

**REDEVELOPMENT AGENCY AND  
THE CITY OF OAKLAND  
AGENDA REPORT**

**TO:** Office of the City/Agency Administrator  
**ATTN:** P. Lamont Ewell, Interim City/Agency Administrator  
**FROM:** Community and Economic Development Agency  
**DATE:** May 10, 2011

**RE:** Resolution of Intention To Form The Fruitvale Property Business Improvement District Of 2011, Granting Preliminary Approval Of The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A Proposed Assessment To The Affected Property Owners For Majority Protest Procedure Approval; And Scheduling A Public Hearing For July 19, 2011; And

A City Resolution Authorizing The City Administrator To Sign The Ballots And To Pay The Assessments For The Three (3) City-Owned Properties On Which Assessments Are To Be Levied (APN 025-0722-026-00, APN 033-2130-035-02, And APN 033-2135-026-02) In An Amount Not To Exceed A Cumulative Total Of \$141,598.90 Over A Ten Year Period To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011; And

An Agency Resolution Authorizing The Agency Administrator To Sign The Ballots And To Pay The Assessments For The Four (4) Agency-Owned Properties On Which Assessments Are To Be Levied (APN 032-2115-037-01, APN 025-0719-007-01, And APN 025-0690-008-01, APN 032-2084-051-00) In An Amount Not To Exceed A Cumulative Total Of \$62,501.06 Over A Ten Year Period To Support The Formation Of The Fruitvale Property Business Improvement District Of 2011

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**SUMMARY**

Pursuant to the City of Oakland's Business Improvement Management District (BIMD) Ordinance (ORD 12190 C.M.S., 1999) three resolutions to support the formation of the Fruitvale Property Business Improvement District (PBID) of 2011 are attached.

For the proposed district to be formed the City Council would need to adopt the first attached resolution, the Resolution of Intention, and schedule a public hearing date not less than 45 days later. Upon approval of the Resolution of Intention, ballots will be mailed to each affected property owner pursuant to the Oakland BIMD ordinance and State Proposition 218. Formation of the district requires response from a weighted majority of ballots submitted (50+%) in favor of the assessment. The results of the balloting will be heard at the public hearing scheduled for July 19, 2011, at which

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time the City Council will also hear public testimony and make a final decision regarding the formation of the district.

The second and third attached resolutions are to authorize the City/Agency Administrator to sign ballots to support the proposed district formation and to pay related assessments on affected City and Agency property should the district be formed.

The Fruitvale PBID of 2011, if established, will generate special assessment funds of approximately \$324,713 per year for a ten year period to pay for services outlined in a district Management Plan drafted by district representatives. The Plan will include enhanced cleaning, marketing and promotional activities within the Fruitvale commercial district.

**FISCAL IMPACTS**

If the Fruitvale PBID of 2011 is established, the City and Agency will be obligated to pay their fair share of assessments on City and Agency-owned property within the proposed district in an amount not to exceed approximately \$141,599 for City property and \$62,501 for Agency property, both paid out over a period of ten years (i.e. at an average rate of approximately \$11,258 to \$14,160 per year and \$4,969 to \$6,250 per year, respectively) as follows:

FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21
City 11,257.76	11,820.65	12,411.68	13,032.26	13,683.88	14,368.07	15,086.48	15,840.8	16,632.84	17,464.48
Agency 4,969.12	5,217.58	5,478.45	5,752.38	6,040.00	6,342.00	6,659.10	6,992.05	7,341.65	7,708.74

The above table accounts for a proposed discretionary 5% annual increase in years two through ten of the district. Any percentage increase must be recommended by the district’s advisory board and approved by City Council.

Funds to pay the FY 11-12 City assessments are in the FY 2011-13 Proposed Budget within the General Purpose Fund (1010), Business Development organization (88559), Taxes and Assessments account (53511), Business Improvement District (BID) project (C138410), Business Creation, Attraction and Retention program (SC11).

Funds to pay the FY 11-12 Agency are in the FY 2011-13 Proposed Budget within the Oakland Redevelopment Agency Fund (9540), Central City East Redevelopment (88699), Taxes and Assessments account (53511), Central City East Redevelopment (\$233310), Undetermined Program (0000).

Staff will make recommendations regarding any new appropriations that may be required to fund the new financial obligations during subsequent budget development cycles.

The City-owned properties within the proposed PBID are Josie de la Cruz Park (APN 025-0722-026-00), Fruitvale Plaza Park at 3500 International Boulevard (APN 033-2130-035-02), and a parcel on Foothill Boulevard APN 033-2135-026-02.

The Agency-owned properties within the proposed PBID are 3566 Foothill Boulevard (APN 032-2115-037-01), 3600 Foothill Boulevard (APN 032-2084-051-00), 3050 International Boulevard (APN 025-0719-007-01), and 3053 International Boulevard (APN 025-0690-008-01).

Under Proposition 218, government-owned properties are not exempt from property-based assessments. This is because public as well as private properties are expected to derive distinct benefits from the activities of the district.

If the levy is approved, the City's Treasury Division will bill tax exempt entities not on the County of Alameda's property tax roll. For taxable properties within the district, the County of Alameda will add the assessment as a line item to the annual property tax bill of each affected property owner and remit the amount collected less the County's collection fee (approximately 1.7% of total assessment) to the City. The City, in turn, will disburse the funds to the district, pursuant to a written agreement between the City and the district's non-profit management corporation, less the City's costs of administration.

Lastly, if the Fruitvale PBID of 2011 succeeds, program guidelines state that the City is expected to maintain a base level of service within the PBID equivalent to the level prior to establishment of the assessment district. Maintaining baseline services, however, commits no additional City funds to the district beyond what already exists. Reductions may occur in keeping with proportional adjustments throughout the city resulting from changes in the City's overall financial condition.

## BACKGROUND

In 1999, the City Council approved the Oakland Property Business Improvement District Ordinance (Ord. No. 12190 C.M.S.), legislation which allows for the formation of property-based assessment districts to undertake a range of services within the assessment area, independent from government, to further the development and economic viability of the area.

Also in 1999, Oakland City Council authorized the initiation of the Neighborhood Business Improvement District (NBID) Program to assist neighborhood representatives in their attempts to establish business and property-based assessment districts. In the fall of 2010 the non-profit management corporation in charge of administering the existing Fruitvale PBID, the Unity Council, hired Civitas Advisors, a BID consultant firm, to assist with the renewal of the Fruitvale PBID, due to expire in July 2011.

Pursuant to those efforts, in May 2011, the Fruitvale stakeholders group filed evidence of support sufficient to trigger the present Resolution of Intention and to schedule a related public hearing for the proposed formation of the Fruitvale PBID. Sufficient evidence is comprised of supportive petitions signed by affected property owners representing more than 30% of total projected assessments.

## KEY ISSUES AND IMPACTS

There is no anticipated adverse impact associated with the formation and operation of the Fruitvale PBID of 2011. However, if formation succeeds the City and Agency must pay their fair share of assessments on City and Agency-owned property within the district. Payments of these assessments, as described above, will leverage about nineteen times as much in private dollars over the ten year life of the district and, therefore, represents a strategic and productive investment of public funds.

Additional positive impacts include an ongoing private funding source for enhanced cleaning, marketing and promotions to support the economic development of the Fruitvale district. Accordingly, formation of the proposed PBID will enable the district to serve as a positive self-help model for other Oakland business districts.

## PROGRAM DESCRIPTION

The proposed Fruitvale PBID of 2011 encompasses approximately 258 parcels. The boundaries of the proposed district would include all parcels along Fruitvale Avenue from E. 12<sup>th</sup> to Foothill Boulevard, on Foothill Boulevard from Fruitvale Avenue to High Street, on International Boulevard from 29<sup>th</sup> to 42<sup>nd</sup>, and on E. 12<sup>th</sup> Street from 33<sup>rd</sup> to 35<sup>th</sup> Avenue. Assessments are based on lot size and by law must be in proportion to the anticipated benefit received by each property.

It is anticipated that the Fruitvale PBID of 2011 will generate approximately \$324,713 of assessment funds per year. Allowing for a 5% discretionary increase per year in assessment billings this represents approximately \$4.08 million of special assessment funds to be collected over the ten year life of the district. These funds will be used to pay for services outlined in the Fruitvale PBID Management Plan, developed through a series of meetings with affected property owners. The plan sets forth actions which are intended to improve the commercial climate within the district. Key aspects of the service plan include cleaning, marketing and promotions.

The Fruitvale PBID of 2011 will continue to use the Unity Council to handle district operations. A City-appointed advisory board will also be charged with monitoring service delivery within the district and submitting annual service plan reports, including budgets, to the City. The board is required to have at least one member who is a business licensee within the district who is not also a district property owner.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The proposed levy will fund activities which are intended to support the eventual increase of property, sales, and business tax revenues, as well as, increased job opportunities and economic development of the Fruitvale commercial district.

**Environmental:** The proposed levy will enable the Fruitvale PBID of 2011 to continue its efforts to strengthen and beautify the physical image of the existing neighborhood commercial area through the implementation of services such as enhanced sidewalk cleaning to uplift the district's appearance.

**Social Equity:** PBIDs incorporate members of a business community into a productive and proactive entity representing the interests of that community. Input regarding use of the cash flow generated by the district itself contributes to local entrepreneur self-empowerment and provides enhanced services for the overall physical and economic betterment of the district.

## **DISABILITY AND SENIOR ACCESS**

The authorization of assessments for the PBID has no direct implications for disability and senior access.

## **RECOMMENDATION(S) AND RATIONALE**

Adoption of the attached resolutions will support the formation of the Fruitvale PBID of 2011 and its planned activities. The formation of the Fruitvale PBID of 2011 represents a proactive effort on the part of private property owners within the district to improve the conditions and image of their area and to productively participate in its economic revitalization. This initiative presents a positive model for other neighborhood commercial areas.

Additionally, because PBIDs are self-initiated, self-funded, and self-administered, there are no anticipated fiscal impacts for the City or Agency associated with formation of the Fruitvale PBID beyond the total projected amount of \$204,100 to pay the City and Agency's share of assessments over a ten year period (\$141,599 from the City and \$62,501 from the Agency). This amount compared to the approximate \$3.88 million of private dollars it would leverage seems a strategic and reasonable investment of public resources.

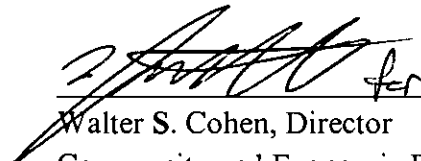
Staff recommends that the City Council approve the attached resolutions intended to support the continued formation of the proposed Fruitvale PBID of 2011.

**ACTION REQUESTED OF THE CITY COUNCIL**

The action requested of the City Council is:

To approve the Resolution of Intention to form the Fruitvale Property Business Improvement District of 2011, granting preliminary approval of the Management Plan, directing filing of the proposed assessment district boundary description, submitting a proposed assessment to the affected property owners for majority protest procedure approval; and scheduling a public hearing for July 19, 2011; and to approve the City resolution authorizing the City Administrator to sign the ballots and to pay the assessments for the three (3) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, and APN 033-2135-026-02) in an amount not to exceed a cumulative total of \$141,598.90 over a ten year period to support the formation of the Fruitvale Property Business Improvement District of 2011; and to approve the Agency resolution authorizing the Agency Administrator to sign the ballots and to pay the assessments for four (4) Agency-owned properties on which assessments are to be levied (APN 032-2115-037-01, APN 025-0719-007-01, and APN 025-0690-008-01, APN 032-2084-051-00) in an amount not to exceed a cumulative total of \$62,501.06 over a ten year period to support the formation of the Fruitvale Property Business Improvement District of 2011.


Respectfully submitted,

  
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Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by:  
Gregory D. Hunter, Deputy Director  
Economic Development and Redevelopment

Prepared by:  
Maria Rocha, Urban Economic Analyst  
Economic Development – Program Unit

**APPROVED AND FORWARDED TO THE  
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:**

  
\_\_\_\_\_  
Office of the City/Agency Administrator

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Community and Economic Development Committee  
May 10, 2011

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2011 APR 23 AM 9:45

## OAKLAND CITY COUNCIL

RESOLUTION \_\_\_\_\_ C.M.S.

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**RESOLUTION OF INTENTION TO FORM THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011, GRANTING PRELIMINARY APPROVAL OF THE MANAGEMENT PLAN, DIRECTING FILING OF THE PROPOSED ASSESSMENT DISTRICT BOUNDARY DESCRIPTION, SUBMITTING A PROPOSED ASSESSMENT TO THE AFFECTED PROPERTY OWNERS FOR MAJORITY PROTEST PROCEDURE APPROVAL; AND SCHEDULING A PUBLIC HEARING FOR JULY 19, 2011**

**WHEREAS**, the City Council of the City of Oakland enacted the City of Oakland Business Improvement Management District Ordinance (Chapter 4.48, Ordinance 12190, 1999) establishing the procedures for the formation of business improvement management districts; and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District ("NBID") Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business and property owners in the City to assist in the formation of such districts; and

**WHEREAS**, the property owners in the Fruitvale district have duly petitioned to form the Fruitvale Property Business Improvement District of 2011 ("District") under the City of Oakland Business Improvement Management District Ordinance (the "BIMD Ordinance") and have proposed the Management Plan for the operation of the District attached hereto and incorporated by reference as Exhibit A ("Plan"); and

**WHEREAS**, the Plan contains a detailed engineer's report prepared by a registered professional engineer recognized by the State of California; and

**WHEREAS**, the Plan was prepared in accordance with the provisions Article XIII of the California Constitution, and has been filed with the City Clerk for proceedings in formation of this district; and

**WHEREAS**, the Plan, incorporated by this reference, provides for enhanced cleaning, marketing and promotional activities and improvements of particular benefit to the properties located within the District (as more specifically identified in the Plan); and

**WHEREAS**, the Plan was prepared in accord with the provisions of the BIMD Ordinance overseeing the formation of the District as referenced above, and has been filed with the City Clerk for proceedings in formation of this District;

**NOW, THEREFORE**, the City Council of the City of Oakland finds that the Management Plan for the District satisfies all the requirements of the BIMD Ordinance, the laws of the State of California and the California Constitution with regard to the formation of business improvement management districts, and does hereby resolve and give notice as follows:

1. A business improvement management district is proposed to be established pursuant to the BIMD Ordinance with the boundaries as specified in the Plan.
2. A copy of the preliminary report of the City Clerk is on file in the office of the City Clerk relating to the formation of the District.
3. The Plan for the District is preliminarily approved and the assessments for the first year shall be as provided for in the Plan if the district is established.
4. The name of the District shall be the Fruitvale Property Business Improvement District of 2011.
5. The reasons for the assessments and the types of the improvements and activities proposed to be funded and acquired by the levy of assessments on property in the District and the time period for which the proposed improvements are to be made are those specified in the Plan.
6. Except where funds are otherwise available, an assessment will be levied annually to pay for all improvements and activities within the area.
7. The boundaries of the District and of each separate benefit zone within the district are delineated in the description contained in the Plan.
8. The proposed method and basis of levying the assessments to be levied against each property in the District is based on the gross lot size of each parcel located within the District, and upon the benefit zone in which the property is located (as specified in the Plan – Exhibit A), and the assessments proposed for each property are contained in the appendix to the Plan.
9. The assessments for the entire District total \$324,713.72 for the first year of the District, and the amount chargeable to each parcel are as shown in the Plan.
10. The District shall be in existence for a period of ten (10) years (as provided for in the Plan) during which a maximum 5% increase per year in the amount of the assessment on each property shall be allowable as provided for in the Plan.



11. The assessment shall be attached to the property and collected with the annual county property taxes, and in certain cases through a special municipal billing, and shall continue annually as provided for in the Plan for each year that the District is in existence unless modified by the City Council on the recommendation of the District Advisory Board.
12. The City Clerk is directed to mail a copy of the Resolution of Intention to form the District along with the ballots for the written protest procedure to all affected property owners in the District in compliance with the BIMD Ordinance and Article XIII of the California Constitution and to each local Chamber of Commerce and business organization known to be located within the District, give all other notices and take all other actions required by law, and give notice of the dates of the Public Hearing and Final Action on the Petition for Formation of the District to all affected property owners in the proposed District no later than forty five (45) days before the scheduled public hearing, and also publish the Resolution of Intention in a newspaper of general circulation in the City of Oakland once, at least seven (7) days before the public hearing. The ballots mailed to the affected property owners shall contain the procedures for the completion and return of the ballots.
13. A Public Hearing is set for July 19, 2011, (at 6:30 P.M. in the City Council Chambers in City Hall, located at 1 Frank H. Ogawa Plaza, Oakland California) to hear all public comments, protests, count the returned ballots as to the formation of the District, and take final action as to the formation of the District.
14. At the hearing the testimony of all interested persons for or against the establishment of the District, the proposed assessment, the boundaries of the District, or the furnishing of the specified types of improvements or activities will be heard.
15. A protest may be made in writing by any interested person through the ballot procedure. The procedures applicable to the completion and return of the ballots are as specified in the ballot, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.
16. Every written protest shall be filed with the City Clerk at or before the time fixed for the public hearing. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.
17. Each written protest shall contain a description of the property in which the person subscribing the protest is interested sufficient to identify the property and, if a person subscribing is not shown on the official records of the City as the owner of the property, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the property.
18. A written protest which does not comply with the requirements stated above shall not be counted in determining a majority protest.

19. After the close of the Public Hearing, the ballots will be tabulated under the direction of the City Clerk and the results of the tabulation will be reported to the City Council. If written protests are received from the property owners in the proposed area which will pay more than 50 percent of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that weighted majority, then the assessment will not be imposed. If the majority protest is only against the furnishing of a specified type or types of improvement or activity within the area, those types of improvements or activities shall be eliminated.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

## **EXHIBIT A**

(to the Resolution of Intention to form the Fruitvale PBID)

### **FINAL PLAN**

# **MANAGEMENT DISTRICT PLAN FOR THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011**

## **OAKLAND, CALIFORNIA**

Prepared pursuant to the City of Oakland's  
Business Improvement Management District Ordinance of 1999  
# 12190, Under Municipal Code Chapter 4.48  
for the Fruitvale Business District

Prepared for:

Fruitvale PBID Business and Property Owners  
City Council President Ignacio De La Fuente  
Community Economic Development Agency - City of Oakland

by

THE UNITY COUNCIL

APRIL 18, 2011

FRUITVALE  
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

MANAGEMENT DISTRICT PLAN

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FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011  
MANAGEMENT DISTRICT PLAN

I. EXECUTIVE SUMMARY

Building on many of the successes already achieved in Fruitvale, property owners, business owners, and the Unity Council combined efforts to form the Fruitvale Property Business Improvement District (PBID). This plan is for the renewal of the District. Under this plan, the PBID will continue to provide services from those currently provided. PBIDs have been successfully established in many other commercial districts throughout the country to increase sales, attract new tenants, and increase property values.

**Location:** The District generally includes parcels fronting Fruitvale Avenue from East 12th Street to Foothill Boulevard; parcels fronting Foothill Boulevard from Fruitvale Avenue to High Street; parcels fronting International Boulevard from 29th Avenue to 42nd Avenue; and parcels fronting East 12th Street from 33rd Avenue to 35th Avenue. A detailed description of the specific boundaries is included in Section II, District Boundaries, of the accompanying Engineer's Report.

