

JUL 26 2018

MARK CHURCH, Chief Elections Officer RESOLUTION NO. 15694

By: [Redacted]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY CALLING AN ELECTION TO BE CONSOLIDATED WITH THE GENERAL MUNICIPAL ELECTION AND STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018, AND SUBMITTING TO THE VOTERS AT THAT ELECTION A MEASURE TO AMEND THE CITY CHARTER TO UPDATE CERTAIN PROVISIONS

WHEREAS, pursuant to article XI, section 3 of the California Constitution and section 9255 of the Elections Code, the City Council may propose on its own motion, a proposal to revise or amend the City Charter; and

WHEREAS, the City Council can direct the Charter Review Sub-Committee to review the Charter and propose changes; and

WHEREAS, on January 23, 2017, the City Council charged the Charter Review Sub-Committee to consider several amendments to the Charter, and the Sub-Committee met and took public comments on various proposed amendments on June 12, 2017, August 21, 2017, October 18, 2017, May 14, 2018, and June 11, 2018; and

WHEREAS, on December 4, 2017 and June 25, 2018, the Charter Review Sub-Committee presented to the City Council proposed amendments to the Charter; and

WHEREAS, the City Council heard public comment on the proposed amendments and made additional proposals to amend the Charter; and

WHEREAS, the City Council is now authorized to submit the proposed Charter amendments to the voters at the next general election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDWOOD CITY THAT:

SECTION 1. Calling the Election. Pursuant to California Elections Code sections 1415 and 9255, the City Council hereby calls an election to be consolidated with the City's general municipal election and statewide general election to be held on November 6, 2018, for the purpose of submitting the proposed Charter amendments described above and set forth in Exhibit A (attached hereto), to a vote of the qualified voters of the City of Redwood City, and hereby requests the Board of Supervisors of the County of San Mateo to consolidate this election with the November 6, 2018, statewide general election to be held on that date. The consolidated election shall be held and conducted in the manner prescribed by elections Code section 10418.

SECTION 2. Request for Services and conduct of Election. The Board of Supervisors of the County of San Mateo is hereby requested to permit the County

Elections Official to render specified services to the City relating to the conduct of the election, and is hereby authorized to canvass the returns of said municipal election, and said election shall be held in all respects as if there were only one election and only one form of ballot. The County shall certify the results of the canvass of the returns of said election to the City Council of this City which shall thereafter declare the results thereof. In all particulars not specified in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 3. Submission of Measure to the Voters. Pursuant to Elections Code sections 9255, 10201, 10403, and 12001, the City Council hereby orders the measure proposing to amend the Charter to be submitted to the qualified voters of the City of Redwood at the general municipal election and statewide general election on November 6, 2018. The full text of the Charter amendment that shall be voted on is attached hereto as Exhibit A. ✓

SECTION 4. Ballot Question. The City Council, pursuant to California Elections Code sections 13119 and 10403, hereby orders that the abbreviated form of the measure shall appear on the ballot as follows:

City of Redwood City Charter Amendment. Shall the measure amending the Charter to update certain provisions, including modernizing public notice provisions, establishing terms limits for City boards, requiring the budget to be submitted to Council 30 days before the new fiscal year, having the City Clerk appointed by the City Manager, eliminating a residency requirement for City Manager to comply with State law, updating procedures for City payments, and consolidating the roles of Director of Finance and Treasurer, be adopted?	4 7 5 6 7 8 5 6 6 6 5 YES	
	NO	

SECTION 5. Impartial Analysis by City Attorney. The City Clerk is hereby directed to transmit a copy of the measure attached hereto as Exhibit A to the City Attorney, who shall prepare an impartial analysis of the measure in accordance with California Elections Code section 9280. The City Attorney shall submit the impartial analysis to the City Clerk no later than August 14, 2018 at 5:00 P.M.

SECTION 6. Written Arguments. Pursuant to California Elections Code sections 9282 and 9285, the City Council authorizes the three City Councilmembers who comprise the Charter Review Sub-Committee to file the direct argument in support of the measure and the rebuttal argument to the argument against the measure, if any. Pursuant to California Elections Code section 9285(b), the City Council hereby

authorizes rebuttal arguments if arguments have been filed in favor of or against the measure. The deadline for submitting ballot arguments for or against the measure shall be 5:00 P.M. on Tuesday, August 14, 2018. Proposed arguments shall not exceed 300 words and shall be submitted to the Office of the City Clerk. The deadline for submitting rebuttal arguments shall be 5:00 P.M. on Friday, August 24, 2018. Proposed rebuttal arguments shall not exceed 250 words and shall be submitted to the Office of the City Clerk. The provisions of Elections Code section 9285(a) shall apply to the submittal of rebuttal arguments.

SECTION 7. City Clerk. The City Clerk is hereby directed to file a certified copy of this resolution with the San Mateo Clerk of the Board of Supervisors and the County Registrar of Voters in sufficient time so that the measure may be included on the November 6, 2018, City municipal election and statewide general election ballot. The City Clerk is hereby directed to perform all other acts that are required for submitting the measure to be voted on at the November 6, 2018, general municipal election and statewide general election. The text of the proposed amendment shall not appear in the voter pamphlet given its length and resulting expense, but the Clerk shall post the proposed measure on the City's website and provide any person a copy of the measure upon request.

SECTION 8. Notice. Notice of the time and place of the election on the proposed City Charter amendment is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the calling of the Consolidated Election, in the time, form and manner as required by law.

SECTION 9. Majority Vote. This measure proposes to amend the City Charter and shall be approved if a majority (50% +1) of those voting on the measure approve it.

SECTION 10. Form of Ballot. The ballots to be used at the election shall be in form and content as required by law.

SECTION 11. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 12. CEQA. This action is not a project and is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15378(b) (3) of CEQA Guidelines, as it concerns the submittal of a charter amendment measure to the voters of the City.

SECTION 13. Effective Date. This Resolution shall become effective upon its adoption.

* * *

EXHIBIT A

The Charter:

BOUNDARIES, POWERS, ELECTIONS

Section 1. NAME:

The municipal corporation now existing and known as shall remain and "Redwood City" continue a body politic and corporate, as at present, in fact and in law, by the name of the "City of Redwood City," and by such name shall have perpetual succession.

Section 2. BOUNDARIES:

The boundaries of Redwood City shall continue as now established until changed as authorized by law.

Section 3. POWERS:

The eCity shall have all the powers heretofore claimed or exercised by the eCity, shall have all the powers granted to municipal corporations and to cities by the constitution and gGeneral H Laws of this sState together with all the implied powers necessary to carry into execution all the powers granted, and shall retain all rights, interests, powers and privileges heretofore gained by the eCity or any of its departments, boards, commissions or instrumentalities by virtue of any grant or law or by any judicial interpretation of any such grant or law. The eCity may acquire property within or without its corporate limits for any eCity purpose, and may manage, control and dispose of such property as its interests may require; and, except as prohibited by the sState constitution or restricted by this eCharter, the eCity shall and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever. The enumeration of particular powers by this eCharter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the eCity shall have and may exercise all powers which, under the sState constitution, it would be competent for this eCharter to enumerate. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27).

Section 3-1/2. ACQUISITION AND DISPOSAL OF PROPERTY BY CITY:

Subject to any additional provisions that the City Council may enact by ordinance, the City may purchase, lease, receive, hold, and enjoy real and personal property, and control and dispose of it for the common benefit.

Section 3-3/4. ACQUISITION AND DISPOSAL OF PROPERTY BY PORT:

The following applies to real and personal property under the jurisdiction of the Board of Port Commissioners, and does not apply to property under the jurisdiction of the City:

Public notice shall be given by publication in the official newspaper once at least five (5) days prior to the acquisition of any real property by the Board of Port Commissioners when the purchase price to be paid by the Port equals or exceeds the sum of two thousand dollars (\$2,000), unless such acquisition is to be accomplished pursuant to the general laws of the State by condemnation in eminent domain proceedings or unless such acquisition is necessary in connection with public improvement proceedings accomplished pursuant to law.

Any sale or lease of property under the jurisdiction of the Board of Port Commissioners, shall be accomplished in accordance with the following procedure:

(a) Public notice of any proposed sale of property shall be given at least once a week for two weeks in a newspaper of general circulation ~~the official newspaper~~. Such notice shall contain a statement that any and all bids may be rejected and the property may be readvertised.

(b) Prior to the sale of any property, the City Assessor shall appraise the same and determine the current market value thereof. With the approval of the Board of Port Commissioners, the City Assessor may obtain the services of other qualified persons to assist in such appraisal.

(c) Every sale of property may be made only to the highest responsible bidder at public auction or upon sealed bids to said Board of Port Commissioners. In all instances where bids are received any and all bids may be rejected and the property re-advertised or removed from the market. No sale of any property shall be made for less than ninety percent (90%) of the appraised value thereof. Every lease of property shall be made in accordance with the provisions of Section 48(a) of this Charter.

(d) Any real property having an appraised value of two hundred fifty dollars (\$250) or less may be sold without public notice or public bid as required by this section; provided, however, that no such property shall be sold for less than ninety percent (90%) of the appraised value thereof. Any personal property having an appraised value of five thousand dollars (\$5,000) or less may be sold without public notice or public bid as required by this section; and, further, such property may be sold for any reasonable amount irrespective of its appraised value.

(e) Any sale of real property having an appraised value of less than seventy-five thousand dollars (\$75,000) shall be authorized only by resolution adopted by the affirmative vote of at least four-fifths (4/5ths) of all members of the Board. Any such sale of real property having an appraised value of seventy-five thousand dollars (\$75,000) or more shall be authorized only by ordinance of the Board of Port Commissioners adopted by the affirmative vote of at least four-fifths (4/5ths) of all members of the Board. Any ordinance required hereunder shall be subject to the referendum provisions of this Charter

(f) No property shall be exchanged for other property until an appraisal of all property included in the exchange has been made by the City Assessor and the value of the property to be received by the Port equals or exceeds the value of the property to be disposed of by the Port. (As amended April 8, 1958, ratified by Legislature April 19, 1958.) (As amended April 11, 1978, certified by

Secretary of State June 12, 1978) (As amended April 13, 1982, certified by Secretary of State June 10, 1982) (As amended November 8, 2011, certified by Secretary of State on December 23, 2011)

Section 4. NOMINATIONS AND ELECTIONS:

General municipal elections shall be held in said eCity on the second Tuesday in April of each even-numbered year under and pursuant to the provisions of the general laws of the State of California governing nominations and elections in general law cities, so far as the same may be applicable, and except as herein otherwise provided. Notwithstanding the foregoing, the Council may by ordinance require general municipal elections to be held on the same day as the statewide primary election, the day of the statewide general election, or on the day of school district elections in accordance with, and pursuant to the provisions of the general laws of the State of California governing consolidation of municipal elections of general law cities with such statewide or school district elections.

All other municipal elections that may be held by authority of this eCharter or of general law shall be known as special municipal elections, and shall be held substantially as in this eCharter provided for general municipal elections; provided however, that special elections to authorize municipal or local public improvements or the levy of assessments therefor, or to create a municipal bonded indebtedness, shall be held in conformity with any general law of the sState relative thereto under which any such proceeding is instituted by the Council, in case such general law provides for the procedure and manner of holding elections thereunder. (As amended April 8, 1958, ratified by Legislature April 18, 1958) (As amended November 4, 1986, filed Secretary of State January 5, 1987)

Section 5. CANVASS OF RETURNS:

The Council of said eCity shall meet at its usual meeting place on the first Monday after any municipal election, duly canvass the returns and declare the result thereof, and install the newly elected officers, if any; provided, however, that for any such election consolidated with a statewide election or a school district election, the returns shall be canvassed and the results thereof declared in accordance with the provisions of law regulating the statewide or school district election, and newly elected officers, if any, shall be installed at the first regular meeting of the Council following the canvass of returns and declaration of results by the agency or officer so empowered. (As amended November 4, 1986, filed Secretary of State January 5, 1987)

LEGISLATION

Section 6. INITIATIVE, REFERENDUM AND RECALL:

Ordinances may be initiated, or the referendum exercised on ordinances passed by the eCouncil, under and in accordance with the eConstitution and general laws of the sState, and any elective officer may be recalled from office under and in pursuance of the provisions of the eConstitution and general laws; provided, however, that if a minority of the eCouncil are sought to be recalled

no candidate or candidates shall be elected to fill the place or places of any officer sought to be recalled, but in case of such recall such office shall be deemed vacant and shall be filled by appointment like other vacancies in elective offices; provided further, that should a majority, or more, of the eCouncil be sought to be recalled, the general provisions of the State law applicable to recall of officers shall apply. Petitions for exercising the initiative, referendum, or recall, may be circulated or deposited for signatures in not less than three public places in the eCity, to be designated by the eCouncil. Notice of the deposit thereof shall be given by publication in accordance with procedures established by ordinance of the Council for the publication of notices three or more times in one or more newspapers published and circulated in said city. The eCouncil shall provide by ordinance the detailed procedure for carrying out the provisions of this section.

Section 7. ELECTIVE OFFICERS:

The elective officers of Redwood City shall be seven ~~council members~~ Councilmembers, who shall be elected from the eCity at large at a general municipal election therein.

