

RESOLUTION NO. 2015 - 48

SUBMITTING A MEASURE TO THE VOTERS OF SAN BRUNO AT THE NOVEMBER 3, 2015, GENERAL MUNICIPAL ELECTION TO DETERMINE WHETHER THE POSITION OF CITY CLERK SHOULD BE CHANGED FROM ELECTED TO APPOINTIVE; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF SAID MEASURE; AND AUTHORIZING SUBMISSION OF BALLOT ARGUMENTS SUPPORTING THE MEASURE ON BEHALF OF THE CITY COUNCIL

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

WHEREAS, the only qualifications for the elective office of City Clerk is that they be residents of the City of San Bruno and 18 years of age or older;

WHEREAS, the City Council has determined to submit to the voters at the general municipal election on November 3, 2015, a ballot measure making the position of the San Bruno City Clerk appointive rather than elected, effective December 8, 2015, or upon a vacancy during their respective term of office, which end on or about December 12, 2017; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of San Bruno resolves as follows:

Section 1. That the City Council orders submitted to the voters at the General Municipal Election to be held and consolidated with the Municipal General Election on Tuesday, November 3, 2015, the following question:

⑩	Shall the position of City Clerk of the City of San Bruno be appointive?	YES
		NO

Section 2. If the measure is enacted, the San Bruno City Council will have the authority to appoint the City Clerk.

Section 3. A majority vote of the voters is required to approve the measure.

Section 4. The full text of the ballot measure to be voted upon is set forth in Exhibit A, attached hereto, and shall appear in the voter information pamphlet.

Section 5. This measure is submitted to the voters pursuant to Government Code section 36508 and Elections Code Section 9222.

Section 6. The ballots used at the election shall be in the form and content as is required by law.

Section 7. The City Attorney is hereby directed to prepare and submit an impartial analysis of the measure.

Section 8. Arguments in favor or against the above ballot measure shall be filed with the City Clerk of the City of San Bruno during regular business hours by

August 14, 2015, after which no arguments for or against the City measure may be submitted to the City Clerk.

- Section 9. The Mayor or his designee(s) are hereby authorized to prepare a written argument in favor of the ballot measure, not to exceed 300 words, on behalf of the City Council at the Mayor's discretion, the argument may also be signed by bona fide associations or by individual voters who are eligible to vote.
- Section 10. Rebuttal arguments shall be filed with the City Clerk during regular business hours by August 24, 2015, and shall not exceed 250 words in length.
- Section 11. The Mayor or his designee(s) are hereby authorized to prepare rebuttal responses to any arguments filed against the ballot measure.
- Section 12. During the period commencing August 14, 2015, and ending August 24, 2015, the City Clerk shall make available for public inspection the arguments filed for and against the ballot measure.
- Section 13. The County Election Department is hereby authorized to canvass the returns of the election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
- Section 14. The Board of Supervisors of the County of San Mateo is hereby requested to issue instructions to the County Election Department to take any and all steps necessary for the holding the election.
- Section 15. The City Clerk is hereby directed to deliver forthwith certified copies of this Resolution to the Clerk of the Board of Supervisors of San Mateo County and the Registrar of Voters of San Mateo County promptly upon its adoption.

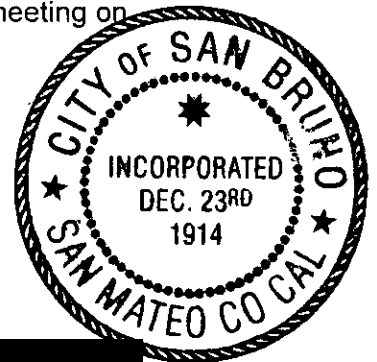
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I hereby certify that foregoing **Resolution No. 2015 - 48** was introduced and adopted by the San Bruno City Council at a regular meeting on May 26, 2015, by the following vote:

AYES: Councilmembers: O'Connell, Salazar, Mayor Ruane

NOES: Councilmembers: Ibarra, Medina

ABSENT: Councilmembers: None



I hereby certify this to be a full, true and correct copy of the document it puports to be, the original of which is on file in my office.

Dated: 6-29-15


Carol Bonner, City Clerk


City Clerk of the City of San Bruno

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EXHIBIT A

ORDINANCE NO. _____

**AN INITIATIVE ORDINANCE OF THE CITY OF SAN BRUNO CHANGING THE
POSITION OF CITY CLERK FROM ELECTIVE TO APPOINTIVE**

The people of the City of San Bruno do ordain as follows:

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

SECTION 2: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The people of the City of San Bruno hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 3: This ordinance shall take effect as provided in §9217 of the Elections Code of the State of California.

SECTION 4: The City Clerk shall publish this ordinance according to law.

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ends

FILED IN THE OFFICE OF THE
CHIEF ELECTIONS OFFICER
OF SAN MATEO COUNTY, CALIF.

MARK
By _____

