

RESOLUTION NO. 2022 - 80

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO
SUBMITTING TO THE VOTERS AT THE NOVEMBER 8, 2022 GENERAL
MUNICIPAL ELECTION A MEASURE THAT PROPOSES ADOPTION OF AN
ORDINANCE TO ESTABLISH TERM LIMITS, REQUESTING THAT SUCH
ELECTION BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION
HELD ON THAT DATE AND TAKING CERTAIN OTHER ACTIONS

WHEREAS, by prior resolution, the City Council called a general municipal election (the "Election") for November 8, 2022, to be consolidated with the statewide general election to be held on that same date; and

WHEREAS, the City Council desires to have the matter of an ordinance that would establish term limits be presented to the voters on the November 8, 2022 ballot.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SAN BRUNO, CALIFORNIA, AS FOLLOWS:

1. The full text of the measure, attached to this Resolution as Exhibit A, being the proposed ordinance establishing term limits, shall be completely printed in the voter pamphlet. The measure shall not take effect unless and until it is approved by a vote of at least a simple majority of affirmative votes of the voters voting on the question at the election. The City Council, pursuant to its right and authority, does order the following measure to be submitted to the voters which shall appear and be printed on the ballot as follows:
2. The question shall appear on the ballot as follows:

Shall an ordinance be adopted to amend the City of San Bruno Municipal Code to limit service on the City Council to consecutive terms of no more than 12 consecutive years or as Mayor to consecutive terms of no more than 12 consecutive years?	Yes
	No

This measure must be approved by a majority of the votes cast in order to be adopted.

3. The City Council hereby approves the proposed ordinance to be submitted to the voters, attached hereto as Exhibit A.
4. The City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk no later than August 18, 2022 by 5:00 p.m.
5. Pursuant to Elections Code Section 10403, the City Council requests that the San Mateo County Board of Supervisors consent to consolidation of the Election with the general election to be conducted by the San Mateo County Registrar of voters on November 8, 2022. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating a special election consolidated with a statewide election. The City will bear all costs customarily charged by the County to a city in connection with a ballot question submitted at a municipal election that is consolidated with an election conducted by the County.

6. The City Clerk shall certify to the passage and adoption of this Resolution and enter into the book of original Resolutions.
7. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters of San Mateo County.
8. Notice of the time and place of holding of the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in the time, form, and manner as required by law.
9. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of San Mateo County is requested to consolidate the election on this ballot measure with other elections held on the same day in the County.
10. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.
11. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County Clerk to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.
12. The City Clerk shall file a certified copy of this Resolution with the County Clerk.
13. The City Clerk is hereby authorized to do all things necessary and proper to implement the provisions of this Resolution, including certifying the passage and adoption of this Resolution and entering it into the book of original Resolutions.

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I hereby certify that foregoing **Resolution No. 2022 - 80**
was introduced and adopted by the San Bruno City Council at a regular meeting on
August 3, 2022, by the following vote:

AYES: Councilmembers: Hamilton, M. Medina, Salazar, Mason, Mayor R. Medina

NOES: Councilmembers: None

ABSENT: Councilmembers: None



Vicky S. Hasha, Deputy City Clerk

EXHIBIT A

Proposed Ordinance

AN ORDINANCE OF THE PEOPLE OF THE CITY OF SAN BRUNO, CALIFORNIA, TO AMEND AND RESTATE SECTION 2.04.015(b) OF THE MUNICIPAL CODE TO ESTABLISH TERM LIMITS FOR THE MAYOR AND CITY COUNCILMEMBERS

THE PEOPLE OF CITY OF SAN BRUNO ORDAIN AS FOLLOWS:

SECTION 1. Purpose. The purpose of this Ordinance is to establish term limits for the mayor and city councilmembers.

SECTION 2. Section 2.04.015(b) of the San Bruno Municipal Code is hereby repealed, restated and amended as follows:

No person may hold the office of mayor for more than six terms in succession or the office councilmember for more than three terms in succession. This provision does not prohibit holding office for more than twelve years, provided that terms of office are not consecutive. "Term of office" as used in this section is defined as a four-year term for the office of councilmember and defined as a two-year term for the office of mayor. For the purpose of determining the number of terms of office, only those terms of office occurring after December 1, 2022 shall be counted.

SECTION 3. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provision of this Ordinance are declared to be severable.

SECTION 4. This ordinance shall take effect 10 days after the City Council declares the results of the vote at the November 8, 2022, election.

Approved by the People of the City of San Bruno at the General Municipal Election Held on November 8, 2022.

ATTEST:

Rico E. Medina, Mayor

Vicky S. Hasha, Deputy City Clerk

APPROVED AS TO FORM:

Trisha A. Ortiz, Contract City Attorney
Richard Watson Gershon Law

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I hereby certify that foregoing **Ordinance No. XXXX**
was approved by the People of San Bruno at the General Municipal Election
held on November 8, 2022.

Vicky S. Hasha, Deputy City Clerk

