

AMENDMENT TO ARTICLE III OF THE BERKELEY CITY CHARTER TO PROVIDE FOR VOTING BY PERSONS AGED 16 AND 17 YEARS OLD FOR THE OFFICE OF SCHOOL BOARD DIRECTOR

The People of the City of Berkeley hereby add Section 5, Paragraph 3 to the Charter of the City of Berkeley to read as follows:

Section 1. Section 5, Paragraph 3 of Article III of the Charter of the City of Berkeley is added to read as follows:

Charter Article III, Section 5(3)

(a) Notwithstanding anything to the contrary in this Charter, the City Council may, by ordinance, provide for the voting by persons aged 16 and 17 years old who would otherwise be eligible to be electors under the Elections Code, for the office of School Director, subject to all of the following conditions.

(1) No City of Berkeley funds may be used, directly or indirectly, to pay any cost related to voting by persons aged 16 and 17 years old pursuant to this Section, including litigation costs and attorneys' fees, nor shall City of Berkeley funds be used to replace funds used for these purposes by any other public agency or private entity.

(2) Equipment, software, systems, and procedures for voter registration and voting are technically ready to handle voting by persons aged 16 and 17 years old.

(3) Voting by persons aged 16 and 17 years old will not preclude the City from consolidating its municipal elections with the County.

(4) Voting by persons aged 16 and 17 years old will not result in additional election costs that will be paid directly or indirectly by the City of Berkeley.

(b) Any program for allowing voting by persons aged 16 and 17 years may specify the manner in which, method by which, and times at which, votes by such persons may be cast. The manner, method and time of voting for persons aged 16 and 17 years old need not be the same as for other persons.