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Alameda County

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Reg. of Voters

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2026-011

RESOLUTION CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD JUNE 2, 2026 FOR SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT MEASURE TO TRANSITION THE CITY'S EXISTING HYBRID ELECTION SYSTEM TO A DISTRICT-BASED ELECTION SYSTEM PURSUANT TO § 10010 OF THE CALIFORNIA ELECTIONS CODE; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA CONSOLIDATE THE SPECIAL MUNICIPAL ELECTION CONSOLIDATING WITH THE STATEWIDE ELECTION ON JUNE 2, 2026; AND SETTING BALLOT MEASURE ARGUMENT REQUIREMENTS

WHEREAS, pursuant to the City Charter, the City of San Leandro currently conducts its City Council elections using a hybrid system in which the City is divided into six districts where registered voters in each district nominate candidates to be elected on an at-large basis, while the Mayor is nominated and elected by all voters citywide; and

WHEREAS, the California Voting Rights Act (CVRA) prohibits electoral systems that impair the ability of a protected class to elect candidates of its choice by employing at-large methods that may dilute minority voting strength; and

WHEREAS, the City Council has considered all information and statutory authorities related to this matter, as presented at the public meetings of the City Council, including any supporting reports by City staff, and any information provided during public meetings, including but not limited to the City Council's adoption of Ordinance No. 2025-009, on June 16, 2025, and which established the ballot measure process for the City's transition to a district-based election system, adopted a map describing the boundaries for each district, and determined the sequence of district elections; and

WHEREAS, the City now desires to call a Special Municipal Election for the ballot measure to amend the City's Charter relating to its election system, thereby memorializing the City's conversion from a hybrid election system to a district-based election system in accordance with applicable provisions of the Elections Code.

WHEREAS, it is desirable that the City's Special Municipal Election be consolidated within the Statewide Primary Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Alameda County Registrar of Voters canvass the returns of the Primary Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, the City Council for the City of San Leandro does **RESOLVE** as follows:

Section 1. General.

The above recitals are true and correct and incorporated by reference herein, and I hereby certify that this is a true and correct copy of

Resolution No. 2026-011

Sarah K. Bunting
Acting City Clerk of the
San Leandro

Section 2. Calling for Special Municipal Election and Request for Consolidation.

Pursuant to the San Leandro City Charter and Elections Code sections 9222 and 10403, the City Council hereby calls for a Special Municipal Election, and a request for the Special Municipal Election to be consolidated with the Statewide Primary Election to be held on June 2, 2026, for the purpose of submitting the proposed measure to convert the City’s existing election system to be a district-based election system in conformance with the California Voting Rights Act and as set forth in Ordinance No. 2025-009, which the City Council adopted on June 16, 2025.

Section 3. Request for Services and Conduct of Election.

That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Alameda is hereby requested to consent and agree to the consolidation of the Special Municipal Election with the Primary Election on June 2, 2026, for the purpose of the City’s submission of a ballot measure converting the City’s existing hybrid election system to a district-based election system pursuant to Section 10010 of the Elections Code; and to direct the Alameda County Registrar to conduct all necessary services related to said election and to bill the City of the cost of conduction said election. The Special Municipal Election will be held and conducted in accordance with Section 10418 of the Elections Code and other provisions of law regulating the Statewide Primary Election.

Section 4. Submission of Ballot Measure.

Pursuant to the City Charter and the Elections Code, the City Council hereby orders the ballot measure converting the existing election system to a district-based election system to be submitted to qualified voters of the City of San Leandro at the June 2, 2026 Special Municipal Election, subject to the approval of a majority of the voters voting on the measure at the election called by the adoption of this resolution. The full text of the ballot measure that shall be voted on is attached hereto under **Section 2 of Exhibit A**. If approved by the voters, Ordinance No. 2025-009 shall be in effect until repealed and amended by the voters.

Section 5. Ballot Measure Question.

That City Council hereby orders that the abbreviated form of the measure is to appear on the ballot as follows:

City of San Leandro	
Shall Section 225(a) of the San Leandro City Charter be amended to the following: The Mayor shall be elected by the registered voters of the City at large. All Council Members, except the Mayor, shall be elected by the registered voters of the City by district. In conformance with the California Voting Rights Act, one Council Member shall be nominated and elected from each Council Member district only by the registered voters of that district.	Yes
	No

Section 6. Impartial Analysis by the City Attorney.

