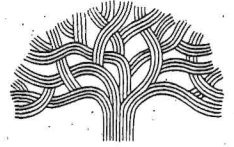


# CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

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**To:** Mayor Lee, Administrator Lake, Council Colleagues, and members of the public

**From:** Ken Houston, Son of Oakland, District 7 Councilmember

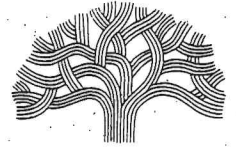
**Subject:** Amendments to proposed Charter Reform Ballot Measure

The City of Oakland is experiencing a period characterized by reform. The City is on the cusp of possibly submitting to the voters, a ballot measure that would significantly impact the operations of governance. Oakland is a Charter City. Article 11 Section 5(a)(b) of the California State Constitution grants Cities complete authority over a City's municipal operations subject to exceptions. That means we, the people of Oakland have authority to establish our own policies and laws that speak to the unique business of the City, and backed by the authority of California State law. As it exists presently, there are elements of the City Charter that have shown to be successful yet residents and City leadership have concluded, it can be better for everyone.

Mayor, Barbara Lee came into office with a mission to reform the City's foundational, governing document. Her hard work in collaboration with local organizations, residents, and City staff, both former and new, has produced a proposed ballot measure that sits before us today.

As a Legislator, it is my duty to enact, and critique proposed legislation in order to come to a sound conclusion that will impact the lives in District 7 and the City of Oakland at large. The public democratically elected us to legislate. There are several areas of the Mayor's proposed ballot measure to amend the City Charter that speak to a great need for an empowered City Council to take charge of their duties and deliver results to their constituents.

With that being said, below are three (3) amendments to the Mayor's proposed ballot measure. The three amendments are designed to maintain a Strong Mayor AND a Strong Council.



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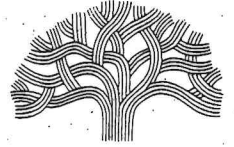
## **AMENDMENT #1**

### **ARTICLE II THE COUNCIL**

**Section 207. Powers of the Council.** The Council shall be the governing body of the City. It shall exercise the corporate powers of the City and, subject to the expressed limitations of this Charter, it shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of California. It shall have no administrative powers. The Council shall fix the compensation of all City employees, officers and officials except as otherwise provided by this Charter. **The City Council shall confirm the Mayoral appointee for the role of City Administrator by a minimum of five (5) votes. Mayoral action to remove or reprimand the City Administrator is subject to confirmation by the City Council, by a minimum of five (5) votes.**

#### **RATIONALE:**

The proposed recommendation states, “Adopt A Resolution Submitting To The Voters At The November 3, 2026 General Municipal Election A Measure That Would Amend The Oakland City Charter To, Among Other Things...” Among the other changes not explicitly stated, the City Council confirms the Mayoral appointee for City Administrator. The City Council should confirm the removal or reprimanding of the City Administrator. This confirmation should be subject to the standard Council Rules of Procedure of requiring a minimum of five (5) votes for the passage of legislation and policy.



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## AMENDMENT #2

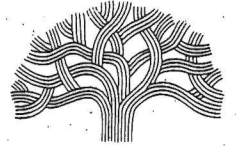
### ARTICLE II THE MAYOR

**Section 305. Functions, Powers and Duties.** The Mayor shall be the chief elective executive officer of the City, responsible for providing leadership and taking issues to the people and marshalling public interest in and support for municipal activity. The Mayor shall have the following powers, duties, and responsibilities:

- (a) To exercise management authority over all departments, agencies and appointed offices of the City, except where the Charter provides otherwise, including appointing, assigning, reassigning, disciplining and removing all directors or heads of departments and all employees under the Mayor's jurisdiction. The Mayor may delegate to directors or other department heads responsible to the Mayor the authority to appoint, discipline and remove subordinate employees, subject to the provisions of Article IX of this Charter.
- (b) To cooperate with the Council and the Office of Independent Budget and Legislative Analyst, including but not limited to, supplying requested information concerning the budget process and fiscal condition of the City to the Council and the Office of Independent Budget and Legislative Analyst.
- (c) In person or by designee, to attend and be heard at all meetings of the Council, and its committees, unless excused, and to participate in discussions at such meetings.
- (d) To approve or veto actions passed by the Council in open session, pursuant to sections 210 and 801. Except that in order to veto any item, the Mayor must have personally attended all of the discussion of said item at the meeting(s) where the Council voted to adopt the item, including both the first and second reading of an ordinance. For purposes of this section, the Mayor's attendance may be remote so long as the Mayor's remote attendance meets the same Brown Act requirements that would apply to a Councilmember.

### RATIONALE:

If the Mayor seeks to veto an item, they should be required to remain in attendance for the FULL discussion of an item at the meeting(s) where Council voted to adopt an item. Otherwise, the Mayor should forfeit the opportunity to issue a veto for an item. If the Mayor would like to veto an item, the Mayor should sit through the complete discussion of an item



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**AMENDMENT #3**

**ARTICLE II THE MAYOR (CON'T)**

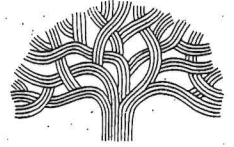
**Section 305. Functions, Powers and Duties.**

- (e) Appoint the City Administrator, subject to confirmation by the City Council by a minimum of five (5) votes, remove or reprimand the City Administrator, subject to confirmation by the City Council, by a minimum of five (5) votes, and give direction to the City Administrator. The Mayor shall advise the Council before removing the City Administrator.

**RATIONALE:**

The powers of Council should be inclusive of confirming the approval and removal or reprimand of the City Administrator. The City Council of Brentwood, California voted to reprimand the City Manager in a 4-0 vote (Vice Mayor Pierson Abstained). City Councilmembers in Oakland should be able to do the same. Sudden removals from Office have the capacity to shake public trust in City Leadership. Councilmembers were elected by residents of Oakland to make decisions to positively impact lives. Council should be empowered to play a role in the approval and removal of a City Administrator in pursuit of bringing results to the various needs of our Council districts.

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Respectfully submitted,

Ken Houston,

*Son of Oakland,*

District 7 Councilmember