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OAKLAND

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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 83737 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PRO TEM IGNACIO DE LA FUENTE

RESOLUTION CONFIRMING RE-APPOINTMENT OF BRUCE NYE TO THE BUDGET ADVISORY COMMITTEE

WHEREAS, Ordinance No. 74826 C.M.S. creates the Budget Advisory Commission; and

WHEREAS, appointments to the City's Boards and Commissions, including the Budget Advisory Committee, are governed by Section 601 of the Oakland City Charter; and

WHEREAS, the Budget Advisory Committee consists of 15 members, one (1) apiece recommended by each of the eight City Councilmembers, one (1) appointed by the Mayor to act as Chairperson, three (3) appointed by the Mayor from a list of 12 recommendations from the Chamber of Commerce, two (2) recommended by the Chairperson of the Finance and Management Committee, and one (1) recommended by the Chairperson of the Community and Economic Committee, each serving no more than two consecutive two-year terms and each subject to the approval of the City Council; and

WHEREAS, Section 601 states that Members of boards and commissions shall be appointed by the Mayor subject to confirmation by the Council, however, if the Mayor does not submit for confirmation a candidate to fill the vacancy within 90 days of the date the vacancy first occurred, the Council may fill the vacancy; and for purposes of this Section, a seat filled by a holdover appointment will be considered vacant as of the expiration of the holdover's prior term of office; and

WHEREAS, Bruce Nye was appointed to the Budget Advisory Board as the Representative of the Finance and Management Committee Chair for the term beginning on May 26, 2009 and ending on May 25, 2011, thereby creating a vacancy; and

WHEREAS, the Mayor has failed to submit a candidate to fill the Finance and Management Committee Chair Representative seat vacancy and it has been well over 90 days since the vacancy first occurred on May 25, 2011 and, accordingly, pursuant to Section 601, Council President Pro Tem Ignacio De La Fuente hereby nominates Bruce Nye to be re-appointed to the Budget Advisory Committee to the seat he previously held, one of the Representatives of the Finance and Management Committee; now, therefore, be it

RESOLVED: That pursuant to City Charter section 601 and on the nomination of Council President Pro Tem Ignacio De La Fuente, the City Council hereby re-appoints Bruce Nye to the Budget Advisory Committee, one of the Representatives of the Finance and Management Committee, to serve the term beginning May 26, 2011 and ending May 25, 2013, filling the seat he previously held.

IN COUNCIL, OAKLAND, CALIFORNIA,
PASSED BY THE FOLLOWING VOTE:

MAR 6 2012

AYES - ~~XXXXXXXX~~, KERNIGHAN, NADEL, SCHAAF, DE LA FUENTE, BROOKS,
~~KAPLAN~~ AND PRESIDENT REID - 6

NOES - 0

ABSTENTIONS - 0

ABSENT - Kaplan, Brunner - 2

ATTEST:


LATONDA SIMMONS

City Clerk and Clerk of the Oakland City Council