

AUG 03 2017

**CITY OF SAN MATEO
RESOLUTION NO. 65 (2017)**

MARK CHURCH, Chief Elections Officer
By: [Redacted] DEPUTY CLERK

**SUBMITTING A PROPOSED SAN MATEO CITY CHARTER AMENDMENT FOR THE
ELECTION ON TUESDAY, NOVEMBER 7, 2017 TO REVISE THE CHARTER TO MOVE
TO EVEN YEAR ELECTIONS BEGINNING IN 2020**

WHEREAS, the City of San Mateo's Charter in Section 2.01 'Composition, Eligibility, Election and Terms' and Section 7.01 'General Municipal Elections' provides that regular municipal elections are held in odd-numbered years; and

WHEREAS, the State of California through Senate Bill 415 (SB415) "California Voter Participation Rights Act" which went into effect September 1, 2015 and which calls for moving the City's regular elections from odd-year to even-year no later than November 8, 2022 if there was 25% less voter turnout from the most recent odd-year election compared to the average of the last four even-year elections; and

WHEREAS, upon analysis of the voter data, the City of San Mateo's four-year average for even-year voter turnout was 68.2% and the November 2015 election had a voter turnout of 33.1%, which equates to 35.1% less voter turnout for odd-year elections; and

WHEREAS, the San Mateo City Council has determined to place on the ballot a measure to amend the City Charter to change to even year elections to be in conformance with SB415 with the intent that even-year, state-wide elections experience higher voter turnout and therefore are more representative of the citizenry; and

WHEREAS, the City's last odd-year regular election would be held on November 7, 2017 and the next regular election would be held on November 3, 2020 – instead of November 5, 2019; and

WHEREAS, this change in election cycle requires that council members currently seated at the time of successful certification of this measure would have their terms extended by one year; e.g., terms currently expiring in 2019 will instead expire in 2020 and terms currently expiring 2021 will expire in 2022 instead; and

WHEREAS, the City of San Mateo has called for consolidation with the County for election services for the November 7, 2017 election through the City of San Mateo Resolution 36 (2017) which has been delivered and accepted by the San Mateo County Board of Supervisors; and

WHEREAS, the City seeks to add this measure on the ballot at the same election for which services have been called; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed charter amendment to the voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to charter cities, there is called and ordered to be held in the City of San Mateo, California,

on Tuesday, November 7, 2017, a Special Municipal Election for the purpose of submitting the following proposed charter amendment:

“To conform with state law, shall the Charter amendment changing the timing of the city’s general municipal elections from odd-numbered years to even-numbered years, and extending the terms of the council members elected in 2015 and 2017 for a period of one year, respectively, be adopted?”	YES
	NO

Full text begins

SECTION 2. That the text of the charter amendment submitted to the voters shall read as follows:

Charter Section 2.01. Composition, Eligibility, Election and Terms.

(a) There shall be a city council of five members elected by the voters of the city at large.

(b) No person shall be eligible to hold office as a member of the city council or for election thereto unless he or she is, and shall have been continuously for at least thirty days immediately preceding the appointment or final filing date for nomination papers for such office a qualified elector and resident of the city, or of territory annexed to or consolidated with the city.

(c) The members of the city council shall be elected by the voters of the city at a general municipal election to be held in the year 2020 every even-numbered year as follows:

1. Two council members shall be elected at the general municipal election held in the year 2020. They shall hold office for a term of four years, commencing on the first regular council meeting in the December immediately following the general municipal election until the general municipal election the fourth year thereafter.
2. Three council members shall be elected at the general municipal election held in the year 2022. They shall hold office for a term of four years, commencing on the first regular council meeting in the December immediately following the general municipal election until the general municipal election the fourth year thereafter.
3. In the event two or more candidates receive the same number of votes and it is necessary for any reason to break the tie, the tie shall be broken by drawing lots under the supervision of the city attorney at the earliest meeting of the council after such a tie has been determined.

(d) Provisions applicable to the council members elected at the general municipal election held in 2015 and the council members elected at the general municipal election held in 2017.

1. The incumbent council members elected at the general municipal election held in 2015 shall have their term extended by one year, until the general municipal election held in 2020.
2. The three council members elected at the general municipal election held in 2017 shall hold office for a term of five years, commencing on the first regular council meeting in December 2017 until the general municipal election held in 2022.
3. These provisions are necessary to effectuate the change in timing of general municipal elections from odd-numbered years to even-numbers years, as approved by the voters of city in the general municipal election held in 2017.

(e) Councilmembers shall not be eligible for election to nor serve more than three consecutive terms in office provided that no partial term of office shall be counted as any portion of the consecutive terms.

SECTION 3. That the text of the charter amendment submitted to the voters shall read as follows:

Charter Section 7.01. General Municipal Elections.

General municipal elections shall be held in the city on the first Tuesday after the first Monday in November of each even-numbered year, in the manner provided by state law governing elections in general law cities; provided, that in the event any other election shall be held in the city in the month of November of the same year, the council may consolidate the general municipal election with such other election whenever practicable, and shall in any event call and schedule the general municipal election for the same date as any such other election.

Full text
ends

SECTION 4. That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

SECTION 5. This amendment shall become effective immediately upon certification of the election results by the City Council.

SECTION 6. That the full text of the measure be printed in the voter information pamphlet.

SECTION 7. The City Clerk is directed to forward the proposed measure to the City Attorney for preparation of an impartial analysis in accordance with Section 9280 of the Elections Code.

SECTION 8. Arguments for and against the proposition may be submitted to the qualified voters of the City in accordance with sections 9282 through 9287 of the California Elections Code. The deadline date for submitting ballot arguments for or against the proposition shall be Friday, August 18, 2017. 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 Monday, August 28, 2017. Proposed rebuttal arguments shall not exceed 250 words and shall be submitted to the office of the City Clerk. The provisions of Section 9285(a) of the California Elections Code shall apply to the submittal of rebuttal arguments.

SECTION 9. The City Council authorizes its members either collectively or individually, or any San Mateo voter or association of San Mateo resident, to file written arguments in favor or against the proposition, and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the proposition maybe be submitted to the City Clerk. Any argument filed for or against said proposition not exceeding 300 words shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if filed on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

SECTION 10. That the City Council adopted Resolution No. 36 (2017) on June 5, 2017 establishing the election and all particulars related therein to be held within the City boundaries and consolidating services with the County of San Mateo’s Election Department.

SECTION 11. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 18. The City Clerk and other City officers are directed to do all things necessary to meet the requirements of law for the November 7, 2017, municipal election.

SECTION 19. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

RESOLUTION NO. 65 (2017) adopted by the City Council of the City of San Mateo, California, at a regular meeting held on July 17, 2017, by the following vote of the City Council:

AYES: Council Members Bonilla, Freschet, Goethals and Papan
NOES: None
ABSENT: Lim

ATTEST:

[Redacted signature]

[Redacted signature]

Patrice M. Oids, City Clerk

Rick Bonilla, Deputy Mayor

I hereby certify this to be a full, true and correct copy of the document it purports to be as the same is on file in my office. Reso 65 (2017)
Dated: 8/1/2017

City Clerk of the City of San Mateo

