

2024 JUL 10 PM 2:30

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION No. 90375 C.M.S.

RESOLUTION 1) ACCEPTING AND CONFIRMING REPORTS OF THE SPECIAL ASSESSMENTS FOR DELINQUENT TRASH SERVICE FEES, WITH ADMINISTRATIVE CHARGES, FOR THE MONTHLY PERIODS OF APRIL, MAY, JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER, DECEMBER OF 2023, AND JANUARY, FEBRUARY, MARCH OF 2024, AND THE QUARTERLY PERIODS OF JULY-SEPTEMBER 2023 , OCTOBER-DECEMBER 2023, JANUARY-MARCH 2024, AND APRIL-JUNE 2024; 2) OVERRULING ANY PROTESTS AND OBJECTIONS RELATED TO THE SPECIAL ASSESSMENTS INCLUDED IN SAID REPORT AND IMPOSING THE SPECIAL ASSESSMENTS; AND 3) DIRECTING THE NOTICE OF SPECIAL ASSESSMENT CHARGES BE TURNED OVER TO THE COUNTY TAX COLLECTOR FOR COLLECTION

WHEREAS, pursuant to Chapter 8.28 of the Oakland Municipal Code (“OMC”), the City’s collector of mixed materials and organic waste is entitled to terminate trash service to a customer for non-payment of services rendered; and

WHEREAS, pursuant to OMC Chapter 8.28, City may abate the nuisance conditions created as a result of termination of service for non-payment by subscribing to solid waste collection service for the property on which the nuisance conditions are maintained; and

WHEREAS, pursuant to OMC Chapter 8.28, City may make the costs of subscribing to service on behalf of the owner, including the administrative costs associated therewith, a special assessment against the property; and

WHEREAS, pursuant to OMC Chapter 8.28, Department of Finance provided notice to the owners, and the premises if different, of the potential imposition of special assessments for delinquent trash service fees and conducted an administrative hearing to allow customers and owners an opportunity to protest the imposition of the special assessments; and

WHEREAS, the Department of Finance has investigated all protests at said administrative hearing and reported the findings to the owners; and

WHEREAS, pursuant to OMC Chapter 8.28, the City Administrator is hereby transmitting to the City Council the report of those properties subject to a special assessment for delinquent trash service fees and administrative charges (hereinafter "Special Assessment Report"), and said report is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, pursuant to OMC Chapter 8.28, the City Council shall conduct a public hearing to consider the Special Assessment Report and any protests or objections thereto, and the date of **July 16, 2024** and the time **3:30 p.m.** was fixed as the day and hour of the public hearing; and

WHEREAS, pursuant to OMC Chapter 8.28, notice of the public hearing was served upon the owners of the premises to which the service was rendered not less than ten days prior to the date of the hearing; now, therefore, be it

RESOLVED: That the protests related to the assessments included in the Special Assessment Report and raised at said hearing, if any, are hereby overruled; and be it

FURTHER RESOLVED: That the Special Assessment Report attached hereto as **Exhibit A** is hereby accepted and confirmed and the special assessments are hereby imposed and authorized to be levied upon the properties described in said Special Assessment Report in the amounts set opposite each description; and be it

FURTHER RESOLVED: That if any special assessment levied on a property is not paid before the 10th day of August 2024, the City Administrator shall present an itemized report to the Auditor-Controller of the County of Alameda, State of California, to be placed on the 2024-2025 County Tax Roll.

IN COUNCIL, OAKLAND, CALIFORNIA, **JUL 16 2024**

PASSED BY THE FOLLOWING VOTE:


AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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