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November 3, 2003

Mayor Jerry Brown, President Ignacio De La Fuente,  
and Members of the City Council  
City of Oakland  
One Frank Ogawa Plaza, 3rd Floor  
Oakland, CA 94612

**Re: "Measure X" Limited Charter Review Committee**

Dear Mayor and Councilmembers:

I have reviewed the draft language for a ballot measure based on the Measure X Limited Charter Review Committee Report, and I think there are several errors in interpreting our Report. The following are the corrections I would suggest to conform to our Committee recommendations (references are to the Staff Memo and the Charter Sections):

1. Memo p. 6 at top re Dept. Heads /p. 11 /Charter S.503: The new last line should read: The Mayor must confirm the hiring and removal of all directors and heads of departments appointed or removed by the City Administrator.
2. Memo p. 7 at top/S.601: to avoid confusion, I think the last clause should read " a seat filled by a holdover appointment will be considered vacant as of the expiration of the holdover's appointed term of office"
3. Memo p 7 B.2. /Charter S.202(c): Should read: "Beginning with Fiscal Year 2003-2004. the Public Ethics Commission shall annually adjust the salary for the office of Councilmember by the increase in the consumer price index over the preceding year. The Commission may make further salary adjustments beyond the increase in the consumer price index up to a total of five percent. Any portion of an increase in compensation for the office of Councilmember that would result in an overall increase for that year in excess of five percent must be approved by the voters.
4. Memo p. 8 E./Charter S.305(a): A new provision which reads: The Mayor shall be responsible for the submission of an annual budget to the Council which shall be prepared by the City Administrator under the direction of the Mayor and Council. The Mayor shall, at the

Mr. Jerry Brown  
Ignacio De La Fuente  
November 3, 2003  
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WENDEL, ROSEN, BLACK & DEAN, LLP

**Attachment B**

time of the submission of budget, personally present to the Council a general statement of the conditions of the affairs of the City, the goals of the administration, and recommendations of such measures as the Mayor may deem expedient and proper to accomplish such goals.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN, LLP

R. Zachary Wasserman

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**ORA/COUNCIL**  
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