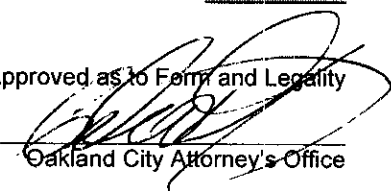


REVISED

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 80777 C.M.S.

INTRODUCED BY COUNCILMEMBER JEAN QUAN

RESOLUTION ESTABLISHING RULES AND REPORTING REQUIREMENTS TO ENHANCE FISCAL ACCOUNTABILITY AND TRANSPARENCY AS FOLLOWS:

- (1) POLICY AND RULES REGARDING SUBSTANTIAL OR MATERIAL ALTERATION OF FUNDING ALLOCATIONS IN A POLICY BUDGET, AND A POLICY REGARDING THE TRANSFER OF FUNDS BUDGETED TO PERSONNEL ACCOUNTS; AND**
- (2) POLICY AND RULES FOR PAY-GO ACCOUNT EXPENDITURES AND GRANTS ~~AND PRIORITY PROJECT FUND EXPENDITURES AND GRANTS; AND~~**
- (3) POLICY AND RULES FOR PRIORITY PROJECT FUND EXPENDITURES AND GRANTS; AND**
- (43) ANNUAL REPORTING OF ALL EVENT TABLES PURCHASED BY THE CITY OF OAKLAND; AND**
- (54) ANNUAL REPORTING OF ALL CITY OF OAKLAND-FUNDED TRAVEL EXPENDITURES**

WHEREAS, the City Council wishes to establish several rules and reporting requirements to enhance fiscal accountability and transparency in use of public funds; and

WHEREAS, the City Council wishes to establish 1) a general policy regarding changes in allocations made by the City Council in a bi-annual or mid-cycle Policy Budget, and 2) a clear policy regarding the transfer of funds budgeted for personnel that would generally restrict such fund transfers to five percent (5%), and 3) to allow for transfer of funds from personnel accounts to pay for temporary personnel during a budget cycle; and

WHEREAS, the City Council wishes to establish a policy and criteria for Pay-go and ~~Project Priority~~ funds to facilitate and support projects and programs that are in the public interest and that benefit the community, specifically, City, school and other public entity capital improvements and programs; and

WHEREAS, the City Council wishes to make Event Tables purchased by the City of Oakland known to the public by establishing an annual reporting requirement; and

WHEREAS, the City Council wishes to make travel expenditures for trips paid for by the City of Oakland that involve airline transportation or lodging known to the public by establishing an annual reporting requirement; now, therefore, be it

RESOLVED: That the City Council hereby directs the City Administrator to implement the following polices and rules:

1. Substantial Or Material Alteration Of Funding Allocations In A Policy Budget, And Transfer Of Funds Budgeted To Personnel Accounts.

The City Administrator must obtain approval from the City Council before he/she (1) substantially or materially alters the relative agency¹ allocations of funding set out in a Policy Budget, (2) substantially or materially changes the levels of service expressly prioritized and funded by a Policy Budget, including but not limited to layoffs and/or freezes that would substantially or materially (a) change levels of service or (b) affect programs, or (3) eliminates or suspends entirely programs funded by a Policy Budget; and

The City Council hereby directs the City Administrator to obtain review and approval of the full City Council prior to approving any transfer of funds previously allocated by the City Council to personnel accounts to a non-personnel or operations and maintenance account when single or cumulative transfers within a one-year budget cycle exceed five percent (5%) of the original adopted personnel allocation for any given agency or department for all funds; and

The restriction on transfer of personnel funds established herein shall apply to any and all proposed transfers of such funds, with the exception of transfers between personnel accounts (51xxx) and the Temporary Personnel Services Account (54811) which shall not be restricted or included in the 5% calculation in order to make personnel funds available for use in paying for backfill vacancies with temporary personnel until such vacancies can be filled permanently; and

2. ~~Pay-Go Account Expenditures And Grants; Priority Project Fund Expenditure And Grant Approval~~

