

**RESOLUTION NO. 54-22**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
CALLING THE REGULAR GENERAL MUNICIPAL ELECTION FOR NOVEMBER 8, 2022  
TO ELECT ONE (1) COUNCIL MEMBER FROM DISTRICT 2 AND ONE (1) COUNCIL  
MEMBER FROM DISTRICT 4; REQUESTING THE CONSOLIDATION OF ELECTIONS ON  
NOVEMBER 8, 2022; REQUESTING THE COUNTY REGISTRAR OF VOTERS TO  
PERFORM ELECTION SERVICES IN CONNECTION WITH SAID CONSOLIDATED  
ELECTION; SETTING SPECIFICATIONS OF THE ELECTION ORDER; AUTHORIZING THE  
CITY TO REIMBURSE THE CONTRA COSTA COUNTY REGISTRAR OF VOTERS FOR  
ALL COSTS ASSOCIATED WITH CONSOLIDATION OF THE ELECTION; SETTING THE  
WORD LIMIT FOR STATEMENTS OF CANDIDACY; DIRECTING THE CITY CLERK TO  
PUBLISH A NOTICE OF ELECTION; DETERMINING THE ACTION TAKEN IN THE EVENT  
OF A TIE; AND DIRECTING THE CITY CLERK TO FORWARD THIS RESOLUTION TO THE  
REGISTRAR OF VOTERS AND TO THE BOARD OF SUPERVISORS FOR THE COUNTY  
OF CONTRA COSTA; AND CONFIRMING THE NOMINATION PERIOD (INCLUDING WHEN  
AND WHERE TO OBTAIN AND FILE CANDIDATE PAPERS), HOURS OF OPERATION OF  
THE POLLS, NO CHANGE IN THE CITY BOUNDARY AND THAT STATE LAW IS  
FOLLOWED FOR CAMPAIGN CONTRIBUTION LIMITS**

**WHEREAS**, the current term for two Council Members, elected at-large, will expire in 2022, when the results of the November 8, 2022 General Municipal Election are certified by the City Council of the City of Oakley in December 2022; and

**WHEREAS**, on December 14, 2021, the City Council of the City of Oakley adopted Ordinance No. 10-21 to transition from at-large elections to district-based elections, set the sequencing of district elections, and declared that elections in Districts 2 and 4 will commence in the General Municipal Election of 2022; and

**WHEREAS**, on December 14, 2021, the City Council of the City of Oakley, by Resolution No. 152-21, adopted a map to reflect the districts by which Council Members shall be elected as required by Section 2.7.003(b) of the Oakley Municipal Code and such map, along with a metes and bounds description, were provided to the Contra Costa County Elections Division; and

**WHEREAS**, the City Council of the City of Oakley has ordered a regular General Municipal Election to be held on **Tuesday, November 8, 2022**, for the purpose of the election of one (1) Council Member from District 2 and one (1) Council Member from District 4, each for a term of four years, in accordance with the aforementioned City of Oakley City Council Ordinance No. 10-21 adopted December 14, 2021; and

**WHEREAS**, the City Council desires to have the Contra Costa County Registrar of Voters to render certain services in connection with the election; and

**WHEREAS**, Elections Code Section 10400, et seq., authorizes the City and the County to consolidate elections that may be held in whole or in part of the territory of the City and it is to the advantage of the City to consolidate; and

**WHEREAS**, Elections Code Section 10002 provides that the City may, by resolution, request the Board of Supervisors to permit the County Elections Official to render specified services to the City related to the conduct of an election and that the City shall reimburse the County in full for the services performed upon presentation of a bill to the City by the County Elections Official; and

**WHEREAS**, Elections Code Section 13307 provides that before the nominating period opens, the City must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; that the governing body may estimate the cost of printing, handling, translating and mailing candidate's statements and may require each candidate filing a statement to pay in advance his or her pro rata share of this cost as a condition of having his or her statement included in the voter pamphlet; and

**WHEREAS**, Elections Code 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City; and

**WHEREAS**, Elections Code Section 15651 requires that tie votes shall be determined by lot and that a special runoff election shall be held only if the City Council chooses to adopt the provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in the tie vote.

