

OFFICE OF THE CITY CLERK

2006 APR 27 PM 4:49

Approved as to form and legality
[Signature]
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 79906 C.M.S.

RESOLUTION OF INTENTION TO FORM THE FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2006, 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 18, 2006

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 2006 (“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 (“Plan”) (Exhibit A); 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 security, cleaning and marketing 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;

WHEREAS, funds to pay the FY 06-07 assessments on affected City owned property located in the proposed business improvement district have been budgeted to the General Purpose Fund (1010), NCR& SDS organization (88569), Taxes and Assessments account (53511), Business Improvement District (BID)-NCR Project (C138410), Neighborhood Commercial Revitalization program (NB30); now therefore be it

RESOLVED: 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 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 on file in the office of the City Clerk, a copy of which is attached hereto as Exhibit A.
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 2006.
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 on file in the office of the City Clerk and attached hereto (Exhibit A).
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 which is on file in the office of the City Clerk (Exhibit A)
8. The proposed method and basis of levying the assessments to be levied against each property in the District are based on the gross lot size of each property 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 and are incorporated herein by this reference (Exhibit A).
9. The assessments for the entire District total approximately \$330,000.00. for the first year of the District, and the amount chargeable to each parcel are as shown in the Plan on file in the office of the City Clerk and on the appendix to Exhibit A attached hereto

10. The District shall be in existence for a period of five (5) 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 18, 2006, (at 7:00 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 and incorporated herein by this reference (Exhibit B). 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. The City Council may not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. The ballots shall be weighted in proportion to the assessment upon the affected property. 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,

MAY 16 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED 0

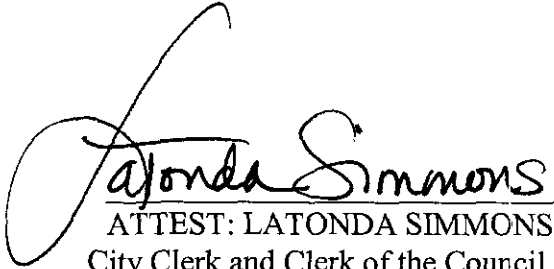

ATTEST: LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A
(to the resolution of intention to establish the Fruitvale PBID of 2006)

FINAL PLAN

**MANAGEMENT DISTRICT PLAN FOR THE
FRUITVALE PROPERTY BUSINESS IMPROVEMENT
DISTRICT OF 2006**

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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
WITH ASSISTANCE FROM NEW CITY AMERICA, INC.**

APRIL 5, 2006

FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2006 MANAGEMENT DISTRICT PLAN

I. EXECUTIVE SUMMARY

Building on many of the successes already achieved in Fruitvale, property owners, business owners, and the Unity Council joined forces to form the Fruitvale Business Improvement District (BID). This plan is for the renewal of the district. Under this plan, the BID will provide improved services from those currently provided in an expanded area. BIDs have been used successfully in many other commercial districts throughout the country to increase sales, attract new tenants, and increase property values.

Location:

- On Fruitvale Avenue from East 12th Street to Foothill Boulevard (all four corners);
- On Foothill Boulevard from Fruitvale Avenue (all four corners) to High Street;
- On International Blvd. from 29th to 42nd Avenue; and
- On East 12th Street from 33rd to 35th Avenue.

Services: Public safety program to support police and property owner crime prevention efforts; a cleaning and maintenance program; an advocacy program to promote the district's interests and secure additional funding; a marketing program to promote the district throughout the region

Budget: Total maximum district budget for each year is approximately \$340,000 per year with a maximum 5% increase per year.

Cost: The costs to the property owner depend on the zone. Property owners within Zone 1 will pay \$0.17 per square foot; property owners within Zone 2 will pay \$0.08 per square foot. Properties in both Zones owned by non-profit organizations will be assessed \$0.08 per square foot.

Formation: District formation requires submittal of petitions from property owners representing at least 30% of the total 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 proposed District will have a five-year life. After five years, the petition process 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 the economic development of the Fruitvale commercial district. It began planning the construction of the Fruitvale Village,

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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 National Main Street approach includes promotion, physical improvement, economic development, and organization. The Unity Council began its program by conducting surveys of the business and property owners. Through the responses, it was determined that safety and cleanliness was their major concern. Based on their input, the Unity Council successfully lobbied NMSC and LISC to modify the program to add 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 Día 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 BID was adopted by the commercial property owners in Fruitvale and went into effect in 2001.

The services provided through the BID include

- Physical improvements such as façades, streetscapes, public art, and park beautification
- Assistance to merchants and property owners in areas including permits, design, business training, legal issues, etc.
- Advocacy with the City of Oakland to secure a higher level of service and funding for Fruitvale
- Fundraising – over \$5 million in grants have been raised to supplement BID funding allowing the provision of higher levels of safety and cleanliness services, as well as marketing, physical improvements, etc.
- Promotion including festivals, business directories, web site, 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; daily Ambassador patrols
- 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 and a major increase in property values.

In 2001, with the new BID in place, the 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 to be the most successful. Recent 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 five years in which the BID has been in effect, 2001-2006 (note that these are in addition to the achievements before the BID was adopted):

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
- Advocated to relocate a needle exchange program and an alternative high school out of the Fruitvale district
- Advocated to prevent the location of a drug treatment center in the Fruitvale commercial district
- Fruitvale Ambassador Program – patrol of the commercial district Monday through Friday
- Conducted a pedestrian safety campaign

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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

Design and Physical Improvements

- Approximately 65 façade improvements in the last five years
- Installed streetscape improvements on International Boulevard between 33rd and 35th 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 (construction to begin within the next three to five years)
- Advocated for the clean up 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
- Secured tree pruning and replacement of broken trees from City tree crews

Promotion

- Marketing web site (www.fruitvalemerchants.com)
- 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.
- Installed artist-created markers for Fruitvale’s historical buildings
- Annual holiday decorations
- Historical walking tours conducted by Oakland Heritage Alliance

Events

- Annual Día de los Muertos Festival
- Salsabor Festival
- Christmas Posadas

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- Noches de Verano summer movie series
- Mother's Day events
- Valentines Day events
- Cesar Chavez Festival
- Annual Bike to Work Day