Section 8. ELIGIBILITY OF ELECTIVE OFFICERS:

No person shall be eligible for election to, or hold any elective office of the eCity unless such person shall have been a resident and elector thereof for at least 30 days next preceding the time of filing nominating papers or equivalent declaration of candidacy for such office, or such person's appointment to fill a vacancy therein. (As amended April 11, 1978, certified by Secretary of State June 12, 1978)

Section 9. THE COUNCIL:

The Council shall be comprised of seven ~~council members~~ Councilmembers, including the Mayor, and shall be the legislative body of the eCity, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it.

~~Council members~~ Councilmembers shall be elected at each general municipal election and shall hold office for the term of four years from and after the Monday next succeeding the day of such election or, if such election shall have been consolidated with a statewide election or a school district election, from and after the first regular meeting of the eCouncil following the canvass of the returns of the election and the declaration of the results by the agency or officer so empowered. ~~Council members~~ Councilmembers shall hold office until successors are elected and qualified. The ~~council members~~ Councilmembers in office at the time of this eCharter taking effect shall continue in office until the end of the terms for which they were respectively elected.

Any vacancy occurring in the Council shall be filled by appointment by the remaining ~~council members~~ Councilmembers; but in the event that said remaining ~~council members~~ Councilmembers fail to fill such vacancy by appointment within 60 days after such vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided,

however, that any person appointed to fill such vacancy shall hold office only until the next regular election, at which date a person shall be elected to serve for the remainder of such unexpired term. In case a member of the Council is absent from the eCity for a period of 90 days, unless by permission of the Council, or ceases to be a resident and elector of the City, such member's office shall by the Council be declared vacant and the same filled as in the case of other vacancies.

The Council may provide by resolution for compensation of its members in an amount not to exceed that allowed for ~~council members~~ Councilmembers of general law cities of equivalent population. Adjustments to the initial rate of compensation established after the effective date of the amendment hereto providing for compensation by reference to ~~council members~~ councilmember compensation of general law cities may be made in amounts not to exceed those allowed for general law city ~~council members~~ councilmembers. Provision for payment in accordance with the foregoing may be made when the amendment hereto providing for such compensation is filed with the Secretary of State, but in no event before July 1, 1982.

No eCouncilmember shall be eligible during the term for which ~~he or she~~ they was/were appointed or elected to hold any other office or employment with the eCity, except as a member of any board, commission, or committee thereof, of which ~~he or she~~ they is/are constituted such member by general law or by this Charter. (As amended April 9, 1968, Approved by Legislature April 29, 1968, Stats. 1968 Chapter 76) (As amended April 13, 1982, certified by Secretary of State June 10, 1982; as amended April 10, 1984, certified by Secretary of State June 21, 1984.) (As amended November 4, 1986, filed Secretary of State January 5, 1987)

Section 9a. CONSECUTIVE TERMS:

No person shall be eligible to hold office as a eCouncilmemberman for more than four consecutive terms of office. A partial term to which a person is appointed or elected to fill a vacancy in the Council shall not be included in computing consecutive terms. The full term during which a eCouncilmemberman may resign shall be included in the same manner as if no resignation had taken place. In the event any eCouncilmemberman is not elected at a regular election after serving one or more terms, such prior service shall not be included in computing subsequent terms of service and such person shall be eligible to subsequently serve four consecutive terms. Full terms, or partial terms in excess of two (2) years, served prior to the effective date of this section shall not be included in terms of computing consecutive terms. (As amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968 Chapter 76.)

Section 10. POWERS OF COUNCIL:

All power granted to and vested in Redwood City by law or by provisions of this eCharter shall, except as herein otherwise provided, be exercised by the eCouncil, to be designated the "Council of Redwood City." The Council shall be the governing body of the eCity and, subject to the express limitations of this eCharter, shall be vested with all the powers necessary or convenient for a complete and adequate system of municipal government, consistent with the eConstitution of the

sState, including all powers now or hereafter granted by general law to councils or boards of trustees of municipalities.

Section 11. MEETINGS OF THE COUNCIL:

The eCouncil shall provide by ordinance for the time and place of holding its meetings and the manner in which its special meetings may be called; provided, however, that there shall be at least two regular meetings in each month. Any regular meeting may be adjourned to a date and hour certain, and such adjourned meeting shall be a regular meeting for all purposes. All legislative sessions of the eCouncil, whether regular or special, shall be open to the public.

Section 12. QUORUM:

A majority of the eCouncil shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time and postpone the consideration of, or action upon, pending business in like manner. Attendance at meetings of absent members of the eCouncil may be compelled in such manner and under such penalties as may be prescribed by ordinance.

Section 13. CONDUCT OF MEETINGS:

The Council shall determine its own rules of procedure, and may punish its members or other persons present at any meeting, for disorderly conduct.

Section 14. THE MAYOR:

The eCouncil shall choose one of their number to serve as president of the eCouncil, and to be known as ~~m~~Mayor. ~~His~~ Their term as ~~m~~Mayor shall be two years. The ~~m~~Mayor shall be the executive head of the eCity. In the name and on behalf of the eCity ~~he~~ they shall sign all legal instruments and documents to which the eCity is a party except where otherwise provided herein or by general law or ordinance. ~~He~~ They shall represent the eCity in all ceremonial functions of a patriotic or social character when it appears desirable that the eCity be officially represented thereat, and shall, consistent with the provisions thereof, possess such other powers and perform such duties as may be prescribed by this eCharter, by law, by ordinance, or by resolution of the eCouncil.

The ~~m~~Mayor shall have a contingent fund of two hundred fifty (\$250) dollars a year for which ~~he~~ they need produce no vouchers.

In case of riot, insurrection, or extraordinary emergency, ~~he~~ they shall assume general control of the eCity government and all of its branches and shall be responsible for the suppression of disorders, and the restoration of normal conditions.

The eCouncil shall choose one of their number to serve as Vice-Mayor. ~~His~~ Their term shall run concurrently with that of the Mayor. In the absence or disability of the Mayor, the Vice-Mayor

shall have all the powers and duties of the Mayor.

Section 14a. MAYOR'S CONTINGENT FUND:

The Mayor's contingent fund, as established by Section 14 of this Charter, shall be augmented by the amount of Nine Hundred Fifty Dollars (\$950) a year, to provide a total of Twelve Hundred Dollars (\$1,200) a year for which ~~he or she~~ they need produce no vouchers. (As amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968 Chapter 76; as amended April 10, 1984, certified by Secretary of State June 21, 1984.)

Section 15. LEGISLATION:

The eCouncil shall act in legislative matters by ordinance or resolution only. Other action of the Council, unless herein otherwise provided, may be taken by resolution, motion or order.

The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the record of the proceedings of the Council. Upon the request of any members of the Council the ayes and noes shall be taken and recorded upon any vote. All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.

No ordinance, ~~or~~ resolution or motion shall be passed without receiving the affirmative votes of at least a majority of the members of the Council present.

Each ordinance shall be headed by a brief title which shall be indicative of the purport thereof. It shall be numbered when adopted.

The ordaining clause of all ordinances adopted by the Council shall be, "The Council of Redwood City does ordain as follows:" The ordaining clause of all ordinances passed by the vote of the electors of the eCity, through the exercise of the initiative shall be, "The People of Redwood City do ordain as follows:"

No ordinance shall be passed by the Council on the day of its introduction, nor within five (5) days thereafter, nor at any time other than at a regular meeting; ~~nor until its publication at least once in the official newspaper of the city at least three (3) days before its adoption; provided, however, that ordinances calling elections and ordinances carrying out the provisions of elections need not be published prior to adoption; provided further, however, that the Council may, to the extent authorized by the general laws of the state and subject to the procedure set forth by such law, enact any ordinance which adopts additional identified matter by reference. In case of an ordinance being amended before its final adoption and after its publication, it shall in like manner be republished in full as amended at least one day before its adoption as amended; provided, however, that where such amendment is made for the correction of clerical errors or omissions of form only, then such ordinances need not be given a first reading or a~~

~~republishing as corrected.~~ Ordinances shall be published at least once in accordance with procedures established by ordinance of the Council for the publication of ordinances.

Except as otherwise provided by general law, or this eCharter, no action providing for the levying of any tax or assessment, or for the granting of any franchise, or for the establishment or change of zoning regulations, or for the imposition of any penalty of fine or imprisonment, shall be taken except by ordinance. Any and all other legislative action, including any appropriation or expenditure of public money, may be accomplished by resolution.

No ordinance or portion thereof shall be repealed except by ordinance. No ordinance shall be revised, re-enacted, or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted according to the method provided in this section for the enactment of ordinances, and such revision, re-enactment, amendment or addition, shall be done by ordinance only.

All ordinances shall be signed by the Mayor and attested by and filed with the City Clerk; provided, however, the Mayor may sign all ordinances and other legal instruments and documents by facsimile signature. (As amended April 8, 1958, ratified by Legislature April 18, 1958; as amended November 8, 2005, certified by Secretary of State January 24, 2006.)

Section 16. WHEN ORDINANCES EFFECTIVE:

Except as otherwise provided herein every ordinance and every measure passed by the eCouncil granting any franchise or privilege shall go into effect at the expiration of thirty (30) days after its final passage unless otherwise provided in said ordinance or measure, but ordinances declared by the eCouncil to be necessary as emergency measures for the immediate preservation of public peace, health, or safety, containing a statement of the reasons for their urgency and passed by five-sevenths (5/7ths) vote of the whole eCouncil, ordinances ordering or otherwise relating to elections, and ordinances relating to public improvements, the cost of which is to be borne wholly or in part by special assessments, may go into effect at the will of the eCouncil.

Section 17. PLANNING COMMISSION:

There shall be a eCity pPlanning eCommission, which shall consist of seven members, who shall be appointed by the Council, to serve for four (4) years each, and thereafter until their respective successors are appointed and qualified, none of whom shall hold any other public office or position in the City. No person shall be appointed to the Planning Commission for more than four full consecutive terms. A partial term to which a person is appointed to fill a vacancy on the Planning Commission shall not be included in computing consecutive terms. The full term during which a member may resign shall be included in the same manner as if no resignation had taken place. If a member is not reappointed after serving one or more terms, such member may be appointed in a later appointment cycle and shall be eligible to serve four consecutive terms from the date of the later appointment. Full terms or partial terms served prior to January

1, 2019 shall be included in computing consecutive terms. When a member completes a term without being reappointed to the succeeding term, including instances in which a member is not reappointed because of the term limits set forth herein, such member shall continue to serve until their successor is appointed and qualified.

All members of the eCommission shall, at the time of their appointments and continuously during their incumbencies, be residents and electors of the City. The eCommission shall elect its eChairperson from among its members. Neither the City Attorney, the Planning Director nor any deputy or assistant of either of them, shall have the right to vote or enter into deliberations but shall be present in an advisory capacity only. (As amended November 6, 2007, filed by Secretary of State March 12, 2008).

The pPlanning eCommission shall exercise all powers and duties granted it by ordinance or resolution of the Council now or hereafter in effect and shall exercise such additional powers and duties as may now or hereafter be provided for by such general laws of the State as are not in conflict with this Charter, or any ordinance or resolution of the Council.

The members of the present eCity pPlanning eCommission in office at the time of this Charter taking effect shall continue in office until the end of the terms for which they have been respectively appointed. (As amended April 8, 1958, ratified by Legislature April 18, 1958; amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968 Chapter 76; as amended April 10, 1984, certified by Secretary of State June 21, 1984; as amended November 4, 2003, certified by Secretary of State March 5, 2004; as amended November 8, 2005, certified by Secretary of State January 24, 2006.)

Section 18. LIBRARY BOARD:

(a) There shall be a Library Board consisting of seven members to be appointed by the City Council. (As amended November 3, 2009 and filed by the Secretary of State February 9, 2010).

(b) All members of such Board shall at the time of their appointments and continuously during their incumbencies be residents and electors of the City.

(c) Any members of such Board may be removed at any time by an affirmative vote of five-sevenths (5/7ths) of all members of the City Council.

(d) The members thereof shall serve for a term of four (4) years each and thereafter until their successors are appointed and qualified. Boardmembers in the office at the time this amendment takes effect shall continue in office until the end of their respective terms. (As amended November 6, 2007, filed by Secretary of State March 12, 2008).

(e) No person shall be appointed to the Board for more than four full consecutive terms. A partial term to which a person is appointed to fill a vacancy on the Board shall not be included in computing consecutive terms. The full term during which a member may resign shall be included in the same manner as if no resignation had taken place. If a member is not reappointed after

serving one or more terms, such member may be appointed in a later appointment cycle and shall be eligible to serve four consecutive terms from the date of the later appointment. Full terms or partial terms served prior to January 1, 2019 shall be included in computing consecutive terms. When a member completes a term without being reappointed to the succeeding term, including instances in which a member is not reappointed because of the term limits set forth herein, such member shall continue to serve until their successor is appointed and qualified.

(ef) The members of such Board shall receive no compensation. (As amended April 10, 1984, certified by Secretary of State June 21, 1984.)

