

*[Signature]*  
CITY ATTORNEY 2:01

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

ORDINANCE NO. 12637 C.M.S.

**ORDINANCE CONFIRMING PROCEDURES FOR GRANTS FROM THE PAY-GO ACCOUNT TO NONCITY ENTITIES**

**WHEREAS**, the designation and authorization of grants is the province of the City Council; and

**WHEREAS**, the City Council wishes to clarify, confirm and codify the process for the awarding of these grants; and

**WHEREAS**, the City Council wishes to confirm the authority of the Mayor and individual City Councilmembers to designate grants from their respective balances in the City's Pay-go Account;

The Council of the City of Oakland does ordain as follows:

**Section 1. Pay-go Grants - Policy and Requirements**

A. Policy – Permissible Pay-go Grants

The City Council will establish by resolution or ordinance the policy stating the purposes for which pay-go grants may be designated.

B. Requirements Applicable to Pay-go Grants to NonCity Entities

The Mayor and Individual Councilmembers may designate grants from their respective balances in the City's Pay-Go fund Account subject to the following requirements: (1) such grants may be made only for the purposes permitted by the funding source(s) of the Pay-Go Account; (2) such grants and grant agreements shall be authorized, administered, and executed by the City Administrator on behalf of the City of Oakland; and (3) grant agreements shall be required for all grants.

C. City Administrator must Maintain Separate Record of Pay-go Grants and Make Annual Report to City Council Identifying Prior Fiscal Year's Grants

The City Administrator shall maintain a separate record of Pay-Go grants, including the name of the person who designated the grant, the amount of the grant, the purpose of the grant,

and the name, address and any other information sufficient to identify the grant recipient. No later than October of each year, the City Administrator shall provide an informational report to the City Council's Finance Committee and to the City Council regarding Pay-Go grants that were made during the prior fiscal year.

**Section 2. Codification.**

This ordinance shall be codified as Section 2.04.017 of the Oakland Municipal Code.

**Section 3. Severability.** If any article, section, subsection sentence, clause or phrase of this ordinance or exhibit hereto is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions thereof which shall remain in full force and effect.

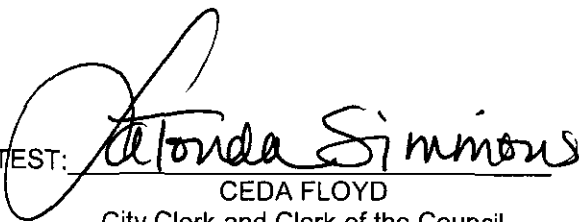
**Section 4. Effective Date.** This ordinance shall become effective immediately on final adoption if it receives six (6) or more affirmative votes; otherwise it shall become effective upon the seventh (7<sup>th</sup>) day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, ~~DEC 7 2004~~ 2004

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND  
PRESIDENT DE LA FUENTE - 8

NOTES-  $\emptyset$   
ABSENT-  $\emptyset$   
ABSTENTION-  $\emptyset$

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