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 advocacy and outreach
- Helped the merchants to advocate for improved services from the City
- Joined the Oakland BID Council and Oakland Merchants Leadership Forum to better advocate for the interests of the Fruitvale district
- Helped local merchants and property owners get appointed to leadership positions on City of Oakland commissions
- Welcome visits and information packages for new merchants
- Annual volunteer appreciation event

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 improve the appearance of legal pushcart vendors (project will be completed in early 2008)
- Over 200 net new jobs and 60 net new businesses created in the district
- The district maintained almost 100 percent occupancy of retail space

Current Situation – the Need for BID Renewal

The BID was adopted for a period of five years and is set to expire at the end of 2006. The original management district plan was based on the Unity Council's best estimate of how much cleaning and safety services would be needed. The original BID plan called for 81 worker hours per week of safety patrol service and 58 worker hours per week of sidewalk cleaning, landscaping, and maintenance. It quickly became clear that this would not be enough to make a noticeable difference. Thus the Unity Council was forced to raise additional funds to provide even the minimum amount of cleaning and safety patrol services needed.

By raising additional funds, the Unity Council was able to provide an average of 90 hours per week of safety patrol and over 140 hours per week of sidewalk cleaning, landscaping, and maintenance.

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Although the Unity Council was authorized to implement an annual increase in assessments, it never exercised this option. Now that the first five years has ended, there is an opportunity to re-evaluate the funding and service levels and ensure that, going forward, the BID is able to provide the level of service requested and needed by the property owners. Thus the assessment formulas have been increased by a maximum of three cents per square foot for the renewed BID.

In addition to changing the assessment formulas to reflect actual levels of service, the area to be served has been expanded to include Foothill Boulevard from 34th Avenue to High Street. By adding this area, greater economies of scale can be achieved and more property owners will benefit from the services.

More Needs to Be Done and Current Efforts Need to Continue

A great deal was accomplished during the last five years. Attendance at the annual Día de los Muertos Festival increased to over 100,000. The district received a great deal of positive attention in the media. Major physical improvements were completed with millions of dollars in public and private investment. Cleanliness was dramatically improved. Property values skyrocketed.

To continue the momentum that was created in the last five years, it is essential to renew the BID. The loss of the BID services could jeopardize all of the progress that has been made. This plan ensures that the existing level of service will be enhanced so that Fruitvale can continue to develop into one of the most vibrant and successful communities in the entire Bay Area.

III. CHARACTERISTICS OF THE DISTRICT

Legal Description

The name of the district shall be the “Fruitvale Property Business Improvement District of 2006”.

The purpose of this district is to fund *special benefits* for the public rights of way, 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 2006, (PBID). Any and all assessments generated from the formation 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 as well as the mail balloting procedure guidelines of Proposition 218 (Article XIID of California State Constitution).

Address Series

The parcels included in the renewed PBID include the following:

- On Fruitvale Avenue from E. 12th Street to Foothill Boulevard (all four corners);
- On Foothill Blvd. from Fruitvale (all four corners) to High Street;
- On International Blvd. from 29th to 42nd; and

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- On E. 12th from 33rd to 35th.

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

Property Variables to Be Assessed

One property variable, parcel size, will be used to calculate the assessments in the special benefit district. This variable can most easily be verified by County records. In addition, there will be two separate Benefit Zones, described below.

Assessment Methodology

The Property and Business Improvement District Law of 1994 provides that the expenses of the District shall be apportioned in proportion to the benefit received by each property. In addition, Proposition 218 requires that a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable, and that the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large.

Each and every parcel within the district, except for low density residential properties (discussed below), receives a particular and distinct benefit from the proposed improvements and activities, over and above general benefits conferred by the improvements and activities of the district.

Properties in the center of the commercial district with the highest commercial activity have the greatest need and therefore will receive the greatest benefit from the services provided. As a result, these properties have been identified as Zone 1. The remainder of the district is identified as Zone 2.

Zone 2 properties will receive only cleaning services and not safety, marketing, or advocacy, and thus will be assessed at a lower rate. Each of the services has been assigned a relative weight of benefit and assessments have been determined based on this relative benefit. The assessment rate on each of the zones is illustrated in the chart below:

	<i>Commercial Properties</i>	<i>Non-Profit Properties</i>
<i>Benefit Zone 1</i>	\$ 0.17 per square foot per year	\$ 0.08 per square foot per year
<i>Benefit Zone 2</i>	\$ 0.08 per square foot per year	\$ 0.08 per square foot per year

Zone 1 encompasses all properties along Fruitvale Avenue from Foothill Boulevard to East 12th Street excluding 1500 to 1900 Fruitvale, Foothill Boulevard from Fruitvale Avenue to 34th Avenue, International Boulevard from Fruitvale Avenue to 42nd Avenue, and East 12th Street from 33rd Avenue to 35th Avenue. The remainder of the district is Zone 2.

Properties owned by charitable tax-exempt organizations do not gain the same benefit from the district as commercial properties. The primary focus of a business improvement district is to provide benefit to commercial properties. However, properties owned by tax-exempt organizations do gain some benefit from the services provided by the district. In both Zone 1

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and Zone 2, properties owned by nonprofit organizations will receive only cleanliness services. Thus, properties owned by nonprofit, tax-exempt, charitable organizations shall be exempt from paying for the portion of the assessment attributable to safety, marketing, and advocacy. The assessments on 501(c)(3) organizations shall be \$0.08 per square foot. Government owned properties are not exempt from assessment. (California Constitution Article XIID, Section 4(a))

Low density residential properties, those with four units or less, do not derive sufficient benefit from the proposed improvements to be assessed. These properties do not have employees or clients who visit the property nor do they operate a non-profit or for-profit organization that may benefit from the services provided. The purpose of the Management District is to benefit commercial and consumer-oriented properties.

Services to be Funded

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:

- 72% support guard/security services
- 63% support Ambassador services
- 71% support regular sidewalk and gutter sweeping services
- 60% support hot water pressure washing of grime and gum from the sidewalks
- 75% support graffiti abatement services
- 65% 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 BID:

In both Zone 1 and Zone 2:

- Daily 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)
- Guard/safety patrol (approximately four hours per day, six days per week)
- Marketing and promotion
- Advocacy, outreach, and fundraising

The annual first year budget will be \$ 340,792.00.

