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OFFICE OF THE CITY CLERK
OAKLAND

2015 JUL -9 PM 1:44

APPROVED AS TO FORM AND LEGALITY
[Signature]
OFFICE OF THE CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. 85723 C.M.S.

A RESOLUTION DETERMINING THE RESULT OF THE SPECIAL MAIL BALLOT ELECTION HELD IN COMMUNITY FACILITIES DISTRICT NO. 2015-1 (GATEWAY INDUSTRIAL DISTRICT) ON JULY 21, 2015

WHEREAS, on June 17, 2015, pursuant to Resolution No. _____ C.M.S., the City Council of the City of Oakland (“**City Council**”) adopted its resolution of intention to establish City of Oakland Community Facilities District (“**CFD**”) No. 2015-1 (Gateway Industrial District) (the “**District**”) and to authorize the levy of special taxes to pay the costs of certain public services (the “**Services**”) to be provided within the District pursuant to the Mello-Roos Community Facilities Act of 1982 (the “**Act**”) (the “**Resolution of Intention**”); and

WHEREAS, the Resolution of Intention incorporated by reference a map of the proposed boundaries of the District (attached as *Exhibit 3* to the Resolution of Intention), described the Services eligible to be funded by the District (attached as *Exhibit 1* to the Resolution of Intention), and the rate and apportionment of the special tax to be levied within the District (“**Rate and Method**”) to pay for such public services (attached as *Exhibit 2* to the Resolution of Intention); and

WHEREAS, on July 21, 2015, the City Council adopted Resolution No. 85724 C.M.S. (“**Resolution of Formation**”), ordering the formation of CFD No. 2015-1 and authorizing the levy of a special tax (“**Special Tax**”) on property within the CFD to pay for the specified public services, pursuant to the the Act; and

WHEREAS, the Resolution of Intention and all of its attachments and the Resolution of Formation are on file with the City Clerk of the City of Oakland (“**City Clerk**”) and the provisions thereof are incorporated herein by this reference as if fully set forth in this resolution; and

WHEREAS, on this date, the City Council adopted Resolution No. 85722C.M.S., entitled "Resolution of the Council of the City of Oakland Calling Special Mailed-Ballot Election For Qualified Electors of Community Facilities District No. 2015-1" ("**Election Resolution**"), to submit to the qualified electors of the CFD the question of the formation of the CFD and the levy of the Special Tax; and

WHEREAS, pursuant to the Resolution of Formation and Election Resolution, immediately following the adoption of the Election Resolution, the City Clerk submitted to the qualified electors of the District, consisting of the City of Oakland as the only qualified elector within the CFD, the question of the levy of the Special Tax and the establishment of the CFD, as required by the provisions of the Act; and

WHEREAS, pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held and the City Clerk has duly canvassed the votes cast and has certified the result in a Certificate of Election Results (the "**Canvass**"). The Canvass is on file with the City Clerk and a copy is attached hereto as Exhibit A; and

WHEREAS, the City Council has reviewed the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD; now, therefore be it

RESOLVED: That all of the above recitals are true and correct, and the City Council so finds and determines; and be it

FURTHER RESOLVED: That the City Council hereby approves and confirms the results of the election, as detailed in the Canvass, including the total of one vote cast by the City for question presented to the CFD in the Election Resolution; and be it

FURTHER RESOLVED: That at the mail ballot election called by the Election Resolution, the City Clerk submitted to the City of Oakland, the one qualified voter in the District, the question whether a Special Tax should be levied within the District to pay for specified public Services and incidental expenses, identified in more detail in the Resolution of Intention and Resolution of Formation; and be it

FURTHER RESOLVED: That according to the Canvass, the one vote cast by the City of Oakland, which provided the more than two-thirds (2/3) votes needed in favor of the question presented. As a result, the qualified elector of the CFD approved the levy of the Special Tax, and the CFD has been duly organized and is duly authorized to finance the public Services and to levy the Special Tax described in the question and in the Resolution of Intention and Resolution of Formation; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to enter this resolution on the minutes of the City Council, which shall constitute the official declaration of the result of the special mail ballot election, and is hereby further authorized and directed to record a notice of special tax lien in the Office of the Clerk- Recorder of the County of Alameda in accordance with the provisions of Section 3114.5 of the Streets and Highways Code.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2015, 2015

PASSED BY THE FOLLOWING VOTE:

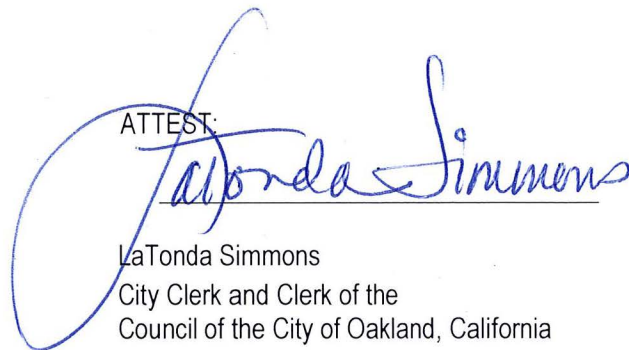
AYES - ~~BROOKS~~, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY -7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks-1

ATTEST:

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

CERTIFICATE OF ELECTON RESULTS
FOR THE SPECIAL ELECTION HELD
IN THE CITY OF OAKLAND
COMMUNITY FACILITIES DISTRICT
NO. 2015-1
(GATEWAY INDUSTRIAL DISTRICT)
ON JULY 21, 2015

I, LaTonda Simmons, City Clerk of the City of Oakland, certify that:

I personally counted the ballots cast at the special election held on July 21, 2015, called by the City Council in Resolution No. 85722 for Community Facilities District No. 2015-1 (Gateway Industrial District), adopted on July 21, 2015, and I hereby certify the result of that count to be as follows:

TOTAL VOES CAST "YES": 1
TOTAL VOTES CAST "NO": 0
TOTAL VOTES CAST: 1

THE VOTES CAST "YES" EQUAL 100 % OF THE TOTAL VOTES CAST.

Dated: July 21, 2015

CITY OF OAKLAND

By: LaTonda Simmons

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