

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to form and legality


Oakland City Attorney's Office

2018 MAY -3 AM 9:42

OAKLAND CITY COUNCIL

RESOLUTION NO. 87100 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR (1) TO SIGN THE BALLOT IN FAVOR OF THE FORMATION OF THE LAKE MERRITT-UPTOWN COMMUNITY BENEFIT DISTRICT 2018 ("LCBD 2018"); AND (2) TO PAY A CUMULATIVE FISCAL YEAR 2018-2019 FAIR SHARE ASSESSMENT IN AN APPROXIMATE AMOUNT OF \$67,795.41 FOR SEVEN (7) CITY-OWNED PROPERTIES ON WHICH ASSESSMENTS ARE TO BE LEVIED (1731 FRANKLIN APN 008 062300601; 274 19TH ST APN 008 063500100; 2025 BROADWAY APN 008 064900500; GRAND AVE APN 008 065500600; 200 GRAND AVE APN 010 076800400; 2500 BROADWAY APN 008 067300100; 1911 TELEGRAPH APN 008 071605800), IF THE LCBD 2018 IS ESTABLISHED

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 Lake Merritt-Uptown district (generally around the Broadway corridor roughly bounded by 17th Street to the south, Telegraph Avenue to the west, 25th Street to the north and Lakeside Drive and Alice Street to the east) have circulated a Petition to form the Lake Merritt-Uptown Community Benefit District 2018 (hereinafter "District") to undertake the Management District Plan for the Lake Merritt-Uptown Community Benefit District 2018 (hereinafter "Plan"); and

WHEREAS, if the Petition in support of formation of the District is signed by more than 30 percent of the weighted value of the assessments that would be imposed on properties within the proposed District, then the City may adopt a Resolution of Intention and cause ballots to be distributed to all property owners within the boundaries of the proposed District; through such ballots, votes in favor of or against the formation of the proposed District may be cast by the affected property owners, and such ballots will be tabulated at a public hearing, and

WHEREAS, concurrently with this proposed resolution, the Council is considering the passage of a Resolution of Intention to form the District; and

WHEREAS, the proposed District includes seven (7) City-owned properties on which assessments are to be levied (1731 Franklin APN 008 062300601; 274 19th St APN 008 063500100; 2025 Broadway APN 008 064900500; Grand Ave APN 008 065500600; 200 Grand Ave APN 010 076800400; 2500 Broadway APN 008 067300100; 1911 Telegraph APN 008 071605800) which gives the City the right to sign the ballots in support of District formation (the "Ballots"); and

WHEREAS, this resolution will authorize the City Administrator to sign the Ballots on behalf of the City of Oakland; and

WHEREAS, if the District is established, the assessments will take place on a yearly basis for the ten-year life of the District; and

WHEREAS, if the District is established, the cumulative maximum total assessment amount over the ten-year life of the district for the seven (7) City-owned properties on which assessments are to be levied (1731 Franklin APN 008 062300601; 274 19th St APN 008 063500100; 2025 Broadway APN 008 064900500; Grand Ave APN 008 065500600; 200 Grand Ave APN 010 076800400; 2500 Broadway APN 008 067300100; 1911 Telegraph APN 008 071605800) is approximately \$892,970.12; and

WHEREAS, funds to pay the FY 2018-2019 assessment will be budgeted as follows:

For APN:	Fund Source Coding Block	Amount
008 062300601 008 063500100 008 064900500 008 065500600 010 076800400 008 067300100	General Purpose Fund (1010)/Citywide Activities Organization (90591)/Taxes and Assessments (53511)/Business Improvement District Project (1000147)/IP50	\$ 59,797.25
008 071605800	Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments (53511)/Downtown Capital Project (1000169)/SC13	\$ 7,998.16
	Total FY 2018-2019 LCBD 2018 City Assessment Amount	\$ 67,795.41

; 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 be it

RESOLVED, that the City Council hereby authorizes the City Administrator (1) to execute the ballots in favor of the formation of the Lake Merritt-Uptown Community Benefit District 2018 and (2) to pay the FY 2018-2019 cumulative fair share assessment for seven (7) City-owned properties on which assessments are to be levied (1731 Franklin APN 008 062300601; 274 19th St APN 008 063500100; 2025 Broadway APN 008 064900500; Grand Ave APN 008 065500600; 200 Grand Ave APN 010 076800400; 2500 Broadway APN 008 067300100; 1911 Telegraph APN 008 071605800), if the LCBD 2018 is established) in an approximate amount of \$67,795.41 from the General Purpose Fund (1010)/Citywide Activities Organization (90591)/Taxes and Assessments (53511)/Business Improvement District Project (1000147)/IP50 and the Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments (53511)/Downtown Capital Project (1000169)/SC13 as more specifically described in the recitals above.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 15, 2018.

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, ~~and~~ - 7
~~PRESIDENT~~

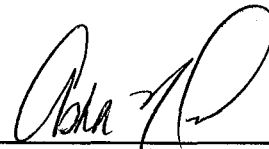
NOES- 0

ABSENT- 0

ABSTENTION- 0

1 Excused - ~~Res~~

ATTEST:



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