 3450 Joaquin Miller Road |
| Garber Park | Alvarado Road / Claremont Avenue | Redwood Heights Park / Recreation Center | 3883 Aliso Avenue |
| Gateway Gardens | Tunnel Road / Caldecott Lane | Rockridge Park | 6090 Rockridge Boulevard |
| Golden Gate Playground / Recreation Center | 1075 - 62nd Avenue | Secunia Park / Lodge | 2666 Mountain Boulevard |
| Hardy Park | 491 Hardy Street | Shepherd Canyon Park | 6000 Shepherd Canyon Road |
| Joaquin Miller Community Center | 3590 Sanborn Drive | Temescal Creek Park | Cavour / Clifton Street |
| Joaquin Miller Park | 3304 Joaquin Miller Road | Temescal Pool | 371 - 45th Street |
| Leona Heights Park | 4444 Mountain Boulevard | Woodminster Theater | 3304 Joaquin Miller Road |
| Leona Lodge | 4444 Mountain Boulevard | Woodminster Cascades | 3304 Joaquin Miller Road |
| McCrea Park | 4460 Shepherd Street | | |

Table 3: BENEFIT ZONE 3

| Name of Park/Facility | Address | Name of Park/Facility | Address |
|---------------------------------------|------------------------------------|----------------------------------|-----------------------------------|
| Bandstand | Lakeside and Lakeshore | Lakeside Park | Lakeside Drive along Lake Merritt |
| Boat Repairs | 666 Bellevue Avenue | Lakeside Show Gardens | 666 Bellevue Avenue |
| Bowling Clubhouse | 666 Bellevue Avenue | Latham Square Fountain | 15th Street / Broadway |
| Bowling Green | 666 Bellevue Avenue | Lincoln Square Park | 261 - 11th Street |
| Channel Park | 21 - 7th Street & East 10th Street | Lincoln Square Recreation Center | 250 - 10th Street |
| Children's Fairland | 209 Grand Avenue | Madison Square Park | 810 Jackson Street |
| Chinese Garden (Rilea, Railroad) Park | 7th Street & Harrison Street | McClroy Fountain | 666 Bellevue Avenue |
| Duck Islands | 666 Bellevue Avenue | Necklace of Lights | 633 Bellevue Avenue |
| Frank H. O'Gawa Plaza (Civic Center) | One Frank H. O'Gawa Plaza | PERK Office - Lakeside Drive | 1520 Lakeside Drive |
| Garden Center | 666 Bellevue Avenue | Peralta Park | 94 East 10th Street |
| Lafayette Square Park | 635 - 11th Street | Rotary Nature Center | 600 Bellevue Avenue |
| Lake Merritt | 468 Bellevue Avenue | Sailboat House | 666 Bellevue Avenue |
| Lake Merritt Boating Center | 568 Bellevue Avenue | Science Fern Exhibit | 666 Bellevue Avenue |
| Lakeside Nursery | 666 Bellevue Avenue | Snow Park | 19th & Harrison |

Maintenance means the furnishing of services and materials for the ordinary and usual operations, maintenance and servicing of the landscaping, street lighting, public park, and recreational facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, street lighting, public park and recreational facilities, or appurtenant facilities; providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; and the removal of trimmings, rubbish, debris, and other solid waste. Servicing means the furnishing of water for the irrigation of the landscaping, and the maintenance of any street lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas, or other illuminating agent for the street lighting, public park, and recreational facilities or appurtenant facilities.

The plans and specifications for the improvements for the Public Works Agency of the City of Oakland.

PART B

ESTIMATE OF COST

The City's Appropriation summary for the District is shown below in Table 4.