(fg) The Library Board shall establish rules for its proceedings and the authority and duties of the Library Board shall be set forth by the City Council. (As amended November 3, 2009 and filed by the Secretary of State February 9, 2010).

Section 19 deleted from Charter November 3, 2009 and filed by the Secretary of State February 9, 2010.

Section 19 1/2 deleted from Charter November 3, 2009 and filed by the Secretary of State February 9, 2010.

Section 20 deleted from Charter November 3, 2009 and filed by the Secretary of State February 9, 2010.

ADMINISTRATION

Section 21. OFFICERS AND BOARDS:

The administrative officers and boards shall be City Manager, City Clerk, City Engineer, Chief of Police, Chief of Fire Department, Director of Finance, City Attorney and such other officers and boards or commissions as may be hereafter established.

The City Manager ~~and~~ City Attorney, ~~and~~ City Clerk, shall be appointed by the Council and the removal of any of them shall be only on the affirmative vote of five-sevenths (5/7ths) of all members of the City Council.

All other officers and employees shall be appointed by the ~~e~~City ~~m~~Manager and shall hold office or position at ~~his or her~~ the City Manager's pleasure. The compensation of all officers and employees, shall be provided by resolution of the Council. (As amended April 9, 1968, approved by Legislature April 29, 1968, Chapter 76.) (As amended April 8, 1980, certified by Secretary of State April 25, 1980; as amended April 10, 1984, certified by Secretary of State June 21, 1984) (As amended November 4, 1987, filed Secretary of State January 5, 1987)

Section 21-1/2. ESTABLISHMENT OF BOARDS AND COMMISSIONS:

All boards and commissions shall be established and the members thereof appointed by the

eCouncil, and the duties and functions of said boards and commissions shall be prescribed by the eCouncil, unless otherwise specifically provided in this Charter. No person shall be appointed to a specific board or commission for more than four full consecutive terms. A partial term to which a person is appointed to fill a vacancy on any board or commission shall not be included in computing consecutive terms. The full term during which a member may resign shall be included in the same manner as if no resignation had taken place. If a member is not reappointed after serving one or more terms, such member may be appointed in a later appointment cycle and shall be eligible to serve four consecutive terms from the date of the later appointment. Full terms or partial terms served prior to January 1, 2019 shall be included in computing consecutive terms. When a member completes a term without being reappointed to the succeeding term, including instances in which a member is not reappointed because of the term limits set forth herein, such member shall continue to serve until their successor is appointed and qualified. All members of such boards and commissions shall, at the time of their appointments and continuously during their incumbencies, be residents and electors of the City unless otherwise provided by the Council. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27; as amended April 10, 1984, certified by Secretary of State June 21, 1984)

Section 22. CONSOLIDATION OF OFFICES:

More than one office and the powers and duties thereof may be consolidated under a single officer by ordinance of the eCouncil, or by order of the eCity mManager, provided that the office of eCity mManager shall not be abolished. Additional powers, functions, and duties may be assigned by ordinance to any office, board, or commission hereby established.

The eCouncil may abolish or change any office established by ordinance, and may prescribe, distribute, and consolidate the functions and duties of offices so established.

Section 23. DEPARTMENT RULES:

Each department head shall have power to prescribe and enforce reasonable rules and regulations not inconsistent with this Charter or ordinances of the eCity, or general laws of the sState, for the conduct of the employees of the department of which ~~he is~~ they are in charge, for the distribution and transaction of its business, and for the records and property under ~~his~~ their control.

Section 24. OFFICIAL BONDS:

The eCouncil shall determine which officers shall give bonds for the faithful performance of their official duties and fix the amount of such bonds. Such officers, before entering upon their duties, shall execute bonds to the eCity in the penal sum required, which bonds shall include other officers of which they may be ex-officio incumbents. Said bonds shall be approved by the eCouncil and filed with the eCity eClerk. That of the eCity eClerk shall be filed with the Mayor. The premium of such bonds shall be paid by the City.

Section 25. OATH OF OFFICE:

Each officer or member of a board or commission shall take the eConstitutional oath of office and subscribe thereto before entering upon ~~his~~ their official duties. Such oaths shall be filed with the eClerk. The oath of the eCity eClerk shall be filed with the Mayor.

Section 26. CITY MANAGER:

The eCity ~~m~~Manager shall be the administrative head of the eCity government. ~~He~~ They shall be chosen by the eCouncil without regard to political consideration and solely with reference to ~~his~~ their executive and administrative qualifications.

~~Residence shall not be a qualification for his appointment; but promptly thereafter, he shall become and thereafter remain an actual resident of the city.~~

The powers and duties of the eCity ~~m~~Manager shall be as follows:

- (a) To see that all ordinances are enforced.
- (b) To appoint, except as otherwise provided, all administrative officers, subordinate officers, employees, and remove the same, except as otherwise provided, and have general supervision and control over the same.
- (c) To exercise general supervision over all privately owned public utilities operating within the eCity.
- (d) To see that the provisions of all franchises, permits, and privileges granted by the eCity are fully observed and to report to the eCouncil any violation thereof.
- (e) To act as Purchasing Agent for the eCity. When so acting ~~he~~ they shall give preference to local merchants, quality and price being equal.
- (f) To attend all meetings of the eCouncil, unless excused therefrom by the eCouncil or the ~~m~~Mayor.
- (g) To examine, or cause to be examined, without notice, the conduct of any officer or employee of the eCity.
- (h) To keep the eCouncil advised as to the needs of the eCity.
- (i) To devote ~~his~~ their entire time to the interests of the eCity.
- (j) To have general supervision of all the public parks and playgrounds.
- (k) To appoint such advisory officers and boards as ~~he~~ they may deem desirable, with the growth of the eCity, to advise and assist ~~him~~ them in ~~his~~ their work; provided, such officers

and boards shall not receive any compensation.

(l) To make such recommendations to the eCouncil or ~~b~~Board of eEqualization regarding the assessment roll as ~~he~~ they may deem advisable.

(m) To possess such other powers and to perform such additional duties as are or may be prescribed by this Charter or by ordinance.

(n) From time to time, in order to facilitate the prompt, economical and efficient dispatch of eCity business, to assign assistants, deputies, and employees from any office or department of the eCity government to perform such work or service in connection with any other office or department thereof, or to work in more than one of said offices or departments.

The eCity ~~m~~Manager and such other officers of the eCity as may be designated by vote of the eCouncil shall be entitled to seats with the eCouncil, but shall have no vote therein. The eCity ~~m~~Manager shall have the right to take part in the discussion of all matters coming before the eCouncil.

In case of the absence or disability of the eCity ~~m~~Manager, the eCouncil may designate as eCity ~~m~~Manager pro tem some qualified person to perform the duties of the office temporarily. (As amended June 11, 1936, ratified by Legislature January 23, and May 15, 1937, Stats. 1937, pp. 2697, 2957.)

Section 27. NO INTERFERENCE BETWEEN COUNCIL, BOARD OR COMMISSION AND CITY MANAGER, OFFICER OR DEPARTMENT DIRECTOR:

1. Notwithstanding any eCharter provision, ordinance or resolution to the contrary:

A. No member of the eCouncil, or any board or commission of the City shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the eCity ~~m~~Manager, or any administrative officer or department director:

i. In the making of any appointment or

ii. In the purchase of supplies.

B. No member of the eCouncil, or any board or commission of the City shall attempt to exact any promise relative to any appointment from any candidate for eCity ~~m~~Manager, administrative officer, or department director.

C. Relative to the jurisdiction of the eCouncil, or any board or commission of the City, no member thereof shall, in any manner, directly or indirectly, discuss with any candidate for eCity ~~m~~Manager, eCity administrative officer or department director, the employment of any subordinate employee.

D. Relative to the jurisdiction of the eCouncil, board or commission, no member thereof shall attempt to unduly influence or intervene in the eCity manager's, administrative officer's, or department director's exercise of supervision or control of any subordinate employee.

2. The foregoing shall not preclude any member of the eCouncil, or any board or commission from consulting with any eCity administrative officer or employee for informational purposes.

3. Any violation of the foregoing provisions of this section shall constitute a misdemeanor and shall work a forfeiture of the office of the offending member of the eCouncil, board or commission, who may be removed therefrom by the eCouncil or by any court of competent jurisdiction.

No persons related by blood or marriage to the eCity manager, eCity officer or department director having appointment authority, shall be eligible for employment. (As amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968 Chapter 76; as amended November 4, 2003, certified by Secretary of State March 5, 2004.)

Section 28. CITY ENGINEER:

City Engineer shall perform such duties as may be prescribed by law for a city engineer and shall also be sStreet superintendent, until such time as the eCouncil may direct a separate officer to act as sStreet superintendent.

The City Engineer shall be the custodian of, and responsible for, all maps, plans, profiles, field notes, and other records, and memoranda belonging to the eCity, pertaining to ~~his or her~~ their office and the work thereof, all of which ~~he or she~~ they shall keep in proper order and condition, with full indices thereof.

The City Engineer shall turn the same over to ~~his or her~~ their successor upon relinquishing ~~his or her~~ their office, who shall give ~~him or her~~ them duplicate receipts thereof, one of which ~~he or she~~ they shall file with the City Clerk. All maps, plans, profiles, field notes, estimates and other memoranda of surveys and other professional work made or done by ~~him or her~~ them or under ~~his or her~~ their direction or control as City Engineer during ~~his or her~~ their term of office shall be the property of the eCity.

The City Engineer shall, at the time of ~~his or her~~ their appointment, have been a practicing engineer for a period of at least three years. All other things being equal, an engineer who has had special training or experience in municipal engineering shall be appointed to this office, if practicable.

The sStreet superintendent shall perform such duties as may be prescribed now or hereafter, by ordinance or general laws of the sState. Nothing herein contained shall prevent the eCity manager from acting as ex-officio City Engineer and sStreet superintendent and filling such offices as herein provided. (As amended April 9, 1968, approved by Legislature April 29, 1968,

Stats.1968, Chapter 76.) (As amended November 4, 1986, filed Secretary of State January 5, 1987)

Section 29. CHIEF OF POLICE:

The ~~e~~Chief of ~~p~~Police shall be the head of the police department, and shall have all the powers that are now, or may hereafter be conferred upon sheriffs and other peace officers by the laws of the ~~s~~State. It shall be ~~his~~ their duty to preserve the public peace, and to suppress riots, tumults, and disturbances.

Their ~~His~~ orders shall be promptly executed by the police officers of the ~~e~~City, and every citizen shall lend ~~him~~ them aid when requested for the arrest of offenders, the maintenance of public order, or the protection of life and property.

They ~~He~~ shall execute and return all processes issued to ~~him~~ them by legal authority, and it is hereby made ~~his~~ their duty, to arrest persons violating any law of the United States or the ~~s~~State or ordinance of the ~~e~~City. ~~He~~ They shall have such other powers and duties appertaining to ~~his~~ their office as may be prescribed by the ~~e~~Council or rules of the police department.

They ~~He~~ shall appoint and remove all subordinates in the department, make rules and regulations for the management of the department, all in accordance with the provisions of this ~~e~~Charter and subject to the approval of the ~~e~~City ~~m~~Manager. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27.)

Section 30. CHIEF OF FIRE DEPARTMENT:

The ~~e~~Chief of the ~~f~~Fire ~~d~~Department shall be the head of the fire department, and shall have charge and supervision over all matters relating to the prevention and extinction of fires, and of all measures necessary to guard and protect all property impaired thereby.

During a fire, the ~~e~~Chief of the ~~f~~Fire ~~d~~Department shall be in supreme authority over the territory involved therein, and all persons in the immediate vicinity of said fire shall be subject to ~~his~~ their orders.

They ~~He~~ shall appoint and remove all subordinates in the department and make rules and regulations for the government thereof, subject to the approval of the ~~e~~City ~~m~~Manager. (As amended April 13, 1954, ratified by Legislature January 3, 1955, Stats. 1955, Chapter 27.)

Section 31. DIRECTOR OF FINANCE AND CITY TREASURER:

~~There~~The City Manager shall appoint a person who shall serve in the role of ~~be a~~ Director of Finance ~~who shall be appointed by the City Manager. If the City Council has not appointed a City Auditor pursuant to Section 33 hereof, T~~the Director of Finance shall perform the duties, and exercise the powers, of the City Auditor set forth in Section 33. In addition, the Director of Finance shall perform the duties and exercise the powers of the ~~City Treasurer, City Assessor~~

~~and City Collector in accordance with Sections 33, 34, 35 and 36 hereof, respectively, or any one or more of said offices as may be consolidated under the office of Director of Finance by ordinance of the Council. Wherever in this Charter reference is made to any of the foregoing enumerated officers the City Treasurer and, as appropriate, the City Auditor, such reference shall be deemed to mean the Director of Finance, to the extent the corresponding offices thereof have been consolidated.~~

It shall be the Director of Finance's duty, as City Treasurer, to receive and safely keep all moneys and securities belonging to the City and coming into said Director's hands, and to pay out the same only on warrants signed by the proper officers, except the principal and interest due on bonds of the City, including improvement bonds thereof.

As City Treasurer, the Director of Finance shall deposit, with such depositories as are provided by law all funds coming into said Director's possession, and shall obtain from such depositories collateral as security therefor as provided by law. All interest on money so deposited shall accrue to the benefit of the City.

