

Petition for Submission to Voters of Proposed Amendment to the Charter of the City Oakland

To the city council of the City Oakland:

We, the undersigned, registered and qualified voters of the State of California, residents of the City of Oakland, pursuant to Section 3 of Article XI of the California Constitution and Chapter 2 (commencing with Section 34450) of Part 1 of Division 2 of Title 4 of the Government Code, present to the city council of Oakland this petition and request that the following proposed amendment to the charter of Oakland be submitted to the registered and qualified voters of Oakland for their adoption or rejection at the next statewide general, statewide primary, or regularly scheduled municipal election date pursuant to Section 1200, 1201, or 1301. The proposed charter amendment reads as follows:

Title of Proposed Measure: AN AMENDMENT TO THE OAKLAND CITY CHARTER REQUIRING IMPLEMENTATION AND MAINTENANCE OF A PEOPLE’S BUDGET PROGRAM.

People’s Budget Program.

The People's Budget Program promotes active citizenship, community learning, and direct democracy by providing the residents of Oakland a governing process that allows residents to collectively determine how the budget of the City of Oakland is allocated through participation in the Neighborhood Assemblies, Citywide Committees, and Congress of Directors designated herein.

Article VIII, Section 801 of the Oakland City Charter is hereby amended to read as follows:

Section 801. Budget

Each department, office, and agency of the City shall provide to People's Budget Program staff, officers, and Neighborhood Assemblies in the form and at the time directed by the Mayor and City Administrator all information required by them to develop a budget conforming to modern budget practices and procedures as well as specific information which may be prescribed by the Council. Under the direction of the Mayor and Council, the City Administrator shall prepare budget recommendations for the next succeeding fiscal year which the Mayor shall present to the Council, in a form and manner and at a time as the Council may prescribe by resolution. Following public budget hearings, including a public vote on budget recommendations, conducted pursuant to sections 813-823, the Council shall adopt by resolution a budget of proposed expenditures and appropriations ~~necessary therefor~~ conforming with the results of the vote in section 822 for the ~~ensuing~~ ensuing years indicated therein, failing which the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted. All City departments, offices, and agencies shall enact the program and policy-related results of the vote in section 822.

Article VIII of the Oakland City Charter is hereby amended to add Sections 813-823:

Section 813. Severability

If any provision of this measure or the application thereof to any person or circumstances is held invalid or unenforceable, it shall not affect other provisions or applications of the measure that can be given effect without the invalid or unenforceable provision or application, and to this end the provisions of Sections 801 and 813-823 are severable.

Section 814. People's Budget Program

Sections 813-823 of this measure establishes the People's Budget Program. The People's Budget Program shall be a City department on the same organizational level as City Attorney, Mayor, City Council, and City Auditor. Residents of Oakland shall determine how the City’s budget is allocated through a City Budget Vote.

Section 815. Definitions

A. Ballot: The Ballot will allow voters to vote on funding allocations for each agency/department, proposals for the use of funds previously allocated, and amendments to the People's Budget Program submitted by the Congress of Directors.

B. Citywide Committees: Committees composed of delegates from multiple Neighborhood Assemblies, focused on particular agencies/departments or areas of expertise. They may include representatives from the particular City agency/department. Citywide Committees receive proposals from Neighborhood Assemblies and synthesize program recommendations for their particular agency/department. They also make proposals for the use of special funds targeting specific agencies/departments.

C. City Budget Vote: An annual city-wide vote by ballot to determine the City’s total annual budget for the second fiscal year thereafter.

D. Congress of Directors: The executive board of the People's Budget Program, comprised of all Directors.

E. Coordinators: Full-time staff for the People's Budget Program who support and promote the Program citywide.

F. Campaign Coalition: A temporary body of organizational representatives and community leaders who initiated the campaign to create the People's Budget Program. This Coalition facilitates initial implementation of this Program.

G. Directors: Elected Eligible Budget Voters responsible for organizing, facilitating and providing leadership to a Neighborhood Assembly. Directors must reside within the boundaries of the Neighborhood Assembly where they are elected.

H. District Launch Assembly: A convening in each City Council District to implement the first stages of the People's Budget Program.