| Table 4: Estimate of Revenues and Costs City of Oakland Landscape and Lighting Assessment District FY 2004-05 | |
|---|---------------------|
| Estimated Revenues | |
| Property Assessments | \$17,687,567 |
| Recoveries for Damaged Lights | \$19,773 |
| Tree Removal Permits | \$8,000 |
| Sidewalk Repair Service Charges | \$4,675 |
| Total Revenues | \$17,720,015 |
| Estimated Expenditures | |
| City Attorney | |
| Advisory Services | \$128,616 |
| City Manager - Budget Office | |
| Budget Analysis & Operations | \$88,816 |
| Finance & Management - Revenue & Info Technology | |
| Revenue Collections | \$114,309 |
| Application Development & Support | \$30,277 |
| <i>Subtotal</i> | \$144,586 |
| Public Works | |
| Electrical & Energy Efficiency | \$3,834,801 |
| Facilities Management & Development | \$466,827 |
| Keep Oakland Clean & Beautiful | \$31,318 |
| Streets & Sidewalks Mgmt & Development | \$267,992 |
| <i>Subtotal</i> | \$4,600,938 |
| Museum | |
| Museum Oversight | \$60,000 |
| Museum Visitor Services | \$255,505 |
| <i>Subtotal</i> | \$315,505 |
| Parks & Recreation | |
| Central Administration | \$509,391 |
| Recreation, Cultural, Civic | \$2,279,157 |
| Competitive Sports | \$298,116 |
| Aquatics | \$473,376 |
| Grounds | \$6,293,729 |
| Custodial Services | \$1,315,203 |
| Trees | \$2,461,646 |
| Ball Fields | \$425,787 |
| Technical Services & Support Operations | \$47,702 |
| Activity Centers | \$107,760 |
| <i>Subtotal</i> | \$14,211,867 |
| Total Expenditures | \$19,490,328 |
| Contribution from Fund Balance | (\$1,770,313) |
| Estimated Ending Fund Balance | \$775,514 |

*Note: The figures provided are estimates as of the printing of this document. They are subject to change based upon City Council budget deliberations during the FY2003-05 Mid-cycle budget review.

The summary on the previous page includes the allocation of costs that are borne to the District and are required to maintain and operate the improvements within the District and which can be supported by District revenues. The 1972 Act provides that the total cost for operations, maintenance and servicing of those facilities or improvements, which provide a "special benefit" to the parcels being assessed, can be recovered in the assessment spread including incidental expenses. The latter can include engineering fees, legal fees, printing, mailing, postage, publishing, and all other related costs identified with the district proceedings.

The District's total Assessment amount is apportioned by Benefit Zone as shown below in Table 5. The location of the zones of benefit and the method of apportionment are described in Part D of this Report.

| Table 5: ASSESSMENTS BY BENEFIT ZONE | | | | | | |
|--------------------------------------|---------------|--------------------|---------------|--------------------|--------------------|-----------------------|
| DESCRIPTION | Zone 1 Budget | | Zone 2 Budget | | Zone 3 | Total All Zones |
| | Residential | Non Residential | Residential | Non Residential | Non Residential | |
| Lighting | \$1,039,564 | \$776,228 | \$387,485 | \$97,626 | \$181,940 | \$2,482,844 |
| Landscaping | \$7,949,557 | \$2,806,364 | \$3,217,190 | \$383,407 | \$848,205 | \$15,204,723 |
| Total Estimated Assessments | \$8,989,121 | \$3,582,592 | \$3,604,675 | \$481,033 | \$1,030,146 | \$17,687,567 |

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by the assessment shall be used only for the purpose as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C

