City Attorney's Impartial Analysis

Existing law requires the City of San Mateo to maintain its own Police Department, Fire Department, and Free Public Library, each with its own department head. The City's Charter states the City Council may neither eliminate any of these three departments, nor consolidate them with another department. The City Council may, however, enter into agreements with other agencies for the "consolidation and/or joint provision of police, library, and/or library services."

The proposed measure would amend the City Charter by removing the requirement that the City maintain its own, separate Fire Department. This would allow, but not require, the City Council to dissolve the City's Fire Department and contract with another agency for the provision of fire services.

The proposed measure would also make a corresponding change to the charter provision to correct a drafting error in the provision by removing a second reference to "library" when describing the types of services that may be provided jointly.

Finally, the measure would clarify the existing charter provision to establish that the City may jointly provide police and library services with other agencies, but it may not dissolve or consolidate its Police and Library departments, nor may it form a new agency with other entities to perform those services.

This measure is placed on the ballot by the San Mateo City Council.

Shawn Mason
City Attorney