The Council, in the case of general municipal funds, and the Board of Port Commissioners, in the case of Port funds, may authorize the Director of Finance to invest such public moneys as are not required for immediate expenditure in such securities or other certificates of indebtedness as are provided by law for the investment of public funds, generally. Such authority may include the power to sell or exchange such securities and reinvest the proceeds thereof. If so authorized, the Director shall thereafter assume full responsibility for such transactions until such authority is revoked and shall make a monthly report of such transactions to the Council concerning the investments of general municipal funds and to the Board of Port Commissioners concerning the investment of Port funds.

The Director of Finance shall also perform such other duties, and exercise such other powers, as may be prescribed by the Council or the City Manager. (Section 31 deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76; new section April 10, 1984, certified by Secretary of State June 21, 1984) (As amended November 4, 1986, filed Secretary of State January 5, 1987)

Section 32. CITY CLERK:

There shall be a City Clerk who shall be appointed by the City Manager. The eCity eClerk shall be clerk of the eCouncil and the bBoard of eEqualization and shall attend all meetings and shall keep in separate books full and true records of all proceedings of each of said bodies. The eClerk shall keep a copy of all ordinances with a certificate of the eClerk annexed to said copy, stating it is a true and full record thereof.

Said record copy, with such certificate shall be prima facie evidence of the contents of such ordinance. The eClerk shall also keep an index to the minutes of the eCouncil and to all ordinances.

The eCity eClerk shall be the custodian of the eCity seal, and shall affix the same to all official certificates made by said eClerk, and to all papers when directed by the eCouncil to attest to execute the same.

The eClerk shall have power to administer oaths and affirmations, to take affidavits, and to certify the same. The eClerk shall have other powers and perform such other duties as may be provided by this eCharter or by statute or by ordinance or order of the eCity mManager. (As amended April 11, 1978, certified by Secretary of State June 12, 1978)

Section 33. CITY AUDITOR:

When deemed necessary by the eCouncil, it may appoint a eCity aAuditor. ~~Prior to such appointment, the duties of the city auditor may be performed by such other officers as may be designated by the council.~~

The aAuditor shall have general control of all accounting for the eCity; ~~he~~ they shall receive and preserve in ~~his~~ their office all account books, vouchers, documents and papers relating to accounts and contracts of the eCity, its revenues, disbursements and other financial affairs.

~~They~~ He shall keep an account of all moneys received and paid out by or through any other office, commission, or department. ~~He~~ They shall prepare and submit to the eCouncil and eCity mManager, as early as possible each month, and not later than the tenth day thereof, duplicate summary statements of all revenue and expense for the preceding month, detailed as to appropriations and funds, in such manner as to show the exact financial condition of the eCity and each office, department, and division thereof, as of the last day of the preceding month. The eCity eClerk shall furnish the eCity aAuditor with copies of all ordinances, resolutions, and orders of the eCouncil making appropriations or authorizing expenditures of money for any purpose. ~~He~~ They shall perform such other duties as may be prescribed by the general laws or by ordinance of the eCouncil.

Section 34. CITY TREASURER:

There shall be a eCity tTreasurer, who shall be appointed by the eCity eCouncil. (As amended April 11, 1978, certified by Secretary of State June 12, 1978)

Section 35 CITY ASSESSOR:

There shall be a eCity aAssessor. Subject to the provisions of Section 53.5, as soon after the lien date of each year as practicable, ~~he~~ they shall assess all taxable property within the eCity as of the lien date; ~~he~~ they shall prepare all special assessments for public improvements, and give notice of such assessments to property owners. ~~They~~ He shall verify the assessment list by ~~his~~ their oath and deposit the same with the eCity eClerk on or before the first Monday in August of the year in which such list is made.

~~They~~ He shall possess such other powers and perform such other duties as may be prescribed by the eCouncil by ordinance, or by the eCity mManager.

The eCouncil may have a scientific appraisal and assessment of property made every five years or at other periods.

The eCity eCouncil may also jointly agree with the County Board of Supervisors for a joint scientific appraisal for the use of the eCounty and of the eCity, in which case the eCity shall not pay more than one half of the total expense of such joint appraisal. (As amended April 9, 1968, approved by Legislature, April 29, 1968. Stats. 1968, Chapter 76.)

Section 36. CITY COLLECTOR:

~~There shall be a e~~City eCollector, who shall collect and turn over to the tTreasurer, as herein provided, all taxes collected by the eCity through its eCouncil, eCity aAssessor, or otherwise, and collect all license fees. ~~He~~ They shall have such other powers and perform such other duties as the eCouncil by ordinance, or the eCity mManager, may require.

(Sections 37, 38, 39, 40, 41, 42 and 43 were deleted as amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27.)

Sections 34-43. RESERVED

Section 44. CITY ATTORNEY:

There shall be a eCity aAttorney appointed by the eCouncil. ~~He~~ They shall be an attorney admitted to practice in the Supreme Court of the State of California, and shall have been in actual practice in the sState for at least three years next preceding his their appointment.

The eCity aAttorney shall be the legal adviser of the eCouncil and all other eCity officials. ~~He~~ They shall draft all ordinances, resolutions, contracts or other legal documents or proceedings required by the eCouncil or other officials, except as may be otherwise provided, and shall perform such other legal services from time to time as the eCouncil may require. ~~He~~ They shall attend all meetings of the eCouncil and of the eCity pPlanning eCommission, unless excused therefrom by the eCouncil, the mMayor, or the eChairpersonman of the pPlanning eCommission, as the case may be.

It shall be the duty of the eCity aAttorney to give advice in writing, when so requested, to the eCouncil, the eCity mManager, or the director of any department; to prosecute or defend, as the case may be, all suits or cases to which the eCity may be a party; to prosecute for all offenses against the ordinances of the eCity, and for such offenses against the laws of the sState as may be required by law.

In addition to the duties imposed upon the eCity aAttorney by this eCharter or required of him

them by ordinance or resolution of the eCouncil, they he shall perform any duties imposed upon the chief legal officer of municipalities by law.

(Section 45 as amended deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.)

Section 46. FRANCHISES:

Every franchise or privilege to construct, maintain, or operate any railroad or other means of transportation in or over any street or highway, or to lay pipes or conduits, or erect poles, ~~or~~ wires or other structures in or across any street or highway for the transmission of gas, electricity, or other service or commodity, or for the use of public property, or places now or hereafter belonging to the eCity, may be granted pursuant to procedure established by ordinance, or pursuant to the provisions of the general laws of the State relating to the granting of franchises; provided no new franchise or the renewal of an existing franchise shall be granted except upon condition that at least two per cent (2%) of the gross annual receipts derived from the use of such franchise shall be paid to the eCity. In all cases the applicant for a franchise shall advance the cost of advertising the same.

Every such franchise shall require the grantee thereof to agree to a joint use of its property by others whenever practicable, and nothing herein shall be construed as prohibiting the Council from requiring additional terms or conditions not inconsistent with the State constitution. No franchise or privilege so granted shall be sold, leased, assigned or otherwise alienated without the express consent of the Council given by ordinance and subject to referendum. (As amended April 8, 1958, ratified by Legislature April 18, 1958.)

PORT DEPARTMENT

(Sections 47 to 50-a inclusive, added June 11, 1936, ratified by I Legislature January 23, and May 15, 1937, Stats. 1937, pp. 2697, 2957.)

Section 47. ESTABLISHMENT OF A PORT DEPARTMENT:

To promote and insure more definitely the comprehensive and adequate development of the Port of Redwood City through continuity of control, management and operation, there is hereby created a department of the City of Redwood City to be known as the "Port Department."

Section 47a. BOARD OF PORT COMMISSIONERS:

The exclusive control and management of the Port Department is hereby vested in the Board of Port Commissioners, which shall be composed of five (5) members who shall be appointed by the Council.

No person shall be appointed as a member of the Board who is not at the time of ~~his or her~~ their

appointment, and has not been continuously for three (3) years immediately preceding, a resident and elector of the City of Redwood City. All members of the ~~commission~~ Board shall continuously and during their incumbencies be residents and electors of the City.

The members of the Board shall serve without salary or compensation. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27; as amended April 10, 1984, certified by Secretary of State June 21, 1984)

Section 47b. ORGANIZATION: TERMS OF OFFICE:

Members of the Board shall hold office for a term of four (four) years, except in the case of a vacancy, in which event the appointment shall be for the unexpired term. Board members in office at the time this amendment takes effect shall continue in office until the end of their respective terms. (As amended November 6, 2007, filed by Secretary of State March 12, 2008).

No person shall serve on the Board of Port Commissioners for more than four full consecutive terms. A partial term to which a person is appointed to fill a vacancy on the Board shall not be included in computing consecutive terms. The full term during which a member may resign shall be included in the same manner as if no resignation had taken place. If a member is not reappointed after serving one or more terms, such member may be appointed in a later appointment cycle and shall be eligible to serve four consecutive terms from the date of the later appointment. Full terms or partial terms served prior to January 1, 2019 shall be included in computing consecutive terms. When a member completes a term without being reappointed to the succeeding term, including instances in which a member is not reappointed because of the term limits set forth herein, such member shall continue to serve until their successor is appointed and qualified.

The Board shall elect a President, Vice-President and a Secretary. The Board shall make provision for the time, place and conduct of its meetings, which meetings shall be open to the public. (As amended April 9, 1968, approved by Legislature, April 29, 1968, Stats. 1968, Chapter 76; as amended November 8, 2005, certified by Secretary of State January 24, 2006.)

Section 47c. REMOVAL:

Any member of the Board may be removed from office on a five-sevenths (5/7ths) vote of the whole eCouncil, or by recall as provided in Section 6 of this Charter.

Section 47d. ORDINANCES AND RESOLUTIONS:

All actions taken by the Board of Port Commissioners shall be by motion spread upon its minutes, or by resolution except as hereinafter set forth.

Any member of the Board may require a record of the vote on any resolution to be made in its minutes. The Board shall keep a minute book wherein shall be recorded the proceedings taken

at its meetings and it shall keep a record and index of all its resolutions and ordinances, which shall be open to public inspection when not in use.

No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least three (3) members of the Board.

No ordinance shall be placed upon its final passage until at least five (5) days have elapsed after its first reading. All ordinances shall be published at least once in accordance with procedures established by ordinance of the Board of Port Commissioners for the publication of ordinances, in the official newspaper of the City of Redwood City and no ordinance shall become effective until thirty (30) days after the date of its final passage.

The Board may by vote of three (3) of its members, pass emergency measures to take effect at the time indicated therein. Emergency measures shall contain a section in which the emergency is particularly set forth and defined, and a separate roll call on the question of emergency shall be taken.

The enacting clause on ordinances passed by the Board shall be substantially in these words: "Be it ordained by the Board of Port Commissioners of the City of Redwood City as follows:"

All ordinances shall be signed by the President, or Vice-President of the Board, and attested by the Secretary.

A certified copy of each ordinance adopted by the Board shall be forthwith filed with the eCity eClerk, and the eCity eClerk shall keep a record and index thereof which shall at all times be open to public inspection. (As amended April 9, 1940, ratified by Legislature May 16, 1940, Stats. 1941, p. 241.)

Section 47e. PROPERTIES, TARIFFS AND REGULATIONS:

All proceedings for the acquisition of real property by purchase, condemnation, or otherwise, or the granting of any lease longer than one (1) year, the fixing, regulating, and altering schedules of rates, dockage, wharfage, tolls, and charges for all publicly-owned docks, piers, wharves, slips and other facilities, and for services rendered by the Port Department, and the adoption of all general rules and regulations of the Port Commission excepting administrative regulations of a temporary nature shall be done by ordinance or resolution as determined by the Port Commission. (As amended April 9, 1940, ratified by Legislature May 16, 1940, Stats. 1941, p. 241.)

Section 47f. POWERS AND DUTIES OF THE BOARD:

The Board of Port Commissioners shall have the complete and exclusive power, and it shall be its duty for and on behalf of the City of Redwood City:

(1) To sue and defend in the name of the City of Redwood City in all actions and proceedings wherein there is involved any matter within the jurisdiction of the Board.

(2) To make provision for the needs of commerce, shipping and navigation of the Port, to promote, develop, construct, reconstruct, alter, repair, maintain, equip and operate all waterfront properties including piers, wharves, sea walls, docks, basins, channels, slips, landings, warehouses, floating and other plants or works, to dredge, and reclaim land, construct, equip and operate terminal trackage with sidings and turnouts and railroad connections between docks, piers, and other Port structures, and connect the same with mainline tracks, and to establish, equip and operate all other facilities or aids incident to the development, protection and operation of the Port, as may be deemed proper and desirable in its judgment, and it may modify its plans from time to time as the requirements of commerce, shipping and navigation may demand, and as part of such development and operation to provide for tugs, dredges, fireboats, barges, cold storage plants, and all other publicly-owned facilities or appliances, incident to the operation of the Port, and of such number and character, and in such places as the Board may deem feasible and proper.

