

OAKLAND CITY COUNCIL

= 77855 =

RESOLUTION NO. _____

C.M.S.

B. Plebe

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 JUN 26 PM 2:27

**RESOLUTION ACCEPTING PETITION AND
DETERMINING TO UNDERTAKE PROCEEDINGS**

**Community Facilities District No. 2003-1
(Werner Court Vegetation Management)**

WHEREAS, Werner Development, LLC (“Werner Development”), as the owner of certain real property situated in the City of Oakland (the “City”), has filed with the City Clerk (the “Clerk”) a petition (the “Petition”), signed by an authorized representative, containing the matters required by Sections 53318 and 53319 of the California Government Code and requesting this Council to initiate and conduct legal proceedings pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter, the “Act”) for the establishment of a community facilities district to be known as “Community Facilities District No. 2003-1 (Werner Court Vegetation Management), City of Oakland, County of Alameda, State of California” (“CFD No. 2003-1”) and for the conduct of the related landowner-voter election to authorize levy of a special tax upon the 21 parcels of taxable property within CFD No. 2003-1 and utilize the proceeds thereof for certain described maintenance services for an open space parcel adjacent to CFD No. 2003-1, as shall be more fully established by said legal proceedings; and

WHEREAS, as set forth in the Petition, Werner Development requests that the proposed CFD No. 2003-1 include the real property shown on the exhibit map attached as Exhibit A to the Petition, which real property is situated within the City; and

WHEREAS, the proposed CFD No. 2003-1 is to be established for the purpose of financing the maintenance services described therein pertaining to weed abatement and

vegetation management respecting an open space parcel adjacent to CFD No. 2003-1 (the "Maintenance Services") and related administrative expenses of CFD No. 2003-1; and

WHEREAS, Werner Development represents in the Petition that it is the sole owner of the subject 21 parcels of land situated within CFD No. 2003-1 and which will be subject to the Special Tax; and

WHEREAS, the Petition has been submitted in accordance with and contains the matters required by the provisions of Sections 53318 and 53319 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakland as follows:

1. The Petition is hereby found to be legally sufficient and is accepted by the Council, and this action shall be final and conclusive within the meaning of Section 53319 of the Act.
2. The legal proceedings shall be initiated and conducted pursuant to the Act.

JUL 15 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____


PASSED BY THE FOLLOWING VOTE:

AYES: - BROOKS, BRUNNER, CHANG, NADEL, QUAN, ~~REID~~^{YES}, WAN AND PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

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