

ORDINANCE NO. 1940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
REPEALING ORDINANCE 1219 AND AMENDING THE BURLINGAME
MUNICIPAL CODE AMENDING TITLE 2 BY CONSOLIDATING THE CITY'S
GENERAL ELECTION WITH THE STATEWIDE ELECTION DATE
COMMENCING NOVEMBER 2022.

The City Council of the City of Burlingame hereby ordains as follows:

Section 1. Factual Background

WHEREAS, Ordinance 1219 consolidated the City's General Election with the local school districts in an odd-year cycle; and

WHEREAS, on September 1, 2015 the California Voter Participation Act (Senate Bill 415) was passed, prohibiting local governments from holding an election on a date other than on a statewide election date if the voter turnout for a regularly scheduled local election resulted in a significant decrease in voter turnout – at least 25% less than the average voter turnout within the City for the previous four statewide general elections; and

WHEREAS, if an agency experiences a significant decrease in voter turnout, the agency is required to adopt a plan to consolidate elections with the statewide election date by January 1, 2018; and

WHEREAS, the City of Burlingame meets SB 415's definition of a "significant decrease in voter turnout," and will therefore be required to develop a plan to consolidate with a statewide election before January 1, 2018; and

WHEREAS, to comply with the State-imposed requirements of SB 415, the City Council has determined that the most appropriate method of compliance is to consolidate the City's general municipal election with a statewide general election date by holding the November 2017 election to elect three City Councilmembers each for a five year term, and the November 2019 election for two City Councilmembers each for a five year term.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGAME DOES ORDAIN AS FOLLOWS:

Section 2. The City Council hereby repeals Ordinance 1219 and amends the Burlingame Municipal Code as follows:

Chapter 2.19 will be incorporated and read as follows:

2.19 General Municipal Election

Pursuant to Elections Code Sections 1301 and 10403.5, the general municipal election in the City of Burlingame for the offices of City Councilmember shall be the first Tuesday

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following the first Monday in November of even-numbered years commencing in November 2022.

2.19.010 City Councilmembers – Election – Terms of Office

- (a) The three City Councilmembers elected in November 2017 general municipal election shall service for a term of five years, from the Tuesday succeeding their election and until their successors are elected and qualified in 2022.
- (b) The two City Councilmembers elected in November 2019 general municipal election shall serve for a term of five years, from the Tuesday succeeding their election and until their successors are elected and qualified in 2024.
- (d) The terms of City Councilmembers elected in November 2022, and in each subsequent general municipal election shall be, in accordance with State law, for a term of four years, from the Tuesday succeeding their election and until their successors are elected and qualified.

Section 3. Pursuant to Elections Code Section 1301 and 10403.5, this Ordinance shall not become operative until approved by the San Mateo County Board of Supervisors.

Section 4. Pursuant to Elections Code Section 10403.5(e) within thirty days after the Ordinance becomes operative, the City Elections Official shall cause a notice to be mailed to all registered voters within the City of Burlingame informing the voters of the change in the election date and the change in the length of terms for Councilmembers elected in 2017 and 2019.

Section 5. The City Clerk is hereby directed to:

- (a) Certify to the passage and adoption of this Ordinance and cause the same to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California; and
- (b) Transmit without delay, a certified copy of the Ordinance to the County of San Mateo Elections Division and to the Clerk of the Board of Supervisors of the County of San Mateo, together with the request that said Board approve this Ordinance and provide the City with notice of such approval; and
- (c) Within thirty days after approval of this Ordinance by the Board of Supervisors of the County of San Mateo, cause a notice to be mailed to all registered voters in the City of Burlingame, informing them of the change in the general municipal election date and the change in the length of terms for Councilmembers elected in 2019 and 2019.

Section 6. This ordinance, or a summary as applicable, shall be published as required by law and shall become effective 30-days thereafter.

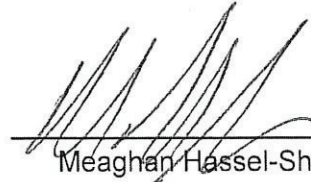
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Ricardo Ortiz, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, do hereby certify that the foregoing ordinance was introduced at a regular meeting of the City Council held on the 6th day of February, 2017, and adopted thereafter at a regular meeting of the City Council held on the 21st day of February, 2017, by the following vote:

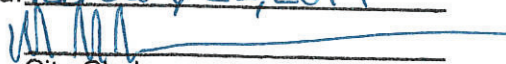
AYES: COUNCILMEMBERS: BEACH, BROWNRIGG, COLSON, KEIGHRAN, ORTIZ
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE



Meaghan Hassel-Shearer, City Clerk

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

Dated: February 22, 2017



City Clerk
City of Burlingame