(3) To take charge of, control and supervise the Port of Redwood City, including all the waterfront properties, and land adjacent thereto, or under water, structures thereon, and approaches thereto, storage facilities and other facilities, and all rights and interest belonging thereto, which are now or may hereafter be owned or possessed by the City of Redwood City.

(4) To have control and jurisdiction of the area hereinafter defined as the "Port Area," and to make and enforce therein general rules and regulations, to the extent that may be necessary or requisite for Port purposes or harbor development and in carrying out the powers elsewhere vested in the Board; provided, however, that with the approval of the eCouncil, the Board may relinquish to the eCouncil control of portions of the said area and likewise, upon request of the Board, the eCouncil may, by ordinance, enlarge the Port Area.

(5) To require owners of the water terminal properties and facilities within the Port to keep the same in proper condition and repair and to maintain them with especial reference to the safety of persons and property and the reduction of fire hazard or nuisance, and it shall have the right to inspect such terminal facilities at reasonable times.

(6) To regulate and control all public service and public utilities operated in connection with, or for the promotion and accommodation of commerce, navigation or fishery in the Port Area; to fix the proper license fees to be paid to the eCity by any person, firm or corporation operating any such public service or utility; and to fix and regulate the rates or tolls to be charged or collected for services furnished by any such public service or utility. The Board shall have the right, at all reasonable times, to have access to, and in person, or by its duly authorized representatives, to examine the books, papers, maps and records showing the affairs, transactions, property and financial condition of such persons, firms or corporations, and to require reports respecting said matters from such persons, firms or corporations at such times and in such form as the Board may prescribe. The amounts of the license fees to be paid to the eCity by any such person, firm or corporation, operating any such public service or utility, and the rates or tolls to be charged and collected for service furnished or supplied by such public

service or utility shall be fixed by the Board by ordinance.

(7) To fix all rates, dockage, rentals, tolls, pilotage, wharfage, and charges, for the use and occupation of the public facilities or appliances of the Port and for services rendered by the Port Department, and to provide for the collection thereof.

(8) To purchase materials and/or supplies without soliciting or advertising for bids in an amount not exceeding twenty thousand dollars (\$20,000). Every contract for any purchase of materials and/or supplies, the estimated cost of which is more than twenty thousand dollars (\$20,000) but less than fifty thousand dollars (\$50,000), shall be awarded to the lowest responsible bidder after solicitation of bids without public advertisement. Every contract for any purchase of materials and/or supplies, the estimated cost of which is fifty thousand dollars (\$50,000) or more, shall be awarded to the lowest responsible bidder after public advertisement therefor. The Board shall have the power to reject any and all bids, and solicit or advertise again. All solicitations and advertisements as to purchases shall contain a reservation of the foregoing right.

(9) To enter into contracts, agreements, leases, or stipulations, germane to the scope of its powers and duties.

(10) To let all work by contract or order it done by day labor, as the Board may determine.

(11) To employ and appoint a Port Manager, who shall hold ~~his~~ their position during the pleasure of the Board, and such other officers, employees and agents as may be necessary in the efficient and economical carrying out of its functions and to prescribe and fix their duties, authority and compensation, and to require such officers, employees and agents to give a bond in such an amount as the Board may require for the faithful discharge of their duties. All offices and places of employment in the permanent service of the Board shall be created by ordinance duly passed.

(12) To provide and equip offices.

(13) To expend all funds necessary to the carrying out of the powers and duties herein expressed.

(14) To adopt and enforce such ordinances, orders, regulations and practices, as are necessary for the proper administration and discharge of its duties and powers, or for the management and government of the Port, and its facilities.

(15) To prescribe fines, forfeitures and penalties for the violation of any provision of Sections 47 to 50a of this Charter, or of any ordinance, but no penalty shall exceed five hundred dollars (\$500) fine, or six months imprisonment, or both.

(16) To have and exercise the right of eminent domain within the "Port Area," on behalf of and in the name of the City of Redwood City, for Port purposes, harbor development or the carrying out of any of the powers granted to said Board, and to exclusively find and determine by ordinance adopted by a four-fifths (4/5ths) vote of all its members the public interest and necessity thereof.

(17) To appoint a Port Attorney who shall be the same person who is at that time eCity aAttorney and who shall continue to act as Port Attorney during such time as he they may continue to be eCity aAttorney, whose duty it shall be to pass upon the form and legality of all contracts within the jurisdiction of the Board, give legal advice to the Board on official matters, defend and (subject to direction from the Board) prosecute or compromise all actions at law or in equity and special proceedings for or against the City of Redwood City or any officer thereof in his their official capacity, pertaining to matters within the jurisdiction of the Board. The Board shall fix and provide for his their compensation which shall be in addition to his their compensation from the eCity as eCity aAttorney.

(18) To do and perform any and all other acts and things which may be necessary and proper to carry out the general powers of the eCity, or any of the provisions of Sections 47 to 50a of this Charter, and to exercise all powers not in conflict with the constitution of the sState, or with this Charter, germane to the scope of its powers, purposes and duties. (As amended March 4, 1975; certified by Secretary of State March 20, 1975; as amended November 8, 2005 certified by Secretary of State January 24, 2006.)

Section 47g. RELATION TO CITY MANAGER AND COUNCIL:

The eCity mManager and City Council shall be notified of the time and place of the holding of all meetings of the Commission and shall have the right to attend and address the Commission at such meetings. The Secretary of the Commission shall, within two (2) days after the adjournment of each meeting of the Commission, furnish the eCity mManager and City Council with a copy of the minutes of such meeting. The files of the Commission shall be open to inspection by the eCity mManager or the City Council at all reasonable times. The Board shall annually, at a meeting designated by the Council, report on the preceding year's activities and accomplishments, and future plans and objectives. (As amended April 10, 1984, certified by Secretary of State June 21, 1984)

Section 47h. POWERS AND DUTIES OF PORT MANAGER:

The Port Manager shall have such powers and duties as shall be prescribed from time to time by the Board by ordinance.

Section 48. HARBOR LANDS:

All tidelands and submerged lands within the Port Area, whether filled or unfilled, heretofore and hereafter acquired by the City of Redwood City from the State of California, are hereby declared to be required for use for purposes in connection with or for the promotion and accommodation of commerce, navigation or fishery and shall, except as herein provided, continue to be withheld for such purposes. It shall be unlawful to grant, sell, convey, alienate, transfer or otherwise dispose of, any part of or any interest in such tidelands and submerged lands, or appurtenances

thereto belonging, owned, controlled, possessed or held by the City of Redwood City in the Port Area, except as follows:

(a) Such lands may be leased for not to exceed a term of fifty (50) years in accordance with the procedures established by this Charter for the leasing of real property and subject to the trusts and conditions contained in the grants of such property to the City of Redwood City.

(b) Any land owned and lying easterly of Harbor Boulevard may be sold as provided by the Charter of the City of Redwood City for selling of property within said eCity by said eCouncil or by said Port Commission.

(c) Grants of such lands may be made to the State of California, or to the United States of America, for public purposes, when authorized by a majority vote of the qualified voters of the eCity, voting upon the question of authorizing any such grant at an election or upon a vote of five-sevenths (5/7ths) of the Council of said eCity, or four-fifths (4/5ths) of the Port Commission of said eCity, in case said Port Commission has jurisdiction thereof. (Section 48 as amended April 10, 1962, ratified by Legislature June 29, 1962.)

Section 48a. LEASES:

No sale of any real property under the jurisdiction of the Board of Port Commissioners shall be made except in accordance with the provisions of Section 3-3/4 of this eCharter and all powers and duties therein imposed on the Council are hereby conferred and imposed on the Board of Port Commissioners with respect to property under its jurisdiction. Every lease of real property under the jurisdiction of the Board of Port Commissioners for a term in excess of one (1) month shall be approved by ordinance after public hearing held on the question of such approval. Such ordinances shall be subject to the referendum provisions of this eCharter. Every lease of real property under the jurisdiction of the Board of Port Commissioners for a term of one (1) calendar month or less shall be approved by said Board by motion duly made and carried, and may be granted without public notice, hearing, or bid. No lease of real property under the jurisdiction of the Board of Port Commissioners shall be made for a term longer than fifty (50) years. (As amended April 11, 1978, certified by Secretary of State June 12, 1978) (As amended November 8, 2011, certified by Secretary of State on December 23, 2011)

Section 48b. ANNUAL BUDGET:

The Board shall annually, on or before the third Monday of May, carefully prepare a budget setting forth the estimated receipts of the pPort, and from other sources, for the ensuing year, and the sums of money necessarily required for the administration of the department, and for maintenance, operation, construction and development of the pPort and its facilities for the ensuing year, and stating the amount necessary to be raised by tax levy for said purposes. Said budget, when so prepared, shall be certified by the President and Secretary of the Board, and a certified copy thereof shall, on or before said date, be filed with the eCity eClerk, one with the eCity mManager, and one with the City aAuditor.

Section 48c. TAX LEVY FUNDS:

The act of filing such budget, as provided for in the foregoing section, shall constitute an appropriation to the Board of the total amount so specified therein as necessary to be raised by tax levy, and such amount shall become a part of the annual budget of the Council, and shall be deemed included in the proceeds derived from any tax which the Council, in accordance with Sections 55 to 57 of the Charter, may levy.

Provided, however, there is reserved to the Council the right to reduce the amount of such appropriation by adopting an ordinance therefor at any time prior to the introducing of its ordinance fixing the annual rate of taxation, stating specifically therein its reasons for making such reduction. Such amount so fixed by the Council shall thereupon be included in its annual budget and tax levy in lieu of the amount fixed by the Board.

It shall be the duty of the eCity aAuditor to credit to the Board the amount so appropriated, and the City tTreasurer shall keep all such funds separate from other funds in his their possession. The City aAuditor shall draw and sign warrants upon such funds, when allowed by the Board, in accordance with Section 59 of the Charter, and all powers and duties therein conferred or imposed upon the City Council are, in relation to pPort funds, hereby conferred and imposed upon the Board. The Board shall have the exclusive management and disbursement of such funds.

The eCouncil may also, from time to time, make further appropriations to the Board of such amounts as may, in its judgment, be necessary or proper.

Section 48d. REPAYMENT OF FUNDS:

All moneys once apportioned or appropriated to the Board, and all income from the operation of the pPort and its facilities, or all net income from leases or other sources, shall remain in its control until expended; provided, the Board shall annually pay over to the General Funds of the eCity profits from the operation of the pPort and any surplus funds which in its judgment may not be needed for pPort purposes.

~~FURTHER PROVIDED~~ Further provided, that the eCouncil may annually, prior to July 1 of each year, require that the Board pay over to the eCity tTreasurer sufficient funds to pay interest and principal payments falling due for the fiscal year succeeding such demand on any bonds issued specifically for the improvement of the Port of Redwood City.

On receipt of such demand, it shall be mandatory on the Board that such payment be made. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27; as amended April 10, 1984, certified by Secretary of State June 21, 1984)

Section 48e. BOND INDEBTEDNESS:

The proceeds from the sale of bonds now authorized or which shall hereafter be authorized for Port purposes, shall be under the control of and expended by the Board, and shall be expended for the objects and purposes for which the indebtedness was incurred. Whenever it is desired to incur additional bonded indebtedness for any object or purpose consistent with its general powers, the Board shall prepare tentative plans and estimates and submit its recommendations in writing to the City Council.

Section 48f - deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.

Section 48g. DUTIES OF CITY TREASURER:

All moneys under the control of the Board shall be immediately paid over to the City Treasurer of the City of Redwood City, who shall have the care and custody of said funds, and shall keep separate accounts thereof, and pay out the same, as provided in this Charter.

Section 49. BUILDING PERMITS:

No person or persons shall construct, extend, alter, improve, erect, remodel or repair any pier, slip, basin, wharf, dock or other harbor structure, or any building or structure within the "Port Area" without first applying for and securing from the Board a permit so to do, in accordance with the rules and regulations adopted by it. In approving or denying the right to said permit, the Board shall consider the application therefor, the character, nature and size and location of the proposed improvement, and exercise a reasonable and sound discretion in the premises.

Such permit shall be in addition to any permit which may be required by law from the Building Inspector of the City of Redwood City.

Section 49a. CONTRACTS:

Except as otherwise provided herein, all public work requiring an expenditure of funds under the jurisdiction of the Board of Port Commissioners in excess of ten thousand dollars (\$10,000) shall be accomplished pursuant to the provisions of Sections 67 and 68 hereof concerning solicitation or public advertisement for bids. All powers and duties therein conferred upon the City Council are, in relation to all matters concerning the Port, hereby conferred and imposed upon the Board of Port Commissioners, and all powers and duties therein conferred upon the City Manager are, in relation to all matters concerning the Port, hereby conferred and imposed upon the Port Manager. Plans and specifications must be on file in the office of the Board, subject to public inspection, at the time of solicitation of bids or publication of notice inviting public bids.

