

RESOLUTION NO. 23-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA CALLING AND GIVING NOTICE FOR THE HOLDING OF A SPECIAL ELECTION ON TUESDAY, NOVEMBER 7, 2017 AND REQUESTING THE COUNTY CLERK TO CONSOLIDATE THE CITY'S SPECIAL ELECTION WITH THE NOVEMBER 7, 2017 CONSOLIDATED MUNICIPAL, SCHOOL AND SPECIAL DISTRICT ELECTION AND REQUESTING THE COUNTY OF SAN MATEO TO PROVIDE ELECTION SERVICES AND ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF PACIFICA A PROPOSED ORDINANCE ENTITLED PACIFICA COMMUNITY PRESERVATION, RENT STABILIZATION, AND RENTERS' RIGHTS ACT AT THE CONSOLIDATED MUNICIPAL, SCHOOL AND SPECIAL DISTRICT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2017

WHEREAS, the County of San Mateo will be conducting a Consolidated Municipal, School and Special District Election on November 7, 2017; and

WHEREAS, the City Council of the City of Pacifica desires to call a Special Election on Tuesday November 7, 2017 for the purposes of submitting to the qualified electors of the City of Pacifica a proposed Ordinance entitled Pacifica Community Preservation, Rent Stabilization, and Renters' Rights Act; and

WHEREAS, it is in the best interest of the City of Pacifica to consolidate the City's Special Election with the County election to be conducted on November 7, 2017; and

WHEREAS, pursuant to Elections Code Section 10002, the City Council of the City of Pacifica hereby requests the County Clerk of San Mateo County to provide election services to the City of Pacifica; and

WHEREAS, the City Council of the City of Pacifica hereby requests the consolidation of a special election for the purpose of submitting to the voters at the November 7, 2017 election a question relating to the adoption of an Ordinance entitled Pacifica Community Preservation, Rent Stabilization, and Renters' Rights Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFICA THAT:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Pacifica, California, on Tuesday, November 7, 2017 a Special Election for the purpose of submitting to the voters the following question:

<p>Shall the Ordinance entitled Pacifica Community Preservation, Rent Stabilization, and Renters' Rights Act which protects certain tenants of multi-family housing from excessive rent increases and no-fault evictions and ensures that Landlords receive a fair and reasonable rate of return on their investment, be adopted?</p>	YES
	NO

SECTION 2. The full text of the proposed measure submitted to the voters is attached as Exhibit A to this Resolution, which is incorporated herein as reference.

SECTION 3. That the City Clerk is hereby directed to transmit the Measure to the City Attorney and the City Attorney is directed to prepare an impartial analysis of the Measure in accordance with Elections Code section 9280 and to file that analysis no later than the deadline established by the San Mateo County elections official.

SECTION 4. That the full text of the Measure shall be printed in the voter information pamphlet.

SECTION 5. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 6. That the City Clerk is authorized, instructed, and directed to contract for the procurement and furnishing of any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 7. That pursuant to the requirements of section 10403 of the Elections Code, the Board of Supervisors of the County of San Mateo is hereby requested to consent and agree to the consolidation of the election for the Measure with the Consolidated Municipal, School and Special District Election to be held on Tuesday, November 7, 2017, for the purpose of submitting the Measure to the voters.

SECTION 8. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code section 10242, except as provided in section 14401 of the Elections Code of the State of California.

SECTION 9. The City Council of the City of Pacifica hereby requests the San Mateo County Board of Supervisors and Registrar of Voters to provide all services necessary to conduct the Election and to conduct and canvass the results of the election. The City will reimburse San Mateo County for the actual cost incurred in conducting the election when the work is completed and upon receipt of a bill stating the amount due as determined by the elections official.

SECTION 10. That the City Clerk is directed to forward without delay to the Board of Supervisors and the County Election Department, each a certified copy of this resolution.

SECTION 11. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 12. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time form and manner as required by law.

SECTION 13. That ballot arguments and rebuttals shall be filed in accordance with the following:

- A. That the primary arguments for and against this ballot measure shall be submitted to the City Clerk by 5:00 p.m. on the date established by the San Mateo County elections official for primary arguments.
- B. That rebuttal arguments shall be submitted to the City Clerk by 5:00 p.m