



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

---

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO CAST AN ASSESSMENT BALLOT FOR CITY-OWNED PARCELS IN FAVOR OF THE FORMATION OF THE CITY OF OAKLAND UTILITY UNDERGROUND ASSESSMENT DISTRICT NO. 2021-232, PIEDMONT PINES PHASE II**

**WHEREAS**, the City Clerk of the City of Oakland (the "City") has received written indications of interest from the owners of approximately 67% of the land in the Piedmont Pines Phase II area of the City with regard to the formation of an assessment district for the purpose of upgrading the street lighting system in the Piedmont Pines Phase II area of the City; and

**WHEREAS**, on May 10, 2021, the City Council (the "Council") of the City of Oakland (the "City") adopted a resolution of intention (the "Resolution of Intention") to order improvements and to form the City of Oakland Utility Underground Assessment District No. 2021-232, Piedmont Pines Phase II (the "Assessment District"), accepting and determining that petitions have been signed by owners owning land constituting more than one-half of the area of all assessable lands within the proposed Assessment District, finding that the improvements to be funded, in part, by the Assessment District are of more than local or ordinary public benefit, and the costs and expenses, including incurred City cost of district creation and assessment thereof, are made chargeable upon the Assessment District, providing that the Council intends to levy a special assessment upon the land within the Assessment District, providing that bonds shall be issued to finance a portion of the costs of improvements, appointing Harris & Associates as the Engineer of Work for the Assessment District and directing the Engineer of Work to make and file an Engineer's Report (the "Engineer's Report") with the City Clerk; and

**WHEREAS**, the Engineer's Report was duly prepared and filed with the City Clerk, whereupon it was presented to the Council for consideration; and

**WHEREAS**, on May 10, 2021, the Council also adopted a resolution preliminarily accepting and approving the Engineer's Report, calling for a public hearing on the proposed Assessment District and an election for the Assessment District to be held by the Council on July 20, 2021; and

**WHEREAS**, the Engineer of Work has filed a Certificate of Compliance With Notice Requirements with the City Clerk certifying that a notice of the public hearing and an assessment ballot package was mailed on June 4, 2021, to the record owners of all real property proposed to be assessed in the Assessment District according to the names and addresses of such owners as the same appear on the last Alameda County Assessment Roll; and

**WHEREAS**, the Engineer's Report identifies the City as the owner of record of two of the parcels of property within the Assessment District (the "City Parcels"), and the City is entitled to cast an assessment ballot (the "Assessment Ballot") for the City Parcels in favor of or in opposition to the assessment; and

**WHEREAS**, this Council favors an affirmative vote for City-owned Parcels in the Assessment Ballot for the Assessment District and ratifies the City Administrator's authority to do so; now, therefore, be it

**RESOLVED:** That the City Council of the City of Oakland hereby authorizes and directs the City Administrator to cast an Assessment Ballot for the City-owned Parcels in favor of the formation of the Assessment District and the assessment to be levied in the Assessment District, in the estimated amount of thirty-one thousand thirty-five dollars and seventy-eight cents (\$31,035.78) for the two parcels, and the City Administrator's authority to do so is hereby ratified; and be it

**FURTHER RESOLVED:** That the Assessment Ballot for the City Parcels shall be returned by the City Administrator to the City Clerk prior to the close of the public hearing on the proposed Assessment District.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California