**Services:** A cleaning, maintenance and marketing program to promote the District throughout the region.

**Budget:** Total maximum district budget for each year is approximately \$324,713 per year with a maximum 5% increase per year. A detailed description of the budget is included in Section III, Characteristics of the District - Identifying Services for PBID Renewal, of this Management District Plan.

**Cost:** The District's source of financing will be special assessments levied on benefiting parcels located within the boundaries of the District. The District shall be divided into two zones. Parcels within Zone 1 will pay \$0.17 per parcel square foot per year; parcels within Zone 2 will pay \$0.08 per parcel square foot per year. Parcels in both Zones owned by non-profit organizations will be assessed \$0.08 per parcel square foot per year. A detailed description of the assessment formula is included in Section III, District Assessment Formula, of the accompanying Engineer's Report.

**Formation:** District formation requires submittal of petitions from property owners representing at least 30% of the total assessment. Once the sufficient number of petitions has been received, the City will send out ballots to the affected property owners so that they may vote on formation of the District. The City of Oakland Business Improvement Management District Ordinance requires that more than 50% of the ballots received, weighted by assessment amount, be in support of the District in order for the District to be formed.

**Duration:** The renewed District will have a ten-year life. The timeline for implementation and completion of the District's Management District Plan will be January 1, 2012 to December 31, 2021. After ten (10) years, a new Management District Plan and Engineer's Report must be prepared and the petition, ballot, and hearing processes must be repeated for the District to be reestablished.

## ii. BACKGROUND

Over a decade ago, the Unity Council, a non-profit 501(c)(3) community development corporation, began to utilize a comprehensive approach to promote economic development in the Fruitvale commercial district. It began planning the construction of the Fruitvale Village, started a façade improvement program, and began to provide business assistance to the Fruitvale merchants.

In 1996, the Local Initiatives Support Corporation (LISC) and the National Main Street Center (NMSC) were seeking organizations to participate in a pilot urban neighborhood Main Street commercial district revitalization program. Both LISC and NMSC conducted an assessment of the Unity Council, the City of Oakland, and the Fruitvale commercial district. In May of 1996, the Unity Council was selected as one of six sites across the country that would implement a Main Street program in an urban neighborhood commercial district.

The Main Street program provided the Unity Council, the City of Oakland, and the Fruitvale community with a unique opportunity to conduct comprehensive revitalization in the Fruitvale district. The Unity Council began its program by conducting surveys of the business and property owners. The survey responses determined that safety and cleanliness were their major concerns. Based on merchants input, the Unity Council successfully lobbied NMSC and LISC to modify the program to address crime and cleanliness to the Main Street framework.

The following were some of the major accomplishments of the Fruitvale Main Street Program:

- Over 50 façade improvements
- Installation of banners
- Installation of antique street lights
- Transformation of a formerly blighted space into Fruitvale Plaza Park, containing an artist-created bench and kiosk
- Annual Dia de los Muertos Festival
- Business directories
- Business assistance workshops and conferences
- One-on-one technical assistance
- Regular Neighborhood Crime Prevention Council meetings
- Removal of problem payphones
- Volunteer youth ambassador program
- Creation of a video titled "It's Your Business" that promoted cleanliness in the commercial area
- Earth Day clean ups

### Adoption of the Fruitvale Business Improvement District

In 2000, funding under the Main Street program was due to expire. In order to continue to address the needs of the Fruitvale commercial district, the Unity Council worked with the commercial property owners and business owners to create a Business Improvement District (BID) that would allow the property owners to pay into an assessment fund so that the services provided under the Fruitvale Main Street Program could be continued and expanded to include safety and cleanliness services.

The PBID was adopted by the commercial property owners in Fruitvale and went into effect in 2001.

The services provided through the PBID include:

- Physical improvements such as façades, streetscapes, public art, and park beautification

- Assistance to merchants and property owners in the following service areas: permits, design, business training, legal issues, etc.
- Coordination with the City of Oakland to secure a higher level of service and funding for Fruitvale
- Promotion including festivals, business directories and cooperative advertising
- Outreach – keeping the merchants and property owners informed about important events and resources
- Safety – working with the Oakland Police and City Attorney to ensure a high level of service
- Sidewalk and gutter sweeping
- Graffiti abatement
- Volunteer involvement in community beautification and landscaping projects

The addition of safety and cleanliness services to the other Main Street services led to a dramatic improvement in the commercial district.

In 2001, with the new PBID in place, Fruitvale became a nationally recognized model for commercial district revitalization by LISC, NMSC, and numerous other national organizations. Of the six original pilot neighborhood Main Street programs across the country, Fruitvale has been acknowledged as the most successful. Media attention has included numerous positive articles about local businesses as well as the statement that Fruitvale "has been transformed through city and private investments into a bustling retail corridor." (Oakland Tribune, November 7, 2004)

The following is a summary of the accomplishments that were achieved during the ten years in which the PBID has been in effect; 2001-2011 (note that these are in addition to the achievements before the PBID was adopted):

#### Economic Development

- Business workshops, conferences, and one-on-one business development assistance
- Linked businesses with numerous resources such as free legal services, low-cost energy efficient lighting upgrades, lenders, free consulting services, etc.
- Mystery Shopper program – provided objective feedback and consulting to several Fruitvale businesses
- Publicized vacancies to recruit high quality businesses to the area
- Partnered with the City to address illegal sidewalk vending and to improved the appearance of legal pushcart vendors project completed in early 2008
- Over 359 new jobs and 126 new businesses created in the district
- The district maintained almost 100 percent occupancy of retail space

#### Design and Physical Improvements

- Approximately 130 façade improvements in the last ten years, the most recent includes Walgreens
- Two major redevelopments, one commercial center with 8 new commercial spaces and 40 parking spots and a two floor building with office space and 50 parking spots
- Installed streetscape improvements on International Boulevard between 33<sup>rd</sup> and 35<sup>th</sup> Avenue
- Raised funds and conducted community design workshops for major streetscape improvements on Fruitvale Avenue and Foothill Boulevard and for improvements to Fruitvale Plaza Park
- Fruitvale Alive project that beautified the entire Fruitvale Avenue with new benches, trees, beautiful cross walk designs and new street lamps
- The redesign of the cross walk on International Blvd between 33<sup>rd</sup> to 35<sup>th</sup> Avenue
- The beautification at the Fruitvale Plaza Park with a new garden, new decorative iron fence, two new light posts and the mosaic project around the tree wells

- Coordination for the cleanup of blight at numerous locations throughout the district
- Made daily phone calls to the City and other agencies to address problems in the commercial district such as potholes, broken street lights, abandoned cars, illegal dumping, etc.
- Painted trash cans on International Boulevard with artist-created designs
- Installed mosaic planter pots
- Installed a wildlife habitat garden at the corner of Fruitvale and Foothill, including a mural and a community bulletin board
- Planted over 90 trees throughout the commercial district
- Plant a Daffodil program
- Secured tree pruning and replacement of broken trees from City of Oakland tree crew
- Installation of 22 metal storm drains in the commercial corridor

### Safety

- Partnered with our Councilmember and the City Attorney's office to target problem alcohol outlets, resulting in the closure or major improvement of five alcohol outlets
- Partnered with our Councilmember and the Oakland Police Department to conduct a campaign against prostitution, including the installation of cameras along International Boulevard
- Negotiated to relocate a needle exchange program and an alternative high school out of the Fruitvale district
- Fruitvale Ambassador Program – patrol of the commercial district Monday through Friday
- Conducted a pedestrian safety campaign

### Cleanliness

- Sidewalk and gutter sweeping every day except Sundays and holidays
- Operation of the Litter Hawk sweeping machines throughout the district
- Graffiti abatement
- Removal of handbills and flyers
- Secured a federal grant to purchase a top quality truck-mounted industrial pressure washing machine and conducted periodic pressure washings in the commercial district

### Promotion

- Business directory
- Restaurant directory
- Cooperative advertising campaigns
- Media campaigns
- Fruitvale Farmers Market
- On-line event calendar
- Removed parking meters in a portion of the district
- Participated in the Shop Oakland Campaign – dissemination of shopping bags, entering Fruitvale merchants into the Shop Oakland web site, etc.
- Merchants participated in the community effort to promote Fruitvale with shopping bags, with the Fruitvale arch logo
- Installed artist-created markers for Fruitvale's historical buildings
- Annual holiday decorations
- Historical walking tours conducted by Oakland Heritage Alliance



## Events

- Annual Dia de los Muertos Festival
- Salsabor Festival
- Christmas Posadas
- Noches de Verano summer movie series
- Mother's Day events
- Valentine's Day events
- Cesar Chavez Festival
- Annual Bike to Work Day
- Last Friday of the month sales event

## Organization and Outreach

- Published the Que Pasa newsletter
- Recruited numerous volunteers to assist with clean-ups, market studies, tree planting, gardening, etc.
- Utilized the AmeriCorps program to secure interns to assist in promotion and outreach
- Joined the Oakland PBID Council and Oakland Merchants Leadership Forum to promote the interests of the Fruitvale district
- Helped local merchants and property owners get appointed to leadership positions on City of Oakland commissions
- Provide Welcome visits and information packages for new merchants
- Annual Volunteer Appreciation event

## Current Situation – the Need for PBID Renewal

The PBID was adopted for a period of five years and is set to expire at the end of 2011. The original management district plan was based on the Unity Council's best estimate of how much cleaning services would be needed. The original PBID plan called for 81 worker hours per week of safety patrol service and 58 worker hours per week of sidewalk cleaning, landscaping, and maintenance. However, due to property owners and merchant's feedback the Unity Council decided to eliminate the safety patrol services and enhanced the cleaning services. The assessment amounts will not increase as they reflect the actual level of service needed in the Fruitvale PBID.

## Current Efforts Need to Continue

The FBID has dramatically improved the Fruitvale commercial district. The vacancy rate is less than one percent and property owners are investing and renovating their buildings. The area is noticeably cleaner and there is a greater perception of safety. Residents throughout the region now recognize the Fruitvale as a destination for shopping and dining. Several of our eateries have been reviewed favorably in regional publications such as the Chronicle, San Francisco Magazine and Oakland Magazine. Our annual Dia de los Muertos festival attracts thousands of people to the Fruitvale which is a direct benefit to the commercial corridor. Further, through our efforts we successfully lobbied for Problem Solving Officers and additional police presence in the Fruitvale.

To continue the momentum that was created in the last five years, it is essential to renew the PBID. In spite of the economic challenges, the FBID continues to provide quality services to the commercial corridor. The loss of the PBID services could jeopardize all of the progress that has been made to date. This plan ensures that the existing level of service will remain so that Fruitvale commercial district continues developing into a vibrant and successful community.

### III. CHARACTERISTICS OF THE DISTRICT

#### Legal Description

The name of the District shall be the "Fruitvale Property Business Improvement District of 2011".

The purpose of this District is to fund special benefits over and above the current level of services funded by the City of Oakland. This District would continue to be known as the Fruitvale Property Business Improvement District of 2011 (FPBID). Any and all assessments generated from the renewal of the district would, by law, be required to stay in the district's boundaries to fund special benefit services:

The District is subject to the City's Business Improvement Management District enabling ordinance.

#### Boundary Description

The District generally includes parcels fronting Fruitvale Avenue from East 12th Street to Foothill Boulevard; parcels fronting Foothill Boulevard from Fruitvale Avenue to High Street; parcels fronting International Boulevard from 29th Avenue to 42nd Avenue; and parcels fronting East 12th Street from 33rd Avenue to 35th Avenue.

Two benefit zones have been identified within the District. Parcels in the center of the District with the highest commercial activity have the greatest need and therefore will receive the greatest benefit from the services provided. As a result, Zone 1 generally includes parcels fronting Fruitvale Avenue from 15th Street to East 12th Street; parcels fronting Foothill Boulevard from Fruitvale Avenue to 34th Avenue; parcels fronting International Boulevard from Fruitvale Avenue to 42nd Avenue; and parcels fronting East 12th Street from 33rd Avenue to 35th Avenue. The remainder of the District is identified as Zone 2.

A detailed description of the boundaries of the District are included in the accompanying Engineer's Report.

A detailed map of the District and a list of parcels to be assessed are included in the Appendix.

#### Assessment Methodology

Each and every parcel within the District, except for parcels with low density residential uses (discussed below), will receive a particular and distinct benefit from the improvements and activities of the District, over and above any general benefits conferred. The variables used for the annual assessment formula are based on gross parcel size, measured in square feet. Gross parcel size is relevant to the highest and best use of a parcel in this area, and will reflect long-term value implications of the PBID. In addition, there will be two separate Benefit Zones as described below.

Parcels in the center of the District with the highest commercial activity have the greatest need and therefore will receive the greatest benefit from the services provided, including cleaning, marketing and promotion. As a result, these parcels have been identified as Zone 1. The remainder of the District is identified as Zone 2. The initial assessment for commercial parcels in Zone 1 will be \$0.17 per parcel square foot per year.

Parcels within Zone 2 will receive only cleaning services and thus will be assessed at a lower rate of \$0.08 per parcel square foot per year. Each of the services has been assigned a relative weight of benefit and assessments have been determined based on this relative benefit.

Parcels in either Benefit Zone which are owned by non-profit organizations will be assessed at a rate of \$0.08 per square foot per year and parcels with low-density, residential uses will not be assessed. Both exemptions are explained in further detail below.

Fruitvale PBID Annual Assessment Rates		
Parcel Use	Zone 1 Lot Rate)	Zone 2 Lot Rate
Parcels with Commercial Uses	\$0.17/sqft/yr	\$0.08/sqft/yr
Parcels with Non-Profit Uses	\$0.08/sqft/yr	
Parcels with Low-Density Residential Uses	Not Assessed	

Parcels owned by charitable, tax-exempt, 501(c)(3) organizations do not gain the same benefit from the District as parcels with commercial uses. The primary focus of a business improvement district is to provide benefit to commercial parcels. However, parcels owned by tax-exempt organizations do gain some benefit from the services provided by the District. In both Zone 1 and Zone 2, parcels owned by non-profit, tax-exempt organizations will receive only cleanliness services. Thus, parcels owned by non-profit, tax-exempt organizations shall be exempt from paying for the portion of the assessment attributable to marketing and promotion. The assessment on parcels owned by 501(c)(3) organizations in either Benefit Zone shall be \$0.08 per parcel square foot per year.

The tax-exempt parcels which comprise Mercy Retirement Home (APN 033-2127-015-01) and Goodwill Industries (APN 025-0695-021-01) will only receive partial benefit from the services provided by the District. These are large-campus parcels with little or no commercial component. These parcels will benefit from the sidewalk and gutter maintenance, but will not benefit from marketing and promotion. Since these beneficial services are concentrated on the street frontage, these parcels will only be assessed the non-profit parcel assessment rate on their linear front footage along Fruitvale Avenue, Foothill Boulevard, or International Boulevard.

Parcels with low density, residential uses of four units or less do not derive sufficient benefit from the District services to be assessed. These parcels do not have employees or clients who visit nor do they operate a non-profit or for-profit organization that may benefit from the services provided. The purpose of the Fruitvale PBID is to benefit commercial and consumer-oriented parcels. Therefore, parcels in both Zone 1 and Zone 2 with low-density, residential uses will not be assessed.

Proposition 218, also known as "The Right to Vote on Taxes Act", states, "Parcels within a District that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly-owned parcels in fact receive no special benefit." All parcels in the District are assessed on their parcel square footage and receive special benefits around the perimeter of those parcels that increase the aesthetic value of those parcels, such as streetscape and landscape improvements and increased maintenance and cleaning in common areas. All government agencies will pay their "fair share" of the assessment.

If the ownership or use of a parcel changes during the term of this District, the assessment calculation may be modified accordingly.

## Identifying Services for PBID Renewal

The following methods were used to develop a service plan and budget for the renewed Fruitvale PBID:

- Two meetings of property owners and other stakeholders were held. Invitations to the meetings were sent to all of the property owners in the district. All the property owners for whom the Unity Council had phone numbers were invited through phone calls as well. Approximately 40 property owners and other stakeholders attended these meetings.
- A survey was sent to all property owners within the district and surveys were also administered in one-on-one visits by Unity Council staff.

The following summarizes the survey results of commercial property owners:

- 70% support regular sidewalk and gutter sweeping services
- 86% support hot water pressure washing of grime and gum from the sidewalks
- 73% support graffiti abatement services
- 80% support marketing and promotions campaigns to bring new business and attract new tenants to the Fruitvale district
- 70% support special events to improve the identity of the Fruitvale district

The following is a description of the services that will be provided through the renewed PBID:

In both Zone 1 and Zone 2:

- Regular sidewalk and gutter sweeping (approximately 160 hours per week)
- Graffiti abatement
- Removal of flyers, handbills, etc.

In Zone 1 only:

- Sidewalk pressure washing (a minimum of one time per year)
- Marketing and promotion
- Outreach and fundraising

The annual first year budget will be \$ 324,713.00.

Special Benefits Services Category	Approximate Percentage of Overall Budget	Estimated First Year Budget
Cleaning	66.06%	\$ 214,508
Administration	24.63%	\$ 79,975
Commercial Marketing and Promotion (Zone 1 only)	2.31%	\$ 7,500
Fees to City & County and contingency for uncollectible assessments	7.00%	\$ 22,730
Total	100%	\$ 324,713

## Administration

The PBID management structure will include the Unity Council as the public benefit non-profit management corporation, working in conjunction with a PBID Advisory Board and a representative Fruitvale PBID Working Group.

The day-to-day operations of the renewed Fruitvale PBID will be administered by the Unity Council (Section 4.48.160 Oakland Municipal Code), which will work with the Advisory Board and existing committees of business and property owners, including the PBID Working Group, and other stakeholders to ensure that the day-to-day operations and services in the PBID are tailored to the needs of the district. Through the Working Group the business and property owners shall provide input on budget priorities from year to year.

The Oakland enabling ordinance states:

“The City Council may designate existing advisory boards or commissions to serve as the advisory board for the district or may create a new advisory board for that purpose. At least one member of the advisory board shall be a business licensee within the district who is not also a property owner within the district.....The advisory board shall cause to be prepared a report of each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report.” (Section 4.48.190)

Members of the proposed Advisory Board will be recommended by the Unity Council and the PBID Working Group. The Advisory Board will be distinct from the management corporation. The management corporation Board of Directors shall make recommendations to the Advisory Board, who in turn shall adopt an annual service plan, including budgets and monitor the service delivery, as presented. The Advisory Board shall meet at least once per year to advise the City Council and to prepare and submit an annual report regarding activities within the district.

The PBID Working Group shall be established during the first year of the renewed district and shall give regular input on the delivery of special benefit services in the district. The Working Group shall consist of business and property owners interested in giving such input. This group shall be as inclusive as possible.

The Unity Council, Advisory Board and Working Group will include large and small property owners, representatives from each land use, as well as business tenants based in the district in all opportunities to provide input.

