

ORDINANCE NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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AN ORDINANCE CALLING FOR AND PROCLAIMING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2026 THROUGHOUT THE COUNTY OF SAN MATEO FOR THE PURPOSE OF VOTING UPON AMENDMENTS TO THE SAN MATEO COUNTY CHARTER REGARDING:

- A) ADDING TO THE CHARTER PREAMBLE A POLICY STATEMENT ON RESILIENCE TO EXTREME WEATHER EVENTS; AND
 - B) ADDING TO THE CHARTER PREAMBLE A POLICY STATEMENT AFFIRMING THE COUNTY'S COMMITMENT TO THE DIGNITY, CIVIL RIGHTS, AND EQUAL PROTECTION OF ALL COUNTY RESIDENTS; AND
 - C) AMENDING SECTION 415 OF THE COUNTY CHARTER TO EXTEND THE PERIOD IN WHICH THE COUNTY BOARD OF SUPERVISORS IS REQUIRED TO EITHER CALL A SPECIAL ELECTION OR MAKE AN APPOINTMENT IN THE EVENT OF A VACANCY IN AN ELECTED OFFICE OTHER THAN THE BOARD OF SUPERVISORS FROM 30 DAYS TO 60 DAYS, AND TO REQUIRE THE BOARD TO CONDUCT AT LEAST ONE PUBLIC MEETING TO RECEIVE PUBLIC COMMENT PRIOR TO ANY APPOINTMENT; AND
 - D) AMENDING SECTION 202 OF THE COUNTY CHARTER AND ADDING A NEW SECTION 202.1 TO THE COUNTY CHARTER TO REQUIRE THAT SUPERVISORIAL DISTRICTS BE REAPPORTIONED FOLLOWING EACH FEDERAL DECENNIAL CENSUS BY AN INDEPENDENT REDISTRICTING COMMISSION PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA ELECTIONS CODE, AND REQUESTING THAT THE ELECTION BE CONSOLIDATED WITH ANY AND ALL OTHER ELECTIONS TO BE HELD ON NOVEMBER 3, 2026
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The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

WHEREAS, the County of San Mateo is one of 15 charter counties in California and has adopted the San Mateo County Charter ("Charter"), which was originally ratified by San Mateo County voters in 1932; and

WHEREAS, a Charter amendment may be proposed by the County Board of Supervisors ("Board") for approval by the voters of San Mateo County at a special election

to occur on the next established election date (Cal. Const. Art. 11, § 3; Gov. Code, §§ 23720, 23722; Elec. Code, § 1000); and

WHEREAS, Charter counties have all the powers that are provided by the California Constitution or by statute for counties, County charters are required to provide for an elected sheriff, an elected district attorney, an elected assessor, other officers, their election or appointment, compensation, terms and removal, and the County may establish an independent redistricting commission by resolution, ordinance, or charter amendment (Cal. Const. Art. 11, § 4; Elec. Code § 23001); and

WHEREAS, the Board deems it necessary and essential to submit to the qualified voters of San Mateo County the question of proposed amendments to the Charter set forth in Section 6 through 9 of this Ordinance (referred to herein individually as “Measure” and collectively as “the Measures”), at a special election to be held on November 3, 2026, the next available established election date under the law.

SECTION 1. The Board hereby approves the amendments to the Charter set forth in the Measures, subject to their ratification and adoption by the voters.

SECTION 2. Pursuant to Elections Code Section 12001, the Board hereby calls, proclaims, and orders a special Countywide election to be held on Tuesday, November 3, 2026, to vote upon the Charter amendments set forth in the Measures.

SECTION 3. The Board hereby submits the Charter amendments set forth in the Measures to the eligible registered voters of the County of San Mateo at the special election to be held on Tuesday, November 3, 2026.

SECTION 4. The Clerk of the Board is hereby authorized and directed to publish a copy of this Ordinance as required by applicable law. The Chief Elections Officer shall publish a notice of this election in accordance with applicable law.

SECTION 5.

- a) The special election on the Charter amendments set forth in the Measures will be consolidated with any and all other elections to be held on November 3, 2026.
- b) All qualified voters in San Mateo County shall be permitted to vote in the special election on the Charter amendments set forth in the Measures.
- c) Pursuant to Government Code Section 23731, the special election shall be held and conducted, the returns canvassed, and the result declared in the same manner as provided by law for general elections.
- d) The election will be held on November 3, 2026, from the hour of 7:00 a.m. to the hour of 8:00 p.m., during which period of time the polls will remain continuously open. At 8:00 p.m., the polls will be closed, except as provided in section 14401 of the Elections Code.
- e) Pursuant to Government Code Section 23731, the Chief Elections Officer shall prepare and mail to each eligible voter in the County a sample ballot and a voter's pamphlet containing the complete text of the Measures.
- f) The Board of Supervisors hereby permits the County's Chief Elections Officer to render all services specified by Elections Code Section 10418 relating to the special election on the Measures, to include the publication of notices of election and the mailing of the sample ballot. The County will pay for all such services performed by the County's Chief Elections Officer related to the special election on the Measures.

