

# Understanding Oakland's Current Charter

## What is the problem with Oakland's existing Charter?

Oakland's current Charter assigns powers and responsibilities in ways that create confusion, undermine accountability, and prevent the city from addressing its most pressing challenges effectively.

- Residents elect a Mayor to lead, but the office holds limited authority.
- The City Council is held accountable for constituent concerns without the ability to hold the administration responsible for performance.
- The City Administrator is caught between unclear and conflicting priorities from multiple elected leaders.

The existing charter blends two different governance models — strong mayor and council-manager — without securing the benefits of either, resulting in a unique system that produces structural ambiguity and competing lines of authority.

## What are the two standard models for municipal government?

Most U.S. cities use one of two well-established governance models:

- **Strong Mayor:** The mayor is elected citywide as the chief executive, manages city operations, proposes budgets, and holds veto power over legislation and the final budget. The city council serves as the legislative branch which provides a check and balance on the executive branch.
- **Council-Manager:** The city council acts as the unified legislative authority and appoints a professional city manager who directs day-to-day operations and often proposes the budget.

The Working Group's proposal should be understood not simply as a "strong mayor" system, but as a strong mayor and strong council model. The mayor would have clearer authority and responsibility for city operations, while the council would retain its legislative, budgetary, and confirmation powers and gain enhanced oversight and analytical capacity. The Charter Reform Working Group's proposal clarifies and rebalances power away from an unelected bureaucracy toward elected officials who are directly accountable to voters.

## How does Oakland's current Charter work?

Oakland's current structure sits awkwardly between both models:

- The Mayor doesn't serve on the council but lacks the powers of a strong mayor — no veto power, no direct authority to shape city policy.
- The City Administrator manages city agencies like in a council-manager system, but unlike a typical city manager who answers to the council, Oakland's Administrator serves at the Mayor's pleasure.
- The Mayor has no formal power to appoint department heads but exerts significant informal influence over the Administrator. This complicates Council oversight.

Current and former city staff describe this system as difficult to navigate, hard to explain, and ill-suited to Oakland's challenges. The result: "everyone is in charge, and therefore no one is in charge."

## What are the Mayor's actual powers under the current Charter?

The Mayor can propose the city budget, but the Council retains final authority to adopt it — even if amended significantly from the Mayor's proposal. The Mayor can nominate and fire the City Administrator, and has a role in choosing and dismissing the Police Chief. However, the Mayor cannot veto Council decisions, cannot directly appoint department heads, and cannot vote on legislation (except to break ties).

## What the Working Group Found

### Who conducted this review and how?

Mayor Barbara Lee convened the Mayor's Working Group on Charter Reform, co-facilitated by the League of Women Voters of Oakland and SPUR (San Francisco Bay Area Planning and Urban Research Association). Between August and December 2025, the Working Group:

- Engaged more than 750 residents through public meetings and listening sessions
- Conducted more than 60 in-depth interviews with current and former city staff, elected officials, and subject matter experts
- Researched governance models across the country

### What did residents consistently say they wanted?

Regardless of their preferred governance model, Oakland residents consistently emphasized:

- Clear accountability for citywide outcomes
- Fewer layers of bureaucracy and elimination of duplicative roles
- Stronger mayoral authority to ensure a citywide approach to service delivery
- A structure that can allocate resources equitably across districts with very different needs

### What are the key problems the Working Group identified?

The Working Group identified three major structural problems:

- **Misaligned authority:** Residents hold the Mayor accountable for citywide outcomes, but the Mayor lacks authority to deliver them. Meanwhile, Councilmembers are responsible for budgets and policies without tools to ensure they are carried out.
- **Weak fiscal discipline:** The Mayor proposes budgets but council can update them without further input from the executive branch. The Council lacks independent financial analysis. The City Administrator is caught in the middle implementing budgets with unrealistic assumptions.
- **Organizational complexity:** Multiple actors share partial authority with no single leader ultimately responsible. A recent survey found 78% of respondents disapprove of how the city is performing, with many citing distrust in budget management.

