

OAKLAND CITY COUNCIL

B. P. P. P.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION NO. 78551 C.M.S.

2004 APR 28 PM 5:14

RESOLUTION APPOINTING THE TEMESCAL/TELEGRAPH AVENUE ADVISORY BOARD AS THE ADVISORY BOARD FOR THE TEMESCAL/TELEGRAPH AVENUE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2005

WHEREAS, the City Council of the City of Oakland enacted the City of Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999) establishing the procedures for the formation of business improvement management districts; and

WHEREAS, the City Council approved a Neighborhood Business Improvement District ("NBID") Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business and property owners in the City to assist in the formation of such districts; and

WHEREAS, the property owners in the Temescal/Telegraph Avenue district have duly petitioned to form the Temescal/Telegraph Avenue Property Business Improvement District of 2005 ("District") under the City of Oakland Business Improvement Management District Ordinance (the "BIMD Ordinance") and have proposed the Management Plan for the operation of the District ("Plan"); and

WHEREAS, the Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999) requires the appointment of an Advisory Board for Districts created pursuant to the Oakland Business Improvement Management District Ordinance;

NOW, THEREFORE, the City Council of the City of Oakland does hereby resolve as follows:

1. In accordance with Section 4.48.190 of the Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999) the City Council hereby appoints the Temescal/Telegraph Avenue Advisory Board as the Advisory Board for the Temescal/Telegraph Avenue Property Business Improvement District of 2005.
2. The Advisory Board shall report to the City Council, at least annually, as provided for in Section 4.48.200 of the Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999).

3. In accordance with Section 4.48.190 A of the Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999), the Advisory Board shall include at least one member who is a business licensee within the District who is not also a property owner within the District.
4. In accordance with Section 4.48.190 B of the Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999), the Advisory Board shall comply with the provisions of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division of Title 5 of the Government Code).

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 18 2004, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, NADEL, BROOKS, REID, QUAN, WAN ~~AND PRESIDENT DE LA FUENTE~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED - DE LA FUENTE - 1

ATTEST:



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