

FILED  
 OFFICE OF THE CITY CLERK  
 INTRODUCED BY COUNCIL MEMBER FORTUNATO BAS

  
 CITY ATTORNEY'S OFFICE

2020 MAR -2 AM 11:13

## OAKLAND CITY COUNCIL

ORDINANCE NO. 13588 C.M.S.

**ORDINANCE TO REAUTHORIZE AND EXTEND FOR TWELVE YEARS AN AMENDMENT OF THE CHARTER OF THE CITY OF OAKLAND (ARTICLE XIII SECTION 1300) ESTABLISHING THE KIDS FIRST! OAKLAND FUND FOR CHILDREN AND YOUTH AS APPROVED BY THE PASSAGE OF THE 2009 KIDS FIRST! VOTER INITIATIVE MEASURE D**

**WHEREAS**, the Kids First! Initiative gathered over 30,000 signatures to put a funding measure on the November 1996 ballot; and

**WHEREAS**, 75% of Oakland voters approved Measure K Kids First! Initiative in the General Municipal Election on November 5, 1996, and established the Oakland Fund for Children and Youth; and

**WHEREAS**, on July 21 2009, 72% of Oakland voters approved Measure D, the Oakland Kids First! Initiative, in a special election to reauthorize the Kids First! Oakland Fund for Children and Youth for an additional twelve years; and

**WHEREAS**, the measure requires that three percent of the City of Oakland's annual actual unrestricted General Purpose Fund (Fund 1010) revenues shall be set-aside for the Fund (Oakland Fund for Children and Youth, OFCY), and appropriated as specified in the amendment along with any interest earned on the fund and amounts unspent or uncommitted by the fund at the end of any fiscal year; and

**WHEREAS**, OFCY is overseen by a 17-member public commission, composed of one youth and one adult member appointed by each Councilmember, and one member appointed by the Mayor. This Planning and Oversight Commission provides youth and community representation in decision-making and guides the functions of OFCY in strategic planning and community engagement, developing policies and priorities for funding and making grant recommendations to the City Council, and guiding evaluation; and

**WHEREAS**, every three years OFCY undertakes a strategic planning process to ensure its funding strategies meet the current needs of Oakland children, youth and families; and

**WHEREAS**, the 2019 OFCY Equity Framework included data on persistent poverty and racial disparities from multiple sources, including the Office of Race and Equity Indicator Report and the collective impact work of the Youth Ventures Joint Powers

Authority/Oakland Thrives leadership tables, which informed the OFCY funding priorities; and

**WHEREAS**, for 2019-2020, the OFCY Strategic Investment Plan identified nine strategies that include 1) Parent Engagement and Support, 2) Family Resources Center, 3) Social and Emotional Well-Being in Preschool and Early Childhood Education Settings, 4) Comprehensive Afterschool Programs, 5) Engagement and Success for Elementary and Middle School Students, 6) Summer Programming, 7) Youth Development and Leadership, 8) High School and Postsecondary Student Success, and 9) Career Awareness and Employment Support; and

**WHEREAS**, over the last two decades, OFCY has benefited the lives of thousands of Oakland children and youth, with over 25,000 youth served annually by programs and direct services funded by OFCY through community-based organizations and public agencies; and

**WHEREAS**, OFCY funds are used to leverage and match additional local, state, federal and foundation funding sources, bringing significant additional financial support for children and youth into Oakland; and

**WHEREAS**, the results of the City's investments in OFCY strategies are reported annually through independent evaluations which build a strong system of accountability documenting effective program performance and results for children and youth; and

**WHEREAS**, the charter amendment may be extended for an additional twelve years beginning July 1, 2021 by a simple majority vote of the City Council according to the provision of the charter amendment;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Reauthorization of Kids First!.**

Pursuant to Section 1307 of the Charter of the City of Oakland (the "Charter"), the provisions of Article XIII of the Charter are extended for twelve (12) years, beginning July 1, 2021 and continuing through June 30, 2033. Pursuant to this extension and Section 1306 of the Charter, within one-hundred and eighty (180) days following the completion of each fiscal year's external audit through 2032-2033, the City Auditor shall calculate and publish the actual amount of City of Oakland spending for children and youth services (exclusive of expenditures mandated by state or federal law).

The City Administrator may take any action necessary to have the reauthorization made by this Section notated in any publication of the Charter.

**SECTION 2. No Other Amendment.**

Except as provided in Section 1 of this Ordinance, this Ordinance does not otherwise amend, change, or alter any Article of the Charter.

**SECTION 3. Severability.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 4. Effective Date.**

This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise, this ordinance shall become effective upon the seventh day after final adoption.

2874744v1

IN COUNCIL, OAKLAND, CALIFORNIA,

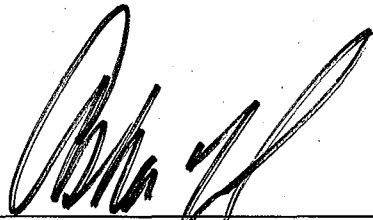
**MAR 03 2020**

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, ~~WILSON~~ AND PRESIDENT KAPLAN - 7

NOES -   
ABSENT -   
ABSTENTION -

*Excused - Mad*



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

Introduction Date  
**FEB 18 2020**

Date of Attestation: March 6, 2020

## NOTICE AND DIGEST

### **ORDINANCE TO REAUTHORIZE AND EXTEND FOR TWELVE YEARS AN AMENDMENT OF THE CHARTER OF THE CITY OF OAKLAND (ARTICLE XIII SECTION 1300) ESTABLISHING THE KIDS FIRST! OAKLAND FUND FOR CHILDREN AND YOUTH AS APPROVED BY THE PASSAGE OF THE 2009 KIDS FIRST! VOTER INITIATIVE MEASURE D**

This Ordinance extends, for twelve (12) years, the provisions of Article XIII of the Charter of the City of Oakland, which establishes KIDS First! The Oakland Fund for Children and Youth (the "Fund"). Article XIII of the Charter mandates that, effective July 1, 2009 and continuing through June 30, 2021, the Fund must receive revenues in an amount equal to three percent (3.0%) of the City's annual actual unrestricted General Purpose Fund revenues. Revenue received by the Fund may be used to support the healthy development of young children, help children and youth succeed in school and graduate high school, prevent and reduce violence, crime, and gang involvement among children and youth, and help youth transition to productive adulthood. Section 1307 of Article XIII of the Charter provides that the City Council may extend the terms of Article XIII of the Charter for twelve (12) additional years, beginning July 1, 2021. Pursuant to this Ordinance, the City Council extends the provisions of Article XIII of the charter for twelve (12) years, beginning July 1, 2021 and continuing through June 30, 2033.