

OFFICE OF THE CITY CLERK
OAKLAND CITY COUNCIL

2007 SEP 18 10:51 AM
RESOLUTION No. 80835 C.M.S.

Introduced by Councilmember _____

RESOLUTION DETERMINING THE RESULT OF THE SPECIAL MAIL BALLOT ELECTION HELD IN COMMUNITY FACILITIES DISTRICT NO. 2007-1 (WOOD STREET DEVELOPMENT DISTRICT), ON JUNE 19, 2007

WHEREAS, on June 19, 2007, the City Council of the City of Oakland (“City”) adopted Resolution No. 80642 C.M.S. entitled, “A Resolution of Intention of The City of Oakland to Establish Community Facilities District No. 2007-1 in the Wood Street Project Area Generally Bounded By 10th Street, Wood Street, West Grand Avenue and Frontage Road, Interstate-880, Levy a Special Tax to Finance Certain Public Services and Approving a Proposed Boundary Map For Community Facilities District No. 2007-1” (“**Resolution of Intention**”) and on September 18, 2007 the City Council of the City of Oakland adopted Resolution No. _____ C.M.S., ordering the formation of Community Facilities District No. 2007-1 (“**CFD**”) 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 Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “**Act**”). The Resolution of Intention incorporated by reference a map of the proposed boundaries of the CFD No. (attached as Exhibit C to the Resolution of Intention), described the public services and administrative costs eligible to be funded by CFD No. 2007-1 (collectively “**Services**”) (attached as Exhibit A to the Resolution of Intention), and the rate and apportionment of the Special Tax to be levied within CFD No. 2007-1 (“**Rate and Method**”) to pay for such public services (attached as Exhibit B to the Resolution of Intention). 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 Council adopted Resolution No. _____ C.M.S., entitled “Resolution Calling Special Mail Ballot Election For Qualified Electors of Community Facilities District No. 2007-1” (“**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 submitted to the qualified electors 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 to the Council the result in a Certificate of Election Results (the "Canvass"). The Canvass is on file with the City and a copy is attached hereto as Exhibit A; and

WHEREAS, this 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 number of votes cast for and against the 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 Council submitted to the qualified voters of 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, more than two-thirds (2/3) of all the votes cast at the special mail ballot election were cast in favor of the question presented. As a result, the qualified electors 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 of the City of Oakland 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, SEP 18 2007, 2007

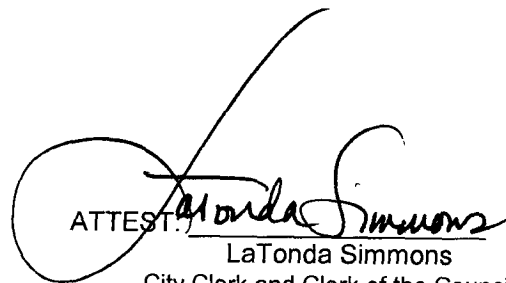
PASSED BY THE FOLLOWING VOTE:

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

CERTIFICATE OF ELECTION RESULTS
FOR THE SPECIAL ELECTION HELD
IN THE CITY OF OAKLAND
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(WOOD STREET DEVELOPMENT DISTRICT)
ON SEPTEMBER 18, 2007

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

I personally counted the ballots cast at the special election held on September 18, 2007, called by the City Council in Resolution No. _____ for Community Facilities District No. 2007-1 (Wood Street Development District), adopted on September 18, 2007, and I hereby certify the result of that count to be as follows:

TOTAL VOTES CAST "YES": 34

TOTAL VOTES CAST "NO": 0

TOTAL VOTES CAST: 34

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

VOTES CAST.

Dated: 9/18, 2007

CITY OF OAKLAND

By

LaTonda Simmons
LaTonda Simmons

City Clerk of the City of Oakland