

CITY ATTORNEY'S  
IMPARTIAL ANALYSIS

13 AUG 15 PM 3: 05

CITY OF OAKLAND  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(WILDFIRE PREVENTION DISTRICT)

On August 2, 2013, the City Council of the City of Oakland ("City") established its "City of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District)" ("District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (California Gov. Code Section 53311 et seq.) ("Mello-Roos Act"). As authorized by the Mello Roos Act, the purpose of the District is to finance services intended to prevent wildfires and the spread of fire. The Mello-Roos Act authorizes the levy of special taxes in a community facilities district to finance "fire protection and suppression services," including fire prevention services. The District services enumerated by this ballot measure are: goat grazing, property owner incentives and chipping, vegetation management, contract and finance management support for grant applications and vegetation management projects, roving fire patrols, seasonal support to residents, and public outreach.

Beginning July 1, 2014, the District will finance services previously financed by the City's Wildfire Prevention Assessment District ("WPAD"), which began July 1, 2004 and continues through June 30, 2014.

This ballot measure:

(i) authorizes the City to levy a special tax on taxable property within the District, commencing in the fiscal year beginning July 1, 2014 and continuing through the fiscal year ending June 30, 2024, to pay for the services and the costs of the City in establishing and administering the District; and

(ii) establishes an annual appropriations limit for the District of \$3,000,000.

The qualified electors in this election are the registered voters in the District. This measure must be approved by at least two-thirds of the votes cast.

If the measure is approved, each taxable parcel within the District would be subject to one of the following annual maximum special tax rates according to the Rate and Method of Apportionment of Special Taxes ("Rate and Method") in City Council Resolution No. 84594 ("Resolution"):


Classification	Maximum Special Tax
Condominium Parcel	\$58.50 per Parcel
Multi-Family Parcel	\$58.50 per Unit
Undeveloped Parcel	\$39.00 per Parcel

The City would record in the real property records of Alameda County a notice of special tax lien, and a continuing lien to secure the levy of the special tax would attach to all taxable property in the District.

The City Council has adopted the following accountability measures: (a) a public statement indicating the specific purposes of the tax; (b) the proceeds will be applied only to the specific purposes identified; (c) tax proceeds will be deposited into special account(s) or funds(s); (d) citizen oversight of the District; and (e) an annual audit and report of the District.

The Resolution contains a complete description of the boundaries of the District, the nature of the services to be financed by the District, and the Rate and Method.

*The above statement is an impartial analysis of the Resolution and Measure \_\_\_\_\_. If you desire a copy of the Resolution, please call the City Clerk's office at (510) 238-3122 and a copy will be mailed at no cost to you.*

  
Barbara J. Parker  
City Attorney

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CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE \_\_

**Title:**

Ballot Measure Authorizing the Levy of a Special Tax in the City of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District) to Pay for Fire Prevention Services in the District and Establishing an Appropriations Limit for the District

On August 2, 2013, the City Council of the City of Oakland ("City") established its "City of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention District)" ("District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (California Gov. Code Section 53311 et seq.).

If the measure is approved, commencing in the fiscal year beginning July 1, 2014 and continuing through the fiscal year ending June 30, 2024, the City would levy special taxes on taxable property in the District to pay for specific public services that are intended to prevent wildfires and the spread of fire and the costs of establishing and administering the District. Each taxable parcel within the District would be subject to one of the following annual maximum special tax rates:

<b>Classification</b>	<b>Maximum Special Tax</b>
Condominium Parcel	\$58.50 per Parcel
Multi-Family Parcel	\$58.50 per Unit
Undeveloped Parcel	\$39.00 per Parcel
Other Parcel	\$78.00 per Parcel

The ballot measure would establish an appropriations limit of \$3,000,000 for the District.

The City Council has adopted the following accountability measures with respect to the District: (a) a public statement indicating the specific purposes of the tax; (b) the proceeds will be applied only to the specific purposes identified; (c) there will be created special account(s) or funds(s) into which the special tax proceeds will be deposited; (d) there will be citizen oversight of the District; and (e) the City will prepare an annual audit and report of the District.