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<i>Special Benefits Services Category</i>	<i>Percentage of Overall Budget</i>	<i>Estimated First Year Budget</i>
Cleaning	52%	\$ 168,851.00
Safety (Zone 1 only)	12%	\$ 38,965.00
Commercial Marketing and Advocacy (Zone 1 only)	29%	\$ 94,167.00
Fees to City & County and contingency for uncollectible assessments*	7%	\$ 22,730.00
<i>Total</i>	<i>100%</i>	<i>\$ 324,713.00</i>

* Note that the Unity Council is required to pay \$6,000 annually to the City to pay back the establishment costs for the renewed BID.

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. The business and property owners shall provide input on budget priorities from year to year and troubleshoot any problems that might arise in the administration of the district.

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.

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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 to leverage resources;
- Deliver services through a cost-effective, non-bureaucratic, and easy to access organizational structure;
- Provide accountability and responsiveness to those who pay into the district.

Establishment Process

The district is established pursuant to and in accordance with the local enabling ordinance, as well as assessment mail ballot procedures as laid out in the 218 Omnibus Act of 1998. 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 2006-07 property tax cycle, with the first installments due in December 2006. The district would commence operations January 1, 2007 and expire on December 31, 2011.

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 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 2006 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 Management District 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 formal 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 Maintenance District Ordinance of the City of Oakland, a Management District 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 Fruitvale PBID management corporation 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 and of the Board of Directors of the Fruitvale PBID management corporation 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 BID-related reports shall be available for review by any property owner in the district.

Engineer’s Report

New City America has contracted with Ed Henning and Associates to compile the required engineer’s report under the guidelines of Proposition 218, Article XIII D of the California State Constitution.

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In preparing the engineer's report for the Fruitvale PBID Management District Plan, the engineer concluded that the special benefit to each parcel in the various benefit zones was found to be proportional to the property variable and their apportionment.

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

IV. CONCLUSION: THE NEED FOR THE BID

It is best when community dollars stay in the community. The purpose of the BID 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, and Laurel business districts. These districts have noted that, because they have organized into BIDs, 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 BID will continue to increase property values, allow the property owners to choose the most appropriate services that meet their needs, and will ensure the long-term success of the commercial district.

The BID is needed to prevent the loss of all of the accomplishments that have been achieved to date and to continue to build on those accomplishments.

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LIST OF PARCELS TO BE ASSESSED

Fruitvale

11-Apr-06

ASSESS CODE 1 = \$0.17

2 = \$0.08

Legal Owner	Apn	St #	ST Name	Asses Code	Lot SF	Assessment
La Clinica de La Raza	025-0722-014-00	3038	16th ST	2	10,300	\$ 824.00
GOODWILL INDUSTRIES INC	025-0695-021-01	1301	30th Ave	2	46,800	\$ 3,744.00
Spinardi Frank L Jr	033-2195-020-03	1232	33rd Ave	1	0	\$ -
Unity Council	033-2195-025-00	Transit Village	34th Ave	1	13,361	\$ 2,271.37
La Clinica de La Raza	033-2196-024-00	Transit Village	34th Ave	2	16,245	\$ 1,299.60
Theophanous Nicolaos & Sotira	033-2197-015-03	1242	35th Ave	1	14,190	\$ 2,412.30
Jauregui Hector & Maria I	033-2128-003-00	1750	35th Ave	2	5,990	\$ 479.20
GREEK ASSEMBLY OF GOD CHURCH	033-2128-007-00	1783	36th Ave	2	0	\$ -
Littlejohn Teresa	032-2086-010-00	1915	38th Ave	2	6,500	\$ 520.00
Hathorn G	033-2141-001-00	1898	39th Ave		0	\$ -
Trung Annie	033-2150-001-01	1838	41st Ave	2	6,256	\$ 500.48
Franklin Carolyn	032-2078-015-00	1901	41st Ave	2	0	\$ -
Maravilla Israel & Trinidad	033-2134-005-00	1843	Bridge Ave	2	0	\$ -
Cheung Wing	035-2351-013-00	1918	Courtland Ave	2	5,500	\$ 440.00
Unity Council	033-2195-006-03	3340	E 12th	2	5,070	\$ 405.60
Fruitvale Dev. Corp.	033-2195-026-00	3301	E 12th St	1	78,567	\$ 13,356.39
Unity Council	033-2196-025-00	3401	E 12th St	1	51,983	\$ 8,837.11
HOUSING AUTHORITY OF THE CITY	032-2084-049-01		Foothill Blvd	2	26,255	\$ 2,100.40
CITY OF OAKLAND	033-2135-026-02		Foothill Blvd	2	49,222	\$ 3,937.76
Harbi Saleh A	033-2117-003-00	3221	Foothill Blvd	1	1,883	\$ 320.11
Myers Patricia A	033-2117-004-01	3225	Foothill Blvd	1	4,313	\$ 733.21
Wong William H & Pui T	033-2117-005-00	3229-41	Foothill Blvd	1	10,337	\$ 1,757.29
Champaign Realty LLC	027-0837-024-01	3232	Foothill Blvd	1	67,519	\$ 11,478.23
Kwong Mona	027-0881-013-03	3300-18	Foothill Blvd	1	11,689	\$ 1,987.13
Dacruz Prata LTD	033-2118-001-00	3301	Foothill Blvd	1	4,351	\$ 739.67
Ho Gary & Jenny	033-2118-002-00	3319-21	Foothill Blvd	1	5,037	\$ 856.29
Ng Pui & Yin L	027-0881-012-00	3320	Foothill Blvd	1	2,693	\$ 457.81
Mi Ranchito Market	027-0881-011-00	3324-26	Foothill Blvd	1	6,861	\$ 1,166.37
Mann Jeanine & Gouig Steve	033-2118-003-00	3327-39	Foothill Blvd	1	11,581	\$ 1,968.77
La Catina Restaurant	027-0881-009-01	3336-40	Foothill Blvd	1	9,603	\$ 1,632.51
Mann Jeanine & Gouig Steve	033-2118-004-00	3347-49	Foothill Blvd	1	3,627	\$ 616.59
Lee Josephine S	033-2118-005-00	3355-59	Foothill Blvd	1	4,773	\$ 811.41
HARMAN MANAGEMENT CORPORATION	027-0882-009-03	3400	Foothill Blvd	2	12,450	\$ 996.00
CASA VELASCO ASSOCIATES	027-0883-011-00	3430	Foothill Blvd	2	9,150	\$ 732.00
MERCY RETIREMENT & CARE CENTER	033-2127-015-01	3431	Foothill Blvd	2	80,000	\$ 6,400.00
True Buddha Vijaya Temple	027 0893-010-00	3440	Foothill Blvd	2	6,600	\$ 528.00
Miller Terry W & Alice B	027-0883-008-00	3464	Foothill Blvd	2	16,246	\$ 1,299.68
K & G Ents Llc	032-2116-013-01	3500	Foothill Blvd	2	9,219	\$ 737.52

