

# OAKLAND CITY COUNCIL

RESOLUTION NO. **77640** C. M. S. FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

03 JAN 15 AM 9:05

**Resolution Authorizing the City Manager to Amend, Renew, and Execute the Contract with Francisco & Associates, Inc. for an Amount Not to Exceed \$127,000 to Perform Engineering Services For The Landscaping And Lighting Assessment District, The Emergency Services Retention Act Of 1997 (Measure M), The Paramedic Services Act Of 1997 (Measure N), The Library Services Retention And Enhancement Act Of 1994 (Measure O), And The Rockridge Library Community Facilities District Of 1992 for Fiscal Years 2003-04 and 2004-05**

WHEREAS, the City Council approved the Landscaping and Lighting Assessment District in 1989, the Emergency Services Retention Act of 1997 (Measure M), the Paramedic Services Act of 1997 (Measure N), the Library Services Retention and Enhancement Act of 1994 (Measure O), and the Rockridge Community Facilities District ("Districts"); and

WHEREAS, a professional engineer must be retained to delineate the parcels, included within the boundaries of the Districts, to determine the land uses and assessment rates for each parcel in order to develop the Assessment Roll annually for the County Assessor, and to assist with any informational requests required by the City relating to the Districts; and

WHEREAS, it is in the City's best interest to continue to utilize a consulting assessment engineer who can provide a perspective based on impartial engineering judgment, who can represent an interest not associated with the City or the affected property owner, and who possesses expertise not currently resident within the existing City staff; and

WHEREAS, Francisco & Associates, Inc. has done a commendable job as the District Engineer for the Districts over the past two fiscal years; and

WHEREAS, City staff has identified a need to audit and reassess the City's non-residential assessable parcels for the L.L.A.D. because the assessment calculation is currently inconsistent and has not been audited since it's inception; and

WHEREAS, Francisco & Associates, Inc. can provide the requisite data in the shortest amount of time and at the least cost, given their familiarity with the data; and

WHEREAS, Francisco & Associates, Inc. has made a documented effort to meet the City's small/local business requirements and the other performance requirements outlined in the Request for Proposals notice issued by the City in FY 2000-2001; and

WHEREAS, Francisco & Associates, Inc. is agreeable to a contract under the terms and conditions agreeable to the City; and

WHEREAS, engineering services are required immediately to develop the Fiscal Year 2003-2004 Annual Report for the Landscaping and Lighting Assessment District and to respond to requests relative to the other named Districts; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oakland that the City desires to continue with the Districts; and

BE IT FURTHER RESOLVED that the City Manager is authorized as follows:

1. To amend, renew, and execute a contract with Francisco & Associates, Inc. to perform the engineering services for the Landscaping and Lighting Assessment District, Emergency Services Retention Act of 1997 (Measure M), Paramedic Services Act of 1997 (Measure N), Library Services Retention and Enhancement Act of 1994 (Measure O), and Rockridge Library Community Facilities District for Fiscal Years 2003-04 and 2004-05.
2. To include in the contract scope a one-time audit and reassessment of non-residential assessable parcels for the Landscaping and Lighting Assessment District.
3. To execute the contract for the period of January 1, 2003 through December 31, 2004 for a total contract amount not to exceed \$127,000, comprised of a base fee of \$46,000 per fiscal year, a maximum of \$2,500 for out-of-pocket expenses per fiscal year, and a one-time fee of \$30,000 for an audit and reassessment of non-residential assessable parcels for the Landscaping and Lighting Assessment District.
4. To designate Francisco & Associates, Inc. as the District Engineer for the Landscaping and Lighting Assessment District; and

BE IT FURTHER RESOLVED THAT, Francisco & Associates is hereby directed to file an annual report for the Landscaping and Lighting Assessment District with the City Clerk in accordance with the provisions of the Landscaping and Lighting Act of 1972, specifically Section 22622 of the California Streets and Highways Code.

IN COUNCIL, OAKLAND, CALIFORNIA

**FEB 11 2003**

PASSED BY THE FOLLOWING VOTE:

AYES--- **BROOKS, BRUNNER, CHANG,**  
**NADEL, REID, QUAN, WAN**  
NOES--- ☒ **AND PRESIDENT DE LA FUENTE - 8**  
ABSENT--- ☒  
ABSTENTION--- ☒

ATTEST:



**CEDA FLOYD**

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