The City Attorney is directed to prepare an impartial analysis of the ballot measure in accordance with Elections Code section 9280. Pursuant to the Alameda County Registrar of Voter’s

regulations, the impartial analysis must be adopted in conjunction with this resolution. The City Attorney's impartial analysis is attached hereto as **Exhibit B**.

Section 7. Written Arguments.

The City Council authorizes the Mayor and in the absence of or refusal by the Mayor then the Vice-Mayor, and in the absence of or refusal of the Vice-Mayor then any Council Members to draft, select authors, and file the direct argument in support of or against the ballot measure, if any, pursuant to Elections Code sections 9282(b) and 9285. At the discretion of the City Council members authorized herein, the argument(s) in favor or against, if any, may be signed by bona fide associations of citizens, by individual eligible voters, by any member of the City Council, or a combination of voters and associations and must be in compliance with Elections Code sections 9282 and 9283. The deadline for submitting ballot arguments for or against the ballot measure shall be 12:00PM on February 10, 2026. The deadline for the City Clerk to select one argument in favor and one argument against the ballot measure from the set of submissions shall 4:00PM on February 10, 2026. The City Clerk shall then be directed to publish the selected arguments on 4:00PM on February 10, 2026. The deadline for submitting rebuttal arguments for and against the ballot measure shall be 4:00PM on February 20, 2026. All proposed arguments in favor or against the ballot measure shall be made and submitted in accordance with Elections Code section 9285. Any and all arguments and rebuttal arguments shall be submitted to the City Clerk.

Section 8. Notice.

Notice of the time and place of the election on the ballot measure is hereby given, and the City Clerk is authorized, instructed, and directed to give further or additional notice of the calling of the consolidation of the Special Municipal Election in the time, form, and manner required by statute.

Section 9. Majority Vote.

This measure proposes an amendment to the San Leandro City Charter and shall be approved if a majority (50% +1) of those voting on the measure approve it pursuant to Article XI of the California Constitution.

Section 10. Form of Ballot.

The ballots to be used at the election shall in be in form and content as required by law.

Section 11. Authorization of the Alameda County Registrar of Voters.

That the Alameda County Registrar of Voters is authorized to canvas the returns of the Special Municipal Election. The Special Municipal Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 12. County's Direction for Consolidation.

That the Alameda County Board of Supervisors is requested to issue instructions to the Alameda County Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

Section 13. Filing of Resolution.

That the City Clerk shall certify to the passage and adoption of this Resolution and file it within the City's records as well as publish accordingly. Furthermore, the City Clerk is hereby directed to

file a certified copy of this Resolution with the Alameda County Board of Supervisors and the Alameda County Registrar of Voters forthwith, no later than March 6, 2026.

Section 14. California Environmental Quality Act (CEQA).

This action is not a project and is exempt from CEQA pursuant to Section 15378(b)(3) of the CEQA Guidelines, as it concerns the submission of a ballot measure to the voters of the City.

Section 15. Effective Date.

This Resolution shall become effective upon its adoption.

Introduced by Councilmember Azevedo and passed and adopted this 2nd day of February 2026 by the following vote:

AYES: Councilmember Aguilar, Azevedo, Boldt, Bowen, Simon, Viveros-Walton, Mayor González (7)

NOES: None (0)

ABSENT: None (0)

ATTEST:



Sarah Bunting
Acting City Clerk

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2025-009

Full Text Start

ORDINANCE TO ESTABLISH BY-DISTRICT ELECTIONS OF COUNCILMEMBERS, ADOPTING A MAP DESCRIBING THE BOUNDARIES OF EACH DISTRICT, AND DETERMINING THE SEQUENCE OF DISTRICT ELECTIONS

WHEREAS, the City of San Leandro supports full participation of all citizens in electing members of the City Council; and

WHEREAS, the City of San Leandro currently elects its six Councilmembers based on Council districts, but through an at-large election system, in which candidates reside in their respective districts in the City and in which, at each election, the candidates that receive the most votes city-wide earns a four-year term on the City Council; and

