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OAKLAND

CITY OF OAKLAND



2004 JAN -7 AM 8:20

1 FRANK H. OGAWA PLAZA • 3RD FLOOR • OAKLAND, CALIFORNIA 94612

Office of the Mayor
Jerry Brown
Mayor

(510) 238-3141
FAX: (510) 238-4731
TDD: (510) 839-6451

Letter of Nomination

January 20, 2004

The Honorable City Council
One City Hall Plaza, Second Floor
Oakland, CA 94612

Dear Councilmembers:

Upon nomination of the Mayor, the following person is hereby appointed as a member of the following Board or Commission:

Budget Advisory Committee

Benjamin Fay, Mayoral appointment to serve the term beginning May 25, 2003 and ending May 25, 2005, filling the position formerly held by Ana Chretien (5/25/00 – 8/18/03). Mr. Fay will also serve as Committee Chairperson.

If you have any questions or concerns, please feel free to contact me.

Sincerely,


JERRY BROWN
Mayor

10.3CC
ORA/COUNCIL
JAN 20 2004

2003 OCT -9 AM 11:55

Relevant Work Experience

Meyers, Nave, Riback, Silver & Wilson, San Leandro

(This law firm specializes in municipal law and provides city attorney services to cities without in-house city attorneys.)

I have been an attorney with this firm since 1996. My duties include:

- Attend the meetings of city councils, boards, and commissions and provide legal advice.
- Provide legal advice to the finance departments of the cities of Dublin, Gonzales, Irwindale, Milpitas, Morgan Hill, Pinole, San Bruno, San Leandro, Saratoga, Soledad, and South San Francisco, and the San Joaquin Area Flood Control Agency on matters of revenue and taxation.
- Represent cities in court on matters of revenue and taxation.
 - Successfully defended the City of San Leandro against a challenge brought by Traders Sports to San Leandro's business license tax on the sale of concealable firearms.
 - Successfully defended the City of San Bruno against a challenge brought by Skypark to San Bruno's business license tax on Airport Parking.
 - Successfully defended the City of Irwindale against a challenge brought by mining companies to Irwindale's business license tax on the excavation and processing of rock products.
 - Successfully represented the City of Saratoga in a dispute with the County of Santa Clara concerning property tax allocations.

Education

University of California, Hastings College of the Law (J.D., 1995)

- Executive Editor, Hastings International & Comparative Law Review
- American Jurisprudence Award

University of California at Berkeley, Department of Anthropology (B.A., 1991)

- Departmental Honors
- High Honors in General Scholarship
- Phi Beta Kappa

Community Involvement

Oakland Fund for Children and Youth
Policy and Oversight Commission
Commission Member (1998–99)

- Developed RFP to balance long-term Commission goals with budgetary constraints
- Participated in public hearings
- Received testimony from community leaders
- Reviewed and evaluated grant applications
- Reconciled the monetary needs of grant applications with the budgetary constraints of the Fund.

Volunteer work for an Oakland City Council election campaign (1996)

- Conducted community outreach
 - Met with community leaders
 - Canvassed communities by walking door-to-door

Represented pro bono an Oakland councilmember before the Oakland Public Ethics Commission.

- Negotiated a clarification of ambiguities in the campaign financing restrictions of the Oakland Campaign Reform Act

Shepherd Canyon Homeowners Association

- Citizen clean-ups of Shepherd Canyon Drive

OSSL Soccer League

- Co-manage adult coed Oakland soccer team
- Arrange informal youth/adult soccer games

B. Floyd

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OAKLAND

OAKLAND CITY COUNCIL

2004 JAN -6 PM 12: 35

RESOLUTION No. _____ C.M.S.

RESOLUTION APPOINTING BENJAMIN FAY AS A MEMBER AND CHAIRPERSON OF THE BUDGET ADVISORY COMMITTEE

WHEREAS, Ordinance No. 74826 C.M.S. creates the Budget Advisory Commission, whose members are nominated by the Mayor and approved by the City Council; and

WHEREAS, Ordinance No. 74826 C.M.S. specifies that members of the Budget Advisory Commission are to serve two year terms, which are to be staggered so that some appointments will expire every year, and appointments to fill a term of office are only to be for the remainder of that term; now, therefore, be it

RESOLVED, that by the nomination of the Mayor, the following individual is hereby appointed to the term set forth below:

Benjamin Fay, to serve the term beginning May 25, 2003 and ending May 25, 2005 filling the position formerly held by Ana Chretien. Mr. Fay will also serve as Committee Chairperson.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, WAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

10.3cc
ORA/COUNCIL
JAN 20 2004