

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to form and legality

Oakland City Attorney's Office

2018 MAY -3 AM 9:43 OAKLAND CITY COUNCIL

RESOLUTION NO. **87206** C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR (1) TO SIGN THE BALLOT IN FAVOR OF THE FORMATION OF THE DOWNTOWN OAKLAND COMMUNITY BENEFIT DISTRICT 2018 ("DCBD 2018"); AND (2) TO PAY A CUMULATIVE FISCAL YEAR 2018-2019 FAIR SHARE ASSESSMENT IN AN APPROXIMATE AMOUNT OF \$188,716.34 FOR TWELVE (12) CITY-OWNED PROPERTIES ON WHICH ASSESSMENTS ARE TO BE LEVIED (1327 BROADWAY APN 002 009704500; 250 FRANK H OGAWA PLZ APN 003 006500902; CITY HALL PLZ APN 003 006700200; 1 FRANK H OGAWA PLZ APN 003 006700300; 1414 CLAY ST (GARAGE) APN 003 006700400; 150 FRANK H OGAWA PLZ APN 008 061900801; 524 16TH ST APN 008 062000903; 540 17TH ST (OAKLAND ICE CENTER) APN 008 064100805; 620 WASHINGTON ST APN 001 019900100; CLAY ST APN 002 009800100; 11TH ST (T 5/6 DEVELOPMENT SITE) APN 002 009703900; 11TH ST (T 5/6 DEVELOPMENT SITE) APN 002 009704000) IF THE DCBD 2018 IS ESTABLISHED.**

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**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 Downtown Oakland district (generally the core of the downtown Oakland area along the Broadway corridor between 8<sup>th</sup> and 17<sup>th</sup> Streets as well as the Webster Street corridor from 12<sup>th</sup> to 17<sup>th</sup> Streets, west to Martin Luther King Jr. Way between 9<sup>th</sup> and 14<sup>th</sup> Streets and south along Broadway from 8<sup>th</sup> to 6<sup>th</sup> Streets) have circulated a Petition to form the Downtown Oakland Community Benefit District 2018 (hereinafter "District") to undertake the Management District Plan for the Downtown Oakland Community Benefit District 2018 (hereinafter "Plan"); and

**WHEREAS**, if the Petition in support of formation of the District is signed by more than 30 percent of the weighted value of the assessments that would be

imposed on properties within the proposed District, then the City may adopt a Resolution of Intention and cause ballots to be distributed to all property owners within the boundaries of the proposed District; through such ballots, votes in favor of or against the formation of the proposed District may be cast by the affected property owners, and such ballots will be tabulated at a public hearing, and

**WHEREAS**, concurrently with this proposed resolution, the Council is considering the passage of a Resolution of Intention to form the District; and

**WHEREAS**, the proposed District includes twelve (12) City-owned properties on which assessments are to be levied (1327 Broadway APN 002 009704500; 250 Frank H Ogawa Plz APN 003 006500902; City Hall Plz APN 003 006700200; 1 Frank H Ogawa Plz APN 003 006700300; 1414 Clay St (Garage) APN 003 006700400; 150 Frank H Ogawa Plz APN 008 061900801; 524 16th St APN 008 062000903; 540 17th St (Oakland Ice Center) APN 008 064100805; 620 Washington St APN 001 019900100; Clay St APN 002 009800100; 11th St (T 5/6 Development Site) APN 002 009703900; 11th St (T 5/6 Development Site) APN 002 009704000) which gives the City the right to sign the ballots in support of District formation (the "Ballots"); and

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**WHEREAS**, this resolution will authorize the City Administrator to sign the Ballots 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 cumulative maximum total assessment amount over the ten-year life of the district for the twelve (12) City-owned properties on which assessments are to be levied (1327 Broadway APN 002 009704500; 250 Frank H Ogawa Plz APN 003 006500902; City Hall Plz APN 003 006700200; 1 Frank H Ogawa Plz APN 003 006700300; 1414 Clay St (Garage) APN 003 006700400; 150 Frank H Ogawa Plz APN 008 061900801; 524 16th St APN 008 062000903; 540 17th St (Oakland Ice Center) APN 008 064100805; 620 Washington St APN 001 019900100; Clay St APN 002 009800100; 11th St (T 5/6 Development Site) APN 002 009703900; 11th St (T 5/6 Development Site) APN 002 009704000)) is approximately \$2,373,653.84; and

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**WHEREAS**, funds to pay the FY 2018-2019 assessment will be budgeted as follows:

For APN:	Fund Source Coding Block	Amount
003 006500902; 003 006700200; 003 006700300; 003 006700400; 008 061900801; 001 019900100; 002 009800100; 002 009703900; 002 009704000	General Purpose Fund (1010)/Citywide Activities Organization (90591)/Taxes and Assessments (53511)/Business Improvement District Project (1000147)/IP50	\$157,238.34
002 009704500; 008 062000903	Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments (53511)/Downtown Capital Project (1000169)/SC13	\$ 6,010.00
008 064100805	Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments (53511)/Oakland Ice Center Project (1003244)/SC13	\$ 25,468.60
	<b>Total FY 2018-2019 DCBD 2018 City Assessment Amount</b>	<b>\$188,716.94</b>

; 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 (1) to execute the ballots in favor of the formation of the Downtown Oakland Community Benefit District 2018 and (2) to pay the FY 2018-2019 cumulative fair share assessment for twelve (12) City-owned properties on which assessments are to be levied (1327 Broadway APN 002 009704500; 250 Frank H Ogawa Plz APN 003 006500902; City Hall Plz APN 003 006700200; 1 Frank H Ogawa Plz APN 003 006700300; 1414 Clay St (Garage) APN 003 006700400; 150 Frank H Ogawa Plz APN 008 061900801; 524 16th St APN 008 062000903; 540 17th St (Oakland Ice Center) APN 008 064100805; 620 Washington St APN 001 019900100; Clay St APN 002 009800100; 11th St (T 5/6 Development Site) APN 002 009703900; 11th St (T 5/6 Development Site) APN 002 009704000)) in an approximate amount of \$188,716.34 from the General Purpose Fund (1010)/Citywide Activities Organization (90591)/Taxes and Assessments (53511)/Business Improvement District Project (1000147)/IP50 and the Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments (53511)/ Downtown Capital Project (1000169)/SC13 and the Central District Projects Fund (5610)/Central District Redevelopment Organization (85245)/Taxes and Assessments

(53511)/Oakland Ice Center Project (1003244)/SC13 as more specifically described in the recitals above.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 15, 2018.

**PASSED BY THE FOLLOWING VOTE:**

AYES- ~~BRADY, TAYLOR, GIBSON, MCELHANEY, KALB, KAPLAN, BROWN, HANSEN, HARRIS, JONES, LEE, MCDONALD, MURPHY, NICHOLS, PATE, RAY, SANCHEZ, SIMMONS, TAYLOR, WASHINGTON, WILSON, YOUNG, ZIMMERMAN~~ Guillen, Campbell Washington - 5

NOES- 0

ABSENT- 2 Brooks, Gallo

ABSTENTION- 0

1 Excused - Reid

ATTEST:

  
LATONDA SIMMONS

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