WHEREAS, on November 21, 2024, the City received a letter from the law firm Goldstein, Borgen, Dardarian, & Ho ("GBDH") on behalf of their client and claimant, Robert Bulatao, asserting that the City's at-large election system violates the California Voting Rights Act ("CVRA"), and threatening litigation if the City does not voluntarily transition to a by-district election system; and

WHEREAS, the letter itself was not accompanied by any statistical evidence to support the claim of a CVRA violation that the City's current election method impairs the ability of the City's Asian voters to elect candidates of their choice and to influence the outcome of elections; and

WHEREAS, the City Council denies that its election system violates the CVRA or any other provision of law, asserts that the City's election system is legal in all respects, and further denies any wrongdoing whatsoever in connection with the way at-large City Council elections have been conducted; and

WHEREAS, despite the lack of substantial evidence, on January 6, 2025, the City Council adopted Resolution No. 25-003, declaring its intent to initiate the City's transition from its existing at-large election method to a district-based election method, along with an initial schedule guiding the City's transition, in compliance with Elections Code Section 10010; and

WHEREAS, to timely transition to district-based elections while maintaining the attorneys' fees cap under the CVRA's safe harbor provision, the City communicated with claimant's counsel regarding a written agreement to provide a 90-day extension to sufficiently conduct all necessary public hearings; and

WHEREAS, claimant agreed to a 90-day extension on the sole condition that the City vote on an ordinance within the extension period; and

WHEREAS, despite the lack of statutory authority mandating the City adopt an ordinance within the safe harbor period as conditioned by claimant, the City agreed to enter into the written agreement in consideration of the totality of the matter, including the policy reasons for moving to election by district, as well as the costs and risks of threatened litigation; and

WHEREAS, in adopting Resolution No. 25-034, the City Council revised its schedule of four public hearings to receive public comment regarding the composition of voting districts, the sequence of district elections, and the transition to district-based councilmember elections. The first two public hearings were held prior to the publication of a draft district map, and the final two public hearings were held following the publication of the draft district map; and

WHEREAS, the first and second public hearings were respectively conducted on April 21, 2025 and May 5, 2025 for the public to provide input regarding the composition of the City's voting districts before any draft maps were drawn; and

WHEREAS, in compliance with Elections Code section 10010, the proposed map must be published at least seven days before consideration at a public hearing; and

WHEREAS, the proposed district map was posted on the City's website on or around May 12, 2025 and continued thereafter; and

WHEREAS, on May 19, 2025, the City Council conducted its third public hearing to provide the public with an opportunity to comment on the proposed district map and weigh in on an appropriate sequencing of elections; and

WHEREAS, on June 2, 2025, the City Council conducted its fourth public hearing to provide the public with an additional opportunity to comment on the draft map proposed by the City Council and to weigh in on an appropriate sequencing of elections; and

WHEREAS, after the public hearing, Council selected, and determined to implement, the voting district map known as District Map, included hereto as **Exhibit A**; and

WHEREAS, the City Council also moved to maintain its current election sequence in which Councilmembers would be elected every four years thereafter pursuant to Section 235 (Term of Office) of the San Leandro City Charter; and

WHEREAS, throughout its transition to district-based elections, the City engaged in robust and meaningful public outreach and engagement beyond the requisite public hearings and other procedures required by California Elections Code Section 10010; and

WHEREAS, the purpose of this Ordinance is to provide for the election of Councilmembers on a by-district basis, such that each of the six voting districts, as set forth in the District Map, elects one of its own residents to be its representative on the City Council, in furtherance of the purposes of the California Voting Rights Act of 2001 (Elections Code Section 14025 *et seq.*), and the guarantees of Section 7 of Article 1 and of Section 2 of Article II of the California Constitution.

NOW THEREFORE, the City of San Leandro City Council does **ORDAIN** as follows:

Section 1. Recitals. The recitals above are true and correct and when applicable, incorporated herein by reference.

