

CITY OF OCEANSIDE
CITY ATTORNEY'S IMPARTIAL ANALYSIS
PROPOSITION F

You are asked whether to approve an amendment to the Oceanside City Charter to change the manner in which municipal elections are conducted.

EXISTING LAW: Under current law, the City Council is composed of the mayor and four councilmembers who serve four year terms and are elected "at large," meaning they do not serve a specific district. The city treasurer and city clerk are also elected at large and serve four year terms. At each general municipal election in November, the two candidates for seats on the City Council who receive the highest number of votes are declared the winners even though the successful candidates may not receive majority voter approval. Similarly, under current law, the mayor, city clerk, and city treasurer may be elected at a November election with less than a majority provided they receive the highest number of votes for their specific office. A candidate for a city office at a special election or at a recall election is declared the winner after receiving the highest number of votes cast.

THE PROPOSAL: The proposed charter amendment, if adopted, will change existing law by requiring candidates for all elected city offices to receive majority voter approval in order to be elected. Under the proposal, the mayor and city councilmembers, the clerk and the city treasurer will continue to be elected at large and will continue to serve four year terms. The charter amendment requires the city clerk to assign a number to each of the four council seats in June 2012. Candidates for city council will be required to declare the specific seat they are running for.

At the November 2012 election only, a candidate for an elected city office (including the mayor, councilmember, city clerk, and city treasurer) will be declared the winner if he or she receives the highest number of votes for the specific office. Beginning in 2014, primary elections will be conducted in June of each election year to elect candidates for open city offices. A candidate who receives majority voter approval at the June primary will be declared the winner. If no candidate receives majority voter approval at the June primary, a runoff between the top two candidates for the city office will be held in November. A candidate who receives majority voter approval at the November election will be declared the winner.

Finally, the proposed charter amendment will change the manner in which special elections and recall elections are conducted. If no candidate receives a majority voter approval at the special election or recall election, the top two candidates would face each other at a special runoff election. The candidate who receives a majority of the votes cast at the special runoff election would be declared the winner.

A "YES" vote is in favor of changing the current procedures for electing city officials as set forth in the charter amendment.

A "NO" vote is against the charter amendment and would retain the existing law.