



CITY OF OAKLAND

AGENDA REPORT

TO: Honorable City Council

FROM: Asha N. Reed
City Clerk and Clerk of the
Council

SUBJECT: Amending And Reenacting Oakland
Municipal Code Chapter 3.08

DATE: May 20, 2026

RECOMMENDATION

ORDINANCE AMENDING AND REENACTING OAKLAND MUNICIPAL CODE CHAPTER 3.08 To:

- 1. REMOVE SECTION 3.08.240, BALLOT TITLE AND SUMMARY OF CITY MEASURE, TO CLARIFY AND REMOVE UNNECESSARY REQUIREMENTS FOR CITY-SPONSORED BALLOT MEASURES;**
- 2. AMEND SECTION 3.08.040 to CLARIFY REQUIREMENTS REGARDING NOMINATION PETITIONS;**
- 3. AMEND SECTION 3.08.080 TO CLARIFY DECLARATION OF CANDIDACY FORMS; AND**
- 4. ADD SECTION 3.08.085 TO CLARIFY REQUIREMENTS FOR BALLOT DESIGNATIONS**

EXECUTIVE SUMMARY

The Ordinance proposes to amend the City's municipal election procedures to promote clearer election administration and reduce unnecessary costs and administrative burdens. This Ordinance deletes Oakland Municipal Code ("OMC") section 3.08.240, which requires a ballot and title for City Council-originated ballot measures. OMC section 3.08.240 is duplicative of impartial legal analysis requirements already required for all ballot measures and is not necessary under state election law. This Ordinance would also amend language in section 3.08.040 to update requirements for nomination petitions and amend section 3.08.080 to clarify requirements for Declaration of Candidacy forms, consistent with uniform materials under state law. Finally, the Ordinance would add section 3.08.085 to clarify local requirements for ballot designations.

ANALYSIS

This Measure Would Amend And Reenact Chapter 3.08 Of The Oakland Municipal Code “OMC” To Remove Duplicative Requirements, Clarify Certain Nomination Materials For Oakland Candidates, And Modernize And Streamline Local Election Procedures.

Specifically, The Ordinance Eliminates OMC Section 3.08.240, Which Currently Requires The City Attorney To Prepare A Ballot Title And Summary For City Council-Originated Measures. This Requirement Is Duplicative Of The Impartial Legal Analysis Already Required Under OMC Section 3.08.200 And California Elections Code Section 9280 And Is Not Otherwise Mandated Under State Law. Removal Of This Provision Reduces Unnecessary Ballot Material, Avoids Voter Confusion, And Aligns City-Sponsored Measures With State Election Practices. This Elimination Does Not Change Any Current Practices For Citizen Initiatives, Which Will Still Receive Titles And Summaries For Signature Circulation Pursuant To State Law.

In Addition, The Ordinance Updates OMC Sections 3.08.040 And 3.08.080 To Clarify Nomination Petition Requirements And Align The City’s Declaration Of Candidacy Forms With Recently Updated Uniform Materials Prescribed By The California Elections Code. These Amendments Revise Signature Capacities For Nomination Petitions, Clarify How Supplemental Petitions May Be Issued, And Require Use Of Standardized City Clerk Forms For Candidacy Filings. Collectively, These Changes Improve Consistency, Ensure Alignment With State Election Procedures When Appropriate, And Support Efficient Candidate Processing.

Finally, The Ordinance Adds New OMC Section 3.08.085 To Codify Requirements For Ballot Designations. This Section Expressly Adopts The Framework Of Elections Code Section 13107 And Related Regulations, Providing Clearer Guidance To Candidates.

FISCAL IMPACT

The Proposed Amendments To The Oakland Municipal Code Are Not Anticipated To Have Any Fiscal Impact. However, There May Be A Reduction In Printing Cost For City Of Oakland Elections, Including Reduction In Costs For Printing Nomination Materials And Ballots.

PUBLIC OUTREACH / INTEREST

This Item Will Be Noticed Pursuant To The Brown Act In Advance Of Its Hearing At The Rules And Legislation Committee Meeting And Will Subsequently Be Considered By The City Council.

COORDINATION

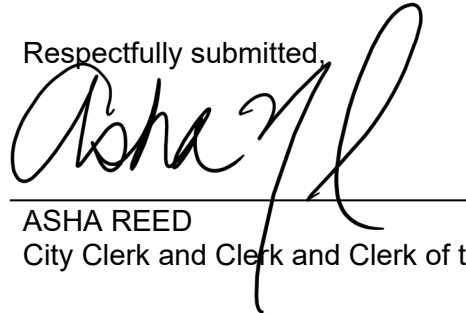
The Office Of The City Clerk Has Introduced The Proposed Amendments To The In Close Coordination With The Office Of The City Attorney.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Requests The City Council Adopt An Ordinance Amending And Reenacting Oakland Municipal Code Chapter 3.08 To:

1. Remove Section 3.08.240, Ballot Title And Summary Of City Measure, To Clarify And Remove Unnecessary Requirements For City-Sponsored Ballot Measures;
2. Amend Section 3.08.040 To Clarify Requirements Regarding Nomination Petitions;
3. Amend Section 3.08.080 To Clarify Declaration Of Candidacy Forms; And
4. Add Section 3.08.085 To Clarify Requirements For Ballot Designations

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Asha Reed", written over a horizontal line.

ASHA REED

City Clerk and Clerk and Clerk of the Council