The Unity Council, Advisory Board and PBID Working Group shall aim to meet the following operational objectives for the Fruitvale PBID:

- Create and manage programs that best respond to the top priorities of Fruitvale PBID property owners,
- Maximize coordination with the City government to avoid duplication of services and leverage resources;
- Deliver services through a cost-effective, non-bureaucratic, and easy to access organizational structure; and
- Provide accountability and responsiveness to those who pay into the district

### Renewal Process

The district is renewed pursuant to and in accordance with the local enabling ordinance. A petition representing 30% of those who will pay into the district by weight was submitted to the City in early April, triggering the mail ballot procedure. Once the ballots are mailed out, the district is established if the weighted majority of return ballots endorse the district's formation.

Under the renewed district, the first assessments will be collected in the 2011-12 property tax cycle, with the first installments due in December 2011. The district would commence operations January 1, 2012 and expire on December 31, 2021.

## Annual Adjustments

The Advisory Board (discussed below) will be given the option to increase the assessments annually based upon the Alameda County regional CPI indicator or by an amount not to exceed 5% from the previous year's assessments. Any increase shall be approved by the Oakland City Council before taking effect. The total maximum PBID budget for each year of its ten year operation is:

Category	Cleaning	Administration	Marketing & Promotion	Fees & Contingency	Amount
Approx %	66.06%	24.63%	2.31%	7.00%	100.00%
2012	\$214,508.00	\$79,975.00	\$7,500.00	\$22,730.00	\$324,713.00
2013	\$225,233.40	\$83,973.75	\$7,875.00	\$23,866.50	\$340,948.65
2014	\$236,495.07	\$88,172.44	\$8,268.75	\$25,059.83	\$357,996.09
2015	\$248,319.82	\$92,581.06	\$8,682.19	\$26,312.82	\$375,895.89
2016	\$260,735.81	\$97,210.11	\$9,116.30	\$27,628.46	\$394,690.68
2017	\$273,772.60	\$102,070.62	\$9,572.12	\$29,009.88	\$414,425.22
2018	\$287,461.23	\$107,174.15	\$10,050.73	\$30,460.37	\$435,146.48
2019	\$301,834.29	\$112,532.86	\$10,553.27	\$31,983.39	\$456,903.81
2020	\$316,926.00	\$118,159.50	\$11,080.93	\$33,582.56	\$479,748.99
2021	\$332,772.30	\$124,067.48	\$11,634.98	\$35,261.69	\$503,736.45

The Unity Council shall have the right to shift allocations within the four categories based on changing needs within the district and as long as the budget remains consistent with the intent and spirit of the plan.

The Advisory Board shall also have the right to shift up to 10% per year from category to category, each year, as needs change within the district.

## Time and Manner of Collecting the Assessments

As provided by local ordinance, the Fruitvale Property Business Improvement District of 2011 will appear as a separate line item on the annual property tax bills prepared by the Alameda County tax collector. Property tax bills are generally distributed in the fall and payment is expected by lump sum or in two installments. The County tax assessor shall disburse the assessments collected to the City of Oakland which will in turn then forward them to the Unity Council. Existing laws for enforcement and appeal of property taxes apply to the PBID assessments.

## Baseline Services

Throughout the process of renewing the Fruitvale PBID, business and property owners have voiced concerns that the City of Oakland maintain existing services at verifiable "baseline" service levels. A base level of services policy will be adopted to ensure that existing City Services are enhanced, not replaced by the new PBID services.

This policy allows for adjustments in the baseline services provided by the City of Oakland commensurate with changes in the City's overall financial condition. Citywide service reductions can trigger a proportionate reduction in baseline levels of service within a business improvement district.

## Proposed Rules and Regulations to be Applicable in the District

Pursuant to the Business Improvement Management District Ordinance of the City of Oakland, a PBID may establish rules and regulations that uniquely apply to the district. The following rules and regulations will be employed in the administration of the district.

### Competitive Bidding:

The Unity Council will use a competitive bidding process to secure any contracted services for the Fruitvale PBID.

### Conflict of Interest:

Any member of the Advisory Board or of the Board of Directors of the Unity Council shall recuse him or herself from any vote in which a potential conflict of interest is apparent. Such potential conflicts include, but are not limited to, prioritizing capital improvement projects which result in special benefit to specific property owners, prioritization of services to benefit a particular owner or group of owners, and hiring or selecting contractors.

### Open Meetings:

Meetings of the Advisory Board shall be open to all property owners paying into the district as well as the general public according to the Ralph M. Brown Act and any other applicable legislation. All PBID-related reports shall be available for review by any property owner in the district.

## Engineer's Report

The Unity Council has contracted the services of Bennett Engineering Services to compile the required engineer's report under the guidelines of Proposition 218, Article XIID of the California State Constitution and the City of Oakland Business Improvement Management District Ordinance.

In preparing the engineer's report for the Fruitvale PBID Management District Plan, the engineer concluded the following:

The programs and services paid for by assessment revenue are parcel services conferring special benefit on the assessable parcels within the District. In addition, these services are not for the benefit of the general public and do not provide general benefit to the parcels within the District. It is therefore appropriate that these special parcel-related benefits be funded by special assessments. Each and every parcel within the District, except for parcels with low-density residential uses, will receive a particular and distinct benefit from the improvements and activities of the District, over and above any general benefits conferred. Each parcel owner will pay based on benefits received. The variable used for the annual assessment formula is based on gross parcel size, measured in square feet. Gross parcel size is relevant to the highest and best use of a parcel in this area, and will reflect long-term value implications of the PBID. The special benefit to each parcel is found to be proportional to the assessment variable.

The Engineer's report for the PBID is provided in the Appendix.

#### IV. CONCLUSION: THE NEED FOR THE PBID

It is best when community dollars stay in the community. The purpose of the PBID is to keep local dollars in the community, attract commerce from outside of the district, beautify the neighborhood, and fund special benefit services which are not and will not be funded by the City of Oakland.

Similar districts are currently functioning in the Rockridge, Montclair, Temescal, Lakeshore, Koreatown/Northgate, Downtown, Lake Merritt and Laurel business districts. These districts have noted that, because they have organized into PBIDs, they are able to secure a greater level of services from the City. This is due to the fact that they have management staff that is in constant contact with City departments to ensure that the City is providing its committed level of general services.

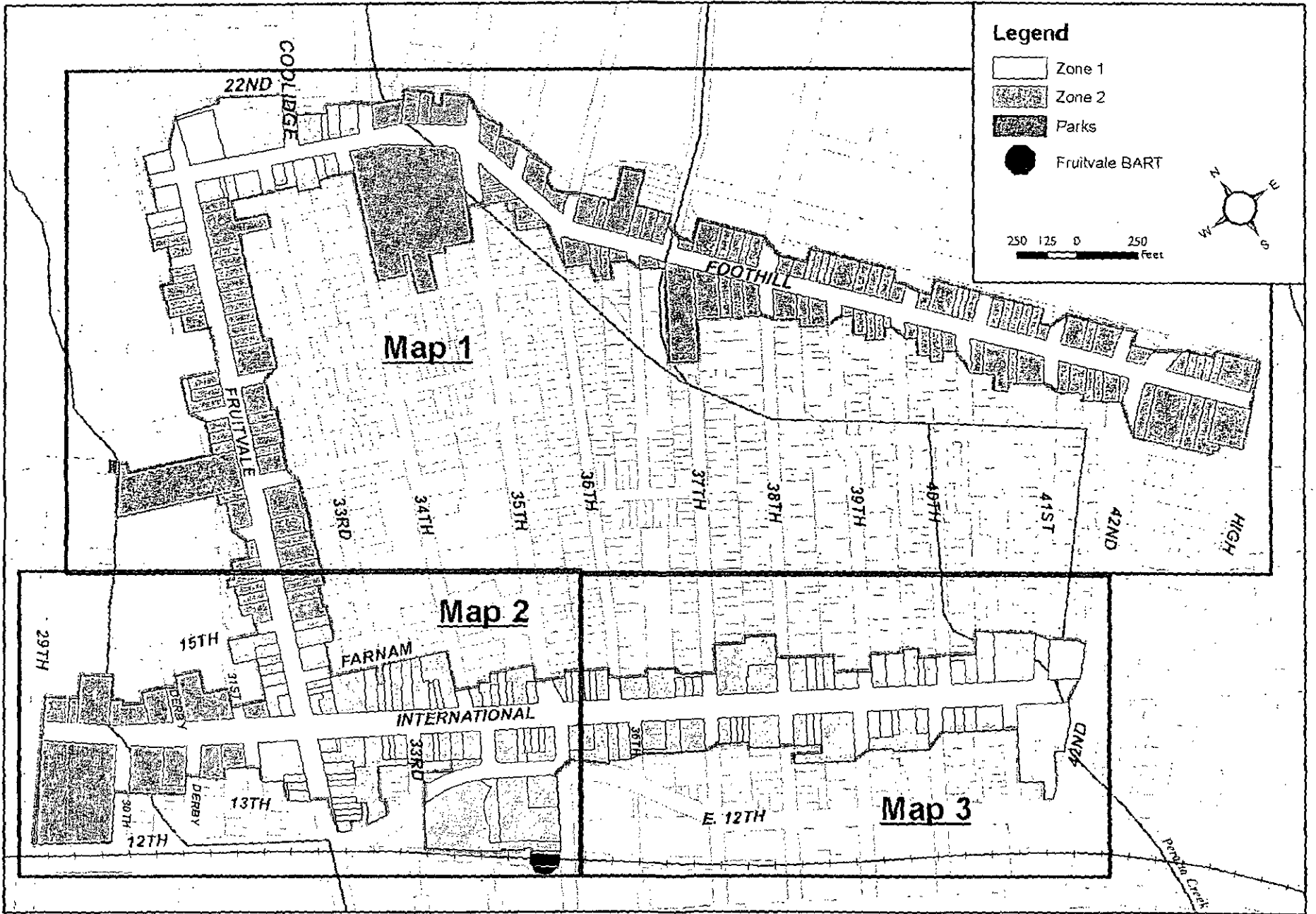
The PBID is needed to prevent the loss of the accomplishments achieved to date and to continue to build on those successes.

