

July 6th, 2022

Oakland City Council  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, CA 94612

Dear Council President Fortunato Bas and Councilmembers,

Thank you for the conversation regarding Councilmember Kalb's Charter Amendment at the July 5th special meeting. We appreciate your attention to good governance issues and for your review of our report "[Making Government Work: 10 Ways City Governance Can Adapt to Meet the Needs of Oaklanders](#)." We would like to clarify our position on the proposed Charter Amendment as it relates to our recommendations.

While we appreciate Council's use of our report to strengthen governance in Oakland, our goal in writing the report was to open a conversation. This conversation should include a robust public dialogue about our and other recommendations. Contrary to what was asserted in the July 5th council meeting, SPUR is not interested in slowing down the passage of this Charter Amendment until a mayoral veto is included. Rather, we feel that changes to Oakland's Charter are significant enough that they would benefit from greater dialogue and review. One aspect of the definition of good government we describe in the report is transparency, and we feel this measure would benefit greatly from the creation of a Citizen Charter Review Committee to lead a more robust and transparent process.

Additionally, as we mentioned in our prior letter, we have substantive concerns about the following items that remain within the Charter Amendment. Our recommendations are as follows:

**1. The provision in Section 501 to allow the City Council to fire the City Administrator for cause should be removed.**

We find this provision to be the most problematic in this measure and urge you to strike it. While this Council may heed restraint in its deliberations regarding the potential termination of a future City Administrator, it is unclear what future Councils may do.

Allowing Council to fire the City Administrator for cause muddies Oakland's already complicated hybrid form of governance which is neither truly a Council-Manager nor a Strong Mayor system. We believe that the Mayor and City Administrator should be responsible for the executive functioning of the city and the City Council should be responsible for the legislative function. To enable the Council to fire the City Administrator further complicates lines of authority - and therefore accountability - within city government. Moreover, it does not solve the problem of ensuring that the Administration is responsive to Council directives.

**2. The additional qualification provisions to narrow who can run for City Auditor in Section 403(1) should be removed.**

Compared to other cities which elect their City Auditor, Oakland already has enhanced requirements to qualify for this office. Most cities only have the requirement that such persons be a Certified Public Accountant (CPA) with at least 5 years worth of CPA experience. Oakland not only requires a candidate for Auditor to be a CPA, but also requires them to be certified by the Institute of Internal Auditors as a Certified Internal Auditor. Any further qualifications would strip the citizens' ability to decide their own requirements for a person to serve as Auditor.

**3. It is unclear what problem is being solved by the provision in Section 601(b) enabling Councilmembers to nominate members to boards and commissions.**

While we appreciate the intention of this provision, which is to enable Council to nominate members to the Mayor for consideration for certain boards and committees, we are unsure of what this provision actually accomplishes. The current proposal seems to tilt the balance of power between Council and the Mayor to nominate persons to serve on boards and commissions, which could further complicate Oakland's system of government.

Thank you for your consideration of our comments. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'SK' or similar initials, written in a cursive style.

Sarah Karlinsky