## The Working Groups Recommendations

### What does the Working Group recommend?

The Working Group unanimously recommends that Oakland adopt a strong-mayor system with a clearly defined executive structure. Specifically:

- The Mayor would serve as the city's chief executive, responsible for all city operations and service delivery.
- The Mayor would have veto power over all legislation, including budget decisions (Council would be able to override a veto with two-thirds vote).
- The Mayor would retain a City Administrator, who would be confirmed by the Council to oversee core internal functions (finance, HR, IT, procurement, permitting).
- Deputy mayors or cabinet officials would oversee policy departments such as public safety, housing, and economic development.
- The City Council would be strengthened with new independent analytical capacity to ensure a balance of power.

### **Why did the Working Group choose the strong-mayor model over council-manager?**

Both systems come with benefits and trade-off's. The Working Group believes the strong-mayor model better fits Oakland's specific context because:

- Oakland has severe fiscal stress requiring decisive, coordinated leadership.
- Deep racial, wealth, and geographic inequities across Oakland's neighborhoods require a citywide approach.
- Oakland's high civic engagement and demand for visible, accountable leadership aligns with a model where residents can clearly identify who is responsible.
- The current hybrid system's dysfunction has persisted for decades, and a clear model is needed.

The Working Group also considered that strong-mayor systems work best when voters expect visible accountability, there are disparities across neighborhoods requiring a citywide approach, and political fragmentation makes collective accountability difficult, all conditions present in Oakland.

Council-manager systems work best when there are fewer disparities across neighborhoods, political conflict is relatively low-intensity, councils are cohesive and capable of unified direction, and residents expect collective, rather than individualized, political leadership.

### **Would a council-manager model also have been acceptable?**

Yes — the Working Group concluded that a decisive shift to either model would be better than the current hybrid. Council-manager systems work well where professional administration is prioritized, disparities are less prevalent across districts, councils are cohesive, and residents are not as politically engaged. The Working Group ultimately preferred the strong-mayor model for Oakland's specific context and challenges, but acknowledged that a well-designed council-manager structure could also address many of Oakland's structural problems.

## **The Role of the Mayor Under the New System**

### **What new powers would the Mayor have?**

Under the recommended strong-mayor system, the Mayor would:

- Serve as chief executive responsible for city operations and service delivery

- Have veto power over all legislation, laws, policies, and budget decisions
- Directly organize departments and appoint cabinet-level or deputy mayor officials to lead policy areas
- Nominate a City Administrator (subject to Council confirmation) for internal service functions
- Have discretion to delegate additional responsibilities to the City Administrator

### **Would the Mayor still have a City Administrator?**

Yes. The Working Group recommends the Mayor retain a City Administrator to oversee core internal functions — finance, human resources, information technology, procurement, and citywide systems like permitting and 311. This preserves professional administrative expertise for operational functions while giving the Mayor clear authority over policy departments. The City Administrator would be nominated by the Mayor and confirmed by the City Council. The Mayor would have the ability to assign additional responsibilities to the City Administrator as well, should they choose to do so.

### **How would a strong mayor and strong council help with Oakland's budget crisis?**

A strong-mayor system promotes fiscal discipline by improving coordination between the Mayor and City Council through veto power. Currently, the Mayor proposes a budget but has no authority to push back when the Council changes it, and the Council lacks independent analysts to evaluate the Mayor's proposals. Under the new model, veto power would encourage negotiation between branches before budgets are finalized, and a new independent Budget and Legislative Analyst office would give the Council the tools to do rigorous fiscal analysis.

### **Will a strong mayor and strong council model actually improve service delivery?**

The Working Group's view is that improved service delivery depends on three structural changes:

- Aligning expectations with authority: Today, residents hold the Mayor responsible for outcomes, but the Charter does not provide sufficient operational authority.
- Ensuring electoral accountability: Under the proposed system, the official responsible for city operations is directly elected and accountable to voters if services fail.
- Strengthening oversight: Expanded Council tools—hearings, subpoena power, and independent analysis—are designed to evaluate how services are actually delivered.

