

OAKLAND CITY COUNCIL
RESOLUTION NO. 77883

A. F. ...
FILED
OFFICE OF THE CITY CLERK
C.M.S. OAKLAND

~~2003 JUN 4 PM 12:51~~

**RESOLUTION ORDERING IMPROVEMENTS TO THE CITY OF OAKLAND
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT, CONFIRMING
THE LEVYING OF THE ASSESSMENTS, AND DIRECTING THAT THE
FISCAL YEAR 2003-2004 ASSESSMENTS BE SUBMITTED TO THE
COUNTY AUDITOR FOR BILLING AND COLLECTION**

WHEREAS, pursuant to the California Streets and Highways Code, Sections 22500, et seq., known as the Landscaping and Lighting Act of 1972 (Act of 1972), the City Manager filed with the City Clerk and presented before the City Council, on the 17th day of June, 2003, reports for the continuation of the Landscaping and Lighting Assessment District ("District") in order to raise revenue for the installation, maintenance, and servicing of public landscaping and lighting; and

WHEREAS, pursuant to the California Streets and Highways Code, Sections 22500, et seq., the City has taken a series of actions preliminary to order the establishment of the District and did establish such District on June 23, 1989; and

WHEREAS, pursuant to the California Streets and Highways Code, Sections 22500, et seq., the City has renewed the District each subsequent year; and

WHEREAS, the voters of the City of Oakland previously approved the continuation of the District, thereby exempting the District from the procedural requirements of the enacted Article XIII D of the California Constitution (Proposition 218); and

WHEREAS, the City Council has declared that it intends to levy and collect assessments within the City of Oakland Landscaping and Lighting Assessment District for FY 2003-2004; and

WHEREAS, all the area of land to be assessed is located within the City of Oakland, Alameda County; and

WHEREAS, assessment rates will not exceed the rates established in FY 1993-94; and

WHEREAS, the existing boundaries and improvements of the LLAD remain the same as those described in the FY 2002-03 Final Engineer's Report approved by the City Council on May 28, 2002; and be it

WHEREAS, Tuesday, the 17th day of June, 2003, at the hour of 7:01 p.m., was fixed and properly noticed as the day and hour for the City Council to hear and pass on said reports, together with any objections or protests, which may be raised by any of the property owners liable to be assessed for the costs of certain public maintenance and improvements equitable only among those property owners and businesses benefiting from such City programs; now, therefore be it

RESOLVED: That the City Council accepts and confirms the Engineer's Report filed with the City Clerk and scheduled before the City Council on the 17th day of June, 2003, for the continuation of the Landscaping and Lighting Assessment District; and the diagram and assessment as set forth in the Final Engineer's Report for FY 2003-04 and each component part of it, including each exhibit incorporated by reference in the report; and be it

FURTHER RESOLVED: That the City Council confirms the levying of each individual assessment for FY 2003-04 as stated in the Assessment Roll prepared by the District Engineer; and be it

FURTHER RESOLVED: That the City Manager is authorized to direct the District Engineer to present an itemized report of the FY 2003-04 Landscaping and Lighting Assessment District assessments to the Auditor-Controller of the County of Alameda, State of California, to be placed on the FY 2003-04 property tax roll.


JUN 17 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES---
NOES--- 4
ABSENT--- 4
ABSTENTION--- 4

BROOKS, BRUNNER, CHANG,
NADEL, REID, QUAN, WAN
AND PRESIDENT DE LA FUENTE — 8

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