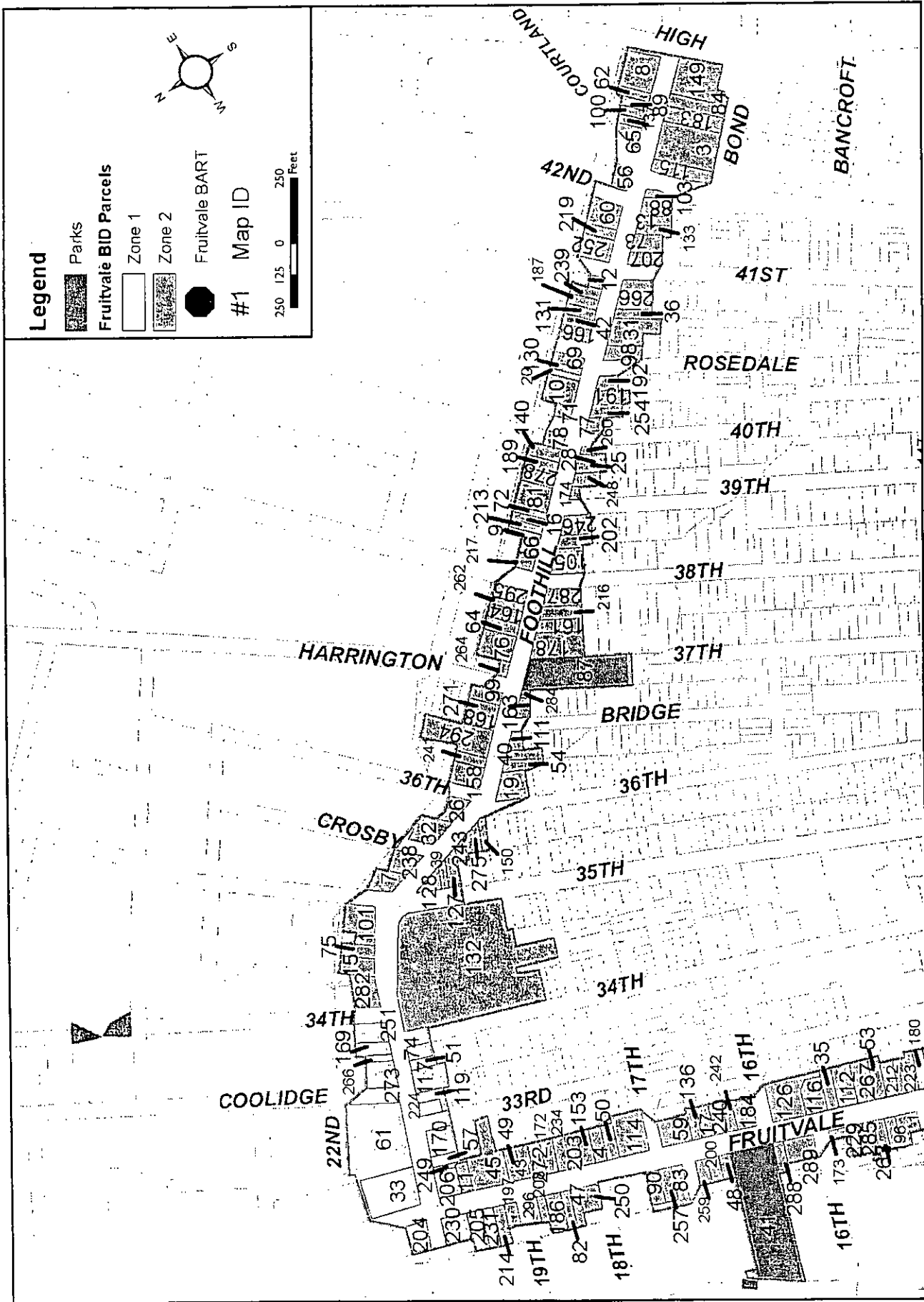


# APPENDIX 1

## MAP OF THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT

APRIL 2011

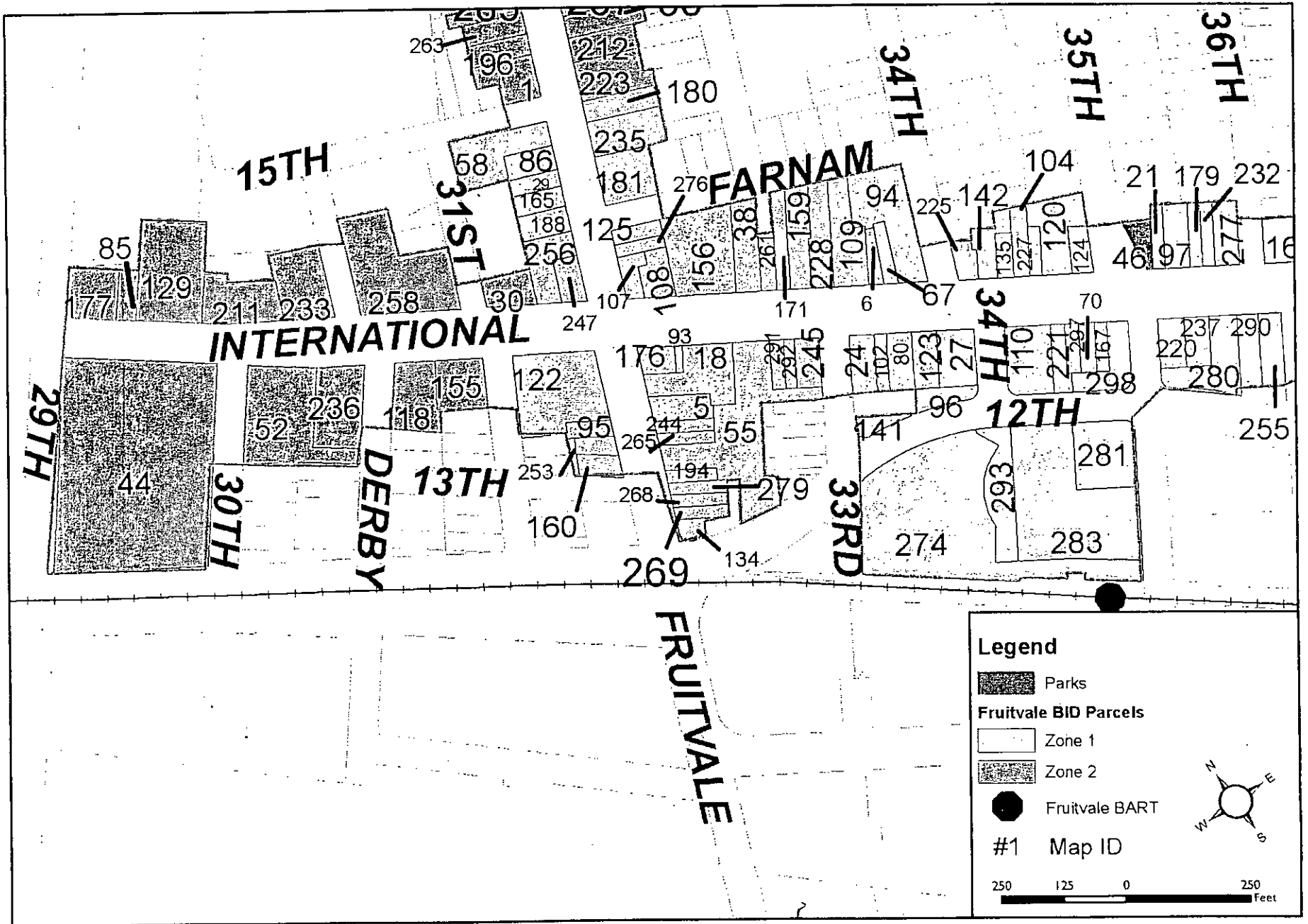


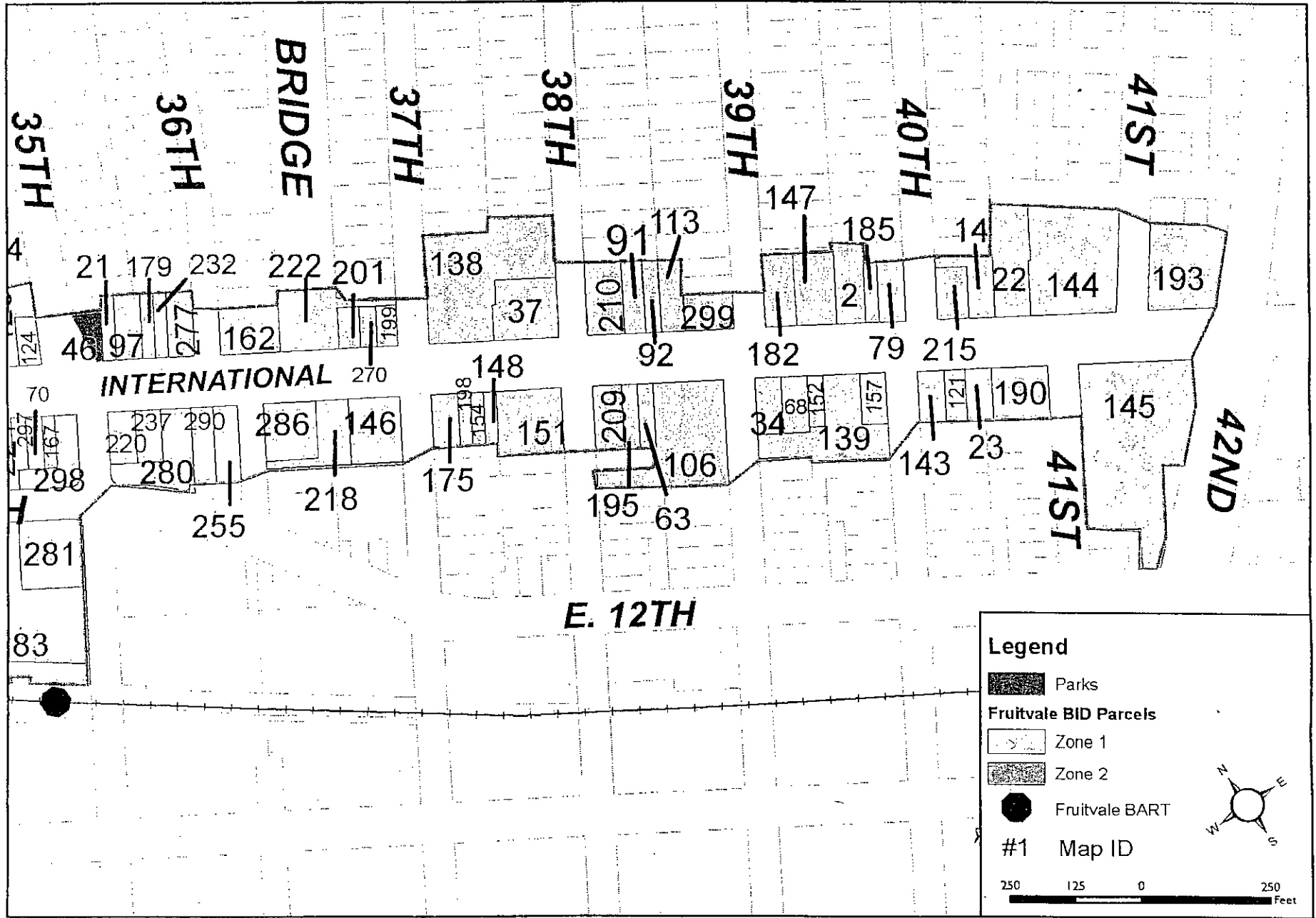


CEDA: April 15, 2011

Fruitvale -- Business Improvement District--Map I







Fruitvale -- Business Improvement District--Map 3

CEDA: April 15, 2011

# APPENDIX 2

## ENGINEER'S REPORT

APRIL 2011

# FRUITVALE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT ENGINEER'S REPORT

*Prepared pursuant to the State of California  
Property and Business Improvement District Law of 1994, as amended, and  
Section 4, Article XIII D of the California Constitution, and  
the City of Oakland's Business Improvement Management District Ordinance of 1999 #12190, under  
Municipal Code Chapter 4.48 for the Fruitvale Business District  
to create a Property and Business Improvement District within the City of Oakland*

January 1, 2012 to December 31, 2021

Prepared by: Orin N. Bennett, PE  
State of California  
Registered Civil Engineer No. 25169



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Dated: April 18, 2011

**FRUITVALE  
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

**ENGINEER'S REPORT**

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## I. DISTRICT DESCRIPTION

Building on many of the successes already achieved in Fruitvale, property owners, business owners, and the Unity Council combined efforts to form the Fruitvale Property and Business Improvement District (PBID). This plan is for the renewal of the District. Under this plan, the BID will continue to provide services from those currently provided. PBIDs have been successfully established in many other commercial districts throughout the country to increase sales, attract new tenants, and increase property values.

**Location:** The District generally includes parcels fronting Fruitvale Avenue from East 12th Street to Foothill Boulevard; parcels fronting Foothill Boulevard from Fruitvale Avenue to High Street; parcels fronting International Boulevard from 29th Avenue to 42nd Avenue; and parcels fronting East 12th Street from 33rd Avenue to 35th Avenue. A detailed description of the specific boundaries is included in Section II, District Boundaries, of this Engineer's Report.

**Services:** A cleaning, maintenance and marketing program to promote the District throughout the region.

**Budget:** Total maximum district budget for each year is approximately \$324,713 per year with a maximum 5% increase per year. A detailed description of the budget is included In Section IV, Management District Plan Cost Estimate, of this Engineer's Report.

**Source of Financing:** The District's source of financing will be special assessments levied on benefiting parcels located within the boundaries of the District. The District shall be divided into two zones. Parcels within Zone 1 will pay \$0.17 per parcel square foot per year; parcels within Zone 2 will pay \$0.08 per parcel square foot per year. Parcels in both Zones owned by non-profit organizations will be assessed \$0.08 per parcel square foot per year. A detailed description of the assessment formula is included in Section III, District Assessment Formula, of this Engineer's Report.

**Renewal:** District renewal requires submittal of petitions from parcel owners representing more than 30% of the total annual assessment. The "Right to Vote on Taxes Act" (also known as Proposition 218) requires that more than 50% of the ballots received, weighted by assessment, be in support of the District.

**Duration:** The renewed District will have a ten-year life. The timeline for implementation and completion of the District's Management District Plan will be January 1, 2012 to December 31, 2021. After ten (10) years, a new Management District Plan and Engineer's Report must be prepared and the petition, ballot, and hearing processes must be repeated for the District to be reestablished.

## II. DISTRICT BOUNDARIES

There are 299 identified individual parcels within the Fruitvale Property and Business Improvement District (PBID) which will derive some level of special benefit from the District programs and activities. The District generally includes parcels fronting Fruitvale Avenue from East 12th Street to Foothill Boulevard; parcels fronting Foothill Boulevard from Fruitvale Avenue to High Street; parcels fronting International Boulevard from 29th Avenue to 42nd Avenue; and parcels fronting East 12th Street from 33rd Avenue to 35th Avenue.

Two benefit zones have been identified within the District. Parcels in the center of the District with the highest commercial activity have the greatest need and therefore will receive the greatest benefit from the services provided. As a result, Zone 1 generally includes parcels fronting Fruitvale Avenue from 15<sup>th</sup> Street to East 12<sup>th</sup> Street; parcels fronting Foothill Boulevard from Fruitvale Avenue to 34<sup>th</sup> Avenue; parcels fronting International Boulevard from Fruitvale Avenue to 42<sup>nd</sup> Avenue; and parcels fronting East 12<sup>th</sup> Street from 33<sup>rd</sup> Avenue to 35<sup>th</sup> Avenue. The remainder of the District is identified as Zone 2.

The boundaries of the District are more particularly described as follows:

Beginning at the southeast corner of Assessor's Parcel Number (APN) 033-2154-001-03 (Map ID 145) and heading northwest along the southwestern boundary of parcels fronting the southwest side of International Boulevard, across 41<sup>st</sup> Avenue, 40<sup>th</sup> Avenue, 39<sup>th</sup> Avenue, 38<sup>th</sup> Avenue, 37<sup>th</sup> Avenue, and 36<sup>th</sup> Avenue to the northwest corner of APN 033-2197-015-03 (Map ID 280). Southwest across the intersection of 35<sup>th</sup> Avenue and East 12<sup>th</sup> Street, then southwest along the northwest side of 35<sup>th</sup> Avenue to the southeast corner of APN 033-2195-026-00 (Map ID 274). Northwest along the southwestern boundary of APN 033-2195-026-00 (Map ID 274) to 33<sup>rd</sup> Avenue. Northeast along the southeast side of 33<sup>rd</sup> Avenue, across East 12<sup>th</sup> Street to the northwest corner of APN 033-2195-020-03 (Map ID 141). Southeast along the northeastern boundary of APN 033-2195-020-03 (Map ID 141), northeast along the northwestern boundary of APN 033-2195-006-03 (Map ID 96), then northwest along the southwestern boundary of parcels fronting the southwest side of International Boulevard, across 33<sup>rd</sup> Avenue, to the northeast corner of APN 033-2194-029-00 (Map ID 279). Southwest along the southeast boundary of parcels fronting the southeast side of Fruitvale Avenue to East 12<sup>th</sup> Street. West along the north side of East 12<sup>th</sup> Street to Fruitvale Avenue. Northeast along the southeast side of Fruitvale Avenue to a point opposite the southeast corner of APN 025-0689-005-00 (Map ID 160). West across Fruitvale Avenue, and continuing west along the southern boundary of APN 025-0689-005-00 (Map ID 160). North along the western boundary of parcels fronting the west side of Fruitvale Avenue to the southeast corner of APN 025-0689-001-01 (Map ID 122). West along the southern boundary of parcels fronting the south side of International Boulevard, across 31<sup>st</sup> Avenue, Derby Avenue, and 30<sup>th</sup> Avenue, to 29<sup>th</sup> Avenue.

Northeast along the southeast side of 29<sup>th</sup> Avenue, across International Boulevard, to the northwest corner of APN 025-0716-014-00 (Map ID 177). Southeast along the northeastern boundary of parcels fronting the northeast side of International Boulevard, across Derby Avenue and 31<sup>st</sup> Avenue, to the northeast corner of APN 025-0718-009-01 (Map ID 30). Northeast along the northwestern boundary of parcels fronting the northwest side of Fruitvale Avenue, across East 15<sup>th</sup> Street and East 16<sup>th</sup> Street to the northwest corner of APN 025-0724-003-00 (Map ID 83). Southeast along the northeast boundary

of APN 025-0724-003-00 (Map ID 83) and APN 025-0724-001-00 (Map ID 90) to Fruitvale Avenue. Northeast along the northwest side of Fruitvale Avenue to East 18<sup>th</sup> Street. Northwest along the northeast side of East 18<sup>th</sup> Street to the southwest corner of APN 025-0725-015-00 (Map ID 250). Northwest along the southwest boundary of APN 025-0725-015-00 (Map ID 250), then northeast along the northwestern boundary of parcels fronting the northwest side of Fruitvale Avenue, across East 19<sup>th</sup> Street and Foothill Boulevard to the northwest corner of APN 026-0747-013-00 (Map ID 204).

Southeast along the northern boundary of parcels fronting the northeast side of Foothill Boulevard, across Fruitvale Avenue, Coolidge Avenue, 34<sup>th</sup> Avenue, 35<sup>th</sup> Avenue, Crosby Avenue, 36<sup>th</sup> Avenue, Harrington Avenue, 38<sup>th</sup> Avenue, 40<sup>th</sup> Avenue, Rosedale Avenue, 41<sup>st</sup> Avenue, 42<sup>nd</sup> Avenue, and Courtland Avenue to High Street.

Southwest along the northwest side of High Street to the southeast corner of APN 035-2352-008-01 (Map ID 149).

Northwest along the southwestern boundary of parcels fronting the southwest side of Foothill Boulevard, across 42<sup>nd</sup> Avenue, 41<sup>st</sup> Avenue, Rosedale Avenue, 40<sup>th</sup> Avenue, 39<sup>th</sup> Avenue, 38<sup>th</sup> Avenue, Bridge Avenue, 36<sup>th</sup> Avenue, 35<sup>th</sup> Avenue, 34<sup>th</sup> Avenue, and 33<sup>rd</sup> Avenue to the northwest corner of APN 033-2117-004-01 (Map ID 57).

Southwest along the southeast boundary of parcels fronting the southeast side of Fruitvale Avenue, across East 17<sup>th</sup> Street and East 16<sup>th</sup> Street to the south side of Farnam Street.

East along the northern boundary of parcels fronting the northeast side of International Boulevard, across 34<sup>th</sup> Avenue, 35<sup>th</sup> Avenue, 36<sup>th</sup> Avenue, 37<sup>th</sup> Avenue, 38<sup>th</sup> Avenue, 39<sup>th</sup> Avenue, 40<sup>th</sup> Avenue, and 41<sup>st</sup> Avenue to the northwest side of 42<sup>nd</sup> Avenue.

Southwest along the northwest side of 42<sup>nd</sup> Avenue, across International Boulevard to the northeast corner of APN 033-2154-001-03 (Map ID 145). Southwest along the southeast boundary of APN 033-2154-001-03 (Map ID 145) to the point of beginning.

For further information, a boundary map is included in Appendix 2.

Where inconsistencies exist regarding assessable parcels between this boundary description, the boundary map (included in Appendix 2), and the Assessment Calculation Table (included in Appendix 1); the order of precedence shall be: 1) the Assessment Calculation Table, 2) the boundary map, and 3) the boundary description. If the ownership or use of a parcel changes during the term of this District, the assessment calculation may be modified accordingly.

### III. DISTRICT ASSESSMENT FORMULA

#### Assessment Formula

Each and every parcel within the District, except for parcels with low-density residential uses (discussed below), will receive a particular and distinct benefit from the improvements and activities of the District, over and above any general benefits conferred. Each parcel owner will pay based on benefits received. The variable used for the annual assessment formula is based on gross parcel size, measured in square feet. Gross parcel size is relevant to the highest and best use of a parcel in this area, and will reflect long-term value implications of the PBID. In addition, there will be two separate Benefit Zones as described below.

#### Benefit Zones

Parcels in the center of the District with the highest commercial activity have the greatest need and therefore will receive the greatest benefit from the services provided, including cleaning, marketing and promotion. As a result, these parcels have been identified as Zone 1. The remainder of the District is identified as Zone 2. The initial assessment for commercial parcels in Zone 1 will be \$0.17 per parcel square foot per year.

Parcels within Zone 2 will receive only cleaning services and thus will be assessed at a lower rate of \$0.08 per parcel square foot per year. Each of the services has been assigned a relative weight of benefit and assessments have been determined based on this relative benefit.

Parcels in either Benefit Zone which are owned by non-profit organizations will be assessed at a rate of \$0.08 per square foot per year and parcels with low-density, residential uses will not be assessed. Both exemptions are explained in further detail below.

Fruitvale PBID Annual Assessment Rates		
Parcel Use	<u>Zone 1</u> Lot Rate)	<u>Zone 2</u> Lot Rate
Parcels with Commercial Uses	\$0.17/sqft/yr	\$0.08/sqft/yr
Parcels with Non-Profit Uses	\$0.08/sqft/yr	
Parcels with Low-Density Residential Uses	Not Assessed	

#### Parcels Owned by Tax-Exempt Organizations

Parcels owned by charitable, tax-exempt, 501(c)(3) organizations do not gain the same benefit from the District as parcels with commercial uses. The primary focus of a business improvement district is to provide benefit to commercial parcels. However, parcels owned by tax-exempt organizations do gain some benefit from the services provided by the District. In both Zone 1 and Zone 2, parcels owned by non-profit, tax-exempt organizations will receive only cleanliness services. Thus, parcels owned by non-profit, tax-exempt organizations shall be exempt from paying for the portion of the assessment

attributable to marketing and promotion. The assessment on parcels owned by 501(c)(3) organizations in either Benefit Zone shall be \$0.08 per parcel square foot per year.

#### **Parcels Benefiting from only a Portion of the District's Services**

The tax-exempt parcels which comprise Mercy Retirement Home (APN 033-2127-015-01) and Goodwill Industries (APN 025-0695-021-01) will only receive partial benefit from the services provided by the District. These are large-campus parcels with little or no commercial component. These parcels will benefit from the sidewalk and gutter maintenance, but will not benefit from marketing and promotion. Since these beneficial services are concentrated on the street frontage, these parcels will only be assessed the non-profit parcel assessment rate on their linear front footage along Fruitvale Avenue, Foothill Boulevard, or International Boulevard.

#### **Parcels with Low-Density Residential Uses**

Parcels with low-density, residential uses of four units or less do not derive sufficient benefit from the District services to be assessed. These parcels do not have employees or clients who visit nor do they operate a non-profit or for-profit organization that may benefit from the services provided. The purpose of the Fruitvale PBID is to benefit commercial and consumer-oriented parcels. Therefore, parcels in both Zone 1 and Zone 2 with low-density, residential uses will not be assessed.

#### **Assessments on Public Parcels**

Proposition 218, also known as "The Right to Vote on Taxes Act", states, "Parcels within a District that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly-owned parcels in fact receive no special benefit." All parcels in the District are assessed on their parcel square footage and receive special benefits around the perimeter of those parcels that increase the aesthetic value of those parcels, such as streetscape and landscape improvements and increased maintenance and cleaning in common areas. All government agencies will pay their "fair share" of the assessment.

#### **Changes to Use and Ownership**

If the ownership or use of a parcel changes during the term of this District, the assessment calculation may be modified accordingly.

#### **Determination of Special versus General Benefits**

Throughout the process of renewing the Fruitvale PBID, business and property owners have voiced concerns that the City of Oakland maintain existing services at verifiable "baseline" service levels. A base level of services policy will be adopted to ensure that existing City Services are enhanced, not replaced by the new PBID services. This policy allows for adjustments in the baseline services provided by the City of Oakland commensurate with changes in the City's overall financial condition. Citywide service reductions can trigger a proportionate reduction in baseline levels of service within a business improvement district.

California Constitution Section 4, Article XIII D (Proposition 218) states, "While assessment district programs may confer a combination of general and special benefits to properties, only the special

parcel-related benefits can be funded through assessments.”

The law provides that the expenses of the District shall be apportioned in proportion to the special benefit received by each parcel. In addition, Proposition 218 requires that parcel assessments may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable.

A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the District. Conversely, a general benefit is a benefit to parcels in the area and in the surrounding community or a benefit to the public in general, resulting from the improvement, activity, or service to be provided by the assessment levied. Many general benefits to the public at large are conveyed by municipal services such as fire protection, police services, and public transit services. These services are targeted to serve the public at large and do not confer special benefits on particular parcels. The general benefits that may be received include the perception of a more aesthetically pleasing District area. These benefits cannot be measured. All general benefits, if any, are intangible and not quantifiable.

The programs and services paid for by assessment revenue are parcel services conferring special benefit on the assessable parcels within the District. In addition, these services are not for the benefit of the general public and do not provide general benefit as defined above. The programs and services provide special benefits, and all benefits derived from assessments outlined in the Management District Plan are only for programs and services directly benefiting the parcels in the District. The services are designed to increase foot traffic, improve the commercial core, increase marketing of commercial entitles in the District, and improve the aesthetic appearance of the District, and to provide these services only to assessed parcels within the District boundaries. It is therefore appropriate that these special parcel-related benefits be funded by special assessments. Due to the fact that the District assessments will only be levied on parcels within its District boundaries and, In turn, assessment revenues will only be spent on programs, improvements and services that provide direct or special benefit to parcels within the District boundaries, it is hereby determined that any general benefits are not quantifiable, measurable or tangible in the District area and to the surrounding community or the public in general. The programs and services listed In the Management District Plan will contribute to a special benefit of each of the assessable parcels within the District.

#### IV. MANAGEMENT DISTRICT PLAN COST ESTIMATE

The PBID management structure will include the Unity Council as the public benefit non-profit management corporation, working in conjunction with a PBID Advisory Board and a representative Fruitvale PBID Working Group.