The expectation is that clearer authority, combined with electoral accountability and stronger oversight, will lead to more consistent and effective service delivery.

### **Does the non-interference clause prevent Councilmembers from advocating for constituents and how will the Charter Reform Working Group's recommendations change that?**

Non-interference provisions are standard in most governance systems, including Oakland's current structure. They prevent elected officials from directly directing staff in day-to-day operations, but do not limit advocacy, oversight and accountability measures.

Councilmembers may:

- Communicate with the Mayor, City Administrator, and department heads

- Raise constituent concerns
- Request information
- Provide oversight of programs and policies

The proposal does not narrow these channels. Instead, it clarifies where decision-making authority sits within the executive branch, making it easier to resolve issues when they are raised.

## The Role of Council Under the New System

### What happens to the City Council's role?

The City Council would remain Oakland's legislative branch, as it is now. The goal of charter reform is not to diminish the Council's role but to clarify and strengthen it to ensure that there is a balance of power.

The Council would continue to:

- Represent district residents
- Address constituent concerns
- Set policy and pass laws, and ordinances
- Review and amend the Mayor's proposed budget
- Confirm certain mayoral appointments
- Approve contracts

In addition, they would have the ability to:

- Conduct oversight hearings with strengthened powers, including the ability to subpoena witnesses and summon testimony
- Override mayoral vetoes with a two-thirds supermajority vote

The recommendations do not reduce the Council's existing formal powers related to constituent services. Councilmembers will continue to represent district residents, handle neighborhood concerns, and help constituents navigate city services.

What changes is that the Council gains additional tools to address systemic service problems, including expanded authority to conduct oversight hearings on recurring failures, subpoena power to compel information when needed, and access to independent legislative analysts to identify root causes and evaluate solutions. These changes are intended to move the Council beyond one-off casework toward addressing the underlying drivers of persistent service issues.

### What new analytical capacity would the Council have?

The Working Group recommends establishing a permanent, independent Budget and Legislative Analyst (BLA) office — similar to those in Los Angeles, San Diego, and the California legislature. This office would provide the Council with independent analysis of:

- Budgets and fiscal impacts
- How proposed policies may interact or conflict with existing policies
- Staffing implications of proposed legislation
- Operational capacity to manage proposed changes

This would significantly expand the Council's capacity to independently evaluate the Mayor's budget proposals and hold the administration accountable for performance.

### **How would Council members' day-to-day work change?**

Many aspects of the Council role would remain the same, representing district residents, addressing constituent concerns, introducing and voting on legislation. Councilmembers would continue to direct constituent concerns to the executive branch while using expanded oversight powers and BLA support to monitor and improve citywide performance. This would significantly expand the Council's capacity to independently evaluate the Mayor's budget proposals and hold the administration accountable for performance.

The Working Group does not recommend a reduction in responsibility, but a shift in emphasis from primarily casework-driven work toward a more systems-focused role: identifying patterns of service failure, investigating root causes, and holding the executive accountable for corrective action.

### **Would the Council's size change?**

The Working Group recommends phasing out the single at-large Council seat, reducing the Council from 8 to 7 members. An odd number eliminates the current awkward arrangement where the Mayor casts tie-breaking votes (uncommon in strong-mayor cities). This change also reduces the confusion about the at-large Councilmember's role when a strong Mayor already represents citywide interests. The Working Group also recommends making explicit in the Charter that Council service is full-time, with a prohibition on outside employment and salary benchmarks aligned with comparable strong-mayor cities.

## **Accountability, Oversight & Safeguards**

### **Would a strong mayor and strong council system make Oakland more vulnerable to corruption?**

A strong-mayor system does not remove safeguards against corruption and in fact increases accountability by clarifying responsibility. Oakland would maintain multiple independent oversight mechanisms:

- Independent City Auditor
- Public Ethics Commission
- City Attorney
- Voter recall provisions
- Transparency laws and open meetings requirements
- New Budget and Legislative Analyst with independent reporting to the Council

The current hybrid system, by dividing authority, can actually make it harder to determine who is responsible when problems occur. Clear executive authority makes misconduct more visible and attributable.

