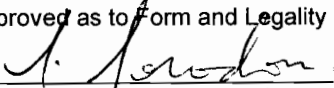


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 30 PM 6:42

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Ordinance No. 12945 C.M.S.

ORDINANCE AUTHORIZING A FISCAL YEAR 2009-10 INCREASE TO A SPECIAL TAX IMPOSED FOR VIOLENCE PREVENTION AND PUBLIC SAFETY SERVICES IN ACCORDANCE WITH THE VIOLENCE PREVENTION AND PUBLIC SAFETY ACT OF 2004 (MEASURE Y)

WHEREAS, in 2004 the voters of Oakland approved Measure Y, a special tax to fund violence prevention and public safety services; and

WHEREAS, Measure Y imposes a special tax on all parcels in the City of Oakland, except where the parcels are otherwise exempt from taxation by Section 3 of the Ordinance; and

WHEREAS, Measure Y provided that beginning in fiscal year 2005-2006 and each fiscal year thereafter, the Oakland City Council may increase the tax only upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown by the Consumer Price Index (CPI) for all items, has increased since the 1997 index year; and

WHEREAS, Measure Y provided that any tax rate adjustment imposed by the City Council pursuant to the ordinance shall not exceed five percent of the tax rate imposed during the immediately preceding fiscal year; and

WHEREAS, a public hearing on this ordinance to increase the Measure Y special parcel tax was held on June 16 2009 at 7:00 p.m. in City Hall, One Frank H. Ogawa Plaza, Oakland, California; now, therefore,

WHEREAS, the Consumer Price Index for all items in the San Francisco Bay Area was 216.0 for calendar year 2007 and that the Consumer Price Index for calendar year 2008 was 222.8.

WHEREAS, the cost-of-living in the immediate San Francisco Bay Area as shown by the Consumer Price Index, has increased 3.1 percent between calendar year 2007 and calendar year 2008.

WHEREAS, the Measure Y special tax rate upward adjustment shall be 3.1 percent, effective July 1, 2009, pursuant to the Measure Y requirement that the rate increase equal the annual CPI increase for the San Francisco Bay Area, and at no time may the increase exceed 5.0 percent of the tax rates imposed by the Ordinance during the immediately preceding fiscal year; now therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

The following rate structure will be imposed on parcels within the City of Oakland effective July 1, 2009 for FY 2009-10 for the Violence Prevention And Public Safety Act Of 2004 parcel tax as follows:

| MEASURE Y TAX INCREASES BY PARCEL TYPE | | | |
|--|-------------------|----------|------------------------|
| Parcel Type | Prior Parcel Rate | Increase | FY 2009-10 Parcel Rate |
| Single Family Residential Parcels | \$88.00 | \$2.72 | \$90.72 |
| Multiple Unit Residential Parcels | \$60.12 | \$1.86 | \$61.98 |
| Non-Residential Parcels | \$45.07 | \$1.39 | \$46.46 |

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 16 2009

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER - 8


NOES - 0

ABSENT - 0

ABSTENTION - 0

Introduction Date: JUN 1 2009

ATTEST:


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

DATE OF ATTESTATION: JUN 16 2009

**ORDINANCE AUTHORIZING AN INCREASE TO A SPECIAL TAX IMPOSED
FOR VIOLENCE PREVENTION AND PUBLIC SAFETY SERVICES IN
ACCORDANCE WITH MEASURE Y APPROVED BY VOTERS IN 2004**

NOTICE AND DIGEST

This Ordinance authorizes an increase to a special tax imposed by the Violence Prevention and Public Safety Act of 2004 (Measure Y), which was submitted to the voters by Resolution No. 78734 C.M.S. and approved by the voters in November 2004. The Act allows rates to be adjusted for changes in the Consumer Price Index, in an amount not to exceed five percent (5%), as provided in Section 4 of the Resolution. The proposed changes are a total increase of 3.1 percent for FY 2009-10. Effective July 1, 2009, the Single Family Residential rate would increase from \$88.00 to \$90.72, the Multiple Unit Residential rate would increase from \$60.12 to \$61.98, and the Non-Residential Parcel rate would increase from \$45.07 to \$46.46.

NOTICE OF PUBLIC HEARING

REGARDING AN ORDINANCE TO INCREASE THE SPECIAL TAX FOR VIOLENCE PREVENTION AND PUBLIC SAFETY SERVICES IN ACCORDANCE WITH THE VIOLENCE PREVENTION AND PUBLIC SAFETY ACT OF 2004

On June 16, 2009, the City Council of Oakland, California will consider an ordinance authorizing an increase to the special parcel tax imposed for violence prevention and public safety services in accordance with the Violence Prevention and Public Safety Act of 2004 (also known as Measure Y). The ordinance proposes an increase, effective July 1, 2009, of 3.1% consistent with the Consumer Price Index for the San Francisco Bay Area. The Public Hearing is set for Tuesday, June 16, 2009 at 7:00 p.m., to be held before the City Council in the Council Chambers located on the Third Floor of City Hall, One Frank H. Ogawa Plaza, Oakland, California.