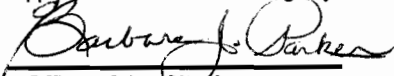


FILED
OFFICE OF THE CITY CLERK
OAKLAND
OAKLAND CITY COUNCIL
10 JUN 21 PM 2:26

Approved as to Form and Legality


Office of the City Attorney

RESOLUTION No. 82848 C.M.S.

A Resolution Declining to Accept the Public Ethics Commission-Approved 1.7% Increase in the Salary for the Office of Councilmember

Whereas, City Charter section 202(C) mandates that the Public Ethics Commission annually adjust the salary for the Office of Councilmember by the increase in the consumer price index over the preceding year; and

Whereas, City Charter section 202 (C) further authorizes the Public Ethics Commission to increase salaries beyond the increase in the consumer price index up to a total of five percent; and

Whereas, in accordance with its powers and duties under the City Charter, the Public Ethics Commission has increased the salary for the Office of Councilmember by 1.7% effective July 1, 2010 [? Is this correct?]; and

Whereas, in light of the City Charter mandate, each Councilmember will receive the 1.7% salary increase unless he/she advises the City Administrator that he/she declines to accept the increase; and

Whereas, in light of the City Charter mandate, the Council as a body cannot by motion, resolution or ordinance compel individual Councilmembers to decline the salary increase; and

Whereas, given the economic downturn, and recession that have caused significant budget deficits for the City of Oakland requiring layoffs, reductions in compensation for City employees, cuts in programs and services and City shutdown days to balance the budget, a number of City Councilmembers have expressed their desire to decline to accept the 1.7% salary increase and the City Council believes it is in the best interest of the City for Councilmembers to decline to accept the salary increase; now therefore be it

RESOLVED: That the City Council finds and determines as a matter of policy that it is in the best interest of the City for Councilmembers to decline to accept the 1.7% salary increase that the Public Ethics Commission approved to take effect July 1, 2010 [?]; and be it

FURTHER RESOLVED: That an affirmative vote on this resolution serves as notice to the City Administrator of such Councilmember's decision to decline to accept the 1.7% salary increase; and be it

FURTHER RESOLVED: That in accordance with City Charter section 202(C), the

salary of each Councilmember who votes against the resolution shall be adjusted by the 1.7% salary increase that the Public Ethics Commission approved unless and until such Councilmember submits a writing to the City Administrator declining to accept the 1.7% salary increase; and be it

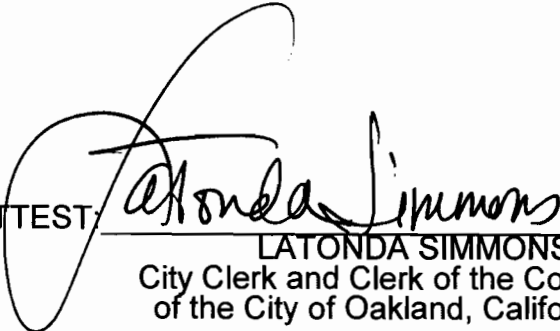
FURTHER RESOLVED: That the salary of any Councilmember who is absent or who abstains from voting on this Resolution will be adjusted by the 1.7% salary increase unless and until such Councilmember submits a writing to the City Administrator declining to accept the 1.7% salary increase.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 24 2010, 2009

PASSED BY THE FOLLOWING VOTE:

BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

AYES- 8
NOES- 0
ABSENT- 0
ABSTENTION- 0

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