In order to develop a service plan and budget for the renewed Fruitvale PBID, two meetings of parcel owners and other stakeholders were held. Invitations to the meetings were sent to all parcel owners in the District. All parcel owners for whom the Unity Council had phone numbers were invited by phone call as well. Approximately forty parcel owners and other stakeholders attended these meetings. In addition, a survey was sent to all parcel owners within the District and surveys were also administered in one-on-one visits by Unity Council staff.

The following is a description of the services that will be provided through the renewed PBID:

##### Zone 1

- Regular sidewalk and gutter sweeping
- Graffiti abatement
- Removal of flyers, handbills, etc.
- Sidewalk pressure washing
- Marketing and promotion
- Outreach and fundraising

##### Zone 2

- Regular sidewalk and gutter sweeping
- Graffiti abatement
- Removal of flyers, handbills, etc.

Unexpended funds will rollover one year to the next. If there are funds remaining at the end of the District's ten (10) year term, and the owners choose to renew the District, those remaining funds will be transferred to the renewed District. A portion of the remaining funds may be reserved and used for the District's renewal. If the District is not renewed, all remaining funds will be returned to parcel owners.

**TABLE 1 - MANAGEMENT DISTRICT PLAN COST ESTIMATE (Year 1)**

Cost Description	Year 1
Cleaning (approx. 66.06%)	\$214,508
Administration (approx. 24.63%)	\$79,975
Commercial Marketing and Promotion (Zone 1 only) (approx. 2.31%)	\$7,500
Fees to City & County and Contingency (approx. 7.00%)	\$22,730
<b>Total</b>	<b>\$324,713</b>

The Advisory Board will be given the option to increase the assessments annually based upon the Alameda County regional CPI indicator or by an amount not to exceed 5% from the previous year's assessments. Any increase shall be approved by the Oakland City Council before taking effect. The total maximum PBID budget for each year of its ten year operation is:

**TABLE 2 - MANAGEMENT DISTRICT PLAN MAXIMUM BUDGET**

Year	Amount
2012	\$324,713.00
2013	\$340,948.65
2014	\$357,996.09
2015	\$375,895.89
2016	\$394,690.68
2017	\$414,425.22
2018	\$435,146.48
2019	\$456,903.81
2020	\$479,748.99
2021	\$503,736.45

The Unity Council shall have the right to shift allocations within the four categories based on changing needs within the District and as long as the budget remains consistent with the intent and spirit of the plan. The Advisory Board shall also have the right to shift up to 10% per year within the four categories as needs change within the District. After ten (10) years the petition process, ballot process, and hearing process must be repeated for the District to be re-established.

***Time and Manner for Collecting Assessments***

As provided by local ordinance, the Fruitvale Property Business Improvement District of 2011 will appear as a separate line item on the annual property tax bills prepared by the Alameda County tax collector. Property tax bills are generally distributed in the fall and payment is expected by lump sum or in two installments. The County tax assessor shall disburse the assessments collected to the City of Oakland which will in turn then forward them to the Unity Council. Existing laws for enforcement and appeal of property taxes apply to the BID assessments.

***Assessment Notice***

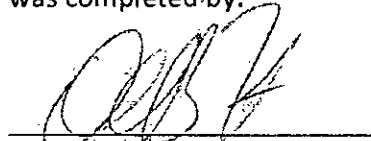
An assessment notice will be sent to owners of each assessable parcel within the District boundaries. The assessment notice provides the assessment amount, based upon the parcel square footage. The final assessment for a parcel may change, up or down, if the actual parcel square footage differs from those found on the assessment notice. A list of assessable parcels included in the District is provided in the Assessment Calculation Table provided in Appendix 1 of this Engineer's Report.



**V. CERTIFICATION**

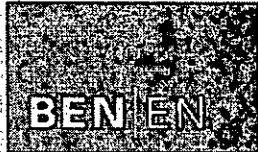
I hereby certify, to the best of my knowledge and experience, that each of the identified benefiting parcels located within the Fruitvale Property and Business Improvement District will receive a special benefit pver and above the general benefits conferred and that the amount of the assessment is proportional to, and no greater than, the special benefits conferred on each assessable parcel, as described in this Engineer's Report.

Preparation of the Engineer's Report for the Fruitvale Property and Business Improvement District was completed by:



APRIL 20, 2011  
Date

Orin N. Bennett, PE  
State of California  
Registered Civil Engineer No. 25169

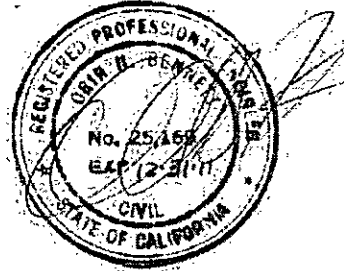


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## APPENDIX 1: ASSESSMENT CALCULATION TABLE

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
1	025-0721-017-01	2		8,743	8,743	0.08	\$699.44
2	033-2139-032-00	1		8,553	8,553	0.17	\$1,454.01
3	035-2352-002-04	2		35,100	35,100	0.08	\$2,808.00
4	033-2117-023-00	2	2	6,370	6,370	0.00	\$0.00
5	033-2194-035-00	1		6,057	6,057	0.17	\$1,029.69
6	033-2123-018-00	1		3,307	3,307	0.17	\$562.19
7	032-2116-013-01	2		9,219	9,219	0.08	\$737.52
8	035-2351-005-02	2		18,518	18,518	0.08	\$1,481.44
9	032-2087-026-00	2	2	3,232	3,232	0.00	\$0.00
10	032-2088-010-00	2		12,757	12,757	0.08	\$1,020.56
11	033-2117-034-00	2	2	4,600	4,600	0.00	\$0.00
12	032-2078-015-00	2	2	2,938	2,938	0.00	\$0.00
13	033-2150-004-00	2	2	4,457	4,457	0.00	\$0.00
14	033-2144-050-00	1		7,225	7,225	0.17	\$1,228.25
15	027-0883-011-00	2		9,150	9,150	0.08	\$732.00
16	032-2087-024-01	2		3,892	3,892	0.08	\$311.36
17	033-2119-014-00	2		6,100	6,100	0.08	\$488.00
18	033-2194-036-01	1		14,771	14,771	0.17	\$2,511.07
19	033-2134-002-01	2		12,087	12,087	0.08	\$966.96
20	032-2088-009-00	2	2	3,200	3,200	0.00	\$0.00
21	033-2130-034-00	1		3,151	3,151	0.17	\$535.67
22	033-2144-049-02	1		15,515	15,515	0.17	\$2,637.55
23	033-2155-003-00	1		5,000	5,000	0.17	\$850.00
24	033-2195-001-00	1		5,250	5,250	0.17	\$892.50
25	033-2141-003-00	2	2	3,990	3,990	0.00	\$0.00
26	032-2115-037-01	2		6,541	6,541	0.08	\$523.28
27	033-2195-005-00	1	1	8,625	8,625	0.08	\$690.00
28	033-2141-004-00	2	2	3,570	3,570	0.00	\$0.00
29	025-0718-004-01	1		3,385	3,385	0.17	\$575.45
30	025-0718-009-01	2		6,387	6,387	0.08	\$510.96
31	033-2151-003-02	2		16,864	16,864	0.08	\$1,349.12
32	032-2115-038-01	2		11,893	11,893	0.08	\$951.44
33	027-0837-012-01	1		31,327	31,327	0.17	\$5,325.59
34	033-2156-001-00	1		5,500	5,500	0.17	\$935.00
35	033-2121-030-00	2		6,750	6,750	0.08	\$540.00
36	033-2151-004-00	2		5,019	5,019	0.08	\$401.52
37	033-2136-061-02	1		14,355	14,355	0.17	\$2,440.35
38	033-2123-006-00	1	1	9,273	9,273	0.08	\$741.84
39	033-2128-002-00	2	2	3,000	3,000	0.00	\$0.00
40	033-2134-004-00	2	2	5,358	5,358	0.00	\$0.00
41	025-0722-026-00	2		83,425	83,425	0.08	\$6,674.00
42	032-2078-019-00	2	2	5,500	5,500	0.00	\$0.00
43	033-2117-029-00	2	2	6,370	6,370	0.00	\$0.00
44	025-0695-021-01	2	13	132,231	46,800	0.08	\$3,744.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
45	033-2117-031-02	2		19,110	19,110	0.08	\$1,528.80
46	033-2130-035-02	1		3,800	3,800	0.17	\$646.00
47	025-0725-014-00	2	2	5,075	5,075	0.00	\$0.00
48	025-0722-012-00	2		4,500	4,500	0.08	\$360.00
49	033-2117-030-00	2	2	6,370	6,370	0.00	\$0.00
50	033-2117-022-00	2	2	6,370	6,370	0.00	\$0.00
51	033-2118-004-00	1		3,627	3,627	0.17	\$616.59
52	025-0694-022-01	2		29,821	29,821	0.08	\$2,385.68
53	033-2121-027-00		2	7,425	7,425	0.00	\$0.00
54	033-2134-003-01		2	5,011	5,011	0.00	\$0.00
55	033-2194-006-05	1		37,175	37,175	0.17	\$6,319.75
56	032-2083-024-00	2		5,830	5,830	0.08	\$466.40
57	033-2117-004-01	1		4,313	4,313	0.17	\$733.21
58	025-0718-014-01	1		14,990	14,990	0.17	\$2,548.30
59	033-2119-001-00	2		12,360	12,360	0.08	\$988.80
60	032-2079-018-00	2		13,720	13,720	0.08	\$1,097.60
61	027-0837-024-01	1		67,519	67,519	0.17	\$11,478.23
62	035-2351-009-00	2	2	4,680	4,680	0.00	\$0.00
63	033-2157-003-00	1		3,750	3,750	0.17	\$637.50
64	032-2086-013-00	2		6,570	6,570	0.08	\$525.60
65	035-2351-013-00	2		5,500	5,500	0.08	\$440.00
66	032-2087-027-03	2		4,200	4,200	0.08	\$336.00
67	033-2123-017-01	1		3,267	3,267	0.17	\$555.39
68	033-2156-002-00	1		5,500	5,500	0.17	\$935.00
69	032-2088-007-00	2		5,346	5,346	0.08	\$427.68
70	033-2196-004-00	1		2,800	2,800	0.17	\$476.00
71	032-2088-011-00	2		3,200	3,200	0.08	\$256.00
72	032-2087-023-00	2		3,241	3,241	0.08	\$259.28
73	033-2150-002-00	2		8,165	8,165	0.08	\$653.20
74	033-2118-005-00	1		4,773	4,773	0.17	\$811.41
75	027-0883-010-00	2		6,600	6,600	0.08	\$528.00
76	032-2086-014-00	2		13,160	13,160	0.08	\$1,052.80
77	033-2142-001-00	2		3,119	3,119	0.08	\$249.52
78	032-2087-018-00	2		4,800	4,800	0.08	\$384.00
79	033-2139-030-00	1		5,790	5,790	0.17	\$984.30
80	033-2195-003-00	1		5,750	5,750	0.17	\$977.50
81	032-2087-021-01	2		12,944	12,944	0.08	\$1,035.52
82	025-0725-013-00	2		5,510	5,510	0.08	\$440.80
83	025-0724-003-00	2	2	3,642	3,642	0.00	\$0.00
84	035-2352-006-03	2		13,600	13,600	0.08	\$1,088.00
85	025-0716-013-00	2		4,000	4,000	0.08	\$320.00
86	025-0718-003-00	1		5,000	5,000	0.17	\$850.00
87	033-2135-026-02	2		49,222	49,222	0.08	\$3,937.76
88	033-2150-005-00	2		8,103	8,103	0.08	\$648.24
89	035-2351-010-00	2	2	3,500	3,500	0.00	\$0.00
90	025-0724-001-00	2		6,500	6,500	0.08	\$520.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
91	033-2138-017-00	1		5,600	5,600	0.17	\$952.00
92	033-2138-016-00	1		4,200	4,200	0.17	\$714.00
93	033-2194-002-08	1		825	825	0.17	\$140.25
94	033-2123-016-03	1		20,500	20,500	0.17	\$3,485.00
95	025-0689-003-01	1		3,219	3,219	0.17	\$547.23
96	033-2195-006-03	1	1	5,070	5,070	0.08	\$405.60
97	033-2130-033-00	1		6,301	6,301	0.17	\$1,071.17
98	033-2151-001-00	2		6,729	6,729	0.08	\$538.32
99	032-2084-046-00	2		6,373	6,373	0.08	\$509.84
100	035-2351-011-00	2	2	3,500	3,500	0.00	\$0.00
101	027-0883-008-00	2		16,246	16,246	0.08	\$1,299.68
102	033-2195-002-00	1	1	2,875	2,875	0.08	\$230.00
103	033-2150-006-02	2		3,042	3,042	0.08	\$243.36
104	033-2124-039-00	1		4,679	4,679	0.17	\$795.43
105	033-2138-051-01	2		8,000	8,000	0.08	\$640.00
106	033-2157-004-04	1		31,313	31,313	0.17	\$5,323.21
107	033-2123-004-00	1		6,759	6,759	0.17	\$1,149.03
108	033-2123-003-00	1		7,927	7,927	0.17	\$1,347.59
109	033-2123-020-01	1		11,969	11,969	0.17	\$2,034.73
110	033-2196-021-05	1		13,771	13,771	0.17	\$2,341.07
111	033-2134-005-00	2	2	3,431	3,431	0.00	\$0.00
112	033-2121-029-00	2		12,000	12,000	0.08	\$960.00
113	033-2138-015-00	1		6,300	6,300	0.17	\$1,071.00
114	033-2117-020-01	2		19,800	19,800	0.08	\$1,584.00
115	035-2352-001-02	2		10,764	10,764	0.08	\$861.12
116	033-2121-031-00	2		11,257	11,257	0.08	\$900.56
117	033-2118-003-00	1		11,581	11,581	0.17	\$1,968.77
118	025-0690-008-01	2		12,431	12,431	0.08	\$994.48
119	033-2118-002-00	1		5,037	5,037	0.17	\$856.29
120	033-2124-037-01	1		12,200	12,200	0.17	\$2,074.00
121	033-2155-002-00	1		4,000	4,000	0.17	\$680.00
122	025-0689-001-01	1		27,273	27,273	0.17	\$4,636.41
123	033-2195-004-00	1		5,750	5,750	0.17	\$977.50
124	033-2124-036-00	1		3,927	3,927	0.17	\$667.59
125	033-2123-001-00	1		3,000	3,000	0.17	\$510.00
126	033-2121-001-00	2		20,900	20,900	0.08	\$1,672.00
127	033-2128-003-00	2		5,990	5,990	0.08	\$479.20
128	033-2128-001-00	2		5,012	5,012	0.08	\$400.96
129	025-0716-012-00	2		26,400	26,400	0.08	\$2,112.00
130	032-2088-008-00	2	2	3,175	3,175	0.00	\$0.00
131	032-2078-018-00	2	2	5,000	5,000	0.00	\$0.00
132	033-2127-015-01	2	13	219,107	80,000	0.08	\$6,400.00
133	033-2150-003-00	2		4,974	4,974	0.08	\$397.92
134	033-2194-026-02	1		2,400	2,400	0.17	\$408.00
135	033-2124-040-00	1		2,880	2,880	0.17	\$489.60
136	033-2119-015-00	2		4,881	4,881	0.08	\$390.48

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
137	035-2351-012-00	2	2	3,500	3,500	0.00	\$0.00
138	033-2136-065-01	1	1	41,571	41,571	0.08	\$3,325.68
139	033-2156-004-01	1		21,799	21,799	0.17	\$3,705.83
140	032-2087-019-00	2	2	6,450	6,450	0.00	\$0.00
141	033-2195-020-03	1	1	2,662	2,662	0.00	\$0.00
142	033-2124-041-03	1		4,300	4,300	0.17	\$731.00
143	033-2155-001-00	1		5,000	5,000	0.17	\$850.00
144	033-2144-049-04	1		33,623	33,623	0.17	\$5,715.91
145	033-2154-001-03	1		64,033	64,033	0.17	\$10,885.61
146	033-2177-002-00	1		12,397	12,397	0.17	\$2,107.49
147	033-2139-033-00	1		10,780	10,780	0.17	\$1,832.60
148	033-2158-004-00	1		2,500	2,500	0.17	\$425.00
149	035-2352-008-01	2		26,000	26,000	0.08	\$2,080.00
150	033-2128-007-00	2	2	3,416	3,416	0.00	\$0.00
151	033-2158-005-01	1		15,625	15,625	0.17	\$2,656.25
152	033-2156-003-00	1		3,000	3,000	0.17	\$510.00
153	033-2117-024-00	2	2	6,370	6,370	0.00	\$0.00
154	033-2158-003-00	1		2,500	2,500	0.17	\$425.00
155	025-0690-009-00	2		9,723	9,723	0.08	\$777.84
156	033-2123-002-00	1		22,000	22,000	0.17	\$3,740.00
157	033-2156-005-00	1		5,000	5,000	0.17	\$850.00
158	032-2084-051-00	2		10,625	10,625	0.08	\$850.00
159	033-2123-011-01	1		9,141	9,141	0.17	\$1,553.97
160	025-0689-005-00	1		3,959	3,959	0.17	\$673.03
161	033-2135-029-00	2	2	8,600	8,600	0.00	\$0.00
162	033-2132-027-00	1		10,283	10,283	0.17	\$1,748.11
163	033-2135-001-00	2		3,639	3,639	0.08	\$291.12
164	032-2086-012-00	2		6,565	6,565	0.08	\$525.20
165	025-0718-004-02	1		4,100	4,100	0.17	\$697.00
166	032-2078-020-00	2		5,750	5,750	0.08	\$460.00
167	033-2196-006-00	1		2,500	2,500	0.17	\$425.00
168	032-2084-048-01	2		6,200	6,200	0.08	\$496.00
169	027-0881-011-00	1		6,861	6,861	0.17	\$1,166.37
170	033-2117-005-00	1		10,337	10,337	0.17	\$1,757.29
171	033-2123-009-00	1		5,300	5,300	0.17	\$901.00
172	033-2117-027-00	2	2	6,370	6,370		\$0.00
173	025-0721-010-10	2	2	2,925	2,925		\$0.00
174	033-2141-001-00	2	2	1,841	1,841	0.00	\$0.00
175	033-2158-001-00	1		5,000	5,000	0.17	\$850.00
176	033-2194-001-00	1		3,911	3,911	0.17	\$664.87
177	025-0716-014-00	2		10,000	10,000	0.08	\$800.00
178	033-2135-028-01	2		19,687	19,687	0.08	\$1,574.96
179	033-2130-032-00	1		3,151	3,151	0.17	\$535.67
180	033-2121-024-02	1		6,375	6,375	0.17	\$1,083.75
181	033-2121-022-00	1		11,100	11,100	0.17	\$1,887.00
182	033-2139-034-00	1		8,400	8,400	0.17	\$1,428.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
183	035-2352-005-02	2	2	13,800	13,800	0.00	\$0.00
184	033-2119-011-00	2		8,543	8,543	0.08	\$683.44
185	033-2139-031-00	1		2,990	2,990	0.17	\$508.30
186	025-0725-012-00	2		9,300	9,300	0.08	\$744.00
187	032-2078-017-00	2		5,000	5,000	0.08	\$400.00
188	025-0718-005-00	1		5,000	5,000	0.17	\$850.00
189	032-2087-020-01	2	2	6,450	6,450	0.00	\$0.00
190	033-2155-006-04	1		11,000	11,000	0.17	\$1,870.00
191	033-2142-003-00	2		7,030	7,030	0.08	\$562.40
192	033-2142-004-00	2		4,210	4,210	0.08	\$336.80
193	033-2147-023-01	1		22,610	22,610	0.17	\$3,843.70
194	033-2194-030-00	1		2,550	2,550	0.17	\$433.50
195	033-2157-002-00	1		3,750	3,750	0.17	\$637.50
196	025-0721-015-00	2		5,351	5,351	0.08	\$428.08
197	025-0726-014-00	2		4,500	4,500	0.08	\$360.00
198	033-2158-002-00	1		2,500	2,500	0.17	\$425.00
199	033-2132-047-00	1		3,200	3,200	0.17	\$544.00
200	025-0722-011-00	2		4,800	4,800	0.08	\$384.00
201	033-2132-049-00	1		3,220	3,220	0.17	\$547.40
202	033-2138-053-01	2		6,094	6,094	0.08	\$487.52
203	033-2117-025-00	2		6,370	6,370	0.08	\$509.60
204	026-0747-013-00	1		9,273	9,273	0.17	\$1,576.41
205	025-0726-011-00	1		9,000	9,000	0.17	\$1,530.00
206	033-2117-001-01	1		9,500	9,500	0.17	\$1,615.00
207	033-2150-001-01	2		6,256	6,256	0.08	\$500.48
208	025-0725-011-00	2	2	3,200	3,200	0.00	\$0.00
209	033-2157-001-00	1		6,875	6,875	0.17	\$1,168.75
210	033-2138-018-01	1		9,800	9,800	0.17	\$1,666.00
211	025-0720-007-01	2		13,300	13,300	0.08	\$1,064.00
212	033-2121-026-00	2		6,750	6,750	0.08	\$540.00
213	032-2087-025-01	2		3,896	3,896	0.08	\$311.68
214	025-0726-013-00	2	2	6,750	6,750	0.00	\$0.00
215	033-2144-051-00	1		5,975	5,975	0.17	\$1,015.75
216	033-2135-030-00	2		8,100	8,100	0.08	\$648.00
217	032-2087-027-04	2		4,218	4,218	0.08	\$337.44
218	033-2177-001-02	1		8,500	8,500	0.17	\$1,445.00
219	032-2079-019-00	2	2	5,000	5,000	0.00	\$0.00
220	033-2197-001-00	1		5,200	5,200	0.17	\$884.00
221	033-2196-003-02	1		4,359	4,359	0.17	\$741.03
222	033-2132-050-01	1		15,187	15,187	0.17	\$2,581.79
223	033-2121-025-01	2		11,250	11,250	0.08	\$900.00
224	033-2118-001-00	1		4,351	4,351	0.17	\$739.67
225	033-2124-042-01	1		3,529	3,529	0.17	\$599.93
226	027-0881-012-00	1		2,693	2,693	0.17	\$457.81
227	033-2124-038-00	1		2,500	2,500	0.17	\$425.00
228	033-2123-012-00	1		8,950	8,950	0.17	\$1,521.50

