


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT NIKKI FORTUNATO BAS,
COUNCILMEMBER TREVA REID, AND COUNCILMEMBER REBECCA KAPLAN

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO REIMBURSE ALAMEDA COUNTY IN AN AMOUNT NOT TO EXCEED \$84,000 FOR THE COSTS REQUIRED TO UPDATE THE COUNTY'S ELECTION MANAGEMENT SYSTEM TO ALLOW FOR YOUTH VOTING IN SCHOOL DIRECTOR ELECTIONS AND TO TAKE ALL ACTIONS NECESSARY FOR SUCH REIMBURSEMENT

WHEREAS, on November 3, 2020, Oakland voters passed Measure QQ, which amended the City Charter to allow the City Council to pass an ordinance to allow 16 and 17-year-olds, who are otherwise eligible to vote under state law, to vote for the Office of School Board Director; and

WHEREAS, in June 2021, the City Council passed Resolution No. 88665 C.M.S., which directed the City Administrator to prepare an ordinance for Council adoption to implement voting procedures, to be consistent with the procedures developed with the Registrar; and

WHEREAS, in November 2021, the City Council passed Resolution No. 88907 C.M.S., which requested that the Alameda County Registrar of Voters take all steps necessary, including but not limited to updating its DIMS Election Management System, to allow 16 and 17-year-olds to register to vote and participate in ranked choice voting in the elections of Oakland school board directors; and

WHEREAS, in November 2016, Berkeley voters approved Measure Y1 to authorize the Berkeley City Council to pass an ordinance allowing 16 and 17-year-olds to vote in school board elections if certain conditions are met; and

WHEREAS, Berkeley Unified School District, the City of Berkeley, Oakland Unified School District, the City of Oakland, and the Alameda County Registrar of Voters are working collaboratively to develop youth voting procedures in Alameda County, including requirements to update the DIMS Election Management System with its vendor, Runbeck Election Services ("Runbeck"); and

WHEREAS, Runbeck has a contract with Alameda County that provides for the updates to the County’s election management system that are a necessary prerequisite to implementing youth voting in the County (“youth voting system updates”); and

WHEREAS, Runbeck and the Alameda County Registrar of Voters estimate that developing and testing the youth voting system updates and training the Registrar of Voters’ staff on those updates will cost up to \$113,920; and

WHEREAS, Runbeck will not deliver the youth voting system updates to the Alameda County Registrar of Voters until it has received a commitment to be paid for those updates; and

WHEREAS, the Alameda County Registrar of Voters has stated that any payments it makes to Runbeck for youth voting system updates must be reimbursed by the jurisdictions implementing youth voting; and

WHEREAS, the City of Oakland, the City of Berkeley, and the Berkeley Unified School District are negotiating a Memorandum of Understanding (MOU) with the Alameda County Registrar of Voters for reimbursement of these costs, the costs to include youth voters in an election, and to outline the remaining responsibilities of all parties moving forward; and

WHEREAS, the City of Oakland and Oakland Unified School District are separately negotiating the reimbursement of election costs and responsibilities related to elections for School Board Directors in the city of Oakland, and do not want to delay the implementation of youth voting while that separate discussion occurs; and

WHEREAS, Runbeck must deliver the youth voting system updates to the Alameda County Registrar of Voters prior to finalization of the MOU to make it possible to implement youth voting by November 2024, or as shortly thereafter as possible; and

WHEREAS, the proposed percentage of youth voting costs will be split between the City of Oakland and Berkeley Unified School District, subject to final agreement in the MOU and subject to ongoing negotiations with Oakland Unified School District, in an amount proportionate to the number of preregistered 16 and 17-year-old individuals in each jurisdiction, of which Oakland has approximately 74% of the proportionate population of youth voters; and

WHEREAS, the City of Oakland will seek to include a provision in the MOU specifying that the Alameda County Registrar of Voters shall require any other jurisdiction in Alameda County that subsequently seeks to implement youth voting to reimburse Berkeley Unified School District and the City of Oakland for its proportionate share of the cost of the youth voting system updates; and

WHEREAS, when finalized, the City Administrator will return to Council with an MOU for approval and with a proposed Ordinance to authorize youth voting within the City consistent with the procedures developed by the Registrar, with the understanding that there is not currently funding to conduct youth voting elections in the proposed budget and that City Council will need to identify new funding or reallocate existing funds to conduct youth voting; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the use of funds designated in the Fiscal Year 2023-2024 Adopted Budget as Election Funding to reimburse the County of Alameda for the youth voting system updates, in an estimated total amount not to exceed \$84,000; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any and all actions necessary to reimburse the County of Alameda for the election management system upgrades, including authorizing and negotiating an agreement or authorizing invoices for payment.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

3347698v3/MJM

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California