ASSESSMENT DISTRICT DIAGRAM

Assessment District

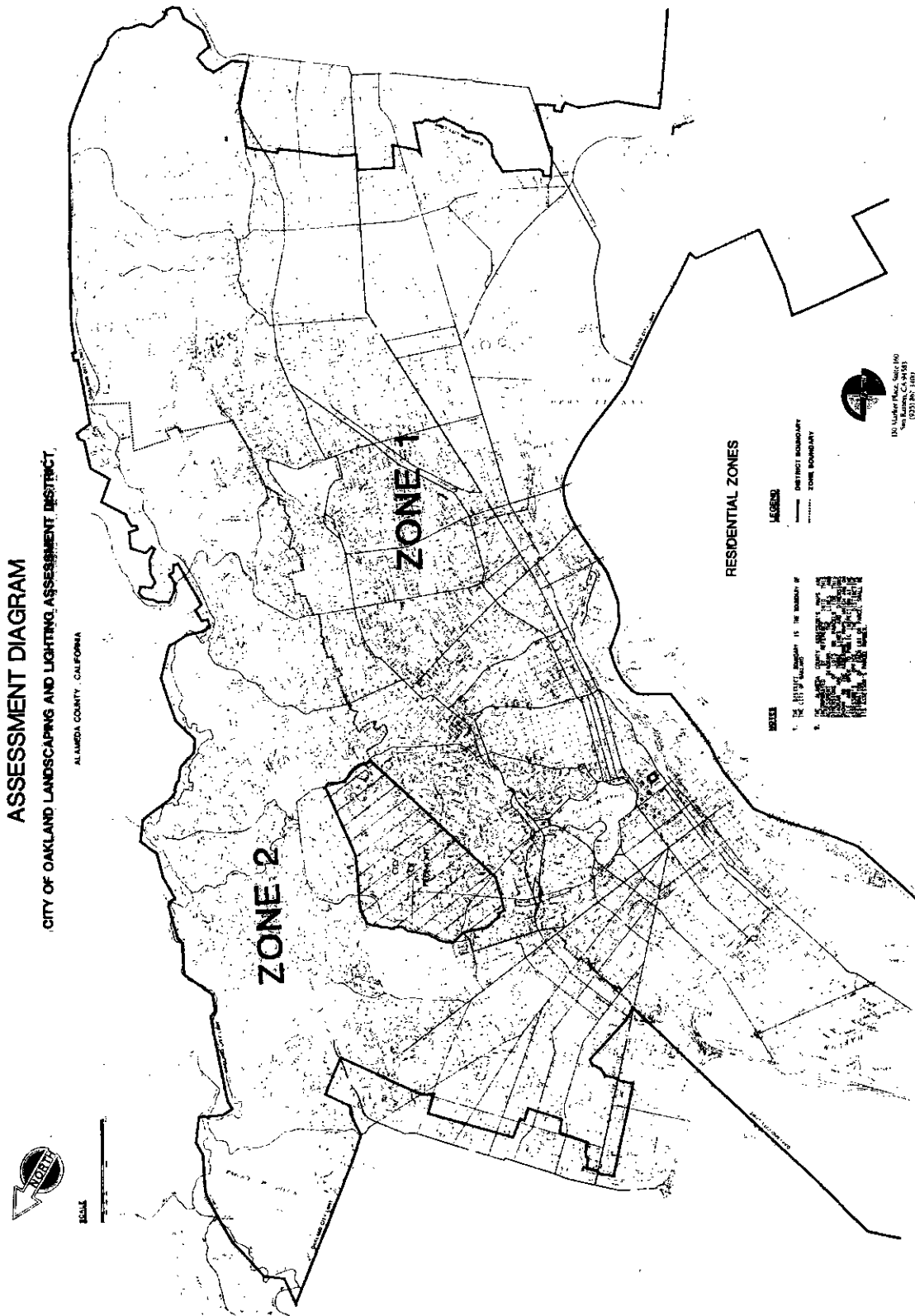
The boundaries of the City of Oakland's Landscaping and Lighting Assessment District coincide with the boundaries of the City of Oakland and encompass all parcels of land within the City. The District Diagram is located on the following pages of this Report.