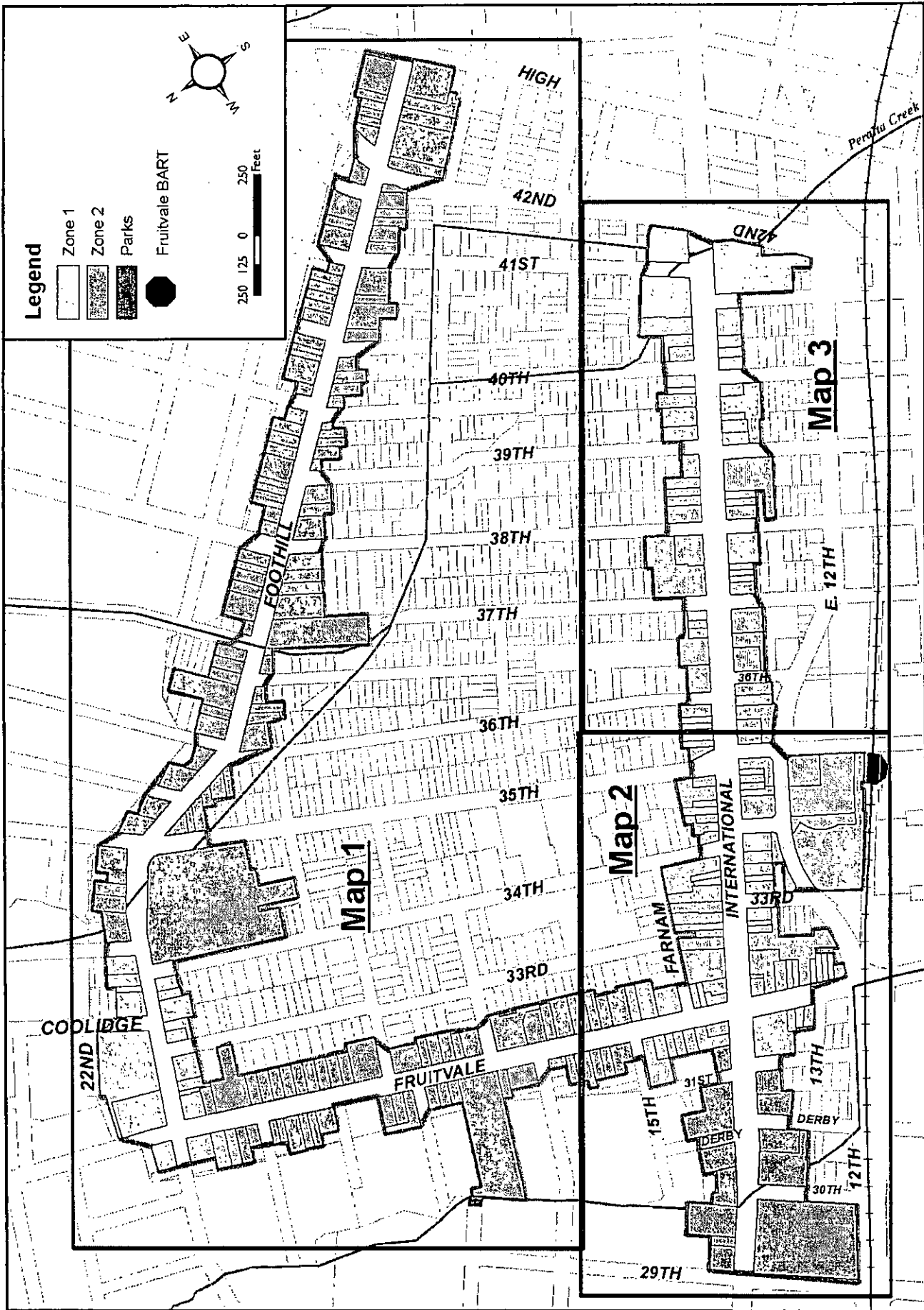
MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
229	025-0721-011-00	2		4,095	4,095	0.08	\$327.60
230	025-0726-010-00	1		10,090	10,090	0.17	\$1,715.30
231	025-0726-012-00	1		6,750	6,750	0.17	\$1,147.50
232	033-2130-031-00	1		3,150	3,150	0.17	\$535.50
233	025-0720-005-02	2		13,935	13,935	0.08	\$1,114.80
234	033-2117-026-00	2	2	6,370	6,370	0.00	\$0.00
235	033-2121-023-00	1	1	10,875	10,875	0.08	\$870.00
236	025-0694-003-01	2		15,831	15,831	0.08	\$1,266.48
237	033-2197-002-00	1		5,000	5,000	0.17	\$850.00
238	032-2116-011-02	2		8,237	8,237	0.08	\$658.96
239	032-2078-016-00	2	2	5,375	5,375	0.00	\$0.00
240	033-2119-013-00	2		12,807	12,807	0.08	\$1,024.56
241	032-2084-050-00	2		4,998	4,998	0.08	\$399.84
242	033-2119-012-00	2		4,217	4,217	0.08	\$337.36
243	033-2128-004-00	2		2,887	2,887	0.08	\$230.96
244	033-2194-034-00	1		2,987	2,987	0.17	\$507.79
245	033-2194-010-00	1		5,000	5,000	0.17	\$850.00
246	033-2138-056-01	2		8,358	8,358	0.08	\$668.64
247	025-0718-007-00	1		4,633	4,633	0.17	\$787.61
248	033-2141-002-00	2		5,130	5,130	0.08	\$410.40
249	033-2117-003-00	1		1,883	1,883	0.17	\$320.11
250	025-0725-015-00	2	2			0.00	\$0.00
251	027-0881-009-01	1		9,603	9,603	0.17	\$1,632.51
252	032-2079-020-01	2		11,250	11,250	0.08	\$900.00
253	025-0689-004-00	1		2,699	2,699	0.17	\$458.83
254	033-2142-002-00	2		6,162	6,162	0.08	\$492.96
255	033-2197-005-00	1		7,183	7,183	0.17	\$1,221.11
256	025-0718-008-01	1		9,115	9,115	0.17	\$1,549.55
257	025-0724-002-00	2		6,500	6,500	0.08	\$520.00
258	025-0719-007-01	2		32,517	32,517	0.08	\$2,601.36
259	025-0722-010-00	2		4,750	4,750	0.08	\$380.00
260	033-2141-005-00	2		1,320	1,320	0.08	\$105.60
261	033-2123-008-00	1		3,343	3,343	0.17	\$568.31
262	032-2086-011-00	2		3,932	3,932	0.08	\$314.56
263	025-0721-014-00	2		5,351	5,351	0.08	\$428.08
264	032-2086-015-00	2		2,287	2,287	0.08	\$182.96
265	033-2194-033-00	1		2,880	2,880	0.17	\$489.60
266	033-2151-005-01	2		14,589	14,589	0.08	\$1,167.12
267	033-2121-028-00	2		11,200	11,200	0.08	\$896.00
268	033-2194-028-00	1		2,845	2,845	0.17	\$483.65
269	033-2194-027-00	1		2,715	2,715	0.17	\$461.55
270	033-2132-048-00	1		2,560	2,560	0.17	\$435.20
271	032-2084-047-00	2		6,490	6,490	0.08	\$519.20
272	033-2117-028-00	2		6,370	6,370	0.08	\$509.60
273	027-0881-013-03	1		11,689	11,689	0.17	\$1,987.13
274	033-2195-026-00	1		78,567	78,567	0.17	\$13,356.39

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
275	033-2128-006-01	2		5,460	5,460	0.08	\$436.80
276	033-2123-005-00	1		2,500	2,500	0.17	\$425.00
277	033-2130-030-00	1		6,301	6,301	0.17	\$1,071.17
278	032-2087-020-02	2		6,452	6,452	0.08	\$516.16
279	033-2194-029-00	1		2,950	2,950	0.17	\$501.50
280	033-2197-015-03	1		14,190	14,190	0.17	\$2,412.30
281	033-2196-024-00	1	1	16,245	16,245	0.08	\$1,299.60
282	027-0882-009-03	2		12,450	12,450	0.08	\$996.00
283	033-2196-025-00	1		51,983	51,983	0.17	\$8,837.11
284	033-2135-002-00	2		1,025	1,025	0.08	\$82.00
285	025-0721-012-01	2		8,721	8,721	0.08	\$697.68
286	033-2177-001-01	1		10,995	10,995	0.17	\$1,869.15
287	033-2135-031-00	2		9,200	9,200	0.08	\$736.00
288	025-0722-013-00	2		4,700	4,700	0.08	\$376.00
289	025-0722-014-00	2		10,300	10,300	0.08	\$824.00
290	033-2197-004-00	1		6,375	6,375	0.17	\$1,083.75
291	033-2194-006-06	1		2,770	2,770	0.17	\$470.90
292	033-2194-009-00	1		2,230	2,230	0.17	\$379.10
293	033-2195-025-00	1		13,361	13,361	0.17	\$2,271.37
294	032-2084-049-01	2		26,255	26,255	0.08	\$2,100.40
295	032-2086-010-00	2		6,500	6,500	0.08	\$520.00
296	025-0725-010-00	2	2	3,100	3,100	0.00	\$0.00
297	033-2196-005-00	1		3,200	3,200	0.17	\$544.00
298	033-2196-007-01	1		9,003	9,003	0.17	\$1,530.51
299	033-2138-014-00	1		6,650	6,650	0.17	\$1,130.50
	<b>TOTAL</b>			<b>3,075,161</b>	<b>2,850,623</b>		<b>\$324,713.72</b>

**\*Exemption Notations:**

- 1=The assessment on parcels owned by 501(c)(3) organizations shall be \$0.08/sqft/yr, regardless of Zone.
- 2=Parcels with low-density, residential uses (4 units or less) will not be assessed, regardless of Zone.
- 3=Parcels comprising the Mercy Retirement Home and Goodwill Industries will be assessed by the street frontage only, since the remaining parcel will not benefit from the District services.

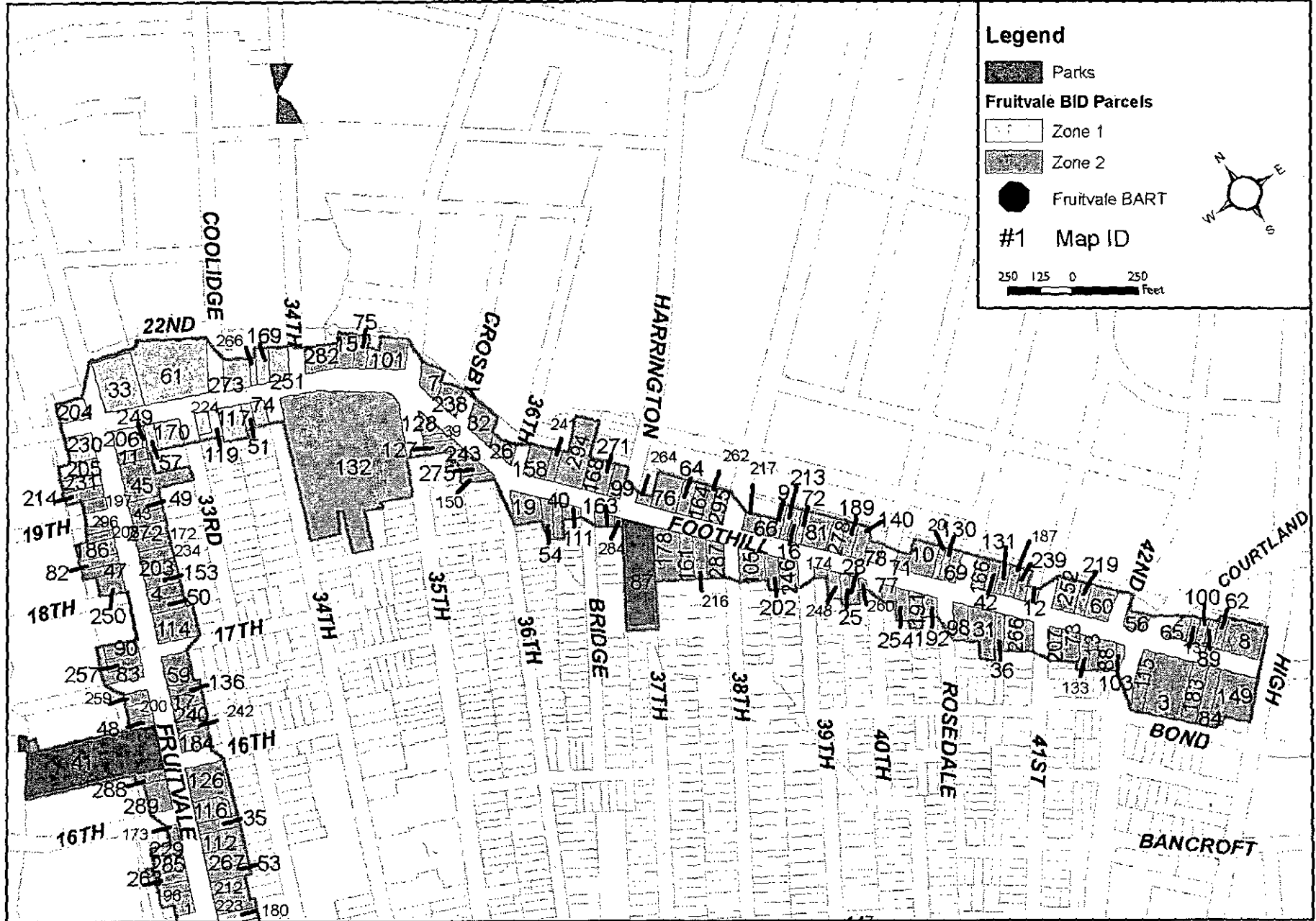




CEDA: April 15, 2011

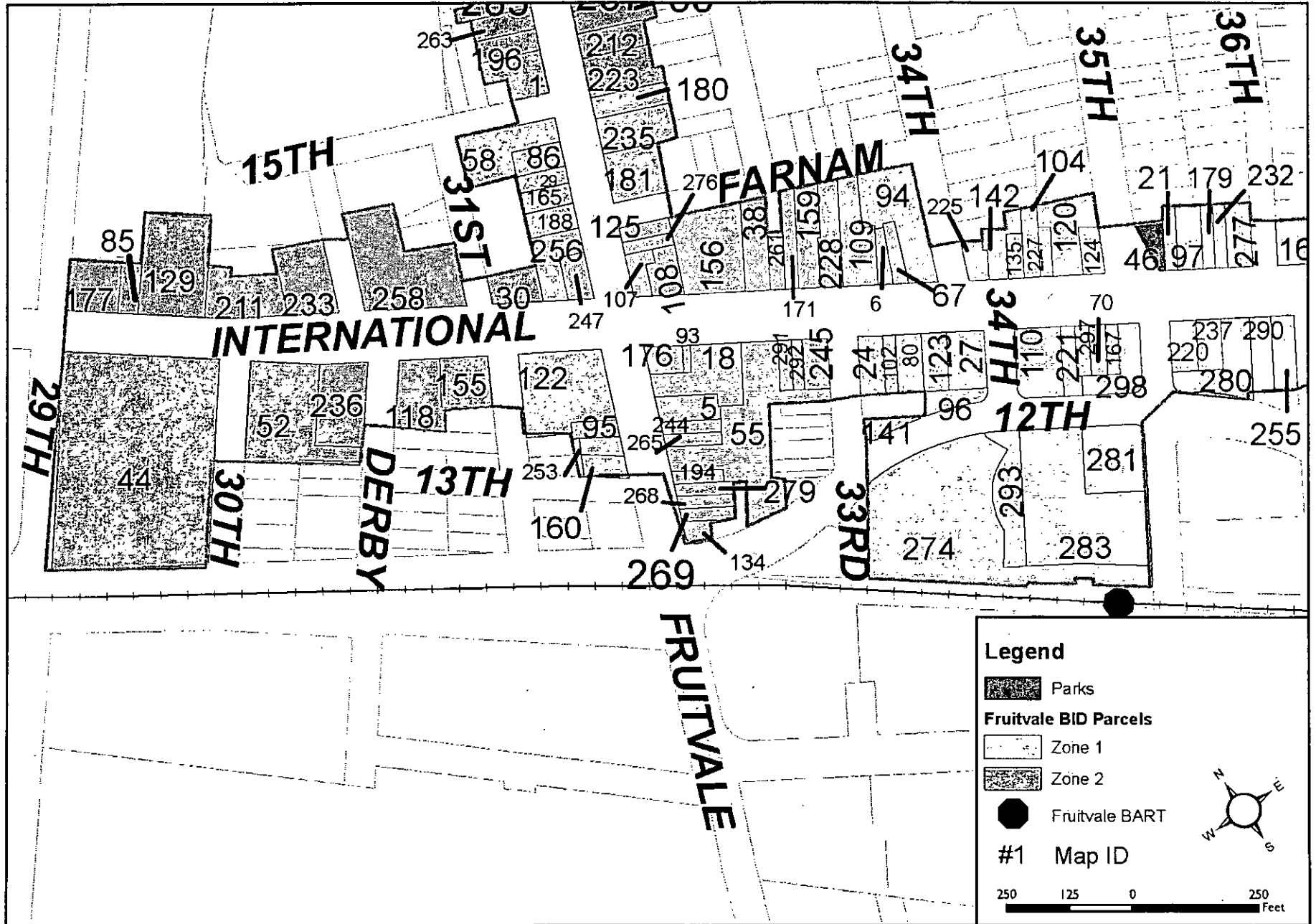
Fruitvale -- Business Improvement District--Map Index