K & G Ents Llc	033-2128-001-00	3509	Foothill Blvd	2	5,012	\$	400.96
Mmp Foothill Llc	032-2116-011-02	3518	Foothill Blvd	2	8,237	\$	658.96
Williams Henry C & Sonja L	033-2128-002-00	3525	Foothill Blvd	2	0	\$	-
Kapur Sukhdev S & Narinder K	032-2115-038-01	3550	Foothill Blvd	2	11,893	\$	951.44
Salwan Sandeep & Cellu	033-2128-004-00	3553	Foothill Blvd	2	2,887	\$	230.96
Salwan Sandeep & Cellu	033-2128-006-01	3561	Foothill Blvd	2	5,460	\$	436.80
KEENEY ENTERPRISES INC	032-2115-037-01	3566	Foothill Blvd	2	6,541	\$	523.28
KEENEY ENTERPRISES INC	032-2084-051-00	3600	Foothill Blvd	2	10,625	\$	850.00
MARA NATHA CHURCH OF THE LIVING	032-2084-050-00	3614	Foothill Blvd	2	4,998	\$	399.84
Alhaithani Ali M	033-2134-002-01	3615	Foothill Blvd	2	12,087	\$	966.96
Alhaithani Ali M	033-2134-003-01	3625	Foothill Blvd	2	0	\$	-
Quach Thanh V & Ly Binh	033-2134-004-00	3637	Foothill Blvd	2	0	\$	-
HOUSING AUTHORITY OF THE CITY	032-2084-048-01	3642	Foothill Blvd	2	6,200	\$	496.00
Chau James H	033-2135-001-00	3651	Foothill Blvd	2	3,639	\$	291.12
Day Douglas	032-2084-047-00	3658	Foothill Blvd	2	6,490	\$	519.20
Tonsall Martha A;	033-2135-002-00	3659	Foothill Blvd	2	1,025	\$	82.00
Comejo Rafael	032-2086-015-00	3700	Foothill Blvd	2	2,287	\$	182.96
Fields Hazel A	032-2086-014-00	3714	Foothill Blvd	2	13,160	\$	1,052.80
APOSTOLIC ASSEMBLY OF FAITH IN	033-2135-028-01	3715	Foothill Blvd	2	19,687	\$	1,574.96
Fields Hazel A	032-2086-013-00	3722	Foothill Blvd	2	6,570	\$	525.60
APOSTOLIC ASSEMBLY OF FAITH IN	033-2135-029-00	3733	Foothill Blvd	2	0	\$	-
APOSTOLIC ASSEMBLY OF FAITH IN	033-2135-030-00	3739	Foothill Blvd	2	8,100	\$	648.00
Damm Michael	032-2086-012-00	3740	Foothill Blvd	2	6,565	\$	525.20
Dewaal Hendrikus & Wilhelmina	032-2086-011-00	3744	Foothill Blvd	2	3,932	\$	314.56
Jackson Ervin & Marolyn	033-2135-031-00	3755	Foothill Blvd	2	9,200	\$	736.00
Hall Andrew	032-2087-027-04	3800	Foothill Blvd	2	4,218	\$	337.44
Rocha Guadalupe & Guadalupe	033-2138-051-01	3801	Foothill Blvd	2	8,000	\$	640.00
Saleh Mosaed S	032-2087-027-03	3810	Foothill Blvd	2	4,200	\$	336.00
Campos Carolina	033-2138-053-01	3815	Foothill Blvd	2	6,094	\$	487.52
Wong Hing C	032-2087-026-00	3816	Foothill Blvd	2	0	\$	-
Nguyen Trang T	032-2087-025-01	3820	Foothill Blvd	2	3,896	\$	311.68
Mohamed Moufeed K	032-2087-024-01	3824	Foothill Blvd	2	3,892	\$	311.36
Perez Vicente & Encarnacion	033-2138-056-01	3829	Foothill Blvd	2	8,358	\$	668.64
Mohamed Moufeed K	032-2087-023-00	3830	Foothill Blvd	2	3,241	\$	259.28
Duran Waldo M	032-2087-021-01	3900	Foothill Blvd	2	12,944	\$	1,035.52
Alvarado Oscar & Ivonne	033-2141-002-00	3909	Foothill Blvd	2	5,130	\$	410.40
Magathen Larry J	032-2087-020-02	3918	Foothill Blvd	2	6,452	\$	516.16
Navarro Maria	033-2141-003-00	3921	Foothill Blvd	2	0	\$	-
Rabelo Florencio & Flora	032-2087-020-01	3928	Foothill Blvd	2	0	\$	-
Walker Beatrice	033-2141-004-00	3931	Foothill Blvd	2	0	\$	-
Rabelo Ray R	032-2087-019-00	3932	Foothill Blvd	2	0	\$	-
Stangl Harald & Virginia	032-2087-018-00	3940	Foothill Blvd	2	4,800	\$	384.00

