



MEMO

TO: HONORABLE CITY COUNCIL
Oakland, California

FROM: Asha Reed, City Clerk

DATE: June 20, 2024

Honorable President Fortunato Bas and Members of The City Council:

RECOMMENDATION

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

BACKGROUND / LEGISLATIVE HISTORY

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.

Pursuant to California Elections Code section 11227, if the elections official finds the signatures on the petition to be sufficient, the elections official shall submit the certificate as to the sufficiency of the petition to the governing body at its next regular meeting.

Section 11240 of the Elections Code provides that within 14 days after the meeting at which the governing body received the certificate of sufficiency, the governing body shall issue an order stating that an election shall be held to determine whether or not the officer named in the petition shall be recalled. Pursuant to Elections Code section 11241, if the governing body fails to issue the order with the 14-day timeframe, the County elections official must set the date for the election.

Section 11242 of the Elections Code requires that 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 of the election so that the recall election may be consolidated with a regularly scheduled election.

The County Registrar of Voters has submitted a Certificate to Petition certifying that the recall petition is found sufficient. Upon examination of the recall petition, the City Clerk certifies to the City Council that the petition is signed by the requisite number of

registered voters and the City Clerk's certificate of sufficiency is attached to the proposed resolution.

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

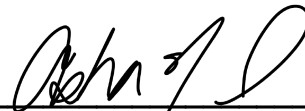
If the City Council elects not to consolidate the recall election with the November 5, 2024 General Municipal Election, the City Clerk would return with proposed dates for a special election.

FISCAL IMPACT

The cost for consolidating the election with the General Municipal election is \$4-6 dollars per voter. The ROV estimates the cost to conduct a standalone special election is \$19-\$21 per voter. With Oakland's registered voter population at 248,091, it would cost the City an estimated total cost of \$4.9 million dollars for a standalone election and \$1.2 Million dollars for a consolidated General Municipal Election. It is in the best interest of the City to consolidate the recall election with the General Municipal Election

ACTION REQUESTED OF THE CITY COUNCIL

As a result we recommend the City Council adopt a 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



Asha Reed
City Clerk, Office of The City Clerk
and Clerk of the Council