

CITY OF OAKLAND



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April 19, 2005

Honorable City Council  
Oakland, California

City Council President Ignacio de la Fuente and Members of the City Council:

Subject: **Resolution Suspending the Living Wage Requirements for the East Bay Zoological Society Until July 1, 2005**

**Background**

At its April 5, 2005, meeting, the City Council passed a motion to suspend the application of the Living Wage Ordinance to the East Bay Zoological Society until July 1, 2005. The City Attorney's Office advised that a resolution incorporating findings was necessary.

Under Oakland Municipal Code section 2.28.080 (B), the City Council may grant a waiver only "upon a finding and determination that the [recipient of City financial assistance] has demonstrated economic hardship and that waiver will further the interests of the city in providing training positions which will enable employees to advance into permanent living wage jobs or better. No waiver will be granted if the effect of the waiver is to replace or displace existing positions or employees or to lower the wages of current employees."

**Recommendation**

The resolution is attached.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John A. Russo for".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Mark Morodomi

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

FILED  
OFFICE OF THE CITY ATTORNEY  
Approved as to form and legality  
*[Signature]*  
05 APR -7 PM 2:08  
CITY ATTORNEY

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION SUSPENDING THE LIVING WAGE REQUIREMENTS FOR THE EAST BAY ZOOLOGICAL SOCIETY UNTIL JULY 1, 2005**

WHEREAS, the East Bay Zoological Society contends that is unable to pay all or part of the living wage until July 1, 2005;

WHEREAS, on April 6, 2005, the City Council heard speakers on the hardship the East Bay Zoological Society would incur if the Living Wage Ordinance were imposed immediately upon the organization;

WHEREAS, the East Bay Zoological Society submitted a letter to the City Council describing the society's hardship;

WHEREAS, the City Council passed a motion expressing its intent to suspend for the East Bay Zoological Society living wage until July 1, 2005.

RESOLVED, That the City Council hereby finds and determines that that the East Bay Zoological Society has demonstrated economic hardship and that waiver will further the interests of the city in providing training positions which will enable employees to advance into permanent living wage jobs or better.

FURTHER RESOLVED, The City Council grants waiver to the East Bay Zoological Society of the Living Wage requirements until July 1, 2005.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

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

Attest: \_\_\_\_\_

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