Waters	033-2141-005-00	3941	Foothill Blvd	2	1,320	\$	105.60
Ung Joe	032-2088-011-00	4000	Foothill Blvd	2	3,200	\$	256.00
Melendres Ulysess & Remedios	033-2142-001-00	4001	Foothill Blvd	2	3,119	\$	249.52
HELLS ANGELS MOTORCYCLE CLUB	033-2142-002-00	4009	Foothill Blvd	2	6,162	\$	492.96
Ng Jacqueline	032-2088-010-00	4010	Foothill Blvd	2	12,757	\$	1,020.56
Deng Wen J	032-2088-009-00	4020	Foothill Blvd		0	\$	-
HELLS ANGELS MOTORCYCLE CLUB	033-2142-003-00	4021	Foothill Blvd	2	7,030	\$	562.40
Lee Chi S	032-2088-008-00	4024	Foothill Blvd	2	0	\$	-
Lee Jung A	033-2142-004-00	4033	Foothill Blvd	2	4,210	\$	336.80
Guzman Benito & Emma	032-2078-020-00	4050	Foothill Blvd	2	5,750	\$	460.00
Damele Richard	033-2151-001-00	4051	Foothill Blvd	2	6,729	\$	538.32
Ly Hoan Q	033-2151-003-02	4055	Foothill Blvd	2	16,864	\$	1,349.12
Lam Tien H	032-2078-019-00	4062	Foothill Blvd	2	0	\$	-
Guzman Raul	032-2078-018-00	4070	Foothill Blvd		0	\$	-
Garibay Juan	033-2151-004-00	4075	Foothill Blvd	2	5,019	\$	401.52
GREATER NEW JERUSALEM BAPTIST	032-2078-017-00	4076	Foothill Blvd	2	5,000	\$	400.00
Kebede Seyoum & Mamo Alem	033-2151-005-01	4079	Foothill Blvd	2	14,589	\$	1,167.12
Garibay Juan	032-2078-016-00	4080	Foothill Blvd	2	0	\$	-
Ali Fuad H	032-2079-020-01	4100	Foothill Blvd	2	11,250	\$	900.00
Barajas Juan & Jose L	033-2150-002-00	4109	Foothill Blvd	2	8,165	\$	653.20
Ali Fuad H	032-2079-019-00	4114	Foothill Blvd	2	0	\$	-
Barajas Juan & Jose L	033-2150-003-00	4119	Foothill Blvd	2	4,974	\$	397.92
Mora Daniel & Beatriz	033-2150-004-00	4127	Foothill Blvd	2	0	\$	-
Limon Armando & Lerma S	033-2150-005-00	4133	Foothill Blvd	2	8,103	\$	648.24
Ali Fuad H	032-2079-018-00	4134	Foothill Blvd	2	13,720	\$	1,097.60
Jimenez Oswal J	033-2150-006-02	4149	Foothill Blvd	2	3,042	\$	243.36
Wong Aaron T & Lisa K	032-2083-024-00	4200	Foothill Blvd	2	5,830	\$	466.40
CITY OF OAKLAND	035-2352-001-02	4201	Foothill Blvd	2	10,764	\$	861.12
AT & T BROADBAND HC OF DELAWAR	035-2352-002-04	4215	Foothill Blvd	2	35,100	\$	2,808.00
Gonzalez Eliseo	035-2351-012-00	4230	Foothill Blvd	2	0	\$	-
Anderson Martha H	035-2352-005-02	4233	Foothill Blvd	2	0	\$	-
Cabrera Ignacio & Adelina	035-2351-011-00	4236	Foothill Blvd	2	0	\$	-
Swartz Leonard R	035-2352-006-03	4237	Foothill Blvd	2	13,600	\$	1,088.00
Gutierrez Mario & Angelina	035-2351-010-00	4240	Foothill Blvd	2	0	\$	-
Kahan Stan	035-2351-009-00	4246	Foothill Blvd	2	0	\$	-
LeLoi V	035-2352-008-01	4265	Foothill Blvd	2	26,000	\$	2,080.00
Usman Khalid & Romana	035-2351-005-02	4280	Foothill Blvd	2	18,518	\$	1,481.44
CITY OF OAKLAND	025-0722-026-00		Fruitvale	2	83,425	\$	6,674.00
Miraculous Foundation	033-2119-015-00		Fruitvale	2	4,881	\$	390.48
Saint Joseph Center LLC	033-2194-026-02	1204	Fruitvale	1	2,400	\$	408.00
Martinez Maria E	033-2194-027-00	1208-16	Fruitvale	1	2,715	\$	461.55
Cronenwett Annette R Reynier Andre J	033-2194-028-00	1218-20	Fruitvale	1	2,845	\$	483.65