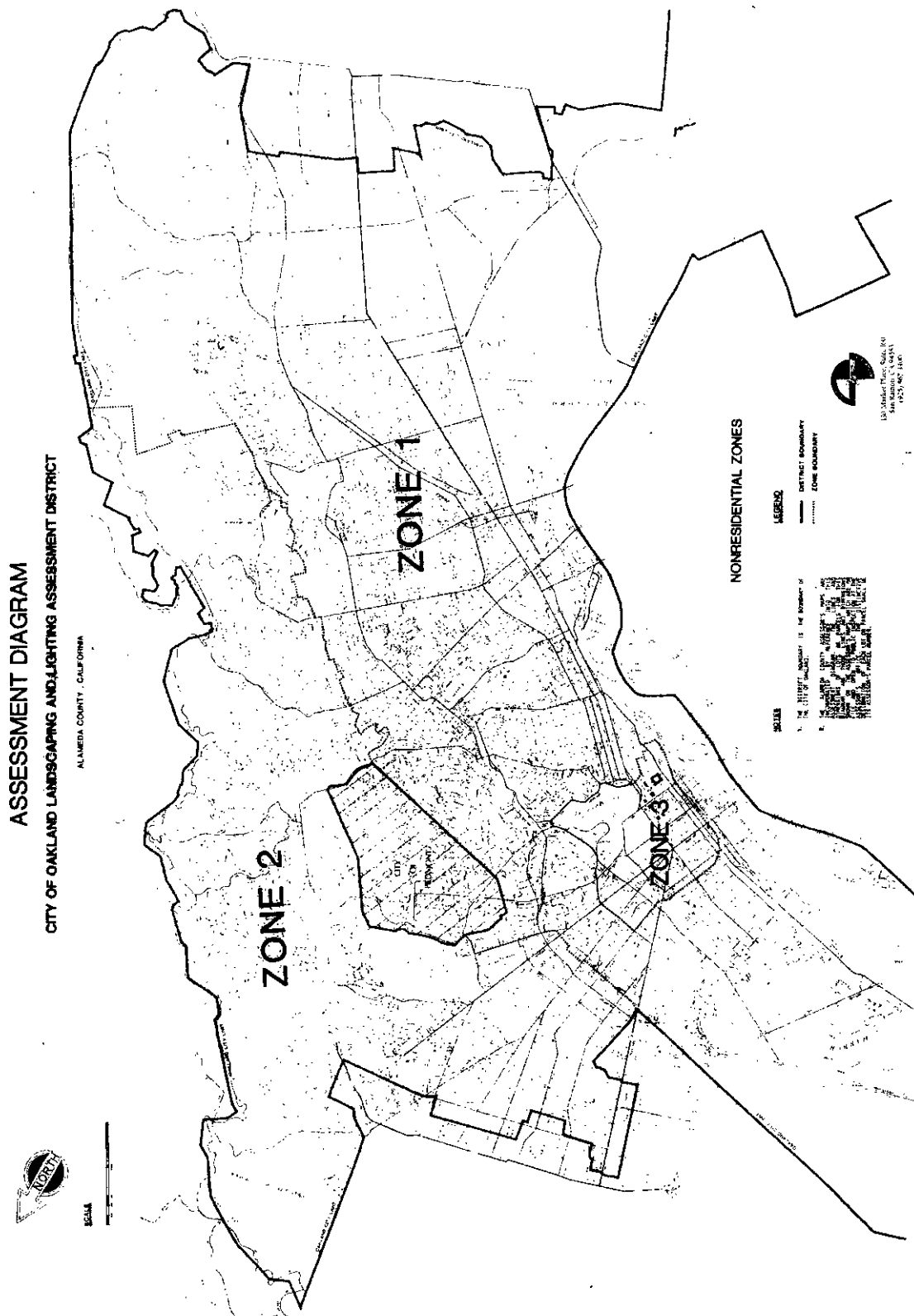
The District Diagram presents the District boundary, the Zones of Benefit, and City streets. The lines and dimensions of each parcel of land within the District, are those lines and dimensions of the Assessor's parcel maps on file at the Alameda County Assessor's office. The Assessor's maps are incorporated by reference into the Assessment Diagram. The Assessor's parcel number is adopted as the distinctive designation of each lot or parcel.

Benefit Zone Boundaries

The District is divided by two benefit zone systems, residential and non-residential. Consequently, the District Diagram is presented in two sheets, one depicting residential Benefit Zones 1 and 2, and the other depicting non-residential Benefit Zones 1, 2, and 3. For each sheet of the Assessment District Diagram, the dividing line between Benefit Zones 1 and 2 begins at I-580 and the northerly City Park District Limits, then continues easterly along I-580 and northerly along Piedmont Avenue to the City Limits of Piedmont. It then begins at Park Boulevard and the southerly boundary of Piedmont and meanders southerly to State Road 13 near Seminary Avenue, and easterly to the Oakland City Limits.

Non-residential Benefit Zone 3 encompasses the downtown business district bordered by Grand Avenue, El Embarcadero, Lakeshore Avenue, the Nimitz Freeway, Highway 24 and 27th Street.





PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by Agencies for the purpose of providing, maintaining, and servicing certain public improvements, which include the construction, maintenance, and servicing of street lights, traffic signals, and landscaping facilities.

Section 22573 of the 1972 Act requires that assessments be levied according to benefit rather than according to assessed value. This section states:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

“The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California].”

The 1972 Act permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements”. (Sec. 22574). Thus, the 1972 Act requires the levy of a true “assessment” rather than a “special tax”.

In addition, Article XIIIID, Section 4(a) of the California State Constitution requires that a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Section 4 provides that only special benefits are assessable and the City must separate the general benefits from the special benefits.

SPECIAL BENEFIT DETERMINATION

Street Lighting

The proper functioning of street lighting is imperative for the welfare and safety of the property owners throughout the City. Proper operation, maintenance, and servicing of a street lighting system benefits property by providing increased illumination for ingress and egress, safe traveling at night, improved security, protection of property, and the reduction in traffic accidents.

Landscaping

Trees, landscaping, hardscaping, and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore, increase property desirability and value. In Parkways and Land Values, written by John Nolan

and Henry V. Hubbard in 1937, it is stated:

“... there is no lack of opinion, based on general principals and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly... Indeed, in most cases where public money has been spent for parkways, the assumption has been definitely made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City or in parts of the City...”