I. Effective Date: Date when the measure is passed into law.

J. Eligible Budget Voter: Eligible Voters who have attended at least one Neighborhood Assembly meeting during the last twelve (12) consecutive months. Eligible Budget Voters may participate in the City Budget Vote.

K. Eligible Voter: A resident of Oakland who is sixteen (16) years of age or older.

L. Neighborhood Assembly: A neighborhood-based body for the sharing of information, collective conversation, and decision-making, corresponding to a geographic area with 2,500 - 5,000 residents.

M. Neighborhood Assembly Area: The local geographic region corresponding to a given Neighborhood Assembly.

N. Neighborhood Launch Assembly: A convening in each Neighborhood Crime Prevention Council (NCPC) area to determine Neighborhood Assembly boundaries, elect Directors, and implement the first stages of the People's Budget Program.

O. Organizers: Staff for the People's Budget Program, with special focus on outreach and supporting the Neighborhood Assemblies.

P. People's Budget Program (or Program): The City department created by this initiative that implements key aspects of Oakland's budgeting process and facilitates civic engagement, dialogue, and participatory decision-making among the residents of Oakland pursuant to this Article.

Q. People's Budget Program Fund: A designated fund within the city's General Fund to which is allocated the annual budget for the People's Budget Program.

Section 816. The People's Budget Program Fund

All People's Budget Program Fund values correspond to 2020 dollars and shall be annually adjusted for inflation.

(1) Initial Funding

For the first five (5) years following Effective Date, the People's Budget Program Fund shall be \$4.46 million. During this period, the Congress of Directors may adjust the initial line items and funding levels shown in Table 1, so long as the total amount does not exceed the total Fund amount. After five years, the People's Budget Program Fund shall be allocated pursuant to Sections 817-823.

(2) City Budget Vote

Sufficient funds to hold a standalone City election, as calculated by county election officials, for a number of voters not less than the number of voters who voted for a Mayoral candidate in the most recent Oakland mayoral election, shall be set aside for the purposes of holding the City Budget Vote.

Table 1

Item	Percentage of total People's Budget Program Fund
Salaries and benefits ¹	32%
Neighborhood Assembly budgets	19%
Training and leadership development for Directors, Organizers, and Coordinators	8%
Office and administrative expenses, including rent and mailing	4%
City Budget Vote	37%
Total	100%

Section 817. Formation of the People's Budget Program

The formation of the People's Budget Program shall follow the timeline outlined in Table 2. In the event of changes to City Council Districts, the same process shall be used, limited to the Districts and Neighborhood Assemblies affected by the changes.

1) Public Notification

The following minimum public notification practices shall be followed in advance of the District Launch Assemblies and Neighborhood Launch Assemblies:

- (a) Notice by mail to all Eligible Voters;
- (b) Notice via electronic communication to every high school student in Oakland;
- (c) Notice posted electronically, including via major City email lists and prominently on the main City website; and
- (d) At least one informational meeting in each City Council District, hosted and organized by the Councilmember for each district. The at-large Councilmember shall also host one such informational hearing.

(2) District Launch Assemblies

Within forty-four (44) days after Effective Date, the City Clerk's office must notify all Oakland residents of District Launch Assemblies pursuant to Section 817.1, including a call for candidates for the Coordinator positions, and basic information about the People's Budget Program. The District Launch Assemblies must be held within ninety (90) days of passing the initiative. The City Clerk shall coordinate with the People's Budget Program Campaign Coalition and City agencies/departments (including but not

limited to the City Department of Neighborhood Services) to delegate responsibilities for planning, facilitating, and securing locations for the District Launch Assemblies. Decision-making at District Launch Assemblies requires a quorum of seventy-five (75) Eligible Voters who reside in the district.

(a) Election of Coordinators

In the inaugural year, Coordinators for each City Council District shall be chosen by a majority vote of Eligible Voters present at the District Launch Assemblies who also reside in the district. Interested parties must submit their petition for candidacy no later than fifty-one (51) days after notification of the District Launch Assemblies, accompanied by thirty (30) signatures from Eligible Voters in their City Council District. Votes are cast at the District Launch Assemblies in a manner determined and facilitated by the People's Budget Program Campaign Coalition. Subsequent hiring decisions shall be made pursuant to Section 819.

