

APPROVED AS TO FORM AND LEGALITY

2023 APR 27 PM 3: 05

FILED
OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89735 C.M.S.

RESOLUTION 1) APPROVING THE CITY OF OAKLAND LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FISCAL YEAR 2023-2024 PRELIMINARY ENGINEER'S REPORT; 2) DECLARING THE INTENTION TO LEVY AND COLLECT THE ANNUAL LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT ASSESSMENT FOR FY 2023-2024; AND 3) SETTING JUNE 6, 2023 AT 4:00 P.M. AS THE DATE AND TIME FOR A PUBLIC HEARING

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

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

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

WHEREAS, on May 2, 2023, the City Council adopted a resolution initiating the Fiscal Year (FY) 2023-2024 LLAD assessment process and authorizing the City Administrator to order the Preliminary Engineer's Report; and

WHEREAS, the Preliminary Engineer's Report for the District, attached as Attachment A to the City Administrator's Report accompanying this resolution, includes a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments, and confirms the applicability of the existing assessment rates for fiscal year FY 2023-2024; and

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

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

WHEREAS, the City desires to levy and collect the FY 2023-2024 LLAD assessment for properties within the District boundaries; now, therefore, be it

RESOLVED: That the City Council hereby approves the FY 2023-2024 Preliminary Engineer's Report for the District, on file with the City Clerk's Office and attached as Attachment A to the City Administrator's Report accompanying this resolution, which describes the existing and proposed improvements and any substantial changes proposed to be made in existing improvements, for discussion purposes; and be it

FURTHER RESOLVED: That the existing boundaries of the LLAD remain the same as those described in the FY 2022-23 Engineer's Report confirmed by the City Council pursuant to Resolution No. 89194 C.M.S. on May 17, 2022; and be it

FURTHER RESOLVED: That the City Council hereby declares its intention to levy and collect assessments within the City of Oakland Landscaping and Lighting Assessment District for FY 2023-2024; and be it

FURTHER RESOLVED: That the assessment rates will remain the same as the FY 2022-23 assessment rates; and be it

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

FURTHER RESOLVED: That a public hearing is set for June 6, 2023 at 4:00 p.m., or as soon thereafter as the item may be heard, in the City Council Chambers, Oakland City Hall, One Frank H. Ogawa Plaza, Oakland, California or by teleconference as indicated on the City Council meeting agenda, in order for the City Council to hear and pass upon said reports, together with all objections and protests by property owners to be assessed, and take final action regarding the levying of the proposed FY 2023-2024 assessments for the District; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 16 2023

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:



ASHA REED

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