It should be noted that the definition of “parkways” above includes all roadway landscaping including medians and entranceways.

Parks and Recreation

Property values in communities are increased, and the overall quality of life and desirability of an area are enhanced, when public park and recreational facilities are in place, improved, operable, safe, clean, and maintained. Conversely, property values decrease when park and recreational facilities are non-existent, unsafe, or destroyed by the elements or vandalism.

Property values in an area also increase when there is an increase in the number of parks, recreation centers, and sports facilities. These park and recreational facilities enable property owners to participate in sporting events, leisure activities, picnics, organized social events, and other miscellaneous activities.

Studies in a number of communities, including counties and cities throughout the United States, have indicated that recreation areas and facilities, if well maintained and administered, have caused an increase in the property values of parcels within the community. Consequently, such park and recreational facilities have proved a potent factor in maintaining a sound economic condition and a high standard of livability in the community. These studies confirm the opinion long held by planning authorities as to the economic value of parks and recreational facilities in a community.

“The recreation value is realized as a rise in the value of land and other property in or near the recreation area, is of both private interest to the landowner and others holding an economic stake in the area, and of public interest to the taxpayers, who have a stake in a maximum of total assessed values.” (National Recreation and Park Association, June 1985)

The benefit of parks and recreational facilities to residential and commercial/industrial properties has been summarized by a number of studies. The United States Department of the Interior, National Park Service, in a publication of June 1984, concluded that:

- “Park and recreation improvements stimulate business and generate tax revenues.”
- “Park and recreation improvements help conserve land, energy, and resources.”
- “An investment in park and recreational improvements helps reduce pollution and noise, makes communities more livable, and increases property values.”
- Public recreation benefits all employers by providing continuing opportunities to

maintain a level of fitness throughout one's working life, and through helping individuals cope with the stress of a fast-paced and demanding life."

BENEFIT ZONES

Benefit Zones have been established to distinguish geographic areas with differing degrees of benefit received by parcels of similar size and use. These distinctions arise from variations in the nature, location, and extent of improvements. Within a Benefit Zone, parcels of similar size and use are estimated to receive the same degree of benefit. For the City of Oakland Landscaping and Lighting Assessment District, two benefit zone systems are used; one for residential parcels and one for non-residential parcels.

Street Lighting Improvements

By resolution, the Oakland City Council has established minimum standards for residential street lighting that are uniformly applied throughout the City. The District's lighting budget includes funds to maintain all residential streets at these standards. Because of the resulting uniform lighting intensity, a residential zone would not be required on the basis of street lighting alone. However, some residential properties are located in areas that are predominantly non-residential areas. This brighter lighting on collector and arterial streets is primarily for the benefit of non-residential uses and is not specifically attributed to the residential parcels located on such streets. Because all residences benefit from the brighter lighting on major streets, a portion (30 percent) of the collector street lighting is included in the City staff's estimate of residential lighting costs and is included in the residential assessments.

Landscaping Improvements

The District is divided into residential benefit Zones for several reasons regarding the landscaping. One reason for establishing Benefit Zones is relative location of and access to improvements. The District's Benefit Zones reflect the common transportation corridors used to reach landscaping and park improvements within a Benefit Zone. Another reason for the Benefit Zone structure used here is the variation in density of park and landscaping improvements throughout the City. Residential Benefit Zone 1 has a higher density of improvements than does residential Benefit Zone 2.

Parks and Recreation

Finally, a long-standing system of City Park Maintenance Districts provides another basis for placement of Benefit Zone boundaries. These Park District boundaries were initially established on the basis of location and density of park and landscaping improvements, in an effort to establish areas requiring equivalent input of resources.

For non-residential parcels, it is appropriate to make the same distinction between Benefit Zones 1 and 2 for benefits received from park improvements. In addition, for non-residential parcels, a distinction is necessary for benefits received from street lighting. Throughout the City, street lighting is similar among non-residential areas. One exception to this similarity in lighting among non-residential areas is the downtown area, which is more intensely lighted than are other non-residential areas. To account for this difference in lighting intensity, Benefit Zone 3 encompassing the central business district, is created for non-residential properties.

