

JUN 18 2018

RESOLUTION No. 2017 -090

MAF

By

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
SUBMITTING A MEASURE TO THE VOTERS OF BELMONT AT THE NOVEMBER
6, 2018 GENERAL MUNICIPAL ELECTION TO DETERMINE WHETHER THE
OFFICE OF CITY CLERK SHOULD BE CHANGED FROM ELECTED TO
APPOINTIVE**

WHEREAS, the office of City Clerk requires specialized education, training and experience; and,

WHEREAS, the only qualifications for the elective office of City Clerk is that they are registered voters in the City of Belmont and 18 years of age or older; and,

WHEREAS, the City Council has determined to submit to the voters at the general municipal election on November 6, 2018, a ballot measure making the office of the Belmont City Clerk appointive rather than elected, effective December 11, 2018 or upon a vacancy during the term of office, which ends on or about November 5, 2019.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

Based on all information submitted to or considered by the City Council during its deliberations on this matter:

SECTION 1. Call for Municipal Election.

(a) A municipal election in the City of Belmont is called for November 6, 2018 for the purpose of submitting to the electorate a ballot measure making the office of the Belmont City Clerk appointive rather than elected, effective December 11, 2018 or upon a vacancy during the term of office, which end on or about November 5, 2019.

(b) The polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. that same day, when the polls shall be closed, except as provided in Elections Code Section 14401. The City Clerk is authorized to give further notice of the election, as required by law.

SECTION 2. Consolidation with Statewide General Election

(a) The City Council orders the municipal election consolidated with the statewide general election on Tuesday, November 6, 2018.

(b) In accordance with Elections Code Section 10403, the City Council requests the County of San Mateo Board of Supervisors consolidate the municipal election with the statewide election.

Per City Clerk's agreement, not part of the Ballot Question.

(c) The question to be presented to the voters is as follows:

CITY OF BELMONT CHANGING THE CITY CLERK FROM ELECTED TO APPOINTED	
<i>Shall the office of City Clerk be appointive?</i>	YES
	NO

(d) The City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Election Code Section 10418.

SECTION 3. If the measure is enacted, the Belmont City Council will have the authority to appoint the City Clerk.

SECTION 4. A majority vote of the voters is required to approve the measure.

SECTION 5. Conduct of Election

In accordance with Elections Code Section 10002, the City Council requests the County of San Mateo Board of Supervisors authorize the County Clerk to render all services necessary for the conduct of the election regarding the general tax measure and agrees to reimburse the County of San Mateo for the costs of conducting this election.

SECTION 6. Proposed Ordinance

(a) The full text of the ballot measure to be voted upon is set forth in Exhibit A, attached hereto.

(b) The City Council requests the County of San Mateo Board of Supervisors to order the County Clerk to set forth in the voter information portion of all sample ballots to be mailed to the qualified electors of the City the full text of the Ordinance and to mail with the sample ballots to the electors printed copies of the full text of the Ordinance, together with the primary arguments for and against the measure, and to provide absent voter ballots for the election for use by qualified electors of the City who are entitled thereto in the manner provided by law.

SECTION 7. Publication of Synopsis

The City Clerk is directed to publish a synopsis of the measure in the manner required by Elections Code Section 12111 at least one week before the election.

SECTION 8. Submission to County Officials

The City Clerk is directed to file a certified copy of this Resolution, with Attachments, with the County of San Mateo Board of Supervisors and the County Elections Official no later than close of business on August 10, 2018.

SECTION 9. Impartial Analysis

The City Clerk is directed to transmit a copy of the measure to the City Attorney who is directed to prepare an impartial analysis of the measure in accordance with Elections Code Section 9280.

SECTION 10. Ballot Arguments

(a) Ballot arguments for or against the measure may be submitted in accordance with this resolution and applicable provisions of the law.

(b) The Mayor, or his designee, is hereby authorized to prepare a written argument, not exceeding 300 words, in favor of the measure. If a qualified argument against the measure is submitted, the Mayor, or his designee, may prepare a rebuttal argument not exceeding 250 words. At the discretion of the Mayor, the argument in favor and rebuttal, if any, may also be signed by other members of the City Council, bona fide associations of citizens, or by individual voters who are eligible to vote. Arguments and rebuttals shall otherwise conform to and comply with all applicable provisions of the Elections Code and be submitted by the deadline required by the County of San Mateo Elections Official.

SECTION 11. This measure is submitted to the voters pursuant to Government Code section 36508 and Elections Code Section 9222.

SECTION 12. The City Attorney is hereby directed to prepare and submit an impartial analysis of the measure.

SECTION 13. The County Election Department is hereby authorized to canvass the returns of the election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

* * * *

ADOPTED December 12, 2017 by the City of Belmont City Council by the following vote:

AYES: Stone, Kim, Lieberman, Hurt



Mayor

ATTES



Deputy City Clerk



City Attorney

Full Text starts

ORDINANCE NO. _____

**AN INITIATIVE ORDINANCE OF THE CITY OF BELMONT CHANGING
THE OFFICE OF CITY CLERK FROM ELECTIVE TO APPOINTIVE**

THE PEOPLE OF THE CITY OF BELMONT DO ORDAIN AS FOLLOWS:

SECTION 1. The office of City Clerk shall be changed from elective to appointive pursuant to California Government Code section 36508.

SECTION 2. This ordinance shall take effect as provided in §9217 of the Elections Code of the State of California.

SECTION 3. The City Clerk shall publish this ordinance according to law.

Full
Text
Ends