Cronenwett Annette R Reynier Andre J	033-2194-029-00	1222-28	Fruitvale	1	2,950	\$	501.50
Cronenwett Annette R Reynier Andre J	033-2194-030-00	1230-32	Fruitvale	1	2,550	\$	433.50
MacLeod Robert D & Pearl G	025-0689-005-00	1301-05	Fruitvale	1	3,959	\$	673.03
MacLeod Robert D & Pearl G	025-0689-004-00	1307-11	Fruitvale	1	2,699	\$	458.83
Garcia Richard	033-2194-033-00	1314-18	Fruitvale	1	2,880	\$	489.60
Chan Paul & Lan H & Lucky	025-0689-003-01	1315-19	Fruitvale	1	3,219	\$	547.23
Garcia Richard	033-2194-034-00	1324	Fruitvale	1	2,987	\$	507.79
Garcia Richard	033-2194-035-00	1328	Fruitvale	1	6,057	\$	1,029.69
Nix Family Limited Partnership	033-2194-036-01	1344-52	Fruitvale	1	14,771	\$	2,511.07
Cohn Ted	033-2123-005-00	1414-16	Fruitvale	1	2,500	\$	425.00
Campos Maria & Urena Luz	033-2123-001-00	1418-24	Fruitvale	1	3,000	\$	510.00
Padilla Apolonio & Martina	025-0718-005-00	1433	Fruitvale	1	5,000	\$	850.00
Belzer Robert A	025-0718-004-02	1449	Fruitvale	1	4,100	\$	697.00
Fruitvale Famam Associates LLC	033-2121-022-00	1450	Fruitvale	1	11,100	\$	1,887.00
Galindo Enrique & Juana	025-0718-004-01	1453-1457	Fruitvale	1	3,385	\$	575.45
Ting Chao W & KEH C	025-0718-003-00	1465-67	Fruitvale	1	5,000	\$	850.00
East Bay Spanish Speaking Citizens Foundation	033-2121-023-00	1470	Fruitvale	2	10,875	\$	870.00
Ting Chao W & KEH C	025-0718-014-01	1477-79	Fruitvale	1	14,990	\$	2,548.30
Trujillo Gabriel & Carolina	033-2121-024-02	1480	Fruitvale	1	6,375	\$	1,083.75
La Clinica de La Raza	025-0721-017-01	1501-05	Fruitvale	2	8,743	\$	699.44
Lew Kim M & Fong Marie	033-2121-025-01	1502	Fruitvale	2	11,250	\$	900.00
Chun Jun H & Young S	033-2121-026-00	1508-12	Fruitvale	2	6,750	\$	540.00
Lopez Albert	033-2121-027-00	1514-16	Fruitvale	2	0	\$	-
La Clinica de La Raza	025-0721-015-00	1515	Fruitvale	2	5,351	\$	428.08
La Clinica de La Raza	025-0721-014-00	1521	Fruitvale	2	5,351	\$	428.08
Quintero Isaac M & Irene	033-2121-028-00	1522-32	Fruitvale	2	11,200	\$	896.00
La Clinica de La Raza	025-0721-012-01	1531	Fruitvale	2	8,721	\$	697.68
Avery James & Renate	033-2121-029-00	1536	Fruitvale	2	12,000	\$	960.00
La Clinica de La Raza	025-0721-011-00	1537	Fruitvale	2	4,095	\$	327.60
Paul Aaron & Eva P	025-0721-010-10	1545	Fruitvale	2	0	\$	-
Furrer Properties Inc	033-2121-030-00	1546	Fruitvale	2	6,750	\$	540.00
Furrer Properties Inc	033-2121-031-00	1554-60	Fruitvale	2	11,257	\$	900.56
Furrer Properties Inc	033-2121-001-00	1580	Fruitvale	2	20,900	\$	1,672.00
Morelos Juan G & Albertina	033-2119-011-00	1606	Fruitvale	2	8,543	\$	683.44
Becerra Ana M	033-2119-012-00	1612-14	Fruitvale	2	4,217	\$	337.36
Nick Shihadeh	033-2119-013-00	1620	Fruitvale	2	12,807	\$	1,024.56
Patino Jose & Aurora Y	025-0722-013-00	1621	Fruitvale	2	4,700	\$	376.00
Jaber Jad & Suad	033-2119-014-00	1626	Fruitvale	2	6,100	\$	488.00
Miraculous Foundation	033-2119-001-00	1642	Fruitvale	2	12,360	\$	988.80
Lam Phat T Tran Linda D	025-0722-012-00	1651	Fruitvale	2	4,500	\$	360.00
Gelle Gregorio E & Asuncion M	025-0722-011-00	1661	Fruitvale	2	4,800	\$	384.00
Nipay Wenceslao G & Mercedita R	025-0722-010-00	1669-71	Fruitvale	2	4,750	\$	380.00

Nguyen Hung K & Lieu T	025-0724-003-00	1701	Fruitvale	2	0	\$	-
Fruitvale Christian Church	033-2117-020-01	1706	Fruitvale	2	19,800	\$	1,584.00
Nguyen Hung	025-0724-002-00	1713-15	Fruitvale	2	6,500	\$	520.00
Carranza Carlos D	033-2117-022-00	1722	Fruitvale	2	0	\$	-
Castellanos, Jose & Nelly	025-0724-001-00	1723	Fruitvale	2	6,500	\$	520.00
Reyes Refugio	033-2117-023-00	1724-28	Fruitvale	2	0	\$	-
Cabrera Romulo B & Esteban R	033-2117-024-00	1800	Fruitvale	2	0	\$	-
Ng Kan F & Jane	025-0725-015-00	1805	Fruitvale	2	0	\$	-
Brown Thomas V & Virginia G	033-2117-025-00	1808	Fruitvale	2	6,370	\$	509.60
Szeto Kui Y Liang Li Z	033-2117-026-00	1814	Fruitvale	2	0	\$	-
Ramirez Jesus & Eva	025-0725-014-00	1815-17	Fruitvale	2	0	\$	-
Goodman Barbara C	025-0725-013-00	1821	Fruitvale	2	5,510	\$	440.80
Han Hong M & Wei C	033-2117-027-00	1822	Fruitvale	2	0	\$	-
Weng Chung Y Cheng Yun H	025-0725-012-00	1825	Fruitvale	2	9,300	\$	744.00
Victorian Property Company X	033-2117-028-00	1828-32	Fruitvale	2	6,370	\$	509.60
Leo Eddie & May	025-0725-011-00	1831	Fruitvale	2	0	\$	-
Hernandez Horacio & Laura P	025-0725-010-00	1833	Fruitvale	2	0	\$	-
Arias Manuel V & Lydia M	033-2117-029-00	1840-42	Fruitvale	2	0	\$	-
Phu Minh T	033-2117-030-00	1846-48	Fruitvale	2	0	\$	-
Unity Council	033-2117-031-02	1900	Fruitvale	2	19,110	\$	1,528.80
Free Church of Tonga	025-0726-014-00	1901	Fruitvale	2	4,500	\$	360.00
Martinez Norma I	025-0726-013-00	1909-15	Fruitvale	1	0	\$	-
Ly Huy B Ton Lien N	025-0726-012-00	1919	Fruitvale	1	6,750	\$	1,147.50
Kim Kun S & Jeanne	025-0726-011-00	1921-27	Fruitvale	1	9,000	\$	1,530.00
Sharhan Ahmed A	033-2117-034-00	1930	Fruitvale	1	0	\$	-
Nasser Mohamed & Nasher Ali	025-0726-010-00	1933-43	Fruitvale	1	10,090	\$	1,715.30
Ghanem Mahmoud A & Maysar M	033-2117-001-01	1936-50	Fruitvale	1	9,500	\$	1,615.00
Casillas Fidel P & Dolores G	026-0747-013-00	2001	Fruitvale	1	9,273	\$	1,576.41
C Hodges D	027-0837-012-01	2026	Fruitvale	1	31,327	\$	5,325.59
LATIN AMERICAN COUNCIL OF CHRIST	032-2084-046-00	1911	Harrington Ave	2	6,373	\$	509.84
Guitron Roberto & Lourdes	025-0716-014-00	2900	International Blvd.	2	10,000	\$	800.00
Guitron Roberto & Lourdes	025-0716-013-00	2920	International Blvd.	2	4,000	\$	320.00
FRUITVALE COLLABORATION INC	025-0716-012-00	2946	International Blvd.	2	26,400	\$	2,112.00
Galindo Enrique & Juana	025-0720-007-01	3000	International Blvd.	2	13,300	\$	1,064.00
Nguyen Phuong M Hoang Quach K	025-0694-022-01	3001-19	International Blvd.	2	29,821	\$	2,385.68
Brown Thomas V & Virginia G	025-0720-005-02	3012-28	International Blvd.	2	13,935	\$	1,114.80
Melrose Ford	025-0694-003-01	3031	International Blvd.	2	15,831	\$	1,266.48
Melrose Ford	025-0719-007-01	3050	International Blvd.	2	32,517	\$	2,601.36
Melrose Ford Inc	025-0690-008-01	3053	International Blvd.	2	12,431	\$	994.48
Ng Chor N	025-0690-009-00	3071-73	International Blvd.	2	9,723	\$	777.84
Urban Indian Health Board	025-0718-009-01	3100-28	International Blvd.	2	6,387	\$	510.96
AD Partnership	025-0689-001-01	3111	International Blvd.	1	27,273	\$	4,636.41