In addition to distinguishing lighting intensity, the Benefit Zone 3 boundary serves another purpose. The highest density of park improvements is in the downtown area. Downtown improvements include Lake Merritt. Clearly, areas outside Benefit Zone 3 also benefit from the downtown improvements. Portions of the Benefit Zone 3 park benefits are therefore attributed to Benefit Zones 1 and 2.

Estimates of the benefits received outside Benefit Zone 3 are based on interviews with City staff and other persons possessing extensive knowledge of City parks and their usage. Twenty-five percent of Benefit Zone 3 parks benefits are attributed solely to the non-residential parcels in Benefit Zone 3. Fifty percent of Benefit Zone 3 parks benefits are attributed to non-residential and residential Benefit Zones 1 (including the residential parcels downtown), and 25 percent of Benefit Zone 3 parks benefits are attributed to non-residential and residential Benefit Zones 2.

In summary, several zones of benefit are established as follows:

| | |
|--------|-----------------|
| Zone 1 | Residential |
| Zone 1 | Non-Residential |
| Zone 2 | Residential |
| Zone 2 | Non-Residential |
| Zone 3 | Non-Residential |

BENEFIT UNITS

Since the assessment must be based upon the type of use and the size of the property, an assessment methodology has been developed based on both land use and size. The assessment methodology developed determines the number of Benefit Units assigned to each parcel. In determining the number of Benefit Units assigned, three factors are considered: parcel size, parcel frontage, and land use. For non-residential buildings exceeding five stories in height, the net rentable area of each building is incorporated into the assessment formula.

Each parcel is assigned benefit units in proportion to the estimated benefit the parcel receives from the lighting, landscape, and park improvements. The total number of benefit units are then divided into the annual revenue requirement to determine the cost per benefit unit. The benefit assessment for each parcel is then determined by multiplying the number of benefit units for each parcel by the cost per benefit unit.

Calculation of the Benefit Units to be assessed for the improvements on each parcel is based upon land use (intensity of development) and parcel size as noted above, including frontage. Equivalent Dwelling Units (EDUs) have been selected as the measure for land use.

Single Family

Since the single-family parcel represents over 66% of the total parcels within the District, it is used as the basic unit and is defined as 1.00 EDU. Single family parcels are defined as parcels that have a land use classification as single family residential with the Alameda County Assessor's Office and are located within the boundaries of the District.

Condominium

Condominium parcels are considered 0.75 EDUs due to their reduced population density and size of structure relative to the typical single family residence. Condominium parcels are defined as parcels that have a land use classification as condominium, attached planned unit development or co-op with the Alameda County Assessor's Office and are located within the boundaries of the District.

Multi-Family

Multi-family residential parcels are also given a reduction of EDUs because of their reduced benefit received as the number of units increase. By decreasing the equivalency factor as the number of units increases, a reasonable benefit assessment per parcel is achieved. The equivalency factors for multi-family parcels are shown on Table No. 6 below. Multi-family parcels are defined as parcels that have a land use classification as multi-family, which includes duplexes, triplexes, apartments, etc., with the Alameda County Assessor's Office and are located within the boundaries of the District.

Table 6: Multi-Family Residential EDU Calculations

| Number or Range of Units Per Parcel | Single-Family Equivalent Benefits Per Unit | Number or Range of Units Per Parcel | Single-Family Equivalent Benefits Per Unit |
|-------------------------------------|--|-------------------------------------|--|
| 1 | 1.000 | 31-34 | 0.514 |
| 2 | 0.700 | 35-39 | 0.511 |
| 3 | 0.650 | 40-44 | 0.508 |
| 4 | 0.600 | 45-49 | 0.505 |
| 5 | 0.550 | 50-59 | 0.502 |
| 6 | 0.547 | 60-69 | 0.499 |
| 7 | 0.544 | 70-79 | 0.496 |
| 8 | 0.541 | 80-99 | 0.493 |
| 9 | 0.538 | 100-129 | 0.490 |
| 10 | 0.535 | 130-159 | 0.487 |
| 11 | 0.532 | 160-199 | 0.484 |
| 12 | 0.529 | 200-249 | 0.481 |
| 13-15 | 0.526 | 250-299 | 0.478 |
| 16-19 | 0.523 | 300-349 | 0.475 |
| 20-24 | 0.520 | 350-500 | 0.472 |
| 25-30 | 0.517 | | |

Commercial and Institutional

The commercial and institutional land use category represents the largest non-residential category. Although the parcel area and frontage equating to the benefit received by a single family residential parcel is incapable of exact determination, reasoned judgment establishes estimates resulting in fair assessments. Commercial and institutional parcels are defined as parcels that have a land use classification as commercial or institutional with the Alameda County Assessor's Office and are located within the boundaries of the District.