- g) The Board of Supervisors hereby requests that the County's Chief Elections Officer, and/or designee(s), take all actions which are necessary or appropriate in connection with the special election on the Measures, including, but not limited to, printing and mailing sample ballots, arguments, and applications for absentee ballots, canvassing election returns, and certifying the results of the election to the Board of Supervisors. The County Attorney's Office shall prepare the impartial analysis of the Measures.
- h) The Clerk of the Board is hereby authorized and directed to deliver a copy of this Ordinance to the County's Chief Elections Officer, or other appropriate elections officials of San Mateo County, no later than 88 days prior to the special election on the Measures, and to give notice of the special election on the Measures by causing the County's Registration & Elections Division to publish the text of the Measures and other items, not later than 15 days before the date of the special election.
- i) The Chief Elections Officer shall establish election precincts, designate the polling places, and provide election officers for each precinct at the November 3, 2026 election in accordance with the election laws of the State of California.
- j) The members of the Board of Supervisors are hereby authorized, but not directed, to prepare and file with the County's Registration & Elections Division, a ballot argument in favor of the Measures within the time established by County's Registration & Elections Division.

SECTION 6. The following Measure containing an amendment to the Charter shall be submitted to the electorate on November 3, 2026:

- a) The form of the ballot question for the Measure as it is to appear on the ballot is as follows:

COUNTY CHARTER AMENDMENT Shall the San Mateo County Charter be amended to add a provision to the Charter Preamble designating long-term resilience to extreme weather events as a County priority? YES _____ NO _____

- b) The Measure, if approved by voters, would amend the Charter Preamble to add a new paragraph to read as follows:

Preamble.

It shall be the policy of San Mateo County that long-term resilience against extreme weather events – including fire, flood, wind, rain, heat, drought, and sea level rise – is a County priority, to be undertaken collaboratively with cities, district, and other public entities.

SECTION 7. The following Measure containing an amendment to the Charter shall be submitted to the electorate on November 3, 2026:

- a) The form of the ballot question for the Measure as it is to appear on the ballot is as follows:

COUNTY CHARTER AMENDMENT Shall the San Mateo County Charter be amended to add a provision to the Charter Preamble affirming the County's commitment to the dignity, civil rights, and equal protection of all County residents? YES _____ NO _____
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- b) The Measure, if approved by voters, would amend the Charter Preamble to add a new paragraph to read as follows:

Preamble.

The County of San Mateo affirms its commitment to the dignity, civil rights, and equal protection of all County residents in a manner that promotes equity, fairness, inclusion, belonging, accessibility, and opportunity.

SECTION 8. The following Measure containing an amendment to the Charter shall be submitted to the electorate on November 3, 2026:

- a) The form of the ballot question for the Measure as it is to appear on the ballot is as follows:

COUNTY CHARTER AMENDMENT Shall the San Mateo County Charter be amended to extend the period in which the County Board of Supervisors is required to either call a special election or make an appointment in the event of a vacancy in an elected office other than the Board of Supervisors from 30 days to 60 days, and to require the Board to conduct at least one public meeting to receive public comment prior to any appointment? YES _____ NO _____
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- b) The Measure, if approved by voters, would amend and replace in its entirety the first paragraph of Section 415 of Article IV of the Charter, to read as follows:

415. Vacancies

The Board of Supervisors shall provide for public notice of vacancies on boards and commissions and of the method by which citizens may apply for appointments. If a vacancy occurs in an elective office other than the Board of Supervisors, the Board shall within 60 days of the effective date of the vacancy, either make an appointment or order the calling of a special election to fill the vacancy. In the event that the Board elects to make an appointment, the Board shall hold at least one noticed, public meeting for the purpose of receiving public comment regarding the appointment and qualifications of potential candidates. If the Board does not make an appointment or call a special election within 60 days, the county officer responsible for conducting county elections shall immediately order a special election to be called to fill the vacancy. The appointee shall hold office for the remainder of the term. For purposes of this section, the special election may be conducted as an all-mailed ballot election, at the discretion of the Board or the county officer responsible for conducting elections, as applicable.

SECTION 9. The following Measure containing an amendment to the Charter shall be submitted to the electorate on November 3, 2026:

- a) The form of the ballot question for the Measure as it is to appear on the ballot is as follows:

COUNTY CHARTER AMENDMENT

Shall the San Mateo County Charter be amended to require that supervisorial districts be reapportioned following each federal decennial census by an independent redistricting commission pursuant to applicable provisions of the California Elections Code?

YES _____

NO _____

- b) The Measure, if approved by voters, would amend and replace in its entirety Section 202 of Article II of the Charter, to read as follows:

202. *Election*

Supervisors are elected by district.

Candidates for the office of Supervisor shall be electors in the district which they seek to represent. If a Supervisor ceases to reside in that district, the seat becomes vacant.

Except as otherwise provided in this Charter, Supervisors shall be nominated and elected pursuant to general law for a term of four years.

Supervisors shall not be eligible for election to nor serve more than three consecutive terms in office.

Further, the Measure, if approved by voters, would add Section 201.1 to Article II of the Charter to read as follows:

202.1. *Independent Redistricting Commission*

The five supervisorial districts of the County shall be reapportioned in the manner specified in general law by an independent redistricting

commission, as defined in and governed by applicable provisions of the California Elections Code.

SECTION 10. Each Measure may be voted on separately without prejudice to the other Measures and each Measure will become effective only if submitted to the voters at the Countywide special election on November 3, 2026, and only after approval by a majority (i.e., 50% + 1) of the qualified voters voting in the special election. If a Measure passes, the Charter amendment proposed by the Measure will take effect as provided for in Government Code Sections 23713 and 23714.

SECTION 11. In the event that the amendment to the Charter contained in any Measure is rendered inoperative because of the actions of any court, legislative, or other body, or for any other reason, the provisions of the Charter in effect on November 3, 2026, as well as any other approved Measure not rendered inoperative, will remain in full force and effect.

SECTION 12. Pursuant to the provisions of Elections Code Section 9141 and Government Code section 25123, this Ordinance calling an election shall become effective immediately upon its adoption by this Board of Supervisors.

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