### **What if a strong mayor uses their power vindictively against certain districts?**

The charter reform maintains meaningful checks and balances. The Council retains legislative authority while gaining tools to hold oversight hearings, conduct investigations, and override vetoes with a supermajority. The Budget and Legislative Analyst would provide independent data to support Council investigations. Additionally, because the Mayor is elected citywide, they have strong incentives to serve all neighborhoods, not just high-turnout districts.

### **Would district residents have less influence with a strong mayor and council than with a council-manager model?**

In a council-manager structure, the effective 'executive' is the Council's majority coalition. Residents whose district representatives fall outside that majority may find their priorities sidelined. In contrast, a strong-mayor system ensures that all residents, regardless of district, have an equal vote in selecting the city's executive leader. The Mayor must build support across all communities to win elections, creating incentives for citywide equity rather than coalition-driven resource allocation.

Under a strong mayor and council system, district council members continue to advocate for their communities, while the Mayor must take a citywide perspective. This structure is intended to better address disparities across neighborhoods by aligning citywide leadership with citywide outcomes.

Problems such as public safety, homelessness, illegal dumping, and infrastructure affect the entire city. A mayor who neglects historically underserved areas risks worsening citywide conditions and facing political consequences from the broader electorate.

### **What ethics rules would apply to mayoral appointees?**

All mayoral appointees would remain subject to the same local, state, and federal ethics rules that currently apply to city officials, including:

- Oakland Public Ethics Commission regulations
- State conflict-of-interest laws (Form 700 financial disclosures)
- Campaign finance and lobbying regulations

Many appointments would also require Council confirmation, providing an additional check on the Mayor's choices.

## **Next Steps and Timeline**

### **What happens next with these recommendations?**

The Working Group's report is complete. The next stage, determining what ultimately appears before voters, rests with Mayor Lee and the City Council. The Mayor will continue to work with the Council to determine which elements of the Working Group's recommendations to advance in a ballot measure. Any proposed Charter amendment must be approved by Oakland voters.

### **Would voters choose between the two governance models, or just vote yes/no on one option?**

The City Council will determine what goes on the ballot. Voters would then be asked to vote yes or no on whatever measure(s) the Council puts forward. The Council could choose to place a single model before

voters, or potentially offer voters a choice. The Working Group has recommended the strong-mayor model, but the final structure of any ballot measure is up to the Mayor and Council.

### **What is the timeline for getting this on the ballot?**

To appear on the November 2026 ballot, any measure would need to be referred to the Registrar of Voters by approximately July 2026, given that the City Council typically takes its recess in August. Public education and community outreach would be required regardless of the path forward.

### **What would implementation look like if voters approve a new charter?**

A charter amendment adopted by voters would require a thoughtful, phased implementation period. This would include:

- Administrative restructuring of city departments and reporting relationships
- Updating ordinances to align with the new Charter
- Ensuring staff have the tools, training, and resources to operate under the clarified system

Charter reform is not simply a vote, it is a governance transition that demands coordination, planning, and clear communication.

### **What if the ballot measure fails?**

If voters reject the measure, the current Charter remains in place. The City Council and future administrations could revisit governance reform later if desired. The Working Group notes, however, that Oakland's structural challenges will persist under the current hybrid system.

## **What Charter Reform Can and Cannot Do**

### **What would charter reform actually change for residents?**

A clearer governance structure would help residents by:

- Making it obvious who to hold accountable when services fail, one elected Mayor responsible for city operations
- Reducing the runaround when reporting problems, as executive responsibility is clearly in the Mayor's office
- Enabling a citywide approach to equitable service delivery across neighborhoods
- Supporting better long-term financial planning through improved checks and balances between branches

### **What can't charter reform solve on its own?**

Even a well-designed governance structure cannot guarantee strong leadership, resolve political conflict, eliminate resource constraints, or substitute for effective management systems. Residents raised important operational needs, a functional 311 system, stronger performance management, and more consistent service delivery, which require investment, capacity, and leadership beyond the charter. What a coherent Charter can do is create the conditions in which those improvements become possible: clarifying who is responsible, aligning authority with accountability, and ensuring that when change is necessary, the path for making it is clear.