Parcel area and frontage for a "typical" or "average" single family parcel are approximately 40 foot by 80 foot to 50 foot by 100 foot. If one further estimates that the benefits received by a "typical" parcel are attributable one-half to its frontage on the street and one-half to its area, one-half of a

single family parcel's benefit can be attributed to a frontage of 40 to 50 feet and another one-half of a benefit unit can be attributed to an area of 3,200 to 5,000 square feet. It is this range of estimates that is applied to the commercial / institutional and industrial (see below) land use categories.

As noted in the following table and illustrated in the example calculation, one EDU benefit is attributed to a commercial/institutional parcel for each 80 feet of frontage and for each 6,400 square feet of parcel area.

AREA AND FRONTAGE PER EQUIVALENT DWELLING UNIT BENEFIT
BY LAND USE CATEGORY

| Land Use Category | Frontage (FT) | Area (SF) |
|--------------------------|---------------|-----------|
| Commercial/Institutional | 80 | 6,400 |
| Industrial | 100 | 10,000 |
| Public Utility | 1,000 | 100,000 |
| Golf Course | 1,000 | 200,000 |
| Quarry | 1,000 | 250,000 |

Example benefit estimation for a commercial or institutional parcel with a frontage of 160 feet and an area of 12,800 square feet:

| | | | | |
|-----------------|---|------------------|---|---------------------|
| <u>Frontage</u> | | <u>Area</u> | | |
| <u>160 FT</u> | | <u>12,800 SF</u> | | |
| 80 FT/SFE | + | 6,400 SF/SFE | = | 4 SFE Benefit Units |

Industrial

For the industrial land use category, estimates are taken from the other end of the range discussed above. One EDU benefit is represented by 100 feet of frontage and by 10,000 square feet of parcel area. It is estimated that, for a given increment of frontage or area, an industrial parcel benefits less than does a commercial or institutional parcel. The distinction in frontage or area per unit benefit is designed to take this difference into account.

Predominantly industrial areas are generally less intensely lighted than are predominantly commercial areas. This less intense lighting is accounted for by using larger frontage and area factors to represent the unit benefit. Moreover, basic differences in land use result in less benefit being received per unit area or frontage by industrial uses than for commercial or institutional uses. Industrial uses are typically less intense, requiring greater areas and generating fewer occupants and pedestrians than do commercial or institutional uses. In addition, the enhanced image created by the presence of parks and landscaping is generally more important to commercial and institutional uses than to industrial uses.

Public Utilities

Properties owned or leased by investor owned public utilities are established as a separate land use category. Many of the parcels in this category have large areas and frontages and would receive unreasonably large assessments unless a distinction is made in the frontage and area representing a unit benefit. Most of these parcels contain equipment and facilities that receive relatively little benefit from public lighting, landscaping, and parks. These parcels were allocated 1.00 EDU benefit for each 1,000 FT of frontage and for each 100,000 SF of area.

Public Agency Parcels

Public property that is developed and used for business purposes similar to private commercial, industrial, and institutional activities will be assessed the at same rate as commercial, industrial or institutional parcels. A majority of the publicly owned parcels within the District are owned by the Port of Oakland.

Golf Courses

The District contains three golf courses consisting of six parcels. These parcels represent very large areas and frontages. Moreover, most of the area of golf courses is permanent open space. Golf courses do contain clubhouses and other structures and do benefit from public lighting, landscaping and parks, but estimation of their benefits requires a formula different from that applied to other land uses. The golf courses are allotted 1.00 EDU benefit for each 1,000 FT of frontage and for each 200,000 SF of area.

Quarries

Two parcels have the use code for quarries. These parcels are very large and derive little benefit from the District's improvements. Among all use categories, quarries are estimated to receive the least benefit per frontage and area and are allotted 1.00 EDU benefit for each 1,000 FT of frontage and 250,000 SF of parcel area.

Mobile Home Parks

The three mobile home parks in the District are assigned a commercial use code by the Assessor, but it is more appropriate to base their assessment on the residential method. Their benefit is estimated at 0.75 EDU benefits per mobile home.

