



Legislation Text

File #: 12-309, **Version:** 1

PASS TO PRINT AND ADOPT: An Ordinance Establishing Election and Nomination Procedures for the November 6, 2012 General Municipal Election (provides for the method of conducting the election pursuant to City Charter Section 610)

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

Section 1: GENERAL PROVISIONS. In accordance with Article VI, Section 610 of the Charter of the City of San Leandro, the following dates are established in connection with the November 6, 2012 election. This ordinance shall apply to the November 6, 2012 General Municipal 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 6, 2012 General Municipal Election, the City Clerk shall publish a notice of election pursuant to Election Code Sections 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 6, 2012 General Municipal Election, the voters may nominate candidates for the elective offices of the City of San Leandro, in accordance with Elections Code Sections 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 6, 2012 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 paper 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 paper 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 6, 2012 General Municipal Election, no one files for candidacy for any elective office of the City of San Leandro to be filled at that election, the City Clerk shall submit a certificate of these facts to the City Council, and inform them that they may, at a regular or special meeting held before the November 6, 2012 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 Section 6061 of the Government Code in any newspaper of general circulation as designated by the Clerk.

Section 7: The November 6, 2012 General Municipal Election shall be conducted as set forth by Ordinance No. 2010-005, providing for the conduct of the election using Ranked Choice Voting.

Section 8: 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.