(b) Hiring of Organizers

Coordinators shall solicit applicants for the Organizer positions at the District Launch Assemblies. Coordinators shall hire Organizers within sixty (60) days of the District Launch Assemblies. Subsequent hiring decisions shall be made pursuant to Section 819.

(c) Deadlines and Consequences

If notification deadlines described in this section are not met, each member of City Council shall be docked in daily pay for each day of delay. These funds shall be transferred to the People's Budget Program Fund.

(3) Neighborhood Launch Assemblies

Within fifty-eight (58) days after the District Launch Assemblies, the City Clerk's office must notify all residents of Oakland of Neighborhood Launch Assemblies, to be held in each NCPC area. Notification shall include NCPC assignments and a call for candidates for Director positions. Organizers shall assist in informing residents. Neighborhood Launch Assemblies must be held within seventy-nine (79) days of the District Launch Assembly in the corresponding City Council District. Coordinators shall work with the appropriate City offices and the People's Budget Program Campaign Coalition to plan the Neighborhood Launch Assemblies. For decisions to occur, a quorum of fifty (50) Eligible Voters who reside in the given NCPC area must be in attendance.

¹ See Section 818 for initial salary and benefit levels

Table 2

Name	Deadline
Effective Date	Not applicable
Notification of District Launch Assemblies and solicitation of candidates for Coordinator positions	Within forty-four (44) days after Effective Date
Petitions of candidacy for Coordinator positions due	Within fifty-one (51) days after Notification of District Launch Assemblies and before District Launch Assemblies
District Launch Assemblies held	Within ninety (90) days after Effective Date
Solicitation of applicants for Organizer positions and candidates for Director positions	Within ninety (90) days after Effective Date
Organizers hired	Within sixty (60) days after District Launch Assemblies and before Neighborhood Launch Assemblies
Notification of Neighborhood Launch Assemblies	Within fifty-eight (58) days after District Launch Assemblies
Petitions of candidacy for Director positions due	Within fifty-one (51) days after Notification of Neighborhood Launch Assemblies and before Neighborhood Launch Assemblies
Neighborhood Launch Assemblies held	Within seventy-nine (79) days after District Launch Assemblies in corresponding City Council Districts

(a) Determination of Neighborhood Assembly Boundaries

Each Neighborhood Launch Assembly shall receive a map of their NCPC area. People's Budget Program staff shall determine and facilitate a process by which Eligible Voters will divide their NCPC area into Neighborhood Assembly Areas of 2,500-5000 people each. The final Neighborhood Assembly boundaries shall be decided by majority vote of attending Eligible Voters who are residents of the NCPC area.

(b) Inaugural Election of Directors

Within fourteen (14) days after notification of the Neighborhood Launch Assembly, interested parties shall submit their petition for candidacy including twenty (20) signatures from Eligible Voters in their NCPC area. Initially, the Directors for each Neighborhood Assembly shall be Eligible Voters and shall be chosen as follows: candidates who receive the first and second most votes will be appointed for a three year term; candidates who receive the third, fourth, and fifth most votes will be appointed for a two-year term. Subsequent elections shall take place pursuant to the procedures set forth in Section 821.5.a.

Section 818. Staff for People's Budget Program

People's Budget Program staff are City staff and entitled to all the rights and responsibilities appertaining thereto. Classifications for the staff positions set forth in Section 818 shall be created as expeditiously as possible; in lieu of a new classification, the closest existing job classification(s) may be used temporarily until the actual classification is created, and City staff shall work expeditiously to recruit and fill positions, so as not to impede the effective and timely implementation of Sections 813-823.

(1) Salaries and benefits

The City shall make appropriate changes to its labor contracts to incorporate the new positions. The employment requirements stated here shall remain in effect until the City has done so.

(2) Coordinators

One Coordinator shall be hired per City Council District. At the time of hire, Coordinators must have been residents of the district in which they are hired for a minimum of three hundred and sixty-five (365) days. Coordinators shall promote the People's Budget Program to the public, serve as liaisons between Neighborhood Assemblies and City officials, hire and oversee the work of Organizers, support the Directors,

schedule and facilitate Congress of Directors meetings at the request of Congress of Directors, administer Neighborhood Assembly Budgets set forth in Section 821.6 to Directors within their district, and ensure that educational and informational materials are appropriately and sufficiently prepared for Neighborhood Assemblies.

