


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE REQUESTING CONSOLIDATION OF THE CITY OF OAKLAND GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF OAKLAND ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, City of Oakland Charter Section 1101 requires that the City's general municipal election be held on the first Tuesday after the first Monday in November in each even-numbered year; and

WHEREAS, City Charter Section 1101 provides that in order to consolidate the Oakland General Municipal Elections with the Statewide General Elections the City Council may by ordinance provide for a date for a General Municipal Election which conforms to the date of a Statewide General Election; and

WHEREAS, California Elections Code Sections 10400 through 10403.5 provide that the Oakland General Municipal Election may be consolidated with the Statewide General Election to be held on the same day upon an order by the Alameda County Board of Supervisors; now, therefore,

THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Oakland does hereby request that the Board of Supervisors of Alameda County order the consolidation of the City of Oakland General Municipal Election to be held on Tuesday, November 3, 2020 with the Statewide General Election to be held on the same day; and

SECTION 2. That the City Clerk is hereby authorized and directed to take any and all actions necessary under the law to prepare for and conduct the November 3, 2020 Oakland General Municipal Election and the City Administrator is hereby authorized and directed to appropriate all monies necessary for the City Clerk to prepare for and conduct said election consistent with the Charter of the City of Oakland, the Oakland Municipal Code and the California Elections Code where applicable; and

SECTION 3. That the City Council of the City of Oakland hereby authorizes and directs the City Clerk to forward certified copies of this ordinance to the Alameda County Board of Supervisors and the Alameda County Registrar of Voters at least 88 days prior to the November 3, 2020 Oakland General Municipal Election.

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

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IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation: _____

NOTICE AND DIGEST

AN ORDINANCE REQUESTING CONSOLIDATION OF THE CITY OF OAKLAND GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE CITY OF OAKLAND ON TUESDAY, NOVEMBER 3, 2020

This ordinance requests that the Alameda County Board of Supervisors consolidate the City of Oakland General Municipal Election to be held on November 3, 2020 with the Statewide General Election to be held on the same date. This ordinance will authorize the City Administrator and the City Clerk to take all actions necessary to conduct the November 3, 2020 election.