
Oakland's Charter Doesn't Work. Here's Why.

We've [previously described](#) how the City of Oakland's charter document leaves the mayor weak, councilmembers frustrated, the city administrator with torn loyalties, and the city attorney conflicted. Why is that? What is it about Oakland's form of government that leads to poor outcomes for the City and its residents?

Oakland Has a Federal-Style Government.

The short answer: Oakland's charter is bad because it imposes a Federal-style government on the City, with three separately elected branches (executive, legislative, and judicial) that compete with each other and, in so doing, make Oakland less effective and more dysfunctional than other cities with more efficient forms of government.

Rooted in the principle of separation of powers, the Federal system was designed by our nation's founders to create checks and balances that prevent any single branch of government from dominating the others. It is a **deliberative** system aimed at slowing things down, distributing power, and preventing tyranny. And while that may be appropriate for the policy-making body of a national government overseeing millions of people, it is less optimal for cities focused on quickly removing graffiti, filling potholes, arresting criminals, and fighting fires. The Federal system promotes stability and limits government overreach but, in the local context, leads to inefficiency, ineffectiveness, mismatched expectations, fragmented authority, and limited accountability.

It wasn't always this way. For 67 years, Oakland had an efficient form of government where the Mayor sat as president of the Council, the Council served as the board, and a professionally trained, nonpolitical chief executive (e.g., city manager) oversaw the city's day-to-day operations. This unitary system delivered an efficient, well-run city for Oaklanders. But in 1998, Jerry Brown – perhaps because he was more familiar with the Federal system, or perhaps because [he just didn't want to attend city council meetings](#) – used his unique gravitas to pass Measure X which foisted the Federal tripartite system upon Oakland. Oaklanders have been worse off ever since.

A Federal Charter Begets a Flawed City

Oakland's Federal-style organization chart (see below) leads to these systemic problems:

- **The Mayor has little actual power.** In Oakland, the Mayor does not attend City Council meetings or vote on policy (except to break a tie) because policy-making is exclusively reserved for the Legislative branch (i.e., Council). The Mayor has no veto power. And the Mayor does not supervise, evaluate, or set goals for department heads. Oakland voters, however, *think* their mayor does all these things and thus blame them for failing budgets, high crime, potholed streets and homelessness.
- **The City Council has no connection to day-to-day operations.** The City Council does not select, direct, oversee, or evaluate the City Administrator or any department heads, leaving Councilmembers frustrated when staff doesn't carry out their policy direction. But why should staff be expected to do so? Day-to-day operations are exclusively reserved for the Executive branch and there is little or no consequence for slow-walking actions or ignoring Council direction.
- **The elected City Attorney has two clients.** The city charter orders the City Attorney to represent the Mayor, the City Council and every City department, and to provide legal representation for all litigation in which the City is a party. But the City Attorney – as an elected official whose continued employment depends on garnering votes – also has an obvious self-interest in representing the interests of the voting public. This conflict, according to the [2021 SPUR report](#), blurs the line between who the city attorney represents in certain matters and transactions: the municipal corporation or the people of Oakland.
- **The revolving door of leadership.** In Oakland, the mayor comes and goes every four or eight years ([or sooner!](#)) and, because appointment and retention of the City Administrator is the sole province of the Executive branch, so too does the City Administrator. When new mayors arrive, they typically install their own administrator and team of advisors. For Oakland, the result has been a revolving door of executive leadership. Over the last five years, in addition to *four* permanent and interim mayors, Oakland has had *six* permanent and interim city administrators. Such turnover and turmoil in the executive offices makes it impossible to establish a workplace culture of excellence. More chillingly: the lack of long-term institutional knowledge and oversight has certainly contributed to the City's scary brush with financial insolvency. Oakland won't prosper until there is stability in the executive ranks.

Simply Moving to a Stronger Mayor Won't Fix This.

We've heard the calls for Oakland to strengthen the office of the mayor by giving veto power to the mayor. According to the 2021 [SPUR report](#),

As the city's chief executive, the mayor should have a voice in the legislative process. The mayor's current tiebreaker role is easy to manipulate and generally ineffective. If the mayor cannot vote as a member of council (as is typically the case in a council-manager form of government), then they should have the authority to veto legislation.

We don't disagree – the mayor should absolutely have a say in the legislative process. But the problem with this proposal is that – while it does provide the mayor with limited authority to impact policy-making – all of the other flaws that accompany Oakland's flawed Federal system will persist:

- The Mayor will **still** have only limited power to control, shape, or make policy.
- The City Council will **still** have no oversight over day-to-day operations.
- The City Attorney will **still** be conflicted between two clients.
- The City Administrator's office will **still** be prone to the revolving door of leadership.

Unless and until Oakland's Federal-style government system is scrapped, the City's performance will not improve and the mayor will likely be judged as ineffective.

Unless and until voters amend Oakland's flawed charter to deliver a transparent, responsive, efficient, effective and ethical operation to City Hall, the Town won't reach its potential and rightful place as the gleaming, talented, brilliant, multicultural center of the San Francisco Bay Area.

What Are We Doing About It?

We're continuing to listen to anybody who will talk to us. We're thinking hard and studying best practices from other higher-performing cities. And we're refining a ballot measure that we hope voters will consider in June 2026. By doing so we hope to give Oaklanders the chance to change Oakland for the better.

Coming up In Brief:

Late May: *How Other California Cities are Organized – and Why*

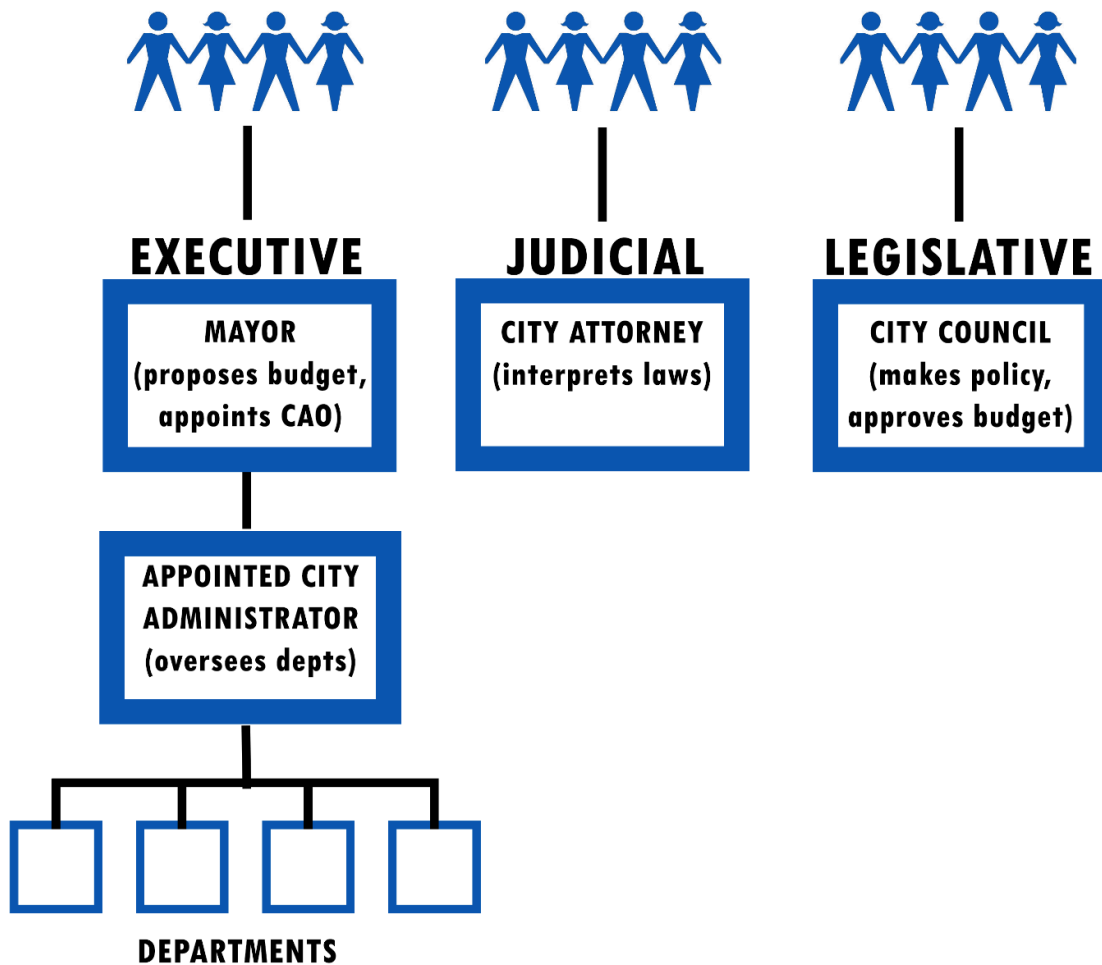
Early June: *Our Plan for a More Transparent, Responsive, Effective, and Efficient Oakland*

Thanks for reading—and please feel free to share this message widely!

Add your name to our contact list [here](#) and we'll keep you in the loop.

FEDERAL MODEL

In Oakland, voters elect
representatives to serve in
three branches of city government.



Oakland's **Federal Model** is rooted in the principle of separation of powers. By assigning exclusive powers to each branch, the system creates checks and balances that prevent any single branch from dominating the others. It is a **deliberative** system designed to promote stability and limit government overreach, but also results in inefficiency, ineffectiveness, mismatched expectations, fragmented authority, and limited accountability.