Non-Residential Condominiums

There are a number of condominiums with use codes in the commercial and industrial land use categories. Parcel area and frontage data from the Assessor's parcel maps pertain to a condominium complex as a whole. These data were used to compute an assessment for the total complex. A third variable, each parcel's percentage interest in the condominium, was derived from documents in the County Recorder's Office and was used to prorate the assessment for the total complex. Because of small percentage interests, some computations resulted in unreasonable low benefit estimates; therefore, a minimum estimated benefit of 0.20 EDU benefit was established.

Tall Non-Residential Buildings

Tall buildings make relatively intense use of public lighting, landscaping, and parks because of their high rates of occupancy and pedestrian generation. Because of the small ratio of building footprint to floor area for a tall building, the benefits received from this intense use are not fairly

measured by parcel area and frontage alone. In estimating the benefits received by tall buildings, area and frontage measures are supplemented by net rentable area of the building.

A tall building is defined as a building of more than five stories. For tall buildings, the normal benefit computation is performed on the basis of parcel area and frontage. Added to that result is an estimated additional benefit of one EDU per 5,000 SF of net rentable area. To avoid unreasonably large benefit estimates for tall buildings on large parcels, a maximum estimated benefit of 100 EDU's is established.

One building appears as separate parcels for each of nine levels. For this building, site area, street frontage, and building net rentable area is allocated equally to each parcel.

Vacant

Vacant parcels are defined as parcels that have no improvements constructed thereon and have a land use classification as vacant with the Alameda County Assessor's Office and are located within the boundaries of the District.

Exempt

Exempted from the assessment would be public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and not used for business purposes similar to private commercial, industrial, and institutional activities.

SUMMARY OF ASSESSMENTS

The methods described above are applied to estimate the benefits received by each assessable parcel in the District from lighting, landscaping, parks, and recreational improvements. These estimates are expressed as Equivalent Dwelling Unit (EDU) benefits. The total of equivalent benefit units for each Zone is then computed for both residential and non-residential land uses. A Summary of Single-Family Equivalent Benefits by Zone and General Land Use is presented below.

| Benefit Zone | Residential | Non-Residential | Combined |
|--------------|-------------|-----------------|------------|
| 1 | 87,579.12 | 31,760.57 | 119,339.69 |
| 2 | 32,317.33 | 3,942.89 | 36,260.22 |
| 3 | N/A | 4,469.18 | 4,469.18 |
| Total | 119,896.45 | 40,172.65 | 160,069.10 |

These EDU benefits are then divided into the appropriate budget item subtotal (see Cost Estimate) to obtain the assessment for lighting and for parks and landscaping, for residential and non-residential uses in each Benefit Zone. A Summary of Assessments for One Equivalent Dwelling Unit Benefit by Zone and General Land Use is as follows:

SUMMARY OF ASSESSMENTS
FOR ONE EQUIVALENT DWELLING UNIT BENEFIT
BY ZONE AND GENERAL LAND USE

| Zone 1 | Residential | Non-Residential |
|----------|-------------|-----------------|
| Lighting | \$11.87 | \$24.44 |
| Parks | \$90.77 | \$88.36 |
| Total | \$102.64 | \$112.80 |

| Zone 2 | Residential | Non-Residential |
|----------|-------------|-----------------|
| Lighting | \$11.99 | \$24.76 |
| Parks | \$99.55 | \$97.24 |
| Total | \$111.54 | \$122.00 |

| Zone 3 | Residential | Non-Residential |
|----------|-------------|-----------------|
| Lighting | N/A | \$40.71 |
| Parks | N/A | \$189.79 |
| Total | N/A | \$230.50 |

The assessment for a particular parcel is then computed by multiplying that parcel's estimated benefit units as expressed in EDU's by the appropriate assessment per benefit unit. The assessments for residential and non-residential parcels within each Zone are presented in the following table:

| Benefit Zone | Residential | Non-Residential | Combined |
|--------------|--------------|-----------------|--------------|
| 1 | \$8,989,121 | \$3,582,592 | \$12,571,713 |
| 2 | \$3,604,675 | \$481,033 | \$4,085,708 |
| 3 | N/A | \$1,030,146 | \$1,030,146 |
| Total | \$12,593,796 | \$5,093,771 | \$17,687,567 |

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each lot or parcel within the City of Oakland Landscaping and Lighting Assessment District is shown on the last equalized Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for FY 2004-05 apportioned to each lot or parcel. The Assessment Roll is on file in the Office of the City Clerk of the City of Oakland and is shown in this Report as Appendix "A".

APPENDIX 'A'

FY 2004-05 ASSESSMENT ROLL
(under separate cover)