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OAKLAND CITY COUNCIL

RESOLUTION NO. 86524 C.M.S.

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**RESOLUTION (A) APPROVING THE FISCAL YEAR 2015-2016 ANNUAL REPORT OF THE OAKLAND TOURISM BUSINESS IMPROVEMENT DISTRICT 2015 OWNERS' ASSOCIATION ("VISIT OAKLAND"), AND (B) CONFIRMING THE CONTINUING ANNUAL ASSESSMENT FOR THE OAKLAND TOURISM BUSINESS IMPROVEMENT DISTRICT 2015 ("OTBID") FOR FISCAL YEAR 2016-2017**

**WHEREAS**, the State of California allows for the formation of business assessment districts under Street and Highways Code Section 36600 *et seq.*; and

**WHEREAS**, the business license holders in the OTBID business district petitioned to form the OTBID 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 sales, promotion and marketing activities, and other improvements and activities set forth in the Plan with the intent of increasing occupied room night sales within the OTBID (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 OTBID as referenced above, and has been filed with the City Clerk; and

**WHEREAS**, the OTBID was established by the City Council on July 21, 2015, pursuant to City Resolution 85725 C.M.S.; and

**WHEREAS**, pursuant to Streets and Highways Code Section 36650, Visit Oakland, has prepared and filed with the City Clerk, the OTBID 2015-2016 Annual Report (attached hereto as **Exhibit A**) ("Report"), which contains the required particulars including a detailed description of the improvements and activities to be provided for the 2016-2017 fiscal year (August 1, 2016 through July 31, 2017), the boundaries of the area and any benefit zones within the area, and the proposed assessments to be levied upon the businesses within the area for the 2016-2017 fiscal year; and

**WHEREAS**, Streets and Highways Code Section 36650 requires that the City Council must approve the Report, and

**WHEREAS**, the City Council desires to approve the fiscal year 2015-2016 OTBID Annual Report and to confirm the continuing annual assessment for the OTBID for fiscal year 2016-2017; and

**WHEREAS**, the District's assessments for fiscal year 2016-2017 will be held (until disbursed) in a special trust fund established by the Finance Management Bureau on behalf of the District in Miscellaneous Trusts Fund (7999)/Revenue Administration Organization (08411)/Pass Thru Assessments Account (24224)/Oakland Tourism BID Project (P492310)/Non-Program (0000); now therefore be it

**RESOLVED**: that the Council of the City of Oakland does find and state its intention as follows:

1. The OTBID Owners' Association, Visit Oakland, was duly appointed by resolution of the City Council and has filed its Annual Report for the 2015-2016 fiscal year as required by law.
2. The Fiscal Year 2015-2016 Annual Report for the OTBID is hereby approved, adopted and confirmed pursuant to Streets and Highways Code Section 36550, and the City Council does hereby levy and direct the collection of the assessments for the 2016-2017 fiscal year in accordance with the assessment formula as provided for in the Annual Report and Plan on file with the City Clerk.
3. The location and boundaries of the OTBID 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.
4. The types of the improvements and activities proposed to be funded by the levy of FY 2016-2017 assessments on businesses in the area are those specified in the Plan and the Annual Report on file with the City Clerk. No substantial changes in the improvements or activities for the District are proposed to be made.

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5. The proposed method and basis of calculating the assessments to be levied against each business in the OTBID has not been changed, increased, or modified and is that specified in the Plan and Annual Report on file with the City Clerk which was previously adopted after holding the required public meetings and public hearings and protest procedures as provided for by law.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 13 2016..

**PASSED BY THE FOLLOWING VOTE:**


AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and  
PRESIDENT GIBSON MCELHANEY—8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



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