

OAKLAND CITY COUNCIL

RESOLUTION NO. 77619 C.M.S.

B. P. ...
FILED
OFFICE OF THE CITY CLERK
OAKLAND

03 JAN 15 AM 9:23

RESOLUTION APPROVING AND CONFIRMING THE ANNUAL REPORT OF THE FRUITVALE BUSINESS IMPROVEMENT MANAGEMENT DISTRICT ADVISORY BOARD AND THE CONTINUING ANNUAL ASSESSMENT FOR THE FRUITVALE BUSINESS IMPROVEMENT MANAGEMENT DISTRICT FOR FISCAL YEAR 2002/03

WHEREAS, the City of Oakland Business Improvement Management District Ordinance allows for the formation of business improvement management districts (Chapter 4.48, Ordinance 12190.1999); 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 owners in the City to assist in the formation of such districts; and

WHEREAS, the property owners in the Fruitvale business district petitioned to form the Fruitvale Business Improvement Management District ("District") under said legislation to undertake the Management Plan for the District ("Plan") which is on file with the City Clerk; and

WHEREAS, the Plan provides for new security, crime prevention, beautification, parking resolution, sidewalk sweeping, economic development, lighting, and marketing activities with the intent of creating a positive atmosphere in the District area (as more specifically identified in the Plan); and

WHEREAS, the Plan was prepared in accord with the provisions of the law overseeing the formation of the District as referenced above, and has been filed with the City; and

WHEREAS, pursuant to the requirements of the law the Fruitvale Business Improvement Management District was established by the City Council on January 9, 2001 pursuant to Ordinance Number 76205; and

WHEREAS, the Annual Report has been prepared by the Fruitvale Business Improvement Management District Advisory Board and filed with the City Clerk, and the City Council desires to approve and confirm the Report, and the continuing annual assessment for the Fruitvale Business Improvement Management District for fiscal year 2002/03;

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

1. The Fruitvale Business Improvement Management District was established in the Fruitvale area of the City of Oakland, California as a Business Improvement Management District pursuant to the City of Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190. 1999) with the boundaries as specified in the Plan on file with the City Clerk.
2. The Advisory Board for the District was duly appointed by Resolution of the City Council and has filed its Annual Report for the 2002/03 fiscal year as required by law.
3. The Annual Assessment Report and the continuing annual assessment for the District for the 2002/03 fiscal year is hereby approved, adopted, and confirmed.
4. The City Council confirms, adopts, and approves the continuing annual assessments as provided for in the Plan and the Annual Report of the Advisory Board and does hereby levy and direct the collection of the assessments for the 2002/03 fiscal year as provided for in the Annual Report and the Plan in accordance with the assessment formula as provided for in the Plan and Annual Report.
5. The proposed method and basis of levying the assessments to be levied against each property in the District have not been changed, increased, or modified and are those specified in the Plan and Annual Report on file with the City Clerk which were previously adopted after holding a public meeting and a public hearing and protest procedure as provided for by law.
6. The assessment shall be attached to the property and collected with the annual county property taxes, and in certain cases, as specified in the Plan, through a special municipal billing.
7. The boundaries of the District shall remain the same as specified in the Plan on file with the City Clerk and there are no changes to the boundaries or benefit zones.
8. The types of the improvements and activities proposed to be funded by the levy of assessments on property in the area are those described in the Plan and the Annual Report on file with the City Clerk. There are no substantial changes in the improvements or activities for the District.
9. The assessments for the entire District total approximately \$224,860.14 for the 2002/03 fiscal year of the District, and the amount chargeable to each parcel shall be as determined by the Plan and Annual Report on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 28 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

Excused
ABSENT- BROOKS - 1

ABSTENTION- 0

ATTEST: Ceda Floyd
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California