Section 2. Uncodified Ordinance Establishing By-District Elections. Upon a certification of passage of a charter amendment, no later than July 1, 2026, to the same effect, the City Council hereby passes an ordinance to read as follows (**bold** and underline comprising new language, and strikethrough comprising deleted language):

The Mayor shall be elected by the registered voters of the City at large. All Council Members, ~~except and~~ the Mayor, shall be elected by the registered voters of the City **by district at-large.** **In conformance with the California Voting Rights Act,** ~~one~~ Council Member shall be elected from each Council Member district **only by the registered voters of that district.**

Section 3. Environmental Review. The passage of this ordinance is not a project according to the definition in the California Environmental Quality Act and, therefore, is not subject to the provisions requiring environmental review.

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 a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each of every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 5. Effective Date and Duration. Unless otherwise stated under the express terms of this ordinance, this ordinance shall take effect immediately as an ordinance relating to an election pursuant to San Leandro Municipal Code section 1-1-345 (Ordinances – Immediate Adoption and Effect) and Government Code section 36937(a). Its duration shall be subject to the passage of a charter amendment, no later than July 1, 2026, of the same effect.


Section 6. Publication. The City Clerk is directed to cause this ordinance to be published in a manner required by law.

Introduced by Councilmember Viveros-Walton and passed and adopted the 16th day of June 2025 by the following vote:

AYES: Councilmember Aguilar, Azevedo, Bold, Bowen, Viveros-Walton, Mayor González (6)

NOES: None (0)

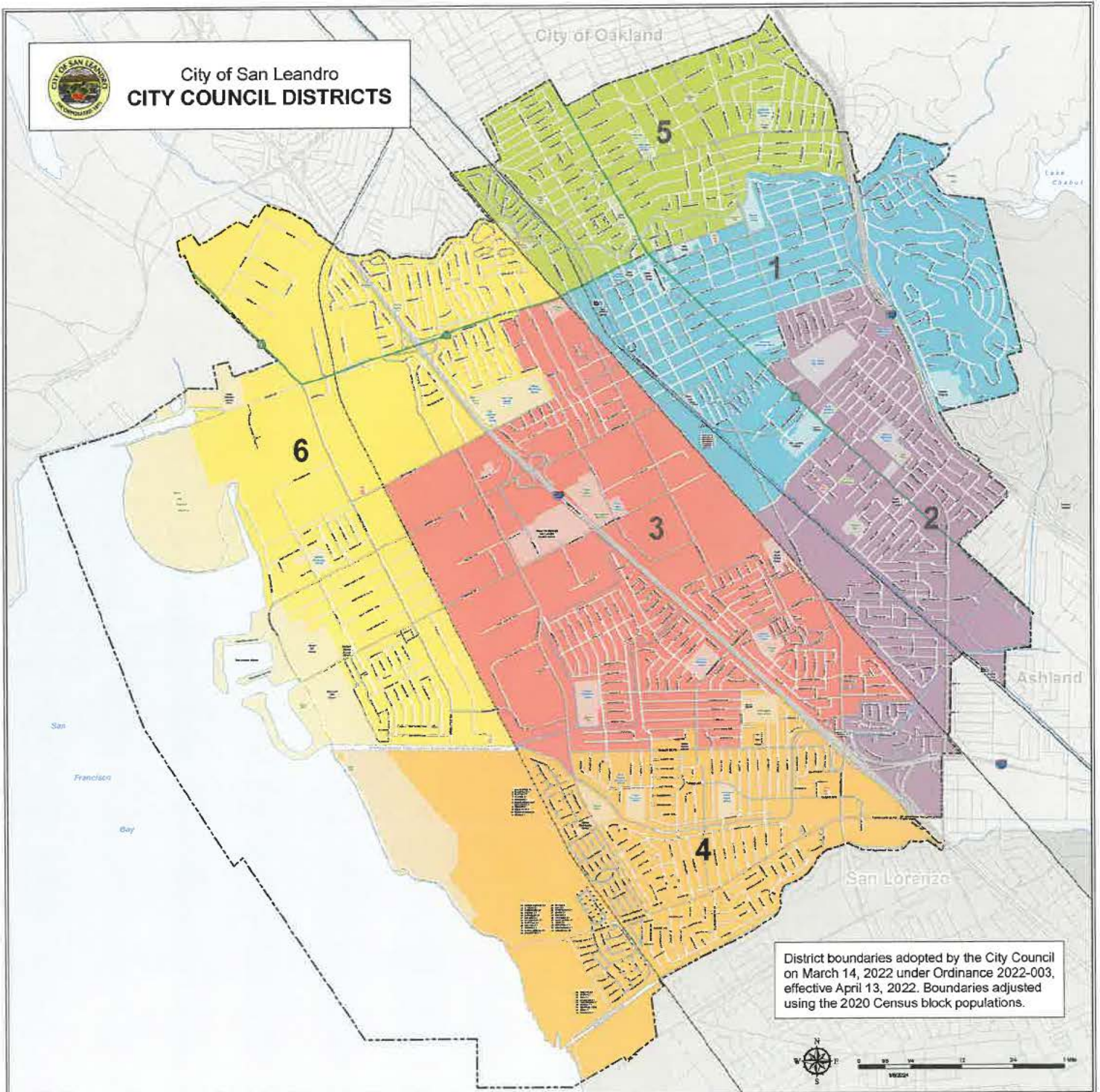
ABSENT: Councilmember Simon (1)

