

OAKLAND CITY COUNCIL

2005 JUL -7 PM 5:28

RESOLUTION No. 79396 C.M.S.



RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SIGN AN *AMICUS* BRIEF SUBMITTED BY THE CITY OF SAN FRANCISCO IN SUPPORT OF THE *COUNCIL OF THE CITY OF NEW YORK V. BLOOMBERG* IN AN ACTION TO DETERMINE THE ENFORCEABILITY OF THE NEW YORK CITY EQUAL BENEFITS LAW, NEW YORK COURT OF APPEALS, COUNTY CLERK'S INDEX NO. 115214/04

WHEREAS, on December 18, 2001 the City Council unanimously passed Ordinance No. 12394, creating a new Oakland Municipal Code Chapter 2.32, "Equal Benefits Ordinance," and

WHEREAS, the City's Equal Benefits Ordinance prohibits discrimination based on marital status and/or sexual orientation, and

WHEREAS, the City's Equal Benefits Ordinance expresses City policy requiring City contractors to equalize the total compensation between similarly situated employees with spouses and employees with domestic partners, and

WHEREAS, the City's Equal Benefits Ordinance was modeled on that of the City of San Francisco, and

WHEREAS, Oakland Municipal Code Chapter 2.32 prohibits City contractors from discrimination in the provision of benefits between similarly situated employees with spouses and employees with domestic partners, and

WHEREAS, the City of San Francisco's Human Rights Commission has requested that the City of Oakland sign the *amicus* brief to be submitted by San Francisco in *Council of the City of New York v. Bloomberg*, in which the New York Court of Appeals will determine the enforceability of the New York City Equal Benefits Law, a law that is fully congruent with the City's Equal Benefits Ordinance, now therefore be it

RESOLVED: that the City Attorney, on behalf of the City of Oakland, is authorized to sign the *amicus* brief submitted by the City of San Francisco, in support of *Council of the City of New York v. Bloomberg*, New York Court of Appeals, Clerk's Index No. 115214/04.

JUL 19 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, REID, QUAN, AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- BRUNNER - 1

ABSTENTION- 0

Attest:



LATONDA SIMMONS
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA