

2021 APR 23 AM 10:35



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88573 C.M.S.

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**RESOLUTION 1) APPROVING THE CITY OF OAKLAND LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FY 2021-2022 PRELIMINARY ENGINEER'S REPORT; 2) DECLARING THE INTENTION TO LEVY AND COLLECT THE ANNUAL LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT ASSESSMENT FOR FY 2021-2022; AND 3) SETTING MAY 18, 2021 AT 1:30 P.M. AS THE DATE AND TIME FOR A PUBLIC HEARING**

**WHEREAS**, pursuant to the California Streets and Highways Code, Sections 22500, et seq., known as the Landscaping and Lighting Act of 1972, the City of Oakland (City) established the Landscaping and Lighting Assessment District ("LLAD" or the "District") on June 23, 1989; and

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

**WHEREAS**, annually, the City Administrator files with the City Clerk reports for the continuation of the District and levy of the assessments in order to raise revenues for the installation, maintenance, and servicing of public landscaping and lighting; and

**WHEREAS**, Resolution No. 88561 adopted on March 16, 2021 initiated the fiscal year (FY) 2021-2022 LLAD assessment process and authorized the City Administrator to order the preliminary engineer's report; and

**WHEREAS**, the Preliminary Engineer's Report for the District, attached as Attachment A to the City Administrator's Report accompanying this resolution, includes a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments, and confirms the applicability of the existing assessment rates for fiscal year (FY) 2021-22; and

**WHEREAS**, as described in Section II, Part C of the Preliminary Engineer's Report, the boundaries of the District coincide with the boundaries of the City of Oakland and encompass all parcels of land within the City; and

**WHEREAS**, the improvements are described in Section II Part A of the Preliminary Engineer's Report; and

**WHEREAS**, the City desires to levy and collect the FY 2021-22 LLAD assessment for properties within the District boundaries; now, therefore, be it

**RESOLVED:** That the City Council hereby approves the FY 2021-2022 Preliminary Engineer's Report for the District, on file with the City Clerk's Office and attached as Attachment A to the City Administrator's Report accompanying this resolution, which describes the existing and proposed improvements and any substantial changes proposed to be made in existing improvements, for discussion purposes; and be it

**FURTHER RESOLVED:** That the existing boundaries of the LLAD remain the same as those described in the FY 2020-21 Engineer's Report confirmed by the City Council pursuant to Resolution No. 88170 C.M.S. on June 16, 2020; and be it

**FURTHER RESOLVED:** That the City Council hereby declares its intention to levy and collect assessments within the City of Oakland Landscaping and Lighting Assessment District for FY 2021-22; and be it

**FURTHER RESOLVED:** That the assessments will remain the same as the FY 2021-2022 assessments; and be it

**FURTHER RESOLVED:** That all the area of land to be assessed is in the City of Oakland, Alameda County; and be it

**FURTHER RESOLVED:** That a public hearing is set for May 18, 2021 at 1:30 p.m., or as soon thereafter as the item may be heard, in the City Council Chambers, Oakland City Hall, One Frank H. Ogawa Plaza, Oakland, California or by teleconference as indicated on the City Council meeting agenda, in order for the City Council to hear and pass upon said reports, together with all objections and protests by property owners to be assessed, and take final action regarding the levying of the proposed FY 2021-2022 assessments for the District; and be it

**FURTHER RESOLVED:** That, pursuant to California Streets and Highways Code, Sections 22500, et seq., the City Administrator is directed to publish a notice of the public hearing no later than ten days prior to the date of the public hearing.

IN COUNCIL, OAKLAND, CALIFORNIA,

**APR 12 2021**

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO 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