In the event of extraordinary fire, flood, storm, epidemic, public disaster, or if necessary to accomplish emergency rehabilitation or repair of operative facilities to prevent loss of Port revenue, the Board may, upon adoption of a resolution by four-fifths (4/5ths) vote of its members, declare that the public interest and necessity require the immediate performance of emergency

public work or service. Upon adoption of such resolution the Board may order such emergency expenditures as are necessary to accomplish such work without public advertisement or bid. (As amended March 4, 1975; certified by Secretary of State March 20, 1975.) (As amended April 13, 1982, certified by Secretary of State June 10, 1982)

Section 49b. RESTRICTIONS OF POWERS OF COUNCIL:

No franchise shall be granted, no property shall be acquired or sold, no street shall be opened, altered, closed or abandoned, and no sewer, street or other public improvement shall be located or constructed in the "Port Area" by the City of Redwood City, or the eCouncil thereof, without the approval of the Board.

Section 49c. ADDITIONAL POWERS:

The City Council, subject to the approval of the Board, may by ordinance confer upon and delegate to the Board, from time to time, such additional powers and duties which may be vested in it, and which it may deem necessary or convenient to carry out the general purposes of the Board.

Section 49d. LIBERAL CONSTRUCTION:

If any section, clause, word, or provision of this amendment shall be held unconstitutional, the other sections, clauses, words, or provisions of this amendment shall not be affected thereby. All the provisions of Sections 47 to 50a of this Charter shall be liberally construed.

Section 49e. CONFLICT WITH OTHER SECTIONS:

The provisions of Sections 47 to 50a of this Charter shall supersede and control all other provisions of the Charter in conflict therewith. To all other extents, the powers, duties, and functions heretofore vested in the eCouncil or any of the officials, boards, or departments of the eCity shall be unimpaired.

Section 50. PORT AREA:

The "Port Area" referred to in Sections 47 to 50a of this Charter shall include all property fronting on Redwood Creek or its tributary streams, or on San Francisco Bay, lying within Township 5 South, Range 3 West, Mount Diablo meridian, which is now, or may hereafter be, within the City of Redwood City, or owned or possessed by the City of Redwood City, and such other property as may hereafter be placed within said "Port Area" by the City Council of Redwood City.

Section 50a. AMENDMENT EFFECTIVE:

For the purpose of appointing the members of and organizing the Board, the Amendment shall take effect immediately upon its ratification by the legislature; for all other purposes it shall take effect thirty (30) days thereafter. All lawful ordinances, resolutions, regulations, employments,

duties and obligations pertaining to any of the matters included in Sections 47 to 50a, shall, however, continue in force until the same may be duly amended, repealed or abolished.

(Sections 47 to 50a added in 1937. See note preceding Section 47.)

Section 50b. REVENUE BONDS:

1. The provisions of this section shall supersede and control all other provisions of this eCharter in conflict herewith.
2. The term "enterprise" as used in this section means any or all facilities and improvements, including any or all improvements to any thereof, referred to or described in paragraph 2 or 3 of Section 47f of this eCharter and under the jurisdiction of the Board.
3. Notwithstanding any provision of this eCharter to the contrary, and without complying with Section 48e, the Board shall have power to acquire, construct, improve and finance any enterprise in the Port Area.

For the payment of the cost of any enterprise or any part thereof (including all incidental expenses, interest during construction, reserve funds and other funds necessary for the better securing of the bonds hereinafter referred to) the Board may, by resolution adopted by the affirmative votes of four-fifths (4/5ths) of all its members and approved by the affirmative votes of a majority of the members of the eCouncil and without compliance with Section 65 of the Charter by the Board or the eCouncil, issue revenue bonds in the name of the Board payable exclusively from any or all revenues of such enterprise.

4. Such revenue bonds shall be issued by the Board pursuant to the provisions of the Revenue Bond Law of 1941 (California Government Code Sections 54300 and following) as the same may, from time to time, be amended (and all of the provisions of said Law, as amended, are incorporated in this section by reference and made a part hereof); excepting, however, that no election shall be required for the issuance of any revenue bonds by the Board; that the terms "local agency" and "legislative body" as used in said Law shall mean the Board; and that the term "enterprise" as used in said Law shall have the meaning set forth in paragraph 2 of this section.
5. If any revenue bonds shall be issued under this section, then Section 48b and the first two paragraphs and the first sentence of the third paragraph of Section 48c of this Charter shall be inapplicable so long as any such revenue bonds shall remain outstanding and unpaid. The general fund of the eCity shall not be liable, and the credit or taxing power of the eCity shall not be pledged, for the payment of any such revenue bonds or their interest and such bonds shall not be secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or the Board or any income or receipts of the City or the Board excepting only revenues of the enterprise.

6. The authorization granted to the Board by this section to issue revenue bonds is complete and no authorization for their issuance shall be required except as provided in this section, and Section 65 of this Charter shall not apply; provided, however, that the provisions of this section shall constitute an alternative method of financing and that the eCity may, in its discretion, provide for the financing of any facilities or improvements in the Port Area in any other manner permitted by this Charter or the laws of the State of California, including the issuance of general obligation bonds of the eCity therefor.

7. Revenue bonds issued under this section shall not be taken into consideration in determining the bonded indebtedness which the eCity is authorized to incur and shall be excluded from any limitation provided by Section 65 or otherwise by this Charter or by law on the amount of bonded indebtedness of the eCity. (Section 50b added April 10, 1962, ratified by Legislature June 29, 1962.) (As amended April 11, 1978, certified by Secretary of State June 12, 1978)

FINANCES

Section 51. BUDGET:

~~Upon a date established by motion of the City Council~~ At least thirty (30) days before the commencement of a fiscal year, the City Manager shall submit to the Council a proposed budget for all departments to be known as the general budget. Said budget shall include estimates of the revenues and expenditures of the eCity departments for the ensuing year. These estimates shall be compiled from detailed information obtained from the several departments on uniform blanks to be furnished by the City Manager. The classification of the estimates of expenditure shall be as nearly uniform as possible for all departments and shall give the following information:

- (a) A detailed estimate of the expense of conducting each department as submitted by the department.
- (b) Expenditures for corresponding items for the last two fiscal years.
- (c) Estimated expenditures and appropriations for corresponding items for the current fiscal year.
- (d) Such other information as is required by the Council or that the City Manager may deem advisable to submit.

Sufficient copies of such budget shall be prepared and submitted so that there may be copies on file in the City Clerk's office for inspection by the public ~~unless the Council publish the same in the official newspaper~~. The Council shall have the power to revise, correct or modify said proposed budget in any particular. (As amended March 4, 1975; certified by Secretary of State March 20, 1975) (As amended April 8, 1980, certified by Secretary of State April 25, 1980; as amended November 8, 2005 certified by Secretary of State January 24, 2006)

Section 51.5. ADOPTION OF BUDGET:

At the meeting of the Council at which the budget is submitted, the Council shall set a time and place for a public hearing on the budget thereon, shall order copies thereof to be filed in the office of the City Clerk for inspection by the public and shall cause a notice to be published at least once in accordance with procedures established by ordinance of the Council for the publication of notices ~~the official newspaper~~ stating that copies of the budget are available for inspection at the City Clerk's office and stating the time and place at which the Council will hold the public hearing. At the time and place so advertised, or at such time and place to which such hearing may from time to time be adjourned, the Council shall hold a public hearing on the budget as submitted. After the conclusion of such public hearing, the Council may insert new items, delete items or may increase or decrease the amount of moneys set forth for the various items included therein.

A copy of the budget as amended by the Council shall be certified by the City Clerk and the City Manager and shall be filed in the office of the City Clerk. The budget shall be finally adopted by resolution before the beginning of a new fiscal year upon a date established by resolution of the Council. Such resolution shall adopt the budget by reference to the certified copy thereof, as amended, on file in the office of the City Clerk, and such resolution shall be effective immediately upon final adoption thereof. From and after the effective date of the resolution adopting the budget, the several amounts stated in the budget as proposed expenditures shall become and thereafter be appropriated to the offices, departments, objects, and purposes therein stated for the fiscal year to which the budget is intended to apply. In the event a budget is not adopted before the beginning of a new fiscal year, the appropriation measures and budget from the prior fiscal year will remain in effect until a new budget is adopted.

From time to time during the fiscal year, the Council may transfer sums from any appropriated item to any other appropriated item by resolution. Additional appropriations shall be accomplished in the manner provided for in Section 15 of the Charter. No appropriation shall be canceled in whole or in part except by resolution adopted by the affirmative vote of five-sevenths (5/7ths) of all members of the City Council. (As amended April 8, 1958, ratified by Legislature April 18, 1958) (As amended April 8, 1980, certified by Secretary of State April 25, 1980; as amended November 8, 2005 certified by Secretary of State January 24, 2006.)

TAXES, ACCOUNTS, FUNDS, DEBTS

Section 52. FISCAL YEAR:

The fiscal year of the eCity shall commence on the first day of July of each year, or at such other times as may be fixed by ordinance.

Section 53. TAXATION:

Except as otherwise herein provided, the Council shall, by ordinance, provide a system for the assessment, equalization, levy, and collection of taxes, which, as nearly as may be, shall conform

to the system provided by the general laws of the State; provided, that all sales for delinquent taxes shall be made to the City of Redwood City. Should the Council fail to fix the tax rate within the time prescribed, then the tax rate of the previous year shall constitute the rate of the current year.

Section 53.5. TRANSFER OF FUNCTIONS:

Notwithstanding any provisions of this Charter to the contrary, the Council may, by ordinance, provide for the transfer of those municipal functions and those duties of eCity officers which relate to the assessment of property, including special assessments thereon, the equalization and correction of assessments, the collection, payment and enforcement of current and delinquent taxes, and the redemption of property, to the County of San Mateo or to such County officers as the Council determines appropriate. The provisions of this section shall supersede and control all other provisions of this Charter in conflict herewith. (As amended November 6, 1962, ratified by Legislature January 14, 1963.)

Section 54. BOARD OF EQUALIZATION:

The City Council shall serve as the Board of Equalization and shall meet on either the first, second or fourth Monday of July of each year at 7:00 p.m. and continue in session by adjournment from day to day until all returns of the aAssessor have been rectified and assessments equalized. The Board of Equalization shall have power to hear complaints, to take testimony under oath, and to correct, modify, strike out, or raise any assessment, provided that notice shall first be given to anyone whose assessment is proposed to be raised, excepting in case of a uniform increase in the assessed valuation of the property of the entire eCity. (As amended April 8, 1958, ratified by Legislature April 18, 1958, as amended November; as amended November 8, 2005 certified by Secretary of State January 24, 2006.)

Section 55. ANNUAL TAX LEVY:

The Council must finally adopt, not later than its first regular meeting in September, an ordinance levying upon the assessed valuation of all property in the eCity, a rate of taxation sufficient to raise the amounts estimated to be required in the annual budgets and as herein provided, less the amounts estimated to be received from fines, licenses, and other sources of revenue. The Council shall then deliver the assessment roll to the aAuditor, who shall thereupon compute and carry out the amount of the tax so levied on each parcel of property contained in the assessment roll. The corrected list for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the aAuditor as being the assessment roll of said tax.

Section 56. LIMIT OF TAX LEVY:

The tax levy authorized by the Council to meet the municipal expenses for each fiscal year shall not exceed the rate of two dollars on each one hundred dollars of the assessed valuation of the real and personal property within the eCity, except as in this Charter otherwise provided, when

the assessed valuation is that as fixed and established by the County of San Mateo; provided, however, that if the assessed valuation is that as established by the City of Redwood City the tax levy authorized by the Council to meet the municipal expenses for each fiscal year shall not exceed the rate of one dollar on each one hundred dollars of such assessed valuation. The moneys collected from such levy shall be placed in the general funds of the eCity, and may be apportioned as determined by the Council.

The foregoing limitation shall not apply in the event of any major catastrophe, in which case it may be temporarily suspended; provided, that no increase over said limit, except as herein prescribed shall be made in any fiscal year, unless authorized by ordinance adopted by the vote of the electors of the eCity. (As amended November 6, 1962, ratified by Legislature January 14, 1963.)

Section 57. SPECIAL TAX LEVY:

The Council shall have the power to levy and collect taxes in addition to the taxes herein or by general law authorized to be levied and collected in an amount sufficient to pay the bonded indebtedness of said eCity and also in an amount sufficient to pay any delinquency for bonds issued under the Improvement Board Act of 1915 of the State of California and for the additional following purposes and not to exceed the following rates, to-wit:

(a) For the acquisition and construction of permanent improvements, real property, public buildings and structures and public offices, including equipping and furnishing of the same, at the rate of not more than five cents on each \$100 of assessed valuation during any one fiscal year, provided, however, that said amount of five cents may be increased by a vote of the electors of said eCity.

Section 58. TAX LIENS:

All taxes and assessments levied, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach annually, as of 12:01 a.m. on the first day of March preceding the fiscal year for which the taxes are levied or at such other time and date as may hereafter be prescribed by the laws of this State and may be enforced by actions to foreclose such liens in any court of competent jurisdiction, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance; provided, that when real estate is offered for sale for eCity taxes due and delinquent thereon, the same shall be sold to the eCity in like case and manner, and with like effect and right of redemption as may be struck off and sold to the sState when offered for sale for county taxes; and the eCouncil shall have power to provide by ordinance for the procedure to be followed in such sales to the eCity and redemption thereafter. (As amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.)

