

  
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

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**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; now, therefore, be it

**RESOLVED:** That the City Council hereby appropriates all money necessary 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 –

3347698v1/MJM

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