## **Is this the last time Oakland's Charter would be reviewed?**

No. Charter amendments can be made at any time with voter approval. The Working Group recommends treating the Charter as a living document and establishing a formal review process at least every 10 years. This would ensure ongoing alignment between the governance structure and Oakland's evolving needs, prevent the accumulation of structural contradictions, and allow Oakland to correct course as conditions change.

## Responding Directly to Critique

### **Studies show that municipalities with professional city managers experience 57% fewer corruption convictions than strong-mayor cities.**

This figure comes from a single study (Nelson and Afonso, 2025) that warrants careful reading before treating it as conclusive. Across more than 60,000 city-year observations spanning two decades, the study identified only 145 instances of corruption, roughly 0.24% of the dataset. A couple of cities accounted for a disproportionate share of those cases, significantly skewing the aggregate results. The study also explicitly excludes forms of corruption unlikely to produce criminal arrest, such as nepotism and conflicts of interest. Critically, the study's own authors note that corruption risk is substantially mediated by institutional safeguards, including independently elected executives, independent audit authority, ethics enforcement, transparent procurement rules, and confirmation requirements. These are all elements that Oakland already has or are in the proposed design. The broader literature does find that council–manager systems are generally associated with somewhat lower corruption exposure risk on average, but we shouldn't take at face value the argument that adopting a council-manager form would reduce corruption by 57%.

### **In the working group's survey of 433 Oaklanders, 83% of respondents said they want to make the City Council stronger by giving it more direct ways to hold city administration accountable for performance. And 82% want the mayor to have a role on the City Council to help shape policies and laws.**

These numbers require important context before they can bear the weight being placed on them. The Working Group's survey was an opt-in online instrument, not a statistically representative poll of Oakland residents. The topline results reveal several significant sample characteristics: 51% of respondents identified as white non-Hispanic, against a city that is roughly 35% white. 23% of respondents were current City of Oakland employees, with another 7% former city employees, meaning roughly 30% of the sample had a direct professional stake in the outcome. And 16% were not Oakland residents at all. This is not a random sample of Oakland voters. It is a sample drawn from people motivated to engage with a charter reform survey, weighted heavily toward city workers and toward demographic groups that are already overrepresented in civic participation. Treating its results as a reliable proxy for what Oakland voters want is not statistically sound.

Looking at what the actual survey questions asked also matters. The 83% figure comes from respondents supporting "providing the City Council with more direct ways to hold city administration accountable for performance." The Working Group's proposal does exactly that, it establishes an independent Budget

and Legislative Analyst office, grants the Council formal subpoena power, and clarifies oversight authority in the Charter. Respondents who supported that idea were expressing support for a stronger Council, which the proposal delivers. The question does not ask whether respondents prefer a council-manager system, and it cannot be read as opposition to the strong-mayor recommendation.

The 82% figure comes from respondents supporting "giving the Mayor a role on the City Council to help shape policies and laws." This is being interpreted as a preference for the council-manager model, in which the Mayor sits as a member of the Council. But the question asks about the Mayor having a role in shaping policy, not about organizational structure. Under the Working Group's proposal, the Mayor shapes policy through veto power, budget proposal authority, and cabinet-level direction of departments. What the question captures is a desire for mayoral engagement in the policy process, which the strong-mayor model provides in full. It does not ask whether respondents want a council-manager structure, and treating it as such misreads what was asked.

The survey also asked, in the same section, whether respondents supported granting the Mayor veto power over legislation and budget decisions. 72% said yes, including 33% who strongly supported it. And 66% supported granting the Mayor authority to hire and fire department heads. These findings, from the same survey, directly support the Working Group's core recommendations. The critique selects two questions while ignoring others that point in the opposite direction.