Ong Paul D & Rebecca C	025-0718-008-01	3132-34	International Blvd.	1	9,115	\$	1,549.55
Chen Kuan P	025-0718-007-00	3136	International Blvd.	1	4,633	\$	787.61
Drab John J Martinez Joseph S	033-2194-001-00	3201-11	International Blvd.	1	3,911	\$	664.87
Fertig Family LLC	033-2123-004-00	3204	International Blvd.	1	6,759	\$	1,149.03
Clough Family LP	033-2123-003-00	3206-12	International Blvd.	1	7,927	\$	1,347.59
Tapia Emma	033-2194-002-08	3215	International Blvd.	1	825	\$	140.25
Clough Family LP	033-2123-002-00	3216-52	International Blvd.	1	22,000	\$	3,740.00
Mortgage Investors III LLC	033-2194-006-05	3251-57	International Blvd.	1	37,175	\$	6,319.75
Jesucristo Es La Respuesta	033-2123-006-00	3254-58	International Blvd.	2	9,273	\$	741.84
Rodriguez Abelardo & Nancy	033-2194-006-06	3263	International Blvd.	1	2,770	\$	470.90
Kim Yong C & Jung J	033-2123-008-00	3264-66	International Blvd.	1	3,343	\$	568.31
Nguyen Cathy	033-2123-009-00	3270-78	International Blvd.	1	5,300	\$	901.00
Abbate Gaspar S & Julia	033-2194-009-00	3271-73	International Blvd.	1	2,230	\$	379.10
3280 International LLC	033-2123-011-01	3280	International Blvd.	1	9,141	\$	1,553.97
Law Wing K Huang Guo X	033-2194-010-00	3281-85	International Blvd.	1	5,000	\$	850.00
Kelvan Lom	033-2123-012-00	3300	International Blvd.	1	8,950	\$	1,521.50
Browning John E	033-2195-001-00	3301-05	International Blvd.	1	5,250	\$	892.50
American Savings Loan Association of Calif.	033-2123-020-01	3310-20	International Blvd.	1	11,969	\$	2,034.73
Narcotics Education League Inc	033-2195-002-00	3315-19	International Blvd.	2	2,875	\$	230.00
Qutob Sofian & Hala	033-2123-018-00	3322	International Blvd.	1	3,307	\$	562.19
Huey John F & Alice	033-2195-003-00	3323-33	International Blvd.	1	5,750	\$	977.50
Qutob Sofian & Hala	033-2123-017-01	3328-32	International Blvd.	1	3,267	\$	555.39
Brewster Clyde	033-2123-016-03	3334-40	International Blvd.	1	20,500	\$	3,485.00
Mohamed Nasr K	033-2195-004-00	3347-49	International Blvd.	1	5,750	\$	977.50
Fruitvale Dev. Corp.	033-2195-005-00	3357	International Blvd.	2	8,625	\$	690.00
Mortgage Investors III LLC	033-2124-042-01	3400	International Blvd.	1	3,529	\$	599.93
Fruitvale Holdings LLC	033-2196-021-05	3401-07	International Blvd.	1	13,771	\$	2,341.07
Mortgage Investors III LLC	033-2124-041-03	3410	International Blvd.	1	4,300	\$	731.00
Natura Properties	033-2124-040-00	3416-18	International Blvd.	1	2,880	\$	489.60
Piperis Yula	033-2196-003-02	3419	International Blvd.	1	4,359	\$	741.03
Mortgage Investors III LLC	033-2124-039-00	3422	International Blvd.	1	4,679	\$	795.43
Rocha Carlos	033-2196-004-00	3427-29	International Blvd.	1	2,800	\$	476.00
Rocha Carlos	033-2196-005-00	3431	International Blvd.	1	3,200	\$	544.00
Almoraisi Jamal	033-2124-038-00	3432	International Blvd.	1	2,500	\$	425.00
Gaiatsos Family LLC	033-2196-006-00	3439-45	International Blvd.	1	2,500	\$	425.00
Hui Philip K & Peggy	033-2124-037-01	3444	International Blvd.	1	12,200	\$	2,074.00
Milgram Roman & Reznik Bella	033-2196-007-01	3451	International Blvd.	1	9,003	\$	1,530.51
Rocha Carlos	033-2124-036-00	3460-64	International Blvd.	1	3,927	\$	667.59
CITY OF OAKLAND	033-2130-035-02	3500-10	International Blvd.	1	3,800	\$	646.00
Tam George W & Margaret M	033-2197-001-00	3501-05	International Blvd.	1	5,200	\$	864.00
Barajas Jose A & Maria	033-2197-002-00	3509-11	International Blvd.	1	5,000	\$	850.00
Dominguez Hilda	033-2130-034-00	3512-14	International Blvd.	1	3,151	\$	535.67