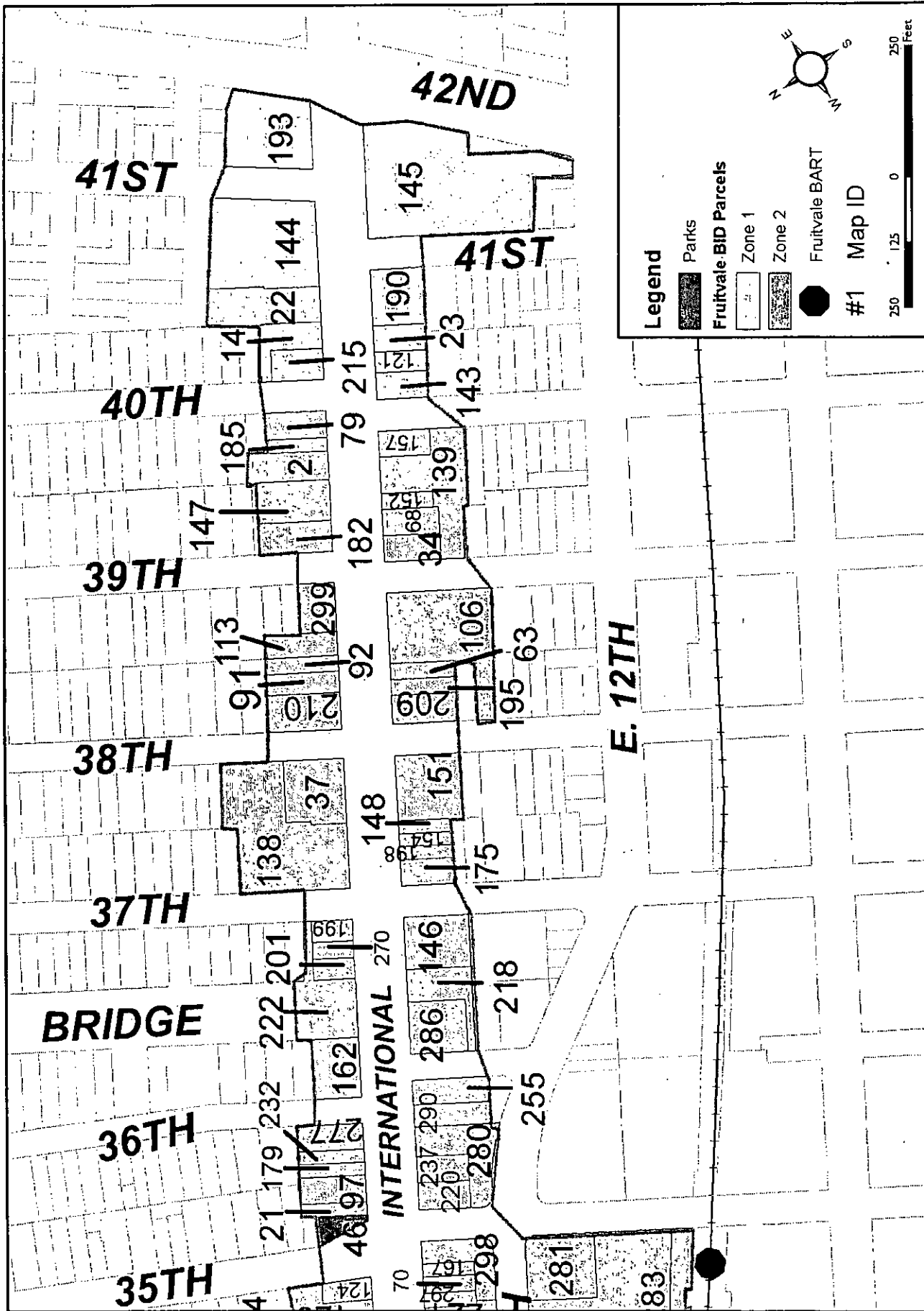




**Fruitvale -- Business Improvement District--Map I**

CEDA: April 15, 2011





CEDA: April 15, 2011

Fruitvale -- Business Improvement District--Map 3



# **APPENDIX 3**

## ASSESSMENT CALCULATION TABLE

APPENDIX 3: ASSESSMENT CALCULATION TABLE

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
1	025-0721-017-01	2		8,743	8,743	0.08	\$699.44
2	033-2139-032-00	1		8,553	8,553	0.17	\$1,454.01
3	035-2352-002-04	2		35,100	35,100	0.08	\$2,808.00
4	033-2117-023-00	2	2	6,370	6,370	0.00	\$0.00
5	033-2194-035-00	1		6,057	6,057	0.17	\$1,029.69
6	033-2123-018-00	1		3,307	3,307	0.17	\$562.19
7	032-2116-013-01	2		9,219	9,219	0.08	\$737.52
8	035-2351-005-02	2		18,518	18,518	0.08	\$1,481.44
9	032-2087-026-00	2	2	3,232	3,232	0.00	\$0.00
10	032-2088-010-00	2		12,757	12,757	0.08	\$1,020.56
11	033-2117-034-00	2	2	4,600	4,600	0.00	\$0.00
12	032-2078-015-00	2	2	2,938	2,938	0.00	\$0.00
13	033-2150-004-00	2	2	4,457	4,457	0.00	\$0.00
14	033-2144-050-00	1		7,225	7,225	0.17	\$1,228.25
15	027-0883-011-00	2		9,150	9,150	0.08	\$732.00
16	032-2087-024-01	2		3,892	3,892	0.08	\$311.36
17	033-2119-014-00	2		6,100	6,100	0.08	\$488.00
18	033-2194-036-01	1		14,771	14,771	0.17	\$2,511.07
19	033-2134-002-01	2		12,087	12,087	0.08	\$966.96
20	032-2088-009-00	2	2	3,200	3,200	0.00	\$0.00
21	033-2130-034-00	1		3,151	3,151	0.17	\$535.67
22	033-2144-049-02	1		15,515	15,515	0.17	\$2,637.55
23	033-2155-003-00	1		5,000	5,000	0.17	\$850.00
24	033-2195-001-00	1		5,250	5,250	0.17	\$892.50
25	033-2141-003-00	2	2	3,990	3,990	0.00	\$0.00
26	032-2115-037-01	2		6,541	6,541	0.08	\$523.28
27	033-2195-005-00	1	1	8,625	8,625	0.08	\$690.00
28	033-2141-004-00	2	2	3,570	3,570	0.00	\$0.00
29	025-0718-004-01	1		3,385	3,385	0.17	\$575.45
30	025-0718-009-01	2		6,387	6,387	0.08	\$510.96
31	033-2151-003-02	2		16,864	16,864	0.08	\$1,349.12
32	032-2115-038-01	2		11,893	11,893	0.08	\$951.44
33	027-0837-012-01	1		31,327	31,327	0.17	\$5,325.59
34	033-2156-001-00	1		5,500	5,500	0.17	\$935.00
35	033-2121-030-00	2		6,750	6,750	0.08	\$540.00
36	033-2151-004-00	2		5,019	5,019	0.08	\$401.52
37	033-2136-061-02	1		14,355	14,355	0.17	\$2,440.35
38	033-2123-006-00	1	1	9,273	9,273	0.08	\$741.84
39	033-2128-002-00	2	2	3,000	3,000	0.00	\$0.00
40	033-2134-004-00	2	2	5,358	5,358	0.00	\$0.00
41	025-0722-026-00	2		83,425	83,425	0.08	\$6,674.00
42	032-2078-019-00	2	2	5,500	5,500	0.00	\$0.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
43	033-2117-029-00	2	2	6,370	6,370	0.00	\$0.00
44	025-0695-021-01	2	1 3	132,231	46,800	0.08	\$3,744.00
45	033-2117-031-02	2		19,110	19,110	0.08	\$1,528.80
46	033-2130-035-02	1		3,800	3,800	0.17	\$546.00
47	025-0725-014-00	2	2	5,075	5,075	0.00	\$0.00
48	025-0722-012-00	2		4,500	4,500	0.08	\$360.00
49	033-2117-030-00	2	2	6,370	6,370	0.00	\$0.00
50	033-2117-022-00	2	2	6,370	6,370	0.00	\$0.00
51	033-2118-004-00	1		3,627	3,627	0.17	\$616.59
52	025-0694-022-01	2		29,821	29,821	0.08	\$2,385.68
53	033-2121-027-00		2	7,425	7,425	0.00	\$0.00
54	033-2134-003-01		2	5,011	5,011	0.00	\$0.00
55	033-2194-006-05	1		37,175	37,175	0.17	\$6,319.75
56	032-2083-024-00	2		5,830	5,830	0.08	\$466.40
57	033-2117-004-01	1		4,313	4,313	0.17	\$733.21
58	025-0718-014-01	1		14,990	14,990	0.17	\$2,548.30
59	033-2119-001-00	2		12,360	12,360	0.08	\$988.80
60	032-2079-018-00	2		13,720	13,720	0.08	\$1,097.60
61	027-0837-024-01	1		67,519	67,519	0.17	\$11,478.23
62	035-2351-009-00	2	2	4,680	4,680	0.00	\$0.00
63	033-2157-003-00	1		3,750	3,750	0.17	\$637.50
64	032-2086-013-00	2		6,570	6,570	0.08	\$525.60
65	035-2351-013-00	2		5,500	5,500	0.08	\$440.00
66	032-2087-027-03	2		4,200	4,200	0.08	\$336.00
67	033-2123-017-01	1		3,267	3,267	0.17	\$555.39
68	033-2156-002-00	1		5,500	5,500	0.17	\$935.00
69	032-2088-007-00	2		5,346	5,346	0.08	\$427.68
70	033-2196-004-00	1		2,800	2,800	0.17	\$476.00
71	032-2088-011-00	2		3,200	3,200	0.08	\$256.00
72	032-2087-023-00	2		3,241	3,241	0.08	\$259.28
73	033-2150-002-00	2		8,165	8,165	0.08	\$653.20
74	033-2118-005-00	1		4,773	4,773	0.17	\$811.41
75	027-0883-010-00	2		6,600	6,600	0.08	\$528.00
76	032-2086-014-00	2		13,160	13,160	0.08	\$1,052.80
77	033-2142-001-00	2		3,119	3,119	0.08	\$249.52
78	032-2087-018-00	2		4,800	4,800	0.08	\$384.00
79	033-2139-030-00	1		5,790	5,790	0.17	\$984.30
80	033-2195-003-00	1		5,750	5,750	0.17	\$977.50
81	032-2087-021-01	2		12,944	12,944	0.08	\$1,035.52
82	025-0725-013-00	2		5,510	5,510	0.08	\$440.80
83	025-0724-003-00	2	2	3,642	3,642	0.00	\$0.00
84	035-2352-006-03	2		13,600	13,600	0.08	\$1,088.00
85	025-0716-013-00	2		4,000	4,000	0.08	\$320.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
86	025-0718-003-00	1		5,000	5,000	0.17	\$850.00
87	033-2135-026-02	2		49,222	49,222	0.08	\$3,937.76
88	033-2150-005-00	2		8,103	8,103	0.08	\$648.24
89	035-2351-010-00	2	2	3,500	3,500	0.00	\$0.00
90	025-0724-001-00	2		6,500	6,500	0.08	\$520.00
91	033-2138-017-00	1		5,600	5,600	0.17	\$952.00
92	033-2138-016-00	1		4,200	4,200	0.17	\$714.00
93	033-2194-002-08	1		825	825	0.17	\$140.25
94	033-2123-016-03	1		20,500	20,500	0.17	\$3,485.00
95	025-0689-003-01	1		3,219	3,219	0.17	\$547.23
96	033-2195-006-03	1	1	5,070	5,070	0.08	\$405.60
97	033-2130-033-00	1		6,301	6,301	0.17	\$1,071.17
98	033-2151-001-00	2		6,729	6,729	0.08	\$538.32
99	032-2084-046-00	2		6,373	6,373	0.08	\$509.84
100	035-2351-011-00	2	2	3,500	3,500	0.00	\$0.00
101	027-0883-008-00	2		16,246	16,246	0.08	\$1,299.68
102	033-2195-002-00	1	1	2,875	2,875	0.08	\$230.00
103	033-2150-006-02	2		3,042	3,042	0.08	\$243.36
104	033-2124-039-00	1		4,679	4,679	0.17	\$795.43
105	033-2138-051-01	2		8,000	8,000	0.08	\$640.00
106	033-2157-004-04	1		31,313	31,313	0.17	\$5,323.21
107	033-2123-004-00	1		6,759	6,759	0.17	\$1,149.03
108	033-2123-003-00	1		7,927	7,927	0.17	\$1,347.59
109	033-2123-020-01	1		11,969	11,969	0.17	\$2,034.73
110	033-2196-021-05	1		13,771	13,771	0.17	\$2,341.07
111	033-2134-005-00	2	2	3,431	3,431	0.00	\$0.00
112	033-2121-029-00	2		12,000	12,000	0.08	\$960.00
113	033-2138-015-00	1		6,300	6,300	0.17	\$1,071.00
114	033-2117-020-01	2		19,800	19,800	0.08	\$1,584.00
115	035-2352-001-02	2		10,764	10,764	0.08	\$861.12
116	033-2121-031-00	2		11,257	11,257	0.08	\$900.56
117	033-2118-003-00	1		11,581	11,581	0.17	\$1,968.77
118	025-0690-008-01	2		12,431	12,431	0.08	\$994.48
119	033-2118-002-00	1		5,037	5,037	0.17	\$856.29
120	033-2124-037-01	1		12,200	12,200	0.17	\$2,074.00
121	033-2155-002-00	1		4,000	4,000	0.17	\$680.00
122	025-0689-001-01	1		27,273	27,273	0.17	\$4,636.41
123	033-2195-004-00	1		5,750	5,750	0.17	\$977.50
124	033-2124-036-00	1		3,927	3,927	0.17	\$667.59
125	033-2123-001-00	1		3,000	3,000	0.17	\$510.00
126	033-2121-001-00	2		20,900	20,900	0.08	\$1,672.00
127	033-2128-003-00	2		5,990	5,990	0.08	\$479.20
128	033-2128-001-00	2		5,012	5,012	0.08	\$400.96



MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
129	025-0716-012-00	2		26,400	26,400	0.08	\$2,112.00
130	032-2088-008-00	2	2	3,175	3,175	0.00	\$0.00
131	032-2078-018-00	2	2	5,000	5,000	0.00	\$0.00
132	033-2127-015-01	2	1 3	219,107	80,000	0.08	\$6,400.00
133	033-2150-003-00	2		4,974	4,974	0.08	\$397.92
134	033-2194-026-02	1		2,400	2,400	0.17	\$408.00
135	033-2124-040-00	1		2,880	2,880	0.17	\$489.60
136	033-2119-015-00	2		4,881	4,881	0.08	\$390.48
137	035-2351-012-00	2	2	3,500	3,500	0.00	\$0.00
138	033-2136-065-01	1	1	41,571	41,571	0.08	\$3,325.68
139	033-2156-004-01	1		21,799	21,799	0.17	\$3,705.83
140	032-2087-019-00	2	2	6,450	6,450	0.00	\$0.00
141	033-2195-020-03	1	1	2,662	2,662	0.00	\$0.00
142	033-2124-041-03	1		4,300	4,300	0.17	\$731.00
143	033-2155-001-00	1		5,000	5,000	0.17	\$850.00
144	033-2144-049-04	1		33,623	33,623	0.17	\$5,715.91
145	033-2154-001-03	1		64,033	64,033	0.17	\$10,885.61
146	033-2177-002-00	1		12,397	12,397	0.17	\$2,107.49
147	033-2139-033-00	1		10,780	10,780	0.17	\$1,832.60
148	033-2158-004-00	1		2,500	2,500	0.17	\$425.00
149	035-2352-008-01	2		26,000	26,000	0.08	\$2,080.00
150	033-2128-007-00	2	2	3,416	3,416	0.00	\$0.00
151	033-2158-005-01	1		15,625	15,625	0.17	\$2,656.25
152	033-2156-003-00	1		3,000	3,000	0.17	\$510.00
153	033-2117-024-00	2	2	6,370	6,370	0.00	\$0.00
154	033-2158-003-00	1		2,500	2,500	0.17	\$425.00
155	025-0690-009-00	2		9,723	9,723	0.08	\$777.84
156	033-2123-002-00	1		22,000	22,000	0.17	\$3,740.00
157	033-2156-006-00	1		5,000	5,000	0.17	\$850.00
158	032-2084-051-00	2		10,625	10,625	0.08	\$850.00
159	033-2123-011-01	1		9,141	9,141	0.17	\$1,553.97
160	025-0689-005-00	1		3,959	3,959	0.17	\$673.03
161	033-2135-029-00	2	2	8,600	8,600	0.00	\$0.00
162	033-2132-027-00	1		10,283	10,283	0.17	\$1,748.11
163	033-2135-001-00	2		3,639	3,639	0.08	\$291.12
164	032-2086-012-00	2		6,565	6,565	0.08	\$525.20
165	025-0718-004-02	1		4,100	4,100	0.17	\$697.00
166	032-2078-020-00	2		5,750	5,750	0.08	\$460.00
167	033-2196-006-00	1		2,500	2,500	0.17	\$425.00
168	032-2084-048-01	2		6,200	6,200	0.08	\$496.00
169	027-0881-011-00	1		6,861	6,861	0.17	\$1,166.37
170	033-2117-005-00	1		10,337	10,337	0.17	\$1,757.29
171	033-2123-009-00	1		5,300	5,300	0.17	\$901.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
172	033-2117-027-00	2	2	6,370	6,370		\$0.00
173	025-0721-010-10	2	2	2,925	2,925		\$0.00
174	033-2141-001-00	2	2	1,841	1,841	0.00	\$0.00
175	033-2158-001-00	1		5,000	5,000	0.17	\$850.00
176	033-2194-001-00	1		3,911	3,911	0.17	\$664.87
177	025-0716-014-00	2		10,000	10,000	0.08	\$800.00
178	033-2135-028-01	2		19,687	19,687	0.08	\$1,574.96
179	033-2130-032-00	1		3,151	3,151	0.17	\$535.67
150	033-2121-024-02	1		6,375	6,375	0.17	\$1,083.75
181	033-2121-022-00	1		11,100	11,100	0.17	\$1,887.00
182	033-2139-034-00	1		8,400	8,400	0.17	\$1,428.00
183	035-2352-005-02	2	2	13,800	13,800	0.00	\$0.00
184	033-2119-011-00	2		8,543	8,543	0.08	\$683.44
185	033-2139-031-00	1		2,990	2,990	0.17	\$508.30
186	025-0725-012-00	2		9,300	9,300	0.08	\$744.00
187	032-2078-017-00	2		5,000	5,000	0.08	\$400.00
188	025-0718-005-00	1		5,000	5,000	0.17	\$850.00
189	032-2087-020-01	2	2	6,450	5,450	0.00	\$0.00
190	033-2155-006-04	1		11,000	11,000	0.17	\$1,870.00
191	033-2142-003-00	2		7,030	7,030	0.08	\$562.40
192	033-2142-004-00	2		4,210	4,210	0.08	\$336.80
193	033-2147-023-01	1		22,610	22,610	0.17	\$3,843.70
194	033-2194-030-00	1		2,550	2,550	0.17	\$433.50
195	033-2157-002-00	1		3,750	3,750	0.17	\$637.50
196	025-0721-015-00	2		5,351	5,351	0.08	\$428.08
197	025-0726-014-00	2		4,500	4,500	0.08	\$360.00
198	033-2158-002-00	1		2,500	2,500	0.17	\$425.00
199	033-2132-047-00	1		3,200	3,200	0.17	\$544.00
200	025-0722-011-00	2		4,800	4,800	0.08	\$384.00
201	033-2132-049-00	1		3,220	3,220	0.17	\$547.40
202	033-2138-053-01	2		6,094	6,094	0.08	\$487.52
203	033-2117-025-00	2		6,370	6,370	0.08	\$509.60
204	026-0747-013-00	1		9,273	9,273	0.17	\$1,576.41
205	025-0726-011-00	1		9,000	9,000	0.17	\$1,530.00
206	033-2117-001-01	1		9,500	9,500	0.17	\$1,615.00
207	033-2150-001-01	2		6,256	6,256	0.08	\$500.48
208	025-0725-011-00	2	2	3,200	3,200	0.00	\$0.00
209	033-2157-001-00	1		6,875	6,875	0.17	\$1,168.75
210	033-2138-018-01	1		9,800	9,800	0.17	\$1,666.00
211	025-0720-007-01	2		13,300	13,300	0.08	\$1,064.00
212	033-2121-026-00	2		6,750	6,750	0.08	\$540.00
213	032-2087-025-01	2		3,896	3,896	0.08	\$311.68
214	025-0726-013-00	2	2	6,750	6,750	0.00	\$0.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
215	033-2144-051-00	1		5,975	5,975	0.17	\$1,015.75
216	033-2135-030-00	2		8,100	8,100	0.08	\$648.00
217	032-2087-027-04	2		4,218	4,218	0.08	\$337.44
218	033-2177-001-02	1		8,500	8,500	0.17	\$1,445.00
219	032-2079-019-00	2	2	5,000	5,000	0.00	\$0.00
220	033-2197-001-00	1		5,200	5,200	0.17	\$884.00
221	033-2196-003-02	1		4,359	4,359	0.17	\$741.03
222	033-2132-050-01	1		15,187	15,187	0.17	\$2,581.79
223	033-2121-025-01	2		11,250	11,250	0.08	\$900.00
224	033-2118-001-00	1		4,351	4,351	0.17	\$739.67
225	033-2124-042-01	1		3,529	3,529	0.17	\$599.93
226	027-0881-012-00	1		2,693	2,693	0.17	\$457.81
227	033-2124-038-00	1		2,500	2,500	0.17	\$425.00
228	033-2123-012-00	1		8,950	8,950	0.17	\$1,521.50
229	025-0721-011-00	2		4,095	4,095	0.08	\$327.60
230	025-0726-010-00	1		10,090	10,090	0.17	\$1,715.30
231	025-0726-012-00	1		6,750	6,750	0.17	\$1,147.50
232	033-2130-031-00	1		3,150	3,150	0.17	\$535.50
233	025-0720-005-02	2		13,935	13,935	0.08	\$1,114.80
234	033-2117-026-00	2	2	6,370	6,370	0.00	\$0.00
235	033-2121-023-00	1	1	10,875	10,875	0.08	\$870.00
236	025-0694-003-01	2		15,831	15,831	0.08	\$1,266.48
237	033-2197-002-00	1		5,000	5,000	0.17	\$850.00
238	032-2116-011-02	2		8,237	8,237	0.08	\$658.96
239	032-2078-016-00	2	2	5,375	5,375	0.00	\$0.00
240	033-2119-013-00	2		12,807	12,807	0.08	\$1,024.56
241	032-2084-050-00	2		4,998	4,998	0.08	\$399.84
242	033-2119-012-00	2		4,217	4,217	0.08	\$337.36
243	033-2128-004-00	2		2,887	2,887	0.08	\$230.96
244	033-2194-034-00	1		2,987	2,987	0.17	\$507.79
245	033-2194-010-00	1		5,000	5,000	0.17	\$850.00
246	033-2138-056-01	2		8,358	8,358	0.08	\$668.64
247	025-0718-007-00	1		4,633	4,633	0.17	\$787.61
248	033-2141-002-00	2		5,130	5,130	0.08	\$410.40
249	033-2117-003-00	1		1,883	1,883	0.17	\$320.11
250	025-0725-015-00	2	2			0.00	\$0.00
251	027-0881-009-01	1		9,603	9,603	0.17	\$1,632.51
252	032-2079-020-01	2		11,250	11,250	0.08	\$900.00
253	025-0689-004-00	1		2,699	2,699	0.17	\$458.83
254	033-2142-002-00	2		6,162	6,162	0.08	\$492.96
255	033-2197-005-00	1		7,183	7,183	0.17	\$1,221.11
256	025-0718-008-01	1		9,115	9,115	0.17	\$1,549.55
257	025-0724-002-00	2		6,500	6,500	0.08	\$520.00

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
258	025-0719-007-01	2		32,517	32,517	0.08	\$2,601.36
259	025-0722-010-00	2		4,750	4,750	0.08	\$380.00
260	033-2141-005-00	2		1,320	1,320	0.08	\$105.60
261	033-2123-008-00	1		3,343	3,343	0.17	\$568.31
262	032-2086-011-00	2		3,932	3,932	0.08	\$314.56
263	025-0721-014-00	2		5,351	5,351	0.08	\$428.08
264	032-2086-015-00	2		2,287	2,287	0.08	\$182.96
265	033-2194-033-00	1		2,880	2,880	0.17	\$489.60
266	033-2151-005-01	2		14,589	14,589	0.08	\$1,167.12
267	033-2121-028-00	2		11,200	11,200	0.08	\$896.00
268	033-2194-028-00	1		2,845	2,845	0.17	\$483.65
269	033-2194-027-00	1		2,715	2,715	0.17	\$461.55
270	033-2132-048-00	1		2,560	2,560	0.17	\$435.20
271	032-2084-047-00	2		6,490	6,490	0.08	\$519.20
272	033-2117-028-00	2		6,370	6,370	0.08	\$509.60
273	027-0881-013-03	1		11,689	11,689	0.17	\$1,987.13
274	033-2195-026-00	1		78,567	78,567	0.17	\$13,356.39
275	033-2128-006-01	2		5,460	5,460	0.08	\$436.80
276	033-2123-005-00	1		2,500	2,500	0.17	\$425.00
277	033-2130-030-00	1		6,301	6,301	0.17	\$1,071.17
278	032-2087-020-02	2		6,452	6,452	0.08	\$516.16
279	033-2194-029-00	1		2,950	2,950	0.17	\$501.50
280	033-2197-015-03	1		14,190	14,190	0.17	\$2,412.30
281	033-2196-024-00	1	1	16,245	16,245	0.08	\$1,299.60
282	027-0882-009-03	2		12,450	12,450	0.08	\$996.00
283	033-2196-025-00	1		51,983	51,983	0.17	\$8,837.11
284	033-2135-002-00	2		1,025	1,025	0.08	\$82.00
285	025-0721-012-01	2		8,721	8,721	0.08	\$697.68
286	033-2177-001-01	1		10,995	10,995	0.17	\$1,869.15
287	033-2135-031-00	2		9,200	9,200	0.08	\$736.00
288	025-0722-013-00	2		4,700	4,700	0.08	\$376.00
289	025-0722-014-00	2		10,300	10,300	0.08	\$824.00
290	033-2197-004-00	1		6,375	6,375	0.17	\$1,083.75
291	033-2194-006-06	1		2,770	2,770	0.17	\$470.90
292	033-2194-009-00	1		2,230	2,230	0.17	\$379.10
293	033-2195-025-00	1		13,361	13,361	0.17	\$2,271.37
294	032-2084-049-01	2		26,255	26,255	0.08	\$2,100.40
295	032-2086-010-00	2		6,500	6,500	0.08	\$520.00
296	025-0725-010-00	2	2	3,100	3,100	0.00	\$0.00
297	033-2196-005-00	1		3,200	3,200	0.17	\$544.00
298	033-2196-007-01	1		9,003	9,003	0.17	\$1,530.51
299	033-2138-014-00	1		6,650	6,650	0.17	\$1,130.50
	<b>TOTAL</b>			<b>3,075,161</b>	<b>2,850,623</b>		<b>\$324,713.72</b>

MAP ID NO.	ASSESSOR'S PARCEL NUMBER (APN)	ZONE	EXEMPT*	TOTAL PARCEL SIZE (sqft)	ASSESSED PARCEL SIZE (sqft)	PARCEL ASSESSMENT RATE (\$/sqft/yr)	TOTAL INITIAL ANNUAL ASSESSMENT
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\*Exemption Notations:

- 1=The assessment on parcels owned by 501(c)(3) organizations shall be \$0.08/sqft/yr, regardless of Zone.
- 2=Parcels with low-density, residential uses (4 units or less) will not be assessed, regardless of Zone.
- 3=Parcels comprising the Mercy Retirement Home and Goodwill Industries will be assessed by the street frontage only, since the remaining parcel will not benefit from the District services.

**EXHIBIT B**  
(to the Resolution of Intention to form the Fruitvale PBID)  
**SAMPLE BALLOT FORMAT**

**CITY OF OAKLAND**  
**FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011**  
**PROPERTY OWNER BALLOT**

This ballot is for the property owners of the parcel(s) identified below by Assessment Parcel Numbers (APN), which parcel(s) are located within the proposed Fruitvale Property Business Improvement District of 2011 (PBID) in the City of Oakland. Please advise the City of Oakland as soon as possible at (510) 238-6176 if the information set forth below is incorrect.

This ballot may be used to express either support for or opposition to the proposed Fruitvale PBID assessment. In order to be counted, this ballot must be completed, signed, and dated below by an owner of the identified parcel(s) or by an authorized representative of the owner. The ballot must be returned to the City Clerk of Oakland either by mail or in person to: Office of the City Clerk, Oakland City Hall, One Frank H. Ogawa Plaza, First Floor, Oakland, CA, 94612, Attn: Fruitvale PBID. If a majority of ballots received (as weighted by assessment) oppose the Fruitvale PBID assessment, the Fruitvale PBID will not be established and the Fruitvale PBID assessment will not be levied.

Mail Delivery: If by mail, fold and insert the ballot in the enclosed self-addressed stamped envelope, seal the envelope, and deposit in the U.S. mail.

Personal Delivery: If in person, fold and insert the ballot in the enclosed self-addressed envelope, seal the envelope provided and deliver to the City Clerk's office (address shown above) or deliver to the City Clerk at the public hearing on the Fruitvale PBID.

The assessment shall not be imposed if the ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment, with the ballots weighted according to the proportional financial obligation of the affected property.

**IN ORDER TO BE COUNTED, THIS BALLOT MUST BE RECEIVED BY THE CITY CLERK PRIOR TO THE CLOSE OF THE PUBLIC INPUT PORTION OF THE PUBLIC HEARING ON THE FRUITVALE PBID, WHICH IS SCHEDULED FOR JULY 19, 2011, AT 6:30 PM IN THE CITY COUNCIL CHAMBERS, OAKLAND CITY HALL, 1 FRANK OGAWA PLAZA, OAKLAND, CALIFORNIA 94612.** To cast this ballot, check the appropriate box below (either yes or no), sign the ballot at the bottom, and return either this entire page or the portion below this line.

**BALLOT**

*Please mark in the box below to cast your vote:*

- YES**, I am in favor of the formation of the district and the proposed assessments against the parcel(s) identified on this ballot.
- NO**, I oppose the formation of the district and the proposed assessment against the parcel(s) identified on this ballot.

Owner

APN

Assessment

Total Fruitvale PBID Assessment Amount (Votes Cast)

\$ \_\_\_\_\_

\_\_\_\_\_  
NAME (PRINTED)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

*Alex A. Rosenthal*  
Oakland City Attorney's Office  
(se)

OFFICE OF THE CITY CLERK  
OAKLAND

2011 APR 23 AM 9:46

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE BALLOTS AND TO PAY THE ASSESSMENTS FOR THE THREE (3) CITY-OWNED PROPERTIES ON WHICH ASSESSMENTS ARE TO BE LEVIED (APN 025-0722-026-00, APN 033-2130-035-02, AND APN 033-2135-026-02) IN AN AMOUNT NOT TO EXCEED A CUMULATIVE TOTAL OF \$141,598.90 TO SUPPORT THE FORMATION OF THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011**

**WHEREAS**, the City Council approved an Oakland Business Improvement Management District Ordinance (Ord. 12190, 1999) delineating procedures and policies for the formation of a property assessment district within the City of Oakland; and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business owners in the City to assist in the formation of such districts; and

**WHEREAS**, the City has adopted a policy encouraging the formation of Business Improvement Districts; and

**WHEREAS**, pursuant to the requirements of the Oakland Business Management District Ordinance stakeholders in the Fruitvale district have petitioned to form the Fruitvale Property Business Improvement District of 2011 (hereinafter "District") to undertake the Management District Plan for the Fruitvale Property Business Improvement District of 2011 (hereinafter "Plan"); and

**WHEREAS**, the District includes three (3) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, and APN 033-2135-026-02) which gives the City the right to sign ballots in support of District formation; and

**WHEREAS**, this resolution clarifies the City Administrator's authority to sign the petition on behalf of the City of Oakland; and

**WHEREAS**, if the District is established, the assessments will take place on a yearly basis for the ten year life of the District; and

**WHEREAS**, if the District is established, the maximum total assessment amount over the ten year life of the district for the three (3) City-owned properties is approximately \$141,599; and

**WHEREAS**, funds to pay the FY 11-12 assessments have been budgeted to the General Purpose Fund (1010), Business Development (88559), Taxes and Assessments account (53511), Business Improvement District (BID) project (C138410), Business Creation, Attraction, Retention (SC11); and.

**WHEREAS**, these assessments are to be made in accordance with the provisions of Proposition 218 and the Oakland Business Improvement Management District policy referenced above; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator to execute the ballots and to pay the assessments for the three (3) City-owned properties on which assessments are to be levied (APN 025-0722-026-00, APN 033-2130-035-02, and APN 033-2135-026-02) in an amount not to exceed a cumulative total of \$141,598.90 over a ten year period to support the formation of the Fruitvale Property Business Improvement District of 2011.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011.

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California



*Alix A. Rosenthal*  
ORA Agency Counsel (22)

OFFICE OF THE CITY CLERK  
OAKLAND

2011 APR 29 AM 9:16

# REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO SIGN THE BALLOTS AND TO PAY THE ASSESSMENTS FOR THE FOUR (4) AGENCY-OWNED PROPERTIES ON WHICH ASSESSMENTS ARE TO BE LEVIED (APN 032-2115-037-01, APN 025-0719-007-01, APN 025-0690-008-01, AND APN 032-2084-051-00) IN AN AMOUNT NOT TO EXCEED A CUMULATIVE TOTAL OF \$62,501.06 OVER A TEN YEAR PERIOD TO SUPPORT THE FORMATION OF THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2011**

**WHEREAS**, the City Council approved an Oakland Business Improvement Management District Ordinance (Ord. 12190, 1999) delineating procedures and policies for the formation of a property assessment district within the City of Oakland; and

**WHEREAS**, the City Council approved a Neighborhood Business Improvement District Program pursuant to Oakland City Council Resolution No. 75323, dated November 9, 1999, to provide technical and financial assistance to stakeholder groups of business owners in the City to assist in the formation of such districts; and

**WHEREAS**, pursuant to the requirements of the Oakland Business Management District Ordinance stakeholders in the Fruitvale district have petitioned to form the Fruitvale Property Business Improvement District of 2011 (hereinafter "District") to undertake the Management District Plan for the Fruitvale Property Business Improvement District of 2011 (hereinafter "Plan"); and

**WHEREAS**, the District includes four (4) Agency-owned properties on which assessments are to be levied (APN 032-2115-037-01, APN 025-0719-007-01, APN 025-0690-008-01, and APN 032-2084-051-00) which gives the Agency the right to sign a ballot in support of District formation; and

**WHEREAS**, this resolution clarifies the Agency Administrator's authority to sign the ballot on behalf of the Redevelopment Agency of the City of Oakland; and

**WHEREAS**, if the District is established, the assessments will take place on a yearly basis for the ten year life of the District; and

**WHEREAS**, if the District is established, the maximum total assessment amount over the ten year life of the district for the four (4) Agency-owned properties is approximately \$62,501; and

**WHEREAS**, funds to pay the FY 11-12 assessments have been budgeted to the Oakland Redevelopment Agency Fund (9540), Central City East Redevelopment (88699); Taxes and Assessments account (53511), Central City East Redevelopment (S233310), Undetermined Program (0000); and.

**WHEREAS**, these assessments are to be made in accordance with the provisions of Proposition 218 and the Oakland Business Improvement Management District policy referenced above; now therefore be it

**RESOLVED**, that the Redevelopment Agency hereby authorizes the Agency Administrator to execute the ballots and to pay the assessments for the four (4) Agency-owned properties on which assessments are to be levied (APN 032-2115-037-01, APN 025-0719-007-01, AND APN 025-0690-008-01, APN 032-2084-051-00) in an amount not to exceed a cumulative total of \$62,501.06 over a ten year period to support the formation of the Fruitvale Property Business Improvement District of 2011.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, \_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID

**NOES-**

**ABSENT-**

**ABSTENTION-**

**ATTEST:** \_\_\_\_\_  
LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California