The City Council hereby finds and determines that it is in the City's interest, the public interest and to the betterment of Oakland businesses, residents and the community to spend Pay-go account funds to facilitate or support programs operated by the City of Oakland or capital improvements projects of the City of Oakland, and programs operated by public schools and other public entities within the City of Oakland and capital improvement projects of the Oakland Unified School District and of other public entities within the City of Oakland; and

The City Council hereby authorizes Pay-go account funds to be used for the following purposes:

Capital Improvements:

¹ For the purposes of this resolution, departments that do not fall within an agency are considered to be separate agencies

- a) To pay for or augment funding for a City of Oakland capital improvement project including planning and pre-construction services for projects such as, but not limited to, feasibility studies and design, landscaping, architectural and engineering services and all services and materials needed to construct a capital improvements such as, but not limited to, contractor services, lumber, concrete, gravel, plants and other landscape materials, fountains, benches, banners, signs, affixed artwork and any other design and decorative elements of the project; and
- b) To provide a grant to a public school, including a school chartered by the State of California or Oakland Unified School District, or other public entity for use on a capital improvement project within the City of Oakland, including planning and pre-construction services for projects such as, but not limited to, feasibility studies and design, landscaping, architectural and engineering services and all services and materials needed to construct a capital improvements such as, but not limited to, contractor services, lumber, concrete, gravel, plants and other landscape materials, fountains, benches, banners, signs, affixed artwork and any other design and decorative elements of the project; and

Furniture, Equipment:

- c) To pay for or augment funding for purchase of furniture and equipment, including computer equipment and software, to be used by participants in a program operated by the City of Oakland; and
- d) To provide a grant to a public school, including a school chartered by the State of California or Oakland Unified School District, or another public entity to be used for furniture and equipment, including computer equipment and software, to be used by participants in a program operated by the public school or public entity; and

Pay-go purposes stated above shall operate as restrictions on Pay-go expenditures or Pay-go grants, regardless of the Pay-go account funding source; and

Pay-go purposes stated above shall apply to any and all Pay-go expenditures or grants made by the Mayor and each City Councilmember; and

All Pay-go expenditures and grants shall be administered by the City Administrator on behalf of the city, and grant agreements shall be required for all such grants; and

3. Priority Project Fund Expenditure And Grant Approval

In accord with the City Council's motion approving the initial allocation of Councilmember Priority Project funds on June 8, 2006, the City Councilmembers must obtain City Council approval for all Priority Project expenditures; and

~~All Priority Project fund grants approved by the City Council and all Pay-go expenditures or grants shall be administered and executed by the City Administrator on behalf of the city, and grant agreements shall be required for all such grants; and~~

43. Annual Reporting of All Event Tables Purchased By the City of Oakland

The City Administrator shall publish an annual report, in September of each year, of all Event Tables purchased by the City of Oakland during the prior year; and

54. Annual Reporting Of All City Of Oakland-Funded Travel Expenditures

The City Administrator shall publish an annual report, in September of each year, of all travel expenses for trips involving airline transportation or lodging paid for by the City of Oakland during the prior year; and

The annual travel expense report for trips involving airline transportation or lodging shall include all travel costs paid by the City for such trips, including the purposes of the travel or names of the event, the dates of travel and transportation, lodging and meal costs.

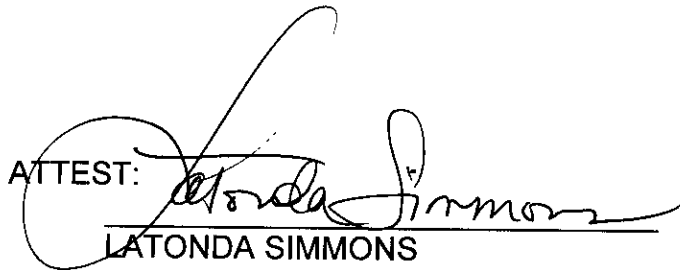
IN COUNCIL, OAKLAND, CALIFORNIA, **JUL 17 2007**

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID,
CHANG, AND PRESIDENT DE LA FUENTE - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:



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