

**REVISED**

REVISED February 28, 2008

APPROVED AS TO FORM AND LEGALITY:

  
DEPUTY CITY ATTORNEY

OFFICE OF THE CITY CLERK  
2008 FEB 28 PM 6:47

## OAKLAND CITY COUNCIL

RESOLUTION No. 81114 C. M. S.

INTRODUCED BY COUNCILMEMBERS NADEL and QUAN

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### RESOLUTION TO OPPOSE PROPOSITION 98, THE CALIFORNIA PROPERTY OWNERS AND FARMLAND PROTECTION ACT

**WHEREAS**, a proposed Constitutional amendment known as the California Property Owners and Farmland Protection Act will appear as Proposition 98 on the June 2008 California ballot; and

**WHEREAS**, Proposition 98 will make sweeping changes to eminent domain law that could severely hinder the City's and Redevelopment Agency's efforts to eliminate blight, promote economic development, and pursue public development projects in Oakland; and

**WHEREAS**, by defining as a governmental taking any price limitations on the use of real property, Proposition 98 will eliminate the City's ability to enforce the Rent Adjustment Ordinance and the Density Bonus Ordinance and would make it impossible to adopt such measures as inclusionary zoning; and

**WHEREAS**, by defining as a taking any land use regulations that may have an economic impact on property, Proposition 98 will severely limit the City's ability to enforce its zoning, land use and environmental protection regulations; and

**WHEREAS**, the City Council wishes to declare its opposition to Proposition 98 and encourage Oakland voters to vote no on this proposition; now, therefore be it

**RESOLVED**: That the City Council of the City of Oakland hereby declares its opposition to Proposition 98, the California Property Owners and Farmland Protection Act, and urges local voters to oppose the measure; and be it

**FURTHER RESOLVED:** That a copy of this resolution shall be sent to the campaign in opposition to Proposition 98 and the City Council's position shall be publicized to the extent feasible.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2008, 2008

**PASSED BY THE FOLLOWING VOTE:**

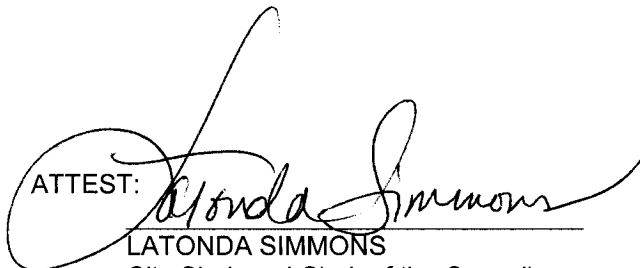
AYES - BRUNNER, BROOKS, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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