Luong Mary	033-2130-033-00	3524	International Blvd.	1	6,301	\$ 1,071.17
Chin Howk H Wong Fei F	033-2197-004-00	3529-33	International Blvd.	1	6,375	\$ 1,083.75
Mok Wesley & Mee Y TRS	033-2130-032-00	3534	International Blvd.	1	3,151	\$ 535.67
Chan Chin T Kiu Chung K	033-2130-031-00	3538-42	International Blvd.	1	3,150	\$ 535.50
Slope John O & Helen S TRS	033-2197-005-00	3545	International Blvd.	1	7,183	\$ 1,221.11
Chun Grace W TR	033-2130-030-00	3546-50	International Blvd.	1	6,301	\$ 1,071.17
Jimenez Gisela	033-2132-027-00	3600-12	International Blvd.	1	10,283	\$ 1,748.11
Razi Abolghassem & Iran	033-2177-001-01	3609	International Blvd.	1	10,995	\$ 1,869.15
Schilling Harry C	033-2177-001-02	3617	International Blvd.	1	8,500	\$ 1,445.00
Chin Howk H Wong Fei F	033-2132-050-01	3618	International Blvd.	1	15,187	\$ 2,581.79
Lavilla Corp	033-2177-002-00	3625	International Blvd.	1	12,397	\$ 2,107.49
Ramos Francisco & Maria I	033-2132-049-00	3634-36	International Blvd.	1	3,220	\$ 547.40
Ramos Francisco & Isabel	033-2132-048-00	3642	International Blvd.	1	2,560	\$ 435.20
Esparza Hector & Maria	033-2132-047-00	3646-50	International Blvd.	1	3,200	\$ 544.00
Oakland Community Housing	033-2136-065-01	3700-24	International Blvd.	2	41,571	\$ 3,325.68
Ngai Hing L Chan Pui K	033-2158-001-00	3701	International Blvd.	1	5,000	\$ 850.00
Rios Refugio	033-2158-002-00	3715	International Blvd.	1	2,500	\$ 425.00
Nguyen Hung & Cathy	033-2158-003-00	3725	International Blvd.	1	2,500	\$ 425.00
Yee Kwok S & Puiwah W	033-2158-004-00	3729-31	International Blvd.	1	2,500	\$ 425.00
Equilon Enterprises LLC	033-2136-061-02	3736-58	International Blvd.	1	14,355	\$ 2,440.35
Fruitvale Investments LLC	033-2158-005-01	3751-59	International Blvd.	1	15,625	\$ 2,656.25
Gamez Rosendo & Rosa M	033-2138-018-01	3800-16	International Blvd.	1	9,800	\$ 1,666.00
Hernandez Rafael & Carmen	033-2157-001-00	3801	International Blvd.	1	6,875	\$ 1,168.75
San Hy X Tran Chau Y	033-2157-002-00	3815-23	International Blvd.	1	3,750	\$ 637.50
Chong Chi M & Joshua L	033-2157-003-00	3827-33	International Blvd.	1	3,750	\$ 637.50
Gamez Rosendo & Rosa M	033-2138-017-00	3828-30	International Blvd.	1	5,600	\$ 952.00
Gamez Rosendo & Rosa M	033-2138-016-00	3832-38	International Blvd.	1	4,200	\$ 714.00
Nevarez Guadalupe A	033-2138-015-00	3842-46	International Blvd.	1	6,300	\$ 1,071.00
Campos Jesus & Socorro	033-2138-014-00	3848-50	International Blvd.	1	1,750	\$ 297.50
Lee Don Y & Jeanette P TRS	033-2157-004-04	3851	International Blvd.	1	31,313	\$ 5,323.21
Campos Jesus & Socorro	033-2138-013-00	3860-72	International Blvd.	1	4,900	\$ 833.00
Campos Jesus & Socorro	033-2139-034-00	3900	International Blvd.	1	8,400	\$ 1,428.00
Alfonso Andrew & Joyce M	033-2156-001-00	3901	International Blvd.	1	5,500	\$ 935.00
Alfonso Andrew & Joyce M	033-2156-002-00	3905	International Blvd.	1	5,500	\$ 935.00
Campos Jesus & Socorro	033-2139-033-00	3914-30	International Blvd.	1	10,780	\$ 1,832.60
Alfonso Andrew & Joyce M	033-2156-003-00	3915	International Blvd.	1	3,000	\$ 510.00
Hausauer Ruben & Catherine	033-2156-004-01	3927	International Blvd.	1	21,799	\$ 3,705.83
Wong Kuok F Liu Chiung F	033-2139-032-00	3934	International Blvd.	1	8,553	\$ 1,454.01
Navarro Emilio	033-2139-031-00	3940	International Blvd.	1	2,990	\$ 508.30
Cortes Gregorio & Regina	033-2156-006-00	3947	International Blvd.	1	5,000	\$ 850.00
Navarro Emilio	033-2139-030-00	3958-62	International Blvd.	1	5,790	\$ 984.30
Day Douglas	033-2144-051-00	4000-06	International Blvd.	1	5,975	\$ 1,015.75

Torres Jose	033-2155-001-00	4001	International Blvd.	1	5,000	\$ 850.00
Aeco Management Enter	033-2144-050-00	4010-16	International Blvd.	1	7,225	\$ 1,228.25
Lee Peter J R & Sopiaea	033-2155-002-00	4011	International Blvd.	1	4,000	\$ 680.00
Barajas Jesus L & Paulina C	033-2155-003-00	4021	International Blvd.	1	5,000	\$ 850.00
Barajas Jesus L & Paulina C	033-2155-006-04	4021-23	International Blvd.	1	11,000	\$ 1,870.00
Aeco Mgmt Enterprises	033-2144-049-02	4028	International Blvd.	1	15,515	\$ 2,637.55
Au Mason M & Nanjoo	033-2144-049-04	4030-64	International Blvd.	1	33,623	\$ 5,715.91
Au Mason M & Nanjoo	033-2147-023-01	4100-22	International Blvd.	1	22,610	\$ 3,843.70
Smart Final Inc	033-2154-001-03	4117-29	International Blvd.	1	64,033	\$ 10,885.61
Guzman Benito & Emma	032-2088-007-00	1909	Rosedale Ave	2	5,346	\$ 427.68
					Total	\$ 324,713.72

Exhibit B
(to the resolution of intention to establish the Fruitvale PBID of 2006)

CITY OF OAKLAND
FRUITVALE PROPERTY BUSINESS IMPROVEMENT DISTRICT OF 2006
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 (PBID) of 2006, 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 18, 2006, AT 7:01 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)

XXXXXXX

NAME (PRINTED)

SIGNATURE

DATE