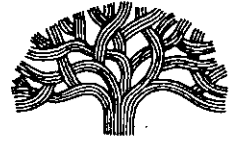


FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND



2009 SEP 10 PM 3:19

CITY HALL • ONE FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Clerk
City Clerk and Clerk of the Council

(510) 238-3611
FAX (510) 238-6699
TDD: (510) 839-6451

September 22, 2009

Honorable President De La Fuente and
Members of the City Council
City Hall
Oakland, CA 94612

Honorable President De La Fuente and Members of the City Council:

Subject: **Resolution Declaring The Results Of The Special Municipal Vote By
Mail Election Held On Tuesday, July 21, 2009**

Attached please find a resolution prepared for your consideration and adoption relating to the 2009 Special Municipal Vote By Mail Election. The resolution declares the final official results of the Special Municipal Vote By Mail Election held on Tuesday, July 21, 2009.

The resolution has been reviewed and approved as to form and legality by the Office of the City Attorney.

If you have questions or need more information, please contact Marjo Keller Assistant City Clerk at 238-6408.

A handwritten signature in black ink, appearing to read 'Latonda Simmons', written over a circular stamp or seal.

LATONDA SIMMONS
City Clerk
Clerk of the Council

LS:mk

Attachment

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

I, **DAVE MACDONALD**, Registrar of Voters for the County of Alameda, State of California, having canvassed the returns of all votes cast in the City of Oakland Special Vote by Mail Municipal Election held on Tuesday, July 21, 2009 do hereby certify the following to be a full, true and correct Statement of the Results of all votes cast on the following measures:

Measure C: To provide additional funding to the Oakland Zoo, the Oakland Museum of California, the Chabot Space and Science Center, cultural arts programs and festivals and the Oakland Convention and Visitor Bureau, shall the City of Oakland add a three percent (3%) surcharge to the current eleven percent (11%) Transient Occupancy Tax (Hotel Tax) that persons who stay in Oakland hotels pay?

YES 38,907 NO 11,757

Measure D: Shall the City Charter be amended to require that the City (1) set aside 3.0% of its annual unrestricted General Purpose Fund revenues for grants to children's and youth services, (2) in addition to the set aside, continue to spend the amount that the City already spends on children and youth, and (3) every twelve years extend these requirements for twelve more years or seek voter approval of the extension?

YES 36,097 NO 14,145

Measure F: Shall City of Oakland's business tax, which currently imposes a tax rate of \$1.20 per \$1,000 on "cannabis business" gross receipts, be amended to establish a new tax rate of \$18 per \$1,000 of gross receipts?

YES 40,439 NO 10,107

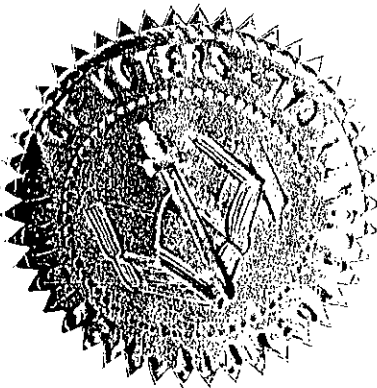
Measure H: Shall City of Oakland's Real Property Transfer Tax be amended to clarify that the tax applies to transfers of real property caused by changes in the ownership or control of corporations and other legal entities, such as mergers and acquisitions?


YES 37,192

NO 12,516

I further certify that the total number of ballots cast in the City of Oakland at said election was 51,163 and attached hereto is a complete statement of the results showing the number of votes cast at each precinct for and against the measure.

I hereby set my hand and my official seal this 27th day of July 2009 at Oakland, California.




DAVE MACDONALD
Registrar of Voters
County of Alameda
State of California

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY
COUNCILMEMBER _____

**Resolution Declaring the Results of the
City Of Oakland Special Municipal Vote by Mail Election held on
Tuesday, July 21, 2009**

WHEREAS, pursuant to State law and Resolution 81924 C.M.S. of the City of Oakland, a Special Municipal Vote by Mail Election was duly and regularly held in the City of Oakland on Tuesday, July 21, 2009.

WHEREAS, the City Clerk has caused to be canvassed the election returns of said special election pursuant to law; and

WHEREAS, the City Clerk does hereby certify the results for the Special Municipal Vote by Mail Election; now, therefore, be it

RESOLVED: that the City Council orders and declares the results of the canvass of the returns of said Special Municipal Vote by Mail Election to be as follows:

That the results of the ballots cast for and against each measure that was voted upon at said election are as follows:

PROPOSED ORDINANCE

MEASURE C

A Proposed Ordinance Amending The City's Transient Occupancy Tax (Hotel Tax) To Provide An Additional Three Percent (3%) Surcharge That Will Be Paid By Persons Who Stay In Oakland Hotels, In Order To Provide Additional Revenue To Several Oakland Programs

YES	38,907
NO	11,757

PROPOSED CHARTER AMENDMENT

MEASURE D

An Amendment To The Oakland City Charter Section 1300 To Provide Funding For the Kids First! Oakland Fund For Children And Youth In The Amount Of Three Percent (3.0%) Of The Actual Unrestricted General Purpose Fund (Fund 1010) City Revenue

YES	36,097
NO	14,145

PROPOSED ORDINANCE

MEASURE F

A Proposed Ordinance Amending The City Of Oakland's Business Tax To Establish A New Tax Rate For "Cannabis Businesses"

YES	40,439
NO	10,107

PROPOSED TAX AMENDMENT

MEASURE H

A Proposed Amendment To The City Of Oakland's Real Property Transfer Tax To Clarify That The Tax Applies To Changes In Ownership Or Control Of Corporations And Other Legal Entities

YES	37,192
NO	12,516

FURTHER RESOLVED, determined and declared that Measures C, D, F and H are hereby declared to have passed; and be it

FURTHER RESOLVED, determined and declared that the canvass of the returns of said Special Municipal Vote By Mail Election show that the total number of ballots cast

at the Special Municipal Vote By Mail Election was **51,163** (25.07%) of the registered voters and be it

FURTHER RESOLVED, that this Council orders and declares that the Official Canvass Summary report on file in the Office of the City Clerk, containing within the number of votes cast at each precinct for and against each measure, be and is hereby adopted.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

AYES: - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID
AND PRESIDENT BRUNNER

NOES: -

ABSENT: -

ABSTENTION: -

ATTEST:

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