



May 20, 2014

City of Oakland
Attention: City Clerk's Office - Public Records Request
1 Frank H Ogawa Plaza
Oakland, CA 94612

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2014 MAY 27 AM 8:45

SUBJECT: California Public Records Act Request

To Whom it May Concern:

Pursuant to the California Public Records Act (Government Code Section 6250 et seq.), I am requesting additional information about the following property-related levies:

- C.F.D. 2003-1, Werner Ct.
- C.F.D., Rockridge Library (Measure L)

The levy information was obtained from the Alameda County Auditor-Controller. A levy typically appears on a property owner's property tax bill and is in addition to *ad valorem* property taxes. The auditor did not indicate whether the above levies were approved by voters in an election, nor when the levies were imposed. Please notify me if a levy is no longer imposed. For the levies identified above, I am interested in obtaining the following:

- If the levy was put to a vote before the property owners or a vote of the public, I am requesting: 1) the ballot question, 2) the complete language of the measure (which specifies how the levy is imposed and who shall pay the levy); 3) the results of the election; and 4) the most recent estimate of how much revenue is generated.
- If the levy was not submitted to a vote, I am looking to obtain a copy of: 1) the governing board's (ie a City Council, Board of Directors, or County Board of Supervisors) resolution authorizing the levy (which specifies how the levy is imposed); and 2) the most recent estimate of how much revenue is generated.
- If a levy was put to a vote before the property owners or a vote of the public pursuant to the Mello-Roos Act, I am requesting the following: 1) a sample of the ballot (I do not require a copy of every ballot, nor am I requesting names of property owners); 2) the complete language of the measure and/or formation of the Community Facilities District,

which specifies the assessment rate; 3) the certified election results; 4) the most recent estimate of how much revenue is generated from the levy.

- If the levy has a related Engineer's Report, I am requesting a copy of the most recent report.

To help you understand what I am looking for, a number of districts levy an assessment on property owners to fund a specific government program or service. These assessments may include special taxes (as defined by Articles XIII A, XIII C and XIII D of the California Constitution – Propositions 13, 62, 218 and 26), as well as property-related assessments subject to Article XIII C and XIII D of the California Constitution (Propositions 218 and 26). In many cases, local governments throughout California have either submitted assessments to a vote of the public or property owners; or imposed an assessment by a vote of the district's governing board.

I ask for a determination on how long it will take to comply with this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the records in question. If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. If you need more than 10 days to comply with my records request, please notify me of the estimated timeframe with which you can comply.

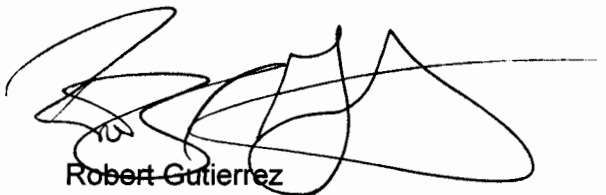
If I can provide any clarification that will help expedite your attention to my request, please contact me at 916-930-3102 or rob@caltax.org.

While I would prefer electronic copies be sent to rob@caltax.org, if that cannot be provided, hard copies of the requested materials may sent to the address below or faxed to 916-441-1619:

California Tax Foundation
Attention: Robert Gutierrez
1215 K Street, Suite 1250
Sacramento, CA 95814

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Gutierrez', with a large, sweeping flourish extending to the right.

Robert Gutierrez
Director, California Tax Foundation