More importantly, statistically valid polling of actual Oakland voters tells a different story. A February 2026 poll by the East Bay Polling Institute found that 64% of voters support amending the city charter to adopt a strong-mayor system with veto power and a two-thirds Council override, supporting the Working Group recommendations. The 2025 Pulse of Oakland Poll found 61% of likely voters support a strong-mayor system, while half actively oppose a council-manager government and only 13% named it their top choice. These are probability-based samples of the electorate. They are the appropriate instrument for gauging voter preference on a ballot measure. When that standard is applied, the evidence runs strongly against the council-manager recommendation, not in favor of it.

### **Under the proposed system the mayor will still not be required to attend council meetings**

As a matter of practice, mayors in strong-mayor cities do regularly attend City Council meetings. Nothing in the Working Group's proposal prevents the ballot measure language from requiring the Mayor or deputy mayors to appear before Council on a regular schedule. That is a drafting detail, not a structural defect of the model.

Physical presence at meetings is not what drives meaningful collaboration between the executive and legislative branches. What drives it is structure. Under the Working Group's proposal, the Mayor holds veto power over legislation and budget decisions, and the Council holds the authority to override that veto with a two-thirds vote. That reciprocal dependency that makes it so that neither branch is able to act unilaterally on the most consequential decisions is what creates genuine, ongoing engagement between Mayor and Council. It forces negotiation, not just attendance.

### **Under the proposed system the City Council will still be weak, with no oversight over city operations**

This is false. The proposal specifically includes and uplifts the Council's oversight authority, including

formal subpoena and hearing powers. Such powers are at most implied in the current Charter. The proposal would make them explicit. Further, the proposal balances a Mayoral veto power with the Council’s power to override any veto as is typical in any city adopting a strong mayor model. The proposal enhances the Council’s resources with its recommendation of an Independent Budget and Legislative Analyst.

The proposal calls for the Council to retain confirmation authority over the City Administrator. It recognizes that the role requires full-time status with dedicated staff and resources. If adopted, the proposal would create a meaningfully stronger Council than Oakland has today. The Council’s powers are the same powers of legislation and oversight in either model of governance. The difference is a choice of philosophy about the check on whoever administers city business — whether it is the Council who fires the city administrator if performance is unsatisfactory or if it is the voters who vote out of office a mayor whose performance they deem unsatisfactory. The critique appears to define "strong Council" as one that directly manages the city administrator — which is the council-manager model by definition. That's a coherent position, but it's an argument for a different governance philosophy, not evidence that the proposed Council is weak on its own terms.

### The City should adopt the model city charter

The Model City Charter is not a single fixed document, it has evolved through nine editions over a century, and its own authors present the strong-mayor form as a legitimate alternative in the current edition. The ninth edition explicitly recommends a design in which an independently elected mayor nominates a City Administrator who must be confirmed by the City Council which is precisely what the Working Group proposes. The foundational principle of the Model City Charter has always been eliminating fragmented authority and confused responsibility. Oakland's current hybrid system exhibits exactly the fragmentation the Model Charter was designed to remedy. Moving to a coherent strong-mayor design with clear executive authority and a strengthened legislative branch addresses that foundational principle, it does not contradict it.

Function	Current Charter	Working Group Proposal	Model City Charter
<b>Appointment of City Manager/ Administrator</b>	Mayor appoints City Administrator subject to confirmation by Council.	Mayor appoints City Administrator for internal operations subject to confirmation by council.	Council appoints City Manager collectively
<b>Oversight</b>	Not specifically mentioned - perhaps implied by assignment of “all legislative powers” in Section 207 of Article II.	Council has the power of oversight including subpoena powers	Council has the power of oversight including subpoena powers
<b>Constituent Services</b>	Councilmembers play a primary role in responding to constituent concerns and navigating city services, but responsibility for service delivery is diffused	Councilmembers continue to represent constituents and address service issues; clearer executive authority means the Mayor is directly accountable for service	Councilmembers represent constituents, but service delivery is managed by a City Manager. Constituent concerns are typically addressed through the

	across Mayor and City Administrator	delivery outcomes, while Council gains tools to address program and legislative implementation	Council-manager chain of command, similar to the existing process.
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