

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN

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**RESOLUTION ON THE CITY COUNCIL'S OWN MOTION SUBMITTING TO THE VOTERS AT THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION, AN AMENDMENT TO ARTICLE XI (ELECTIONS) OF THE CHARTER OF THE CITY OF OAKLAND TO ADD SECTION 1106 TO PROVIDE FOR VOTING BY PERSONS AGED 16 AND ABOVE FOR THE OFFICE OF SCHOOL BOARD DIRECTOR ON THE OAKLAND UNIFIED SCHOOL DISTRICT BOARD, AND DIRECTING THE CITY CLERK TO TAKE ALL ACTIONS NECESSARY UNDER LAW TO SUBMIT THIS ITEM TO THE NOVEMBER 3, 2020 GENERAL ELECTION**

**WHEREAS**, research published in the American Political Science review suggests that younger first-time voters are more likely to become habitual voters, more likely to become life-long voters, strengthen participation in our democracy, and makes their parents more likely to vote as well; and

**WHEREAS**, California currently allows 16-year-olds to pre-register to vote in efforts to boost turn-out; and

**WHEREAS**, many countries where the minimum voting age is 16 have higher voter turnout than the United States, for example: in Austria, voter turnout is 72.45%, in Brazil voter turnout is 79.54%, in Germany voter turnout is 84.11%, and in Cuba voter turnout is 86.19% compared to 51.46% in the United States; and

**WHEREAS**, at age 16, young people in California can drive, work without restrictions, and pay taxes on their employment, as well as take care of their siblings, translate for their parents, and contribute to the family income; and

**WHEREAS**, youth under the age of 18 are making vital contributions to society every day, including leading with solutions and bold action on global climate change, gun violence, and improving their schools; and

**WHEREAS**, the Oakland Unified School District Board is comprised of seven (7) School Board Directors who are elected by Oakland voters in the City's municipal general election held in November in even years; and

**WHEREAS**, in Oakland, the voters must be 18 years of age to vote in School Board elections, therefore, 16 and 17-year olds cannot vote for School Board Directors despite the impact School Board Directors' decision have on students; and

**WHEREAS**, Oakland students are the primary recipients of the services that schools provide, and their experiences, needs and concerns should inform district policy and School Board members' priorities; and

**WHEREAS**, Oakland students have demonstrated the civic capacity to participate in the voting process, as evidenced by their successful advocacy and policy initiation efforts that have resulted in protecting critical student supports, such as free supper for high-need children, case managers for foster youth, and restorative justice coordinators; and

**WHEREAS**, Oakland students receive hundreds of instruction hours on the centrality of democracy and the importance of civic engagement and this will be an opportunity to put these lessons into practice and integrate the students' real voting responsibility into the learning process and their educational experience; and

**WHEREAS**, recognizing the value of young adults participation in school board elections, in 2016 70.31% of voters in the neighboring City of Berkeley voted to allow persons aged 16 and 17 years old, who are otherwise eligible to vote under state law, to vote for school board members; and

**WHEREAS**, the Oakland City Council has elected to submit to the voters at the November 3, 2020 election, a measure to add Section 1106, to Article XI of the Oakland Charter to allow persons who are 16 years old and above to vote for the office of Oakland Unified School Board Director; now, therefore be it

**RESOLVED:** That the Oakland City Council finds and determines the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

**FURTHER RESOLVED:** That the City Council intends for this proposed amendment to Article XI of the Charter to authorize the City Council, by adoption of an ordinance, to allow persons aged 16 and 17 years old, who are otherwise eligible to vote under state law, to vote for the office of School Board Director; and be it

**FURTHER RESOLVED:** That upon approval by the voters, the City Charter will be amended, to add, delete, or modify sections as set forth below (section numbers and titles are indicated in capitalized **bold type**; additions are indicated by underscoring, deletions are indicated by strike-through type; portions of the provisions not cited or not shown in underscoring or strike-through type are not changed); and be it

**FURTHER RESOLVED:** That upon approval by the voters, the proposed Charter Amendment text shall be added to read as follows:

**Section 1106. Youth Voting In School Board Elections.** Notwithstanding anything to the contrary in this Charter, the City Council, by adoption of an ordinance, may authorize persons aged 16 and above, who are otherwise eligible to vote under state law, to vote for the Office of School Board Director; and be it

**FURTHER RESOLVED:** That each ballot used at said election shall have printed therein, in addition to any other matter required by law, the following:

**PROPOSED CHARTER AMENDMENT  
MEASURE \_\_\_\_**

<b>Measure ____.</b> Shall a measure amending the City of Oakland Charter to authorize the City Council, by adoption of an ordinance, to authorize persons aged 16 and above, who are otherwise eligible to vote under state and local law, to vote for the Office of School Board Director, be adopted?	<b>YES</b>	
	<b>NO</b>	

; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes and directs the City Clerk of the City of Oakland (the "City Clerk") at least 88 days prior to November 3, 2020 General Election, to file with Alameda County certified copies of this resolution; and be it

**FURTHER RESOLVED:** That the City Council does hereby request that the Board of Supervisors of Alameda County include on the ballots and sample ballots recitals and measure language to be voted on by the voters of the qualified electors of the City of Oakland; and be it

**FURTHER RESOLVED:** That the City Council does hereby request that Board of Supervisors of Alameda County permit the Registrar of Voters to perform necessary services in connection with said election; and be it

**FURTHER RESOLVED:** That in accordance with applicable law, the City Clerk shall fix and determine a date for submission of arguments for or against said ballot item and rebuttals and is hereby directed to cause the posting, publication and printing of notices; and be it

**FURTHER RESOLVED:** That the City Administrator and City Clerk are hereby authorized and directed to take all actions necessary under the law to prepare and submit this item for the November 3, 2020 election; and be it

**FURTHER RESOLVED:** That this resolution shall be effective immediately upon approval by the City Council.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California