Section 59. PAYMENT OF CITY MONEYS:

Money shall be drawn from the treasury only on warrants as herein prescribed. Every demand against the eCity, from whatever source, ~~excepting the Public Library~~, when approved by the eCity ~~m~~Manager, and when allowed by the eCouncil, shall be signed by the Mayor; and a warrant prepared by the eCity ~~a~~Auditor shall be issued and signed by the Mayor and eCity eClerk or such other officers as the eCouncil may designate; provided, however, that whenever prescribed by the eCity eCouncil such demand shall be approved by the eCity ~~a~~Auditor, who shall confirm ~~satisfy himself~~ that the money is legally due and its payment authorized by law. No demand shall be allowed, approved audited, or paid unless it shall specify each item of the claim and the date thereof; provided, however, that warrants for salaries of officers and employees shall be allowed by the Auditor and paid at such regular intervals as prescribed by ordinance, from the treasury without the necessity of any demand therefor or approval thereof as in this section prescribed for other claims. (As amended March 4, 1975; certified by Secretary of State March 20, 1975.)

Section 60 (Deleted March 4, 1975; certified by Secretary of State March 20, 1975)

Section 61. GENERAL RESERVE ACCOUNT:

The Council shall maintain a permanent revolving account, to be known as the General Reserve Account, for the purpose of keeping the payment of the running expenses of the eCity on a cash basis. Said account shall be maintained in an amount sufficient to meet all legal demands against the treasury for the first four months or other necessary period of each fiscal year prior to the collection of taxes. The eCouncil shall have power to transfer from the General Reserve Account to any other account or fund such sum or sums as may be required for the purpose of placing such account or fund, as nearly as possible, on a cash basis. It shall be the duty of the eCouncil to provide that all moneys so transferred from the General Reserve Account be returned thereto on or before the end of the fiscal year in which said transfers are made; provided, that in any fiscal year in which the total balance in said General Reserve Account exceeds thirty percent of the total amount of the General Budget for that year, the eCouncil may appropriate such excess for any eCity purpose without returning the same.

Section 62. SURPLUS RETURNED TO GENERAL FUND:

At the close of each fiscal year, if all demands against each fund have been paid or satisfied, and all disputed or contested demands fully determined, the eCouncil shall direct the ~~a~~Auditor to transfer all surplus moneys to the general fund, except such surplus moneys as may be in the several interest and sinking funds and in such other funds the disposition of whose surplus moneys is otherwise provided for. (As amended March 4, 1975; certified by Secretary of State March 20, 1975.)

Section 63 deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.

Section 64 deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.

Section 65. BORROWING MONEY BY THE CITY:

The eCity may borrow money for any municipal purposes by the issue and sale of bonds authorized by ordinance pledging the credit of the eCity or the property or revenue of any public utility owned by the eCity. Every ordinance authorizing a bond issue, except ordinances authorizing such bond issues as are specified in Section 66 of this Charter, shall be passed only by a two-thirds majority vote of the electors voting thereon at a regular or special election. No bond shall be issued on the credit of the eCity which will increase the bonded indebtedness thereof beyond fifteen per cent (15%) of the assessed valuation of property in the eCity subject to direct taxation as shown by the last preceding valuation for eCity taxes; but bonds issued for the construction, acquisition, extension, or improvement of any income-producing utility owned by the eCity shall be deemed to increase the bonded indebtedness of the eCity only to the extent that such utility is not self-supporting. Every issue of bonds shall be payable within a term of years not to exceed the estimated period of usefulness of the property or improvement for which issued, and in no case to exceed thirty-five (35) years.

The City eCouncil of said eCity is also authorized to proceed under any general law of the State of California now in effect or hereafter to be enacted with reference to bonding said eCity and creating a bonded indebtedness thereon. (As amended November 4, 2003, certified by Secretary of State March 5, 2004.)

Section 66. BORROWING MONEY ON SHORT TERM NOTES:

Bonds or notes issued in anticipation of the collection of special assessments, and bonds, notes, or registered warrants on the Treasury, issued in anticipation of the collection of taxes, may be authorized by the eCity eCouncil by ordinance and shall not be deemed the creation of debt within the meaning of Section 65 of this Charter. Bonds, notes, or registered warrants on the Treasury issued in anticipation of the collection of the taxes of any fiscal year shall be issued only during the first four months of such fiscal year, and each such bond, note, or warrant shall specify that it is payable solely out of the revenues of the fiscal year in which issued, and before the close of such year) and shall not bear a higher rate of interest than four (4) per cent per annum more than the average of the rates of interest per annum paid to the City during the three (3) months next preceding the proposed date of issuance of such bonds, notes or warrants on investments of general municipal funds not required for immediate expenditure, and the total amount of such bonds, notes or warrants, authorized and issued in any fiscal year shall not, in the aggregate, be more than twenty-five per cent of the total appropriations of the eCity for such year. (As amended April 10, 1984, certified by Secretary of State June 21, 1984.)

Section 67. CONTRACTS:

~~Any public work or improvement costing more than ten thousand dollars (\$10,000) shall be executed by contract, except where a specific work or improvement is authorized by the City~~

~~Council based on detailed estimates submitted by the department authorized to execute such work or improvement directly. The City Council shall establish by ordinance the conditions and procedures for contracts for public works and improvements, and establish advertising and bidding requirements. The ordinance may provide that under specified conditions, which the awarding authority must find and determine to exist in each applicable instance, advertising and bidding may be dispensed with, except the ordinance may provide that where the expenditure required for a contract does not exceed a sum fixed by the ordinance, advertising and bidding shall be dispensed with. Every contract for any public work or improvement which is estimated to cost less than One Hundred Thousand Dollars (\$100,000) shall be awarded to the lowest responsible bidder after solicitation of bids without public advertisement. Every contract for any public work or improvement which is estimated to cost One Hundred Thousand Dollars (\$100,000) or more shall be awarded to the lowest responsible bidder after public advertisement and competition as may be prescribed by ordinance.~~

The eCity eCouncil shall have the power to reject any and all bids, and solicit or advertise again. All solicitations and advertisements as to contracts shall contain a reservation of the foregoing right. All contracts entered into by the eCity shall be signed by the eCity mManager and any other officer or officers of the eCity as the eCouncil may by ordinance provide.

(As amended April 13, 1954, ratified by Legislature January 13, 1975, Stats. 1955, Chapter 27; as amended March 4, 1975; certified by Secretary of State March 20, 1975; as amended April 13, 1982, certified by Secretary of State June 10, 1982; as amended November 4, 2003, certified by Secretary of State March 5, 2004.)

Section 68: CITY MAY PERFORM ITS OWN WORK, ETC.:

If the eCity eCouncil shall reject all bids, it may, in lieu of soliciting or advertising for new bids, determine and declare by a five-sevenths (5/7ths) vote of all its members that the work in question may be more economically or satisfactorily performed by day labor, or the materials or labor purchased at a lower price in the open market, and after the adoption of a resolution to this effect, it may proceed to have the same done in the manner stated without further observance of the provisions of Section 67 hereof; and

Provided that, in the case of a great public calamity, such as extraordinary fire, flood, storm, epidemic, or other disaster the eCouncil may, by resolution passed by a vote of five-sevenths (5/7ths) of all its members, determine and declare that the public interest or necessity demands the immediate expenditure of public money to safeguard life, health, or property and thereupon they may proceed, without soliciting or advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of any sum required in such emergency, on hand in the eCity treasury and available for such purpose. (As amended March 4, 1975; certified by Secretary of State March 20, 1975.)

Section 69 deleted April 11, 1978, certified by Secretary of State June 12, 1978.)

Section 70 omitted to allow for amendments.

MISCELLANEOUS

Section 71. GENERAL LAWS APPLICABLE:

All ~~g~~General ~~L~~Laws of the ~~s~~State applicable to municipal corporations, including those relating to "municipal affairs," now or hereafter enacted, and which are not in conflict with the provisions of this ~~e~~Charter or with ordinances or resolutions hereafter enacted~~t~~ shall be applicable to the ~~e~~City.

Section 72. DEFINITIONS:

Whenever in this ~~e~~Charter the word "City" occurs, it means Redwood City; and every department, board or officer; whenever either is mentioned, means a department, board or officer, as the case may be, of Redwood City. Whenever in this ~~e~~Charter, the word "State" occurs, it means the State of California. Whenever the term "General Laws" is used herein, it means General Laws of this State.

Section 72.5. RESERVED GENDER:

~~As used in this Charter, the masculine gender includes the feminine, and the terms "man" or "men" where appropriate shall be deemed to mean "person" or "persons", respectively. Any references to one gender in Sections of this Charter shall be changed to include both genders or to the singular or plural form of "person", as appropriate, when such Sections are amended. (As added April 10, 1984, certified by Secretary of State June 21, 1984.)~~

Section 73. OFFICE VACATED:

If any officer of the ~~e~~City shall remove from the ~~e~~City, or ~~be~~ absent ~~himself~~ therefrom for more than 30 days consecutively without the per-mission of the ~~e~~Council, or if ~~he~~ they shall fail to qualify by taking the oath of office and filing ~~his~~ their official bond, whenever such bond is required, within 15 days from the time ~~his~~ their certificate of election or appointment is mailed or delivered to ~~him~~ them , or if ~~he~~ they shall resign, or if ~~he~~ they shall be convicted of felony, or if ~~he~~ they shall be adjudged insane, or if ~~he~~ they shall cease to discharge the duties of ~~his~~ their office (other than that of member of the ~~e~~Council) for two consecutive months, unless prevented by sickness, ~~his~~ their office shall be vacant.

Section 74: STREETS AND OTHER PUBLIC IMPROVEMENTS UNDER GENERAL LAWS:

The improvement, widening, extending, opening and closing of streets or rights of way owned by said ~~e~~City or in which said City has an easement, whether within or without the limits thereof, and the planting of trees thereon, and the making of any other improvements authorized by the laws of the State may be done and assessments therefor may be levied in conformity with and

under the authority conferred by the general laws of the State now in effect or which may hereafter be enacted; provided, however, that the Council may by ordinance adopt a procedure for the improvements of streets, alleys, rights of way or other public places, the laying of pipe and conduits and the removal from buildings, lots and grounds, and the sidewalks opposite thereto, of dirt, rubbish, weeds and other rank growth and materials which may injure or endanger neighboring property or the health or welfare of the inhabitants of said eCity, and for making and enforcing assessments against the property benefited or affected thereby or from which such removal is made for cost of such improvements or removal, and may make such assessments a lien on such property superior to all other claims or liens thereon except sState, county and municipal taxes, but no such ordinance shall prevent or limit the eCouncil from proceeding under any of the general laws of the State now in effect or which may be hereafter enacted, referring to said purposes. It is the intention of this Charter to permit the eCouncil of said eCity to proceed in all matters referred to in this section under the general laws of the State now in effect or hereafter to be enacted.

Section 75. BOOKS AND RECORDS TO SUCCESSORS:

All officers and boards shall deliver to their successors all papers, books, documents, records, archives and other properties pertaining to their respective offices or departments, in their possession or under their control.

Section 76 deleted April 11, 1978, certified by Secretary of State June 12, 1978.

Section 77. PROHIBITED FINANCIAL INTERESTS:

No eCity officer shall be financially interested in any contract, sale or purchase contrary to the provisions of the general laws of the State as the same now exist or may hereafter be amended. (As amended April 12, 1960, ratified by Legislature January 24, 1961.)

Section 78. NO PAYMENT FOR OFFICE:

No officer or employee of the eCity shall give or promise to give to any person any portion of ~~his~~ their compensation, or any money or thing of value in consideration of having been, or of being nominated, appointed, voted for or elected to any office or employment.

Section 79. NO CONTRIBUTIONS FOR EMPLOYMENT:

No officer or employee shall accept any donation or gratuity in money, or other thing of value, either directly or indirectly, from any subordinate or employee, or from anyone under ~~his~~ their charge, or from any candidate or applicant for any position as employee or subordinate in any department of the eCity.

Section 80. NO FAVORITISM IN PUBLIC CONTRACTS:

No officer or employee of the eCity shall aid or assist a bidder in securing a contract to furnish

labor, or material or supplies at a higher price or rate than that proposed by any other bidder, or shall favor one bidder over another, giving or withholding information, or shall willfully mislead any bidder in regard to the character of the material or supplies called for, or shall knowingly accept materials or supplies of a quality inferior to that called for by the contract, or shall knowingly certify to a greater amount of labor performed than has actually been performed, or to the receipt of a greater amount of material or supplies than has actually been received.

Section 81. FORFEITURE OF OFFICE FOR FRAUD:

Every officer who shall willfully approve, allow, or pay any demand on the treasury not authorized by law, shall be liable to the eCity individually and on his their official bond, for the amount of the demand so approved, allowed, or paid, and shall forfeit such office and be forever disbarred and disqualified from holding any position in the service of the eCity.

