



The League of Women Voters - where hands-on work to safeguard democracy leads to civic improvement

October 31, 2019

Members of the Oakland City Council
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612

Dear Councilmembers:

The League of Women Voters of Oakland once again calls on you to nullify your action of December 14, 2018 whereby you certified Measure AA as "passed" despite the fact that it did not receive the two-thirds vote that the public was told the parcel tax required.

To that end, we ask that the City not appeal the Superior Court ruling of October 15, 2019 in the case of *Jobs & Housing Coalition v. City of Oakland*. In her ruling Judge Ronni MacLaren stated, "Allowing Measure AA to be enacted with less than two-thirds of the votes would constitute 'a fraud on the voters.'"

Regardless of how broadly you choose to interpret the *Upland* case, in which the California Supreme Court appears to some to suggest that a local measure placed on the ballot by initiative requires only a simple majority vote, you must abide by the information provided in the voter information from the Oakland City Attorney.

It is the view of the League that the Council has always had the authority to direct the City Attorney to prepare for the Council's consideration a resolution to nullify - or rescind - your December 14 action. We strongly urge you to exercise that authority immediately, without subjecting yourselves and the public to further unnecessary delays in putting this matter behind us under the notion that you cannot act because of anticipated or pending litigation.

Sincerely,

A handwritten signature in blue ink that reads "Deborah Shefler". The signature is written in a cursive style.

Deborah Shefler
President, League of Women Voters of Oakland