

CITY OF OAKLAND



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John A. Russo
City Attorney

April 19, 2005

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Honorable City Council
Oakland, California

City Council President Ignacio de la Fuente and Members of the City Council:

Subject: **Resolution Suspending the Living Wage Requirements for the East Bay Zoological Society Until July 1, 2005**

Background

At its April 5, 2005, meeting, the City Council passed a motion to suspend the application of the Living Wage Ordinance to the East Bay Zoological Society until July 1, 2005. The City Attorney's Office advised that a resolution incorporating findings was necessary.

Under Oakland Municipal Code section 2.28.080 (B), the City Council may grant a waiver only "upon a finding and determination that the [recipient of City financial assistance] has demonstrated economic hardship and that waiver will further the interests of the city in providing training positions which will enable employees to advance into permanent living wage jobs or better. No waiver will be granted if the effect of the waiver is to replace or displace existing positions or employees or to lower the wages of current employees."

Recommendation

The resolution is attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo for".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Mark Morodomi

INTRODUCED BY COUNCILMEMBER _____

FILED
OFFICE OF THE CITY CLERK
Approved as to form and legality
05 APR -7 PM 2:08
CITY ATTORNEY

RESOLUTION NO. _____

RESOLUTION SUSPENDING THE LIVING WAGE REQUIREMENTS FOR THE EAST BAY ZOOLOGICAL SOCIETY UNTIL JULY 1, 2005

WHEREAS, the East Bay Zoological Society contends that is unable to pay all or part of the living wage until July 1, 2005;

WHEREAS, on April 6, 2005, the City Council heard speakers on the hardship the East Bay Zoological Society would incur if the Living Wage Ordinance were imposed immediately upon the organization;

WHEREAS, the East Bay Zoological Society submitted a letter to the City Council describing the society's hardship;

WHEREAS, the City Council passed a motion expressing its intent to suspend for the East Bay Zoological Society living wage until July 1, 2005.

RESOLVED, That the City Council hereby finds and determines that that the East Bay Zoological Society has demonstrated economic hardship and that waiver will further the interests of the city in providing training positions which will enable employees to advance into permanent living wage jobs or better.

FURTHER RESOLVED, The City Council grants waiver to the East Bay Zoological Society of the Living Wage requirements until July 1, 2005.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

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