Section 82. DISPOSITION OF PUBLIC MONEYS:

All eCity officials, and employees empowered to collect money for fees, permits, licenses, inspections, services, taxes or other municipal charges, shall collect the same promptly at the time they become due, turn them in to the eCity treasury daily, obtain a receipt therefor, and report the same to the eCity aAuditor daily. The eCouncil may by ordinance provide for the depositing and reporting of moneys at such other time periods as found appropriate, but not less often than weekly. All such moneys and all fines or pecuniary penalties or forfeitures which may accrue to the eCity, and all funds which may remain in the possession of the eCity unclaimed after a period of one year from the date when due and payable shall be credited to the gGeneral fFund of the eCity, and shall be applicable to any purpose to which the eCouncil may appropriate them, and the eCouncil shall appropriate from this fund whatever sum may be necessary to pay valid claims of more than one year's standing. (As amended April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.)

Section 83. PUBLIC RECORDS:

All books and records of every office and department shall be open to the inspection of any citizen during business hours, subject to the proper rules and regulations for the efficient conduct of the business of such department or office; but the records of the police department shall not be subject to such inspection except by permission of the proper police authorities.

Section 84. COPIES OF RECORDS:

Copies or extracts, duly certified, from said books and records open for inspection, shall be given by the officer having the same in custody to any person demanding the same and tendering the fee therefor as provided by ordinance. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27.)

Section 85. OLD ORDINANCES IN EFFECT:

Except ordinances and resolutions adopted prior to July 1, 1897, which ordinances and resolutions are hereby declared to be no longer effective, all ordinances and resolutions in force at the time this eCharter takes effect, and not inconsistent therewith, shall continue in full force until amended or repealed. (As amended April 13, 1954, ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27.)

Section 86. CONTINUING OFFICERS AND EMPLOYEES:

Except as otherwise provided herein, the term of all elective officers and of all appointive officers elected or appointed under the form of government preceding this Charter shall terminate upon the ratification of this Charter by the Legislature of this State; the incumbents of such offices shall thereafter hold their respective offices until removed therefrom by the Council or the Commission, Board, or Officer to whom the power of removal of such officer is hereby committed. All deputies, police officers, fire personnel ~~men~~ and other employees of the eCity at the time of this Charter becoming effective shall continue in their respective offices or positions of employment, subject to removal and the control thereof by the eCity ~~m~~Manager as herein provided.

Section 87. CONTINUANCE OF CONTRACTS:

All vested rights of the eCity shall continue and shall not in any manner be affected by the adoption of this Charter, nor shall any right, liability, pending suit or prosecution, either in behalf of or against the eCity, be affected by the adoption of this Charter, unless herein expressly provided. All contracts entered into by the eCity or for its benefit prior to the taking effect of this Charter shall continue in full force and effect. All public work begun prior to the taking effect of this Charter shall be continued and perfected hereunder. Public improvements for which legislative steps shall have been taken under laws in force at the time this Charter takes effect may be carried to completion in accordance with the provisions of such laws.

Section 88. CLAIMS AGAINST CITY:

(As amended April 13, 1954; ratified by Legislature January 13, 1955, Stats. 1955, Chapter 27; as amended November 4, 2003, certified by Secretary of State March 5, 2004 – section deleted.)

Section 89. OFFICIAL SEAL:

The official seal of the eCity prescribed therefor under the form of government preceding this Charter shall continue to be the official seal of the eCity hereunder; provided that the word "Town" in said seal shall be changed to "City."

Section 90. OFFICIAL ADVERTISING:

(Amended November 4, 2003, certified by Secretary of State March 5, 2004 – section deleted.)

Section 91. OFFICIAL PUBLICITY ON ELECTION MATTERS:

Arguments for and against any proposed eCity Charter, any proposed amendment to the eCity Charter, any proposal for the issuance of bonds by the eCity, or any other question, proposition or measure submitted to the voters of the eCity, shall be submitted to the qualified electors of the eCity in accordance with and pursuant to the applicable provisions of the general laws of the State of California. (As amended April 10, 1962, ratified by Legislature June 29, 1962.)

Section 92. AMENDMENT OF CHARTER:

This eCharter may be amended in accordance with the provisions of Section 3, Article XI, of the Constitution of the State of California, or any amendment thereof or provision substituted therefor. (As amended April 11, 1978, certified by Secretary of State June 12, 1978)

Section 93 deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.

Section 94. PARTIAL INVALIDITY, EFFECT:

If any section or part of a section of this Charter proves to be invalid, it shall not ~~be~~ held to invalidate or impair the validity of any other section or part of a section, unless it clearly appears that such other section or part of a section is dependent for its operation upon the section or part of a section ~~so~~ held invalid.

Section 95. CITY MANAGER OUT OF POLITICS:

Neither the eCity ~~m~~Manager, nor any person in the employ of the eCity, shall take any active part in securing, or shall contribute money toward the nomination or election of any candidate for a municipal office.

Section 96 deleted April 9, 1968, approved by Legislature April 29, 1968, Stats. 1968, Chapter 76.

Section 96. IMPARTIAL AND BINDING ARBITRATION FOR FIRE DEPARTMENT EMPLOYEE DISPUTES.

a. Declaration of Policy. It is hereby declared to be the policy of the City of Redwood City that strikes by firefighters are not in the public interest and should be prohibited, and that a method should be adopted for peacefully and equitably resolving disputes that might otherwise lead to such strikes.

b. Prohibition Against Strikes. If any firefighter employed by the City of Redwood City willfully engages in a strike against the City, said employee shall be dismissed from ~~his or her~~ their employment and may not be reinstated or returned to City employment except as a new employee. No officer, board, council or commission shall have the power to grant amnesty to any employee charged with engaging in a strike against the City.

c. **Obligation to Negotiate in Good Faith.** The City, through its duly authorized representatives, shall negotiate in good faith with recognized fire department employee organizations on all matters relating to the wages, hours, and other terms and conditions of City employment, and including the establishment of procedures for the resolution of grievances concerning the interpretation or application of any negotiated agreement. Unless and until agreement is reached through negotiations between the City and the recognized employee organization for the fire department employees or a determination is made through the arbitration procedure hereinafter provided, no existing benefit or condition of employment for said fire department employees shall be eliminated or changed.

d. **Impasse Resolution Procedures.** All disputes or controversies pertaining to wages, hours, or terms and conditions of employment which remain unresolved after good faith negotiations between the City and the fire department employee organization shall be submitted to a three-member board of Arbitrators upon the declaration of an impasse by the City or by the recognized employee organization involved in the dispute.

Representatives designated by the City and representatives of the recognized employee organization involved in the dispute, shall each select one arbitrator to the Board of Arbitrators within three (3) days after either party has notified the other, in writing, that it desires to proceed to arbitration. The third member of the Arbitration Board shall be selected by agreement between the two arbitrators selected by the City and the employee organization, and shall serve as the neutral arbitrator and Chairperson~~man~~ of the Board. In the event that the arbitrators selected by the City and the employee organization cannot agree upon the selection of the third arbitrator within ten (10) days from the date that either party has notified the other that it has declared an impasse, then either party may request the State of California Conciliation Service to provide a list of seven (7) persons who are qualified and experienced as labor arbitrators. If the arbitrators selected by the City and the employee organization cannot agree within three (3) days after receipt of such list on one of seven (7) to act as the third arbitrator, they shall alternately strike names from the list of nominees until one name remains and that person shall then become the third arbitrator and eChairperson~~man~~ of the Arbitration Board.

Any arbitration convened pursuant to this article shall be conducted in conformance with, subject, and governed by Title 9 of Part 3 of the California Code of Civil Procedure.

At the conclusion of the arbitration hearings, the Arbitration Board shall direct each of the parties to submit, within such time limit as the Board may establish, a last offer of settlement on each of the issues in dispute. The Arbitration Board shall decide each issue by majority vote by selecting whichever last offer of settlement on that issue it finds most nearly conforms with those factors traditionally taken into consideration in the determination of wages, hours, and other terms and conditions of public and private employment, including, but not limited to, changes in the average consumer price index for goods and services, the wages, hours, and other terms and conditions of employment of other employees performing similar services, and the financial condition of the City and its ability to meet the cost of the award.

After reaching a decision, the Arbitration Board shall mail or otherwise deliver a true copy of its decision to the parties. The decision of the Arbitration Board shall not be publicly disclosed and shall not be binding until ten (10) days after it is delivered to the parties. During that ten day period the parties may meet privately, attempt to resolve their differences, and by mutual agreement amend or modify any of the decisions of the Arbitration Board. At the conclusion of the ten (10) day period, which may be extended by mutual agreement between the parties, the decision of the Arbitration Board together with any amendments or modifications agreed to by the parties shall be publicly disclosed and shall be binding upon the parties. The City and the recognized employee organization shall take whatever action is necessary to carry out and effectuate the award.

The expenses of any arbitration convened pursuant to this article, including the fee for the services of the Chairperson~~man~~ of the Arbitration Board, shall be borne equally by the parties. All other expenses which the parties may incur individually are to be borne by the party incurring such expenses. (As amended by legislative initiative November 3, 1987, certified by Secretary of State December 23, 1987)

* * * * *

WHEREAS, the City of Redwood City is a city containing a population of more than three thousand five hundred inhabitants as ascertained by the last preceding census taken under authority of Congress of the United States; and

WHEREAS, on the 15th day of November, 1928, at a special election duly held on that day under and in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, the electors of said City did choose and elect Philip Edmond Brand, C.E. Choate, Walter T. Kellogg, C.G. Lambert, A.S. Liguori, Percy E. Long, Nelle L. Miramontes, George W. McNulty, Edw. H. Sampson, Thomas Tuite, C.M. Doxsee, Henry Witte, M.E. Ryan, Mrs. A.S. Kalenborn and Paul A. McCarthy, who are all electors of said City and eligible as candidates under such election as a board of fifteen free- holders to prepare and propose a charter for the government of said City; and

WHEREAS, the result of said election was duly declared by the legislative body to-wit, the Board of Trustees of said eCity, on the 19th day of November, 1928, and the said electors thereafter duly qualified as such free-holders in accordance with law; and

WHEREAS, the period of 120 days since the result of said election was declared has not expired:

NOW, THEREFORE, in pursuance of the said provisions of the Constitution of the State of California, after the result of said election was so declared, the said Board of Free-holders has prepared and does now propose the foregoing charter as and for the charter of the City of Redwood City.

And the said Board of Free-holders does hereby fix and designate Tuesday, the 9th day of April, 1929, as the date for holding a special municipal election in said City, at which the said proposed charter shall be submitted to the electors of said City for their ratification and adoption.

IN WITNESS WHEREOF, the undersigned free-holders hereunto set our hands at the City of Redwood City, in the State of California, this sixth (6th) day of February, 1929.

M.E. RYAN, President of the Board of Free-holders. MRS. A.S. KALENBORN, Secretary of said Board.

PHILIP EDMOND BRAND,

C.E. CHOATE,

GEORGE W. McNULTY,

C.G. LAMBERT,

M.E. RYAN, PERCY E. LONG,

MRS. A.S. KALENBORN,

A.S. LIGUORI,

NELLE L. MIRAMONTES, EDW. H. SAMPSON, THOMAS TUIITE, WALTER T. KELLOGG,

HENRY WITTE,

PAULA. McCARTHY,

C.M. DOXSEE.

Proposed by Board of Freeholders -- February 6, 1929 Adopted at a Special Municipal Election --

April 9, 1929 Approved by State Legislature -- April 30, 1929 Amended January 24, 1961

Amended June 29, 1962

Amended January 14, 1963

Amended April 29, 1968

Amended March 4, 1975

Amended April 11, 1978

Amended April 8, 1980

Amended April 13, 1982

Amended April 10, 1984

Amended November 4, 1986

Amended November 3, 1987

Amended November 4, 2003

Amended November 8, 2005

Amended November 6, 2007

Amended November 3, 2009

Amended November 8, 2011

Passed and adopted by the Council of the City of Redwood City at a
Joint City Council/Successor Agency Board/Public Financing Authority Meeting
thereof held on the 23rd day of July 2018 by the following votes:

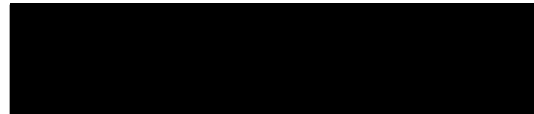
AYES: Aguirre, Borgens, Gee, Howard, Masur, Seybert and
Mayor Bain

NOES: None

ABSENT: None

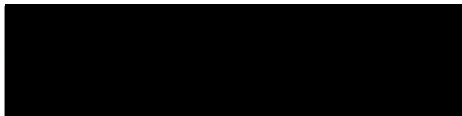
ABSTAINED: None

RECUSED: None



Ian Bain
Mayor of the City of Redwood City

Attest:

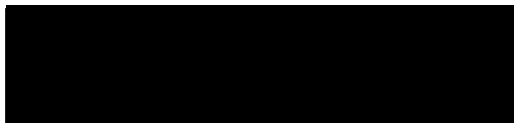




Pamela Aguilar
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 24th day of July 2018.

CITY OF REDWOOD CITY

Pamela Aguilar, CMC, City Clerk of the City of Redwood City
does hereby certify that the above and forgoing is a full true
and correct copy of Resolution 15694
In Witness Whereof, I have hereunto set my hand and the
seal of said City this 25 day of July, 2018




PAMELA AGUILAR, CMC
City Clerk


Ian Bain
Mayor of the City of Redwood City

RESO. # 15694
MUFF # 308