ATTEST: 
Kelly B. Clancy, CMC
City Clerk

Full text end



**City of San Leandro
CITY COUNCIL DISTRICTS**



District boundaries adopted by the City Council on March 14, 2022 under Ordinance 2022-003, effective April 13, 2022. Boundaries adjusted using the 2020 Census block populations.

City Attorney's Impartial Analysis

Background:

In response to a threat of litigation under the California Voting Rights Act (CVRA), the City Council (currently six councilmembers are elected under a hybrid "at-large" election system) voted to transition to a by-district elections system for its councilmembers. If approved by voters, this proposal to amend the City Charter would provide for a mayor elected at-large and six councilmembers directly elected from each of the City's existing districts. If not approved, the City's existing hybrid election system will remain.

Public entities throughout the state have transitioned from legislative bodies elected at-large to election by-district, where public entities are divided into districts and voters in each district elect a candidate from the district. While there have been limited successes from CVRA lawsuits in favor of public agencies, a majority have resulted in costly litigations. Shortly after the City's November 2024 general election, the City received notice of a potential CVRA lawsuit from a resident of the City. To avoid costly litigation, the City reached settled with the resident.

Beginning at its April 21, 2025 regular meeting, the City Council decided to ask voters to weigh in on a proposed charter amendment to establish by-district elections for councilmembers and a mayor elected at-large. Over the course of the next two months, the City Council held hearings on draft maps and election sequencing in accordance with the CVRA. On June 16, 2025, the City Council adopted an ordinance placing the Charter amendment to transition the City to by-district elections on a ballot measure, provided that the City utilizes the existing six-district map and places the question of adopting a by-district elections system to the City's voters. While the CVRA provides cities a limited opportunity to adopt a by-district elections system without a charter amendment, proceeding with a charter amendment ballot measure will allow for the City's voters to have a direct say in the City's conduct of future elections.

The City Council is scheduled to move for a consolidation of the ballot measure question with the statewide primary election to be held in June 2026. If the Charter amendment passes at the June 2026 election, the ordinance adopted by the City Council will take effect, meaning that the Charter amendment will apply to implement by-district elections commencing November 2026.

Proposed Charter Amendment:

If the Measure is approved, the City would transition to a by-district election system for the existing six council districts. Because the current election sequence for the City is already

City Attorney's Impartial Analysis

staggered, by-district voting will commence in November 2026 for districts 1,3, and 5, and then continue on or around November 2028 for the remaining districts. However, the Measure will not affect how the Mayor is elected. The Mayor is directly elected at-large by the voters. If rejected, the City would keep its existing hybrid election system, meaning that the councilmembers who choose to run in their district will be voted on by voters at-large.

Word Count: 498 (*must be 500 words or less per Elec. Code 9280.*)

NOTE: If the entire text of the measure is not printed on the ballot, nor in the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point bold type, a legend substantially as follows:

“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the elections official's office at (insert telephone number) and a copy will be mailed at no cost to you.”