

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2004 JUL -8 AM 11:59

RESOLUTION NO. \_\_\_\_\_

C.M.S

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_



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**A RESOLUTION DECLARING THE CITY OF OAKLAND'S POSITION ON  
THE FOLLOWING 2004 STATE LEGISLATION:**

**SUPPORT FOR:** AB 2782. Public Agencies. Joint Powers Agencies. Meetings.  
Assemblyman Benoit

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**WHEREAS**, the City of Oakland or its residents would be affected by the pending State Legislation; and

**WHEREAS**, when forming Joint Powers Agencies (JPAs), cities commonly provide that a board, appointed by the creating cities, governs the agency. However, this method of providing supervision and oversight over the JPA is frustrated by Attorney General rulings that prevent JPA board members from sharing confidential JPA information with their city council members. The result is that cities are impeded in their obligation to adequately supervise and direct the joint powers agencies they have; and

**WHEREAS**, AB 2782 by Assemblyman Benoit would provide that a joint powers agency may authorize any member of the legislative body of the joint powers agency, who is also a member of the legislative body of one of the local agencies comprising the joint powers agency, to disclose information obtained in a closed session of the joint powers agency to other members of the legislative body of the local agency in a closed session of that body; and

**WHEREAS**, AB 2782 will ensure that elected officials are permitted access to information necessary to be kept fully informed on decisions they will be called upon to decide; now therefore, be it

**RESOLVED:** that the City of Oakland declares its **support** for AB 2782 by Assemblymember Benoit; and be it

**FURTHER RESOLVED:** that the City Council directs the City Manager and the City's legislative lobbyist to advocate for the above positions in the State Legislature.

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ORA/COUNCIL

IN COUNCIL, OAKLAND, CALIFORNIA,

\_\_\_\_\_ .20 \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

**ATTEST:** \_\_\_\_\_

CEDA FLOYD

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

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**CITY OF OAKLAND  
BILL ANALYSIS FORMAT**

**DEPARTMENT INFORMATION**

**Contact:** Morodomi

**Date**

June 7, 2004

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**Department:** City Attorney

**Telephone:** x0271

**FAX #** x6500

**E-mail:** mmorodomi@oaklandcityattorney.org

**Bill Number:** 2782

**Bill Author:** Benoit

**Topic:** Brown Act

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**Summary of the Bill**

AB 2782 (Benoit) would provide that a joint powers agency may authorize that any member of the legislative body of the joint powers agency, who is also a member of the legislative body of one of the local agencies comprising the joint powers agency, to disclose information obtained in a closed session of the joint powers agency to other members of the legislative body of the local agency in a closed session of that body.

**Positive Factors for Oakland**

When forming Joint Powers Agencies (JPAs), cities commonly provide that a board, appointed by the creating cities, governs the agency. However, this method of providing supervision and oversight over the JPA is frustrated by Attorney General rulings that prevent JPA board members from sharing confidential JPA information with their city council members. The result is that cities are impeded in their obligation to adequately supervise and direct the joint powers agencies they have created.

AB 2782 will ensure that elected officials are permitted access to information necessary to be kept fully informed on decisions they will be called upon to decide.

**Negative Factors for Oakland**

**Other Information:**

Supported by the League of California Cities

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CRA/COUNCIL

JUL 20 2004

**RECOMMENDED POSITION:**

**(Support, Support with Amendments, Neutral, Watch, Oppose, Oppose with Amendments or Not Relevant)**

Support

**PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:**

1 Urgent (top priority for city lobbyist, city position required ASAP)

2 Very Important (priority for city lobbyist, city position necessary)

3 Somewhat Important (position desired if time and resources are available)

4 None (do not review with City Council, position not required)

**Other known support:** League of California Cities

**Other known opposition:**

**Is state/federal legislative committee analysis available? (If yes, please attach)**

Yes

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CITY COUNCIL

JUL 20 2004