**NOW, THEREFORE, IT IS ORDERED** that an election be held in accordance with the following specifications:

1. The Election shall be held on **Tuesday, the 8<sup>th</sup> day of November 2022**. The purpose of the election is to choose successors for the following offices:  

Council Member	District 2	Term of Four Years
Council Member	District 4	Term of Four Years
2. This City Council hereby requests and consents to the consolidation of this election with other elections which may be held in whole or in part of the territory of the City, as provided in Elections Code Section 10002.
3. The City will reimburse the County in full for the actual cost incurred in conducting the election and related services performed upon presentation of a bill to the City by the County Elections Official stating the amount due as determined by the Elections Official.
4. The Candidate's Statement will be limited to 250 words. As a condition of having the Candidate's Statement published, the candidate shall pay the cost at the time

- of filing. The fee for a Candidate's Statement is estimated at \$628.80. Any difference between the estimated cost and actual cost shall be refunded to a candidate should the estimated amount be higher than the actual cost or shall be collected from the candidate should the estimated amount be lower than the actual cost. The cost includes printing, handling, translating and mailing the Candidate's statements. Candidate's statements shall comply with the applicable state law and requirements of the Contra Costa County Elections Department.
5. Each candidate will pay a \$25.00 filing fee to the City of Oakley at the time of filing. The filing fee is to offset the City's administrative costs associated with processing election documents as permitted under Elections Code Section 10228.
  6. In accordance with Elections Code Section 12101, the City Clerk shall publish the Notice of Election in the East Bay Times, a newspaper of general circulation that is published daily in the City.
  7. The City Council has determined that the action to be taken in the event of a tie vote is as follows: In accordance with Elections Code Section 15651(a), a tie vote shall be determined by drawing lots.
  8. The City Council directs the City Clerk to forward a certified copy of this Resolution to the Registrar of Voters and to the Board of Supervisors of Contra Costa County.
  9. Pursuant to certain provisions of the California Elections Code, the Board of Supervisors is hereby authorized and directed by the City Council of the City of Oakley to canvass the returns of the election and to direct the Contra Costa County Registrar to conduct all necessary services related to the Oakley General Municipal Election in accordance with the provisions in this resolution and applicable state law.
  10. During the Nomination Period, July 18, 2022 through August 12, 2022, prospective candidates can pull and file required nomination papers with the City Clerk or City of Oakley Elections Officials at 3231 Main Street, Oakley, California 94561 during regular business hours: Monday through Thursday (8:00 a.m.-6:00 p.m.) and Friday (8:00 a.m.-5:00 p.m.) except on Friday, August 5, 2022, which is a City Hall closure day. There is no extension of the nomination period for this election as incumbents are ineligible to run in this election for the stated districts.
  11. Polls for the election will be open 7:00 a.m. of the day of the election and will remain open continuously from that time until 8:00 p.m. of the same day when the polls will be closed, except as provided in Elections Code Section 14401.
  12. The boundary of the City of Oakley has not changed; however (5) five districts have been established within the City of Oakley boundary. The Shapefile district map was provided to County Elections on January 27, 2022, and the metes and bounds description was provided to County Elections on February 3, 2022.

13. Campaign contribution limits for candidates in this election shall follow limits set forth by State law.

14. In all particulars not recited in this Resolution, said General Municipal Election shall be held and conducted as provided for by law for the holding of municipal elections in the City of Oakley.

**THE FOREGOING RESOLUTION WAS ADOPTED** upon motion of Vice Mayor Meadows seconded by Councilmember Higgins, at a regular meeting on this day of June 14, 2022, by the following vote:


AYES: Fuller, Higgins, Meadows, Pope, Williams

NOES:

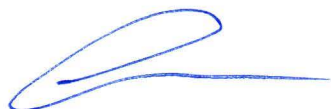
ABSENT:


ABSTENTIONS:

APPROVED:

  
\_\_\_\_\_  
Randy Pope, Mayor

ATTEST:

  
\_\_\_\_\_  
Libby Vreonis, City Clerk

  
\_\_\_\_\_  
Date