(3) Organizers

Organizers support the Neighborhood Assemblies within their district by performing outreach within their district, with a special emphasis on Neighborhood Assembly Areas with lower median household incomes. For the first three (3) years, Coordinators shall hire twenty-one Organizers. Council Districts 5, 6, and 7 shall have 4 Organizers. Council District 3 shall have 3 Organizers. Council Districts 1 and 4 shall have 2 Organizers. In subsequent years, hiring decisions are made by the Congress of Directors pursuant to Section 819. Organizers are hired for one-year-long contracts. At the time of hire, Organizers must have been residents of the district in which they are hired for a minimum of thirty (30) days. Organizers may be deployed outside their district. Organizers' contracts are automatically renewed unless, at a year-end review, the Congress of Directors recommends against rehiring. In such cases, Organizers must reapply for the position.

Table 3

Position	Annual Salary (equiv.)	Annual Benefits (equiv.)	FTE (%)
Coordinators	\$48,000 - \$63,360	\$25,000	100%
Organizers	\$24,000 - \$31,740	\$12,000	50%

Section 819. Congress of Directors

The executive board of the People's Budget Program is the Congress of Directors. The Congress of Directors is made up of all Neighborhood Assembly Directors. It shall meet at least twice a year. All Directors shall attend or send an alternate. Meetings shall be open to the public.

(1) Function

The Congress of Directors' functions include: 1) overseeing staff; 2) overseeing the People's Budget Program Fund; 3) receiving, compiling, and preparing for citywide vote proposals from Neighborhood Assemblies that involve substantive changes in the functioning of the People's Budget Program; 4) overseeing the City Budget Vote; and 5) facilitating the exchange of information between City agencies/departments and the Neighborhood Assemblies. The Congress of Directors may form committees to perform these functions. Such committees shall be created pursuant to the decision-making process in Section 819.2.

(2) Congress of Directors

Decision-making

The Congress of Directors shall make decisions based upon majority rule, except for decisions for which a different process is specified herein. For specific decisions, the Congress of Directors may adopt a decision process with a higher threshold for agreement than majority rule. A simple majority of Directors must be present for quorum.

(3) Amending the People's Budget Program

More substantive changes which require a citywide vote work just like agency/department-specific proposals, except that such proposals go to the Congress of Directors instead of to a Citywide Committee. These items are included in the City Budget Vote.

Section 820. Citywide Committees

The purpose of Citywide Committees is to receive and synthesize agency/department-specific program proposals from Neighborhood Assemblies and to make proposals regarding the use of special (i.e. non-general) funds. The Citywide Committees shall make monthly reports to the Neighborhood Assemblies.

(1) Formation

The Citywide Committee for a given agency/department is established once

one of the following occurs: 1) at least one (1) Neighborhood Assembly in each City Council District approves a proposal specifically focused on that agency/department, or 2) a set of Directors that includes at least one (1) Director from each City Council District calls for the formation of such a Citywide Committee.

(2) Composition and Meetings

Citywide Committees are comprised of up to one (1) delegate elected by each Neighborhood Assembly, and zero (0) or more delegates from the appropriate City agency/department. The Committee must include at least one delegate from a Neighborhood Assembly in each City Council District. At most one-third (1/3) of all delegates for each Citywide Committee can be delegates from the corresponding City agency/department. Once elected, delegates to a Citywide Committee from Neighborhood Assemblies serve two-year terms. Elected Citywide Committee delegates can serve a maximum of four (4) consecutive terms. Quorum consists of at least seven (7) delegates from Neighborhood Assemblies. A Citywide Committee votes according to majority rule, until and unless it decides to change its voting procedure to require a higher threshold of agreement. Citywide Committees shall meet at least once every two (2) months. Their meetings shall be open to the public. The work of the Citywide Committees is supported by People's Budget Program staff. The City shall make space available for the meetings of the Citywide Committees. Agencies/departments shall share with the Citywide Committees any and all information pertaining to the development and implementation of the budget that they share with the Mayor, City Administrator, and City Council.

(3) Agency/Department-Specific Program Expenditure Proposals

Throughout the year, a Citywide Committee may receive proposals from Neighborhood Assemblies regarding the budget for its particular agency/department. Neighborhood Assemblies may submit proposals on matters relating to the budget of a specific agency/department to the appropriate Citywide Committee. The Citywide Committee shall review the proposals it receives, then select from and synthesize those proposals into a single agency/department-specific proposal to be submitted to the Congress of Directors along with any explanatory materials. The Congress of Directors shall submit all such Citywide

Committee proposals to vote at the yearly City Budget Vote. These proposals are voted on in the Departmental Program Expenditures section of the ballot, as described below in Section 822(4)(c). All agencies/departments are encouraged to collaborate with the Citywide Committees and may develop joint budget and/or program proposals to be voted upon in the manner below.

(4) Special Funds Proposals

The Citywide Committee may make recommendations to the Congress of Directors regarding the use of special funds for their agency/department. The Congress of Directors receives all such proposals from the Citywide Committees and shall select from and synthesize them into a package to be voted on at the yearly City Budget Vote according to Section 822(4)(b).

Section 821. Neighborhood Assemblies

(1) Size

Neighborhood Assembly boundaries shall be based on the NCPC areas as of March 2018. Each NCPC area will initially be subdivided into Neighborhood Assembly Areas of 2,500-5,000 people. The subdivision boundaries will be determined by Neighborhood Launch Assemblies in each NCPC area. The Congress of Directors may propose changes to Neighborhood Assembly boundaries and minimum/maximum population thresholds for Neighborhood Assemblies. Proposals will be voted on at the Neighborhood Assemblies during the annual City Budget Vote described below.

(2) Meetings

Neighborhood Assemblies will hold meetings at least ten (10) times per year during ten (10) different months. The first Neighborhood Assembly meetings will be held within one (1) month of the Neighborhood Launch Assemblies. The meetings shall be open to the public.

(3) Public Notification

All Eligible Voters shall be notified of the Neighborhood Assembly meetings in their Neighborhood Assembly Area in a manner determined by the Congress of Directors.

(4) Neighborhood Assembly Decision-Making Process

Although the meetings are open to the public, only Eligible Voters who reside within the Neighborhood Assembly Area are eligible to vote in that

Neighborhood Assembly's decisions. The City Budget Vote does not count as a Neighborhood Assembly decision, since it is a citywide vote.

A quorum of thirty (30) such Eligible Voters who are present at the beginning of the meeting is required for decision making in a Neighborhood Assembly. Neighborhood Assemblies shall make decisions based upon a majority vote. This process can be amended by the Neighborhood Assembly, as long as a quorum of thirty (30) Eligible Voters who reside within the Neighborhood Assembly Area are present for such a vote.

(5) Directors

(a) Election of Directors

Each Neighborhood Assembly shall have between three (3) and five (5) elected Directors to collaboratively administer the Neighborhood Assembly. Inaugural Directors shall serve a one-year term and shall be selected from among Eligible Voters in each Neighborhood Assembly Area. In all subsequent elections after the inaugural year, all Directors shall be limited to serving two-year terms and are eligible to serve multiple, non-consecutive terms. Individuals interested in serving as Directors shall first gather twenty (20) signatures from Eligible Voters who live within the Neighborhood Assembly Area supporting their nomination. Each Neighborhood Assembly shall elect new Directors prior to the end of an exiting Director's term.

(b) Duties

Directors shall prepare, publicize, and facilitate the Neighborhood Assembly meetings. Facilitation of meetings includes taking roll of meeting participants. Directors may delegate these tasks as needed. Directors also serve as stewards of the operating budget of their Neighborhood Assembly as described in Section 821.6.

(c) Training and Leadership Development

The training and leadership development opportunities provided to Directors shall focus on leadership skills and local knowledge. Leadership skills include an understanding and recognition of anti-oppression principles, facilitation of group decision-making skills, management skills, organization skills, communication skills, and outreach skills. Local knowledge includes an understanding and recognition of

current and historical cultural and economic trends in Oakland, the functioning of City agencies/departments, and issues impacting Oakland's budget.

(d) Recall

If a Director is determined to be unable or unwilling to fulfill their duties by a three-fourths (3/4) supermajority vote of the Congress of Directors, then that Director shall be removed from their role, allowing their Neighborhood Assembly to elect a new Director to serve for the remainder of their term.

(6) Neighborhood Assembly Budget

Each Neighborhood Assembly shall be allocated a minimum of \$8,151 per year (i.e. \$679.25 per month) for meeting supplies and outreach materials. All funds not spent by the end of the fiscal year shall be transferred back to the People's Budget Program Fund.

(7) Meeting Location

For each participating Neighborhood Assembly, the City of Oakland shall subsidize or make available, as needed, at least one (1) meeting space that can accommodate a minimum of fifty (50) people each month. To the greatest extent possible, this space must be within the given Neighborhood Assembly Area. City staff shall work with Directors to identify and secure meeting locations.

Section 822. City Budget Vote

(1) Eligibility and Quorum

In order for a City Budget Vote to occur, the number of Eligible Budget Voters in each City Council District must be greater than or equal to 1% of the number of voters in that City Council District that cast a vote for a mayoral candidate in the most recent mayoral election. If this threshold is not met, the budget is decided by City Council.

(2) Public Notification

The following minimum public notification practices must be followed in advance of the City Budget Vote:

(a) Notice by mail to all Eligible Budget Voters at least six (6) weeks prior to the City Budget Vote; and

(b) Notice posted electronically, including via major City email lists and prominently on the main City website and other appropriate mass electronic communications.

(3) Ballot Distribution and Voting Procedure

Voting on the budget is to occur during

the first week of June. The timing of this period may be changed by the Congress of Directors, with a threshold of two-thirds (2/3) supermajority for the approval of such a change. Sample ballots are to be distributed to all households with at least one (1) Eligible Budget Voter, no later than two weeks prior to the City Budget Vote. During the allotted one-week period, each Neighborhood Assembly shall convene a special meeting dedicated to the City Budget Vote. Each Neighborhood Assembly meeting place shall serve as a polling place.

For the purpose of voting on the City's budget, all Neighborhood Assemblies shall have access to sufficient voting equipment and resources at a similar level provided for other municipal elections.

(4) Ballot Content

The official Ballot shall be designed by the Congress of Directors, with support from People's Budget Program staff and City election officials, and conform to appropriate standards set out in the California Elections Code. The Ballot shall include an explanation of the function of each agency/department being voted upon, prior year allocations for those agencies/departments, and recommendations from Citywide Committees and City Council. The Ballot shall include three (3) voting sections: (1) Allocating General Purpose Funds, (2) Allocating Special Purpose Funds, and (3) Approving Departmental Program Expenditures, described below. The Ballot may also include a fourth section to vote on amendments to the People's Budget Program, if any are proposed by the Congress of Directors.

(a) General Funds Allocation

The Eligible Budget Voters will decide what percentage of the General Purpose Fund will be allocated to each City agency/department. In order for this section of the ballot to be counted for a given voter, the percentages must add up to exactly one-hundred (100) percent. Voting equipment facilitating this validity check shall be provided.

The final result is the average of all the votes. The General Funds Allocation thus decided goes into effect in the second fiscal year thereafter.

(b) Special Funds Allocation

Voters will decide between up two (2) allocation packages of all funds other than those in the General Purpose Fund. The Congress of Directors may propose

an allocation package, synthesizing proposals from the Citywide Committees, and City Council may propose an allocation package.

If two allocation packages are proposed, the final result will be the average of the two (2) packages as determined by the proportion of votes for each. A vote for both is counted as half a vote for each, and a vote for neither is not counted. If only one package is proposed, that will be the package adopted by default. The Special Funds Allocation thus decided goes into effect in the second fiscal year thereafter.

(c) Departmental Program Expenditure

A third section of the Ballot will determine how the City agencies/departments are to use the funds previously allocated to them from the prior year's City Budget Vote in the immediately following fiscal year. For each City agency/department, this section of the Ballot may include up to two (2) proposals: (1) The agency/department's corresponding Citywide Committee may make a proposal, and (2) The agency/department staff may make a proposal.

The final result for each agency/department proposal is the proposal that receives more votes. If only one package is proposed, that will be the package adopted by default. In the event of a split (50/50) vote, the agency/department staff recommendation wins. The Departmental Program Expenditures thus decided go into effect in the fiscal year immediately following the City Budget Vote.

Section 823. Transparency

The same financial information provided to City Council and the Mayor for the proper allocation of the budget shall be extended to the People's Budget Program including, but not limited to, People's Budget Program staff, officers, and Neighborhood Assemblies.