


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION 1) CALLING AND GIVING NOTICE FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON APRIL 15, 2025, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF OAKLAND A PROPOSED BALLOT MEASURE; 2) REQUESTING CONSOLIDATION OF ALL SPECIAL MUNICIPAL ELECTIONS TO BE HELD IN THE CITY OF OAKLAND ON APRIL 15, 2025; AND 3) DIRECTING THE CITY CLERK TO TAKE ANY AND ALL ACTIONS NECESSARY UNDER LAW TO PREPARE FOR AND CONDUCT THE APRIL 15, 2025 SPECIAL MUNICIPAL ELECTION

WHEREAS, the California Constitution Article XI section 5(b) grants charter cities the power to provide in their charters for the conduct of city elections; and

WHEREAS, pursuant to Charter section 1103 and Oakland Municipal Code section 3.08.010, except as otherwise provided in the Charter or the Oakland Municipal Code, all City elections and all procedures relating thereto shall be in accordance with the applicable provisions of California law; and

WHEREAS, pursuant to Article XI of the Charter, other than Nominating Elections, which are held in June, and General Municipal Elections, which are held in November, all other municipal elections are Special Municipal Elections; and

WHEREAS, the City Council desires that a proposed measure shall be submitted to the electors of the City of Oakland at a Special Municipal Election to be held on April 15, 2025; and

WHEREAS, on December 17, 2024, by Resolution 90588 C.M.S., the City Council called a Special Municipal Election to be held on April 15, 2025 for the purposes of filling a vacancy in the office of the Mayor and the office of the District 2 Councilmember; and

WHEREAS, Charter section 1105 requires elections for all city offices, including, but not limited to, Mayor and Councilmember, be conducted by ranked choice voting; and

WHEREAS, pursuant to Charter section 1105 and discussions with the Alameda County Registrar of Voters regarding ballot template design, the City Clerk has determined that five rankings will be the maximum number of ranked choice options for the April 15, 2025 Special Municipal Election to ensure the integrity and smooth functioning of the election; and

WHEREAS, the City Clerk shall coordinate with the Alameda County Registrar of Voters to review and approve a ballot template that complies with section 1105(c) of the Charter; and

WHEREAS, California Elections Code sections 10400 through 10403 provide that two or more municipal elections called by the same body may be consolidated upon an order by the county board of supervisors, or an officer otherwise authorized by law, if the local body submits to the county legislation that requests consolidation of the elections; and

WHEREAS, in order to request consolidation of the Special Municipal Election, the City Council shall, at least 88 days prior to the election, file with the County of Alameda a resolution that requests consolidation of the elections and sets forth the questions to be voted upon at the election; and

WHEREAS, on January 9, 2025, the City Council voted to approve an Ordinance, among other things, submitting to the voters at a Special Election to be held on April 15, 2025, a proposed ordinance to impose a transactions and use tax to be administered by the California Department of Tax and Fee Administration and requesting consolidation of the election with all Special Municipal Elections to be held on April 15, 2025; and

WHEREAS, pursuant to California Elections Code section 9222, the legislative body of the city may submit a proposition, or a special election may be called for the purpose of voting on a proposition, by ordinance or resolution; now, therefore, be it

RESOLVED: That pursuant to Oakland City Charter section 1102, OMC Chapter 3.08, and applicable State law, the City Council hereby calls and provides notice for the holding of a Special Municipal Election in the City of Oakland on Tuesday, April 15, 2025, for the purpose of submitting to the electors of the City of Oakland a proposed ballot measure and Council hereby directs the City Clerk to give further or additional notice of the election, in the time, form, and manner required by law; and be it

FURTHER RESOLVED: That the question that shall be voted on at the City of Oakland Special Municipal Election is as follows:

- Shall the measure providing funding to help maintain City of Oakland programs, services, and facilities such as public safety and police services; neighborhood crime prevention; fire protection; pothole and road repaving; shelter and housing for individuals and families experiencing homelessness; library and recreation services; playground and park maintenance; youth, senior, and cultural programs; by enacting a half-cent (.5%) transaction (sales) and use tax for 10 years, providing approximately \$29,800,000 annually for general government use be adopted?

; and be it

FURTHER RESOLVED: That, pursuant to Resolution 90588 C.M.S., the offices to be voted on at the Special Municipal Election, which shall be conducted using ranked choice voting, are as follows:

- Mayor
- Councilmember, District 2

; and be it

FURTHER RESOLVED: That the City Council hereby requests that the Special Municipal Election be consolidated with all City of Oakland Special Municipal Elections to be held on April 15, 2025 and further requests that the Alameda County Board of Supervisors or the Alameda County Registrar of Voters, where authorized by law, direct or cause to be consolidated said elections as requested; and be it

FURTHER RESOLVED: That the consolidated Special Municipal Election shall be held and conducted in the manner required in Section 10418 of the California Elections Code; and be it

FURTHER RESOLVED: That the City Council hereby directs the City Clerk and City Administrator to take any and all actions necessary to prepare for and conduct the April 15, 2025 Special Municipal Election, including, but not limited to, posting, publication and printing of notices, in a manner consistent with the Charter, the Oakland Municipal Code and California law, where applicable; and hereby appropriates all monies necessary to prepare for and conduct the April 15, 2025 Special Municipal Election; and be it

FURTHER RESOLVED: That in accordance with the California Elections Code and the Oakland Municipal Code, the City Clerk shall fix and determine a date for submission of arguments for or against said proposed Ordinance and for submission of rebuttals and said dates shall be posted in the Office of the City Clerk; and be it

FURTHER RESOLVED: That pursuant to California Elections Code section 10002, the City Council hereby requests that the Alameda County Board of Supervisors permit the Alameda County Registrar of Voters to render all necessary services to the City relating to the conduct of the Special Municipal Election; and be it

FURTHER RESOLVED: That the Council hereby authorizes and directs the City Clerk to forward certified copies of this Resolution to the Alameda County Board of Supervisors and the Alameda County Registrar of Voters at least 88 days prior to the April 15, 2025 Special Municipal Election.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST: _____

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

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