

RESOLUTION NO. 16070

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 8, 2022, AND SUBMITTING TO THE VOTERS AT THAT ELECTION TWO MEASURES TO AMEND THE CITY CHARTER TO UPDATE CERTAIN PROVISIONS

WHEREAS, a City Charter is the basic document that defines the organization, powers, functions, and essential procedures for City government, equivalent to the constitution for federal or state governments; and

WHEREAS, the Redwood City Charter was adopted by local voters in 1929 and has been amended 17 times since then, most recently in 2018; and

WHEREAS, City Charters are commonly amended from time to time to comply with changes in state or federal law, to comply with changes in technology, and to meet evolving good governance standards; and

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, amendments to the City Charter must be approved by a majority of local voters; and

WHEREAS, on April 18, 2022, the Governance Sub-Committee considered amendments to the Charter; and

WHEREAS, on May 9, 2022, at a public hearing, the Governance Sub-Committee's recommendations of proposed amendments to the Charter were presented to the City Council; and

WHEREAS, the City Council desires to submit two ballot measures to the voters of the City of Redwood City for their approval and adoption at the election to be held on next general election; and

WHEREAS, the two ballot measures are as follows:

- a. Amendment to the City Charter to align the date of the Redwood City General Municipal Election with the Statewide General Election date, clarify the date by which Redwood City elections must be certified and City Councilmembers sworn in, and provide for election of City Councilmembers by-district in order to comply with State law.

- b. Amendment to the City Charter to shorten the term of Mayor from two years to one year.

WHEREAS, the City Council heard public comment on the proposed Charter amendments; and

WHEREAS, the City Council is 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 and Request for Consolidation. Pursuant to California Elections Code sections 1415, 9255 and 10403, 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 8, 2022, for the purpose of submitting two proposed Charter amendments described above and set forth in Exhibit A and Exhibit B (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 8, 2022, statewide general election. The consolidated election shall be held and conducted in the manner prescribed by Elections Code section 10418. The City Council hereby appropriates all monies necessary to prepare for and conduct said elections and hereby authorizes the City Clerk to take any and all actions necessary to prepare for and conduct said elections consistent with all applicable laws.

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 Two Measures to the Voters. Pursuant to Elections Code sections 9255, 10201, 10403, and 12001, the City Council hereby orders the two measures each 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 8, 2022. The full text of the Charter amendments that shall be voted on is attached hereto as Exhibit A and Exhibit B.

SECTION 4. Ballot Questions.

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

City of Redwood City Election Procedures Charter Amendment. Shall the measure amending the Redwood City Charter to align the date of the Redwood City General Municipal Election with the Statewide General Election date, clarify the date by which Redwood City elections must be certified and City Councilmembers sworn in, and provide for election of City Councilmembers by-district in order to comply with State law, be adopted?	YES	
	NO	

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

City of Redwood City Mayoral Term Charter Amendment. Shall the measure amending the Redwood City Charter to shorten the term of Mayor from two years to one year in order to allow more Councilmembers to serve as Mayor during their tenure on City Council, be adopted?	YES	
	NO	

SECTION 5. Impartial Analysis by City Attorney. The City Clerk is hereby directed to transmit a copy of the measures attached hereto as Exhibit A and Exhibit B to the City Attorney, who shall prepare an impartial analysis for each of the two measures in accordance with California Elections Code section 9280. The City Attorney shall submit the impartial analysis for each of the two measures to the City Clerk no later than August 29, 2022 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 Governance Sub-Committee to file the direct arguments in support of the two measures and the rebuttal arguments to the arguments against the two measures, 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 two measures. The deadline for submitting ballot arguments for or against the two measures shall be 5:00 P.M. on Friday, August 19, 2022. 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 Monday, August 29, 2022. 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. All arguments and rebuttal arguments shall be submitted to the Office of the City Clerk.

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 two measures may be included on the November 8, 2022, 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 two measures to be voted on at the November 8, 2022, general municipal election and statewide general election. The text of the proposed amendments shall not appear in the voter pamphlet given its length and resulting expense, but the Clerk shall post the two proposed measures on the City's website and provide any person a copy of the two measures upon request.

SECTION 8. Notice. Notice of the time and place of the election on the proposed City Charter amendments 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. These two measures propose to amend the City Charter and each 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 two charter amendment measures to the voters of the City.

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

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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 25th day of July 2022 by the following votes:

AYES: Espinoza-Garnica, Gee, Howard, Reddy, Smith and Mayor
Hale
NOES: None
ABSENT: Aguirre
ABSTAINED: None
RECUSED: None




Giselle Hale
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC
City Clerk of Redwood City

I hereby approve the foregoing resolution this
27th day of June 2022.



Giselle Hale
Mayor of the City of Redwood City

Full Text Start Here

EXHIBIT B

NOTE: Unchanged Charter text is in plain font. Proposed additions to the Charter are double-underlined font. Deletions are in strikethrough font. Asterisks (****) indicate the omission of unchanged sections.

The Charter:

Section 14. THE MAYOR:

The Council shall choose one of their number to serve as president of the Council, and to be known as Mayor. Their term as Mayor shall be two one years. The Mayor shall be the executive head of the City. Notwithstanding any other law, this law shall go into effect such that a new one-year term for office of Mayor shall commence from the first Council meeting in December 2022.

In the name and on behalf of the City they the Mayor shall sign all legal instruments and documents to which the City is a party except where otherwise provided herein or by general law or ordinance. They shall represent the City in all ceremonial functions of a patriotic or social character when it appears desirable that the City 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 Charter, by law, by ordinance, or by resolution of the Council.

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

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

The Council shall choose one of their number to serve as Vice-Mayor. 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.

End here
