

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2024-

**ORDINANCE OF THE CITY OF SAN LEANDRO CITY COUNCIL
TO ESTABLISH ELECTION AND NOMINATION PROCEDURES FOR THE NOVEMBER 5,
2024 CITY OF SAN LEANDRO GENERAL MUNICIPAL ELECTION**

The City Council of the City of San Leandro does **ORDAIN** as follows:

Section 1: GENERAL PROVISIONS. In accordance with Article VI, §610 of the City of San Leandro Charter, the following dates are established in connection with the November 5, 2024 General Municipal Election. This ordinance shall apply to said election only and shall not affect any other general municipal or special elections of the City of San Leandro.

Section 2: NOTICE OF ELECTION. Not earlier than the 127th day nor later than the 113th day before the November 5, 2024 General Municipal Election, the City Clerk shall publish a notice of election pursuant to California Elections Code §12101 and §12102.

Section 3: METHOD OF NOMINATION. Not earlier than the 113th day nor later than 5:00 p.m. on the 88th day before the November 5, 2024 General Municipal Election, the voters may nominate candidates for the elective offices of the City of San Leandro, in accordance with California Elections Code §10220 to §10224.

Section 4: FILING DATE; NOMINATION PAPERS. Nomination papers for the elective offices of the City of San Leandro shall be available in the office of the City Clerk not earlier than the 113th day nor later than 5:00 p.m. on the 88th day before the November 5, 2024 General Municipal Election. All nomination papers shall be filed with the City Clerk during regular business hours not later than 5:00 p.m. on the 88th day before the election. Up until that time, but no later, a candidate may withdraw his or her nomination papers after it is filed with the City Clerk.

Section 5: TIME EXTENSION IF INCUMBENT FAILS TO FILE. If nomination papers for an incumbent officer of the City are not filed by 5:00 p.m. on the 88th day before the election, the voters shall have until 5:00 p.m. on the 83rd day before the election to nominate candidates, other than the person who was the incumbent on the 88th day, for the incumbent's elective office. If the nomination period is extended to the 83rd day before the election due to absence of an incumbent candidate, a candidate may withdraw his or her nomination papers on the 83rd day before the election.

Section 6: PROVISION IF NO CANDIDATE FILES. If, by 5:00 p.m. on the 83rd day prior to the November 5, 2024 General Municipal Election, no one files for candidacy for any elective office of the City of San Leandro to be filled at said election, the City Clerk

shall submit a certificate of these facts to the City Council, and inform its members that they may, at a regular or special meeting held before the November 5, 2024 General Municipal Election, adopt one of the following courses of action:

- (1) Appoint to the office any eligible elector.
- (2) Hold the election.

The City Clerk shall publish a notice of the facts described in this section and the available courses of action. Publication shall be made pursuant to California Government Code Section 6061 in any newspaper of general circulation as designated by the City Clerk.

Section 7: RANKED CHOICE VOTING. The November 5, 2024 General Municipal Election shall be conducted as set forth in Title 1, Chapter 11, Article 3 of the San Leandro Municipal Code, providing for the conduct of the election using ranked choice voting.

Section 8: SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

Section 9: EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective immediately upon adoption. The title of this ordinance shall be published once and the City Clerk shall post a complete copy thereof on the City Council Chamber bulletin board for five (5) days following its adoption.

Introduced by Councilmember Aguilar and passed and adopted the 17th day of June 2024, by the following called vote:

AYES: ()

NOES: ()

ABSENT: ()

ATTEST: _____
Kelly B. Clancy, CMC

City Clerk

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