

# OAKLAND CITY COUNCIL

## RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION: 1) ACCEPTING THE CERTIFICATION OF THE RESULTS OF THE EXAMINATION OF THE PETITION TO RECALL OAKLAND MAYOR SHENG THAO; 2) CALLING THE RECALL ELECTION ON NOVEMBER 5, 2024; AND 3) AUTHORIZING THE CITY CLERK TO TAKE ALL ACTIONS NECESSARY UNDER LAW TO SUBMIT THIS ELECTION TO THE VOTERS**

**WHEREAS**, a recall petition entitled “Recall of Mayor Sheng Thao” was filed with the Office of the City Clerk and subsequently with the Alameda County Registrar of Voters within the statutory time limit for verification; and

**WHEREAS**, pursuant to the California Elections Code, if the petition is found sufficient, the elections official shall certify the results of the examination and submit a certificate as to the sufficiency of the petition to the governing body at its next regular meeting; and

**WHEREAS**, attached hereto as Exhibit A is a copy of the Registrar of Voters Certificate To Petition; and

**WHEREAS**, the City Clerk certifies to the City Council that upon examination of the petition to recall Mayor Sheng Thao, that the petition is signed by the requisite number of registered voters and hereby submits the certificate of sufficiency, attached hereto as Exhibit B; and

**WHEREAS**, in accordance with the Elections Code, within 14 days after the meeting at which the governing body receives the attached certificate of sufficiency of the petition, the governing body shall issue an order stating that the election shall be held to determine whether or not the officer named in the petition shall be recalled, and if the governing body fails to issue the order within 14 days the County elections official shall set the date for holding the election; and

**WHEREAS**, pursuant to the Elections Code, the recall election shall be held not less than 88, nor more than 125, days after the issuance of the order except that the recall election may be conducted within 180 days after the issuance of the order so that the recall election may be consolidated with a regularly scheduled election; and

**WHEREAS**, November 5, 2024 is not less than 88 days and not more than 125 days from the date of adoption of this resolution such that the City Council has the option to consolidate the recall election with the November 5, 2024 General Municipal Election; and

**WHEREAS**, if the City Council elects not to consolidate the recall election with the November 5, 2024 General Municipal Election, the City Clerk would return with proposed dates for a special election; and

**WHEREAS**, action by the City Council to order the recall election is not a statement that the City Council or its members are either for or against the proposed recall; now, therefore, be it

**RESOLVED:** That the City Council hereby accepts the City Clerk's certification of the results of the examination of the petition to recall Mayor Sheng Thao and hereby receives the certificate of sufficiency; and be it

**FURTHER RESOLVED:** That the City Council hereby calls the recall election for November 5, 2024; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes and directs the City Clerk, at least 88 days prior to the general municipal election on November 5, 2024 to file with Alameda County certified copies of this resolution; and be it

**FURTHER RESOLVED:** That the City Clerk is hereby authorized to take all actions necessary under law to submit this recall election to the voters.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED

City Clerk and Clerk of the Council of the  
City of Oakland, California