

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

DRAFT

INTRODUCED BY COUNCILMEMBERS DANNY WAN, JEAN QUAN AND NANCY NADEL _____

A RESOLUTION URGING THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY TO ADOPT A POLICY IN SUPPORT OF CIVIL MARRIAGE FOR SAME-SEX COUPLES AND TO DIRECT THE COUNTY RECORDER/CLERK TO BEGIN ISSUING MARRIAGE LICENSES TO SAME-SEX COUPLES

WHEREAS, the City of Oakland has by local policy and ordinance shown its commitment to fair and equitable treatment of all persons regardless of gender or sexual orientation; and

WHEREAS, Oakland and Alameda County are home to thousands of families headed by same-sex couples, many with children; and

WHEREAS, both the United State Constitution and California Constitution clearly state that no laws will be made depriving any person of life, liberty, or property without due process of law; and

WHEREAS, both the United States Constitution and California Constitution clearly state no laws will be made or enforced that abridge the privileges and immunities of citizens of the United States; and

WHEREAS, both the United States Constitution and California Constitution clearly state that no person within its jurisdiction will be denied equal protection of the laws; and

WHEREAS, marriage is recognized as one of the fundamental elements of individual liberty; and

WHEREAS, marriage is a unique civil contract, separate and distinct from any religious, ethnic, or other traditions; and

WHEREAS, the opportunity to publicly and legally commit to share one's life with a person of one's choice is for many people one of the most central aspects of human experience, and denial of marriage to same-sex couples is a denial of fundamental civil rights,

WHEREAS, denying civil marriage to gay and lesbian families deprives them of thousands of state and federal rights, privileges, immunities, protections, and responsibilities; and

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WHEREAS, gay and lesbian families deserve the same rights and legal protections as other families under the law, including the protection of their spousal rights and privileges and protection of their children's economic interests by insuring their access to the resources of both parents; and

WHEREAS, civil marriage ensures state and federal rights, protections, and responsibilities that are otherwise unavailable to gay and lesbian families; and

WHEREAS, suffering the inability to access these legal protections results in significant harm to these families, including financial insecurity, lack of retirement and death benefits, and lack of access to family court for dissolutions; and

WHEREAS, no resident of Alameda County should be refused equal protection under the law; and

WHEREAS, discriminatory marriage laws result, especially, in significant harm to lesbian, gay, bisexual, and transgendered people by perpetuating homophobia, just as anti-miscegenation laws barring people of different races from marrying, legal in the United States until 1967, perpetuated racism and social ostracism; and

WHEREAS, discriminatory marriage laws undermine the state of California's commitment to equality, privacy, and justice for all of its citizens, as well as undermining marriage itself; now, therefore, be it

RESOLVED: that the Oakland City Council urges the Board of Supervisors of Alameda County to adopt a policy in support of civil marriage for same-sex couples and to direct the County Clerk/Recorder to immediately begin issuing marriage licenses to same-sex couples; and be it further

RESOLVED: that the City Manager is hereby authorized to forward this Resolution to the Board of Supervisors of Alameda County.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 19____

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, DE LA FUENTE, NADEL, QUAN, REID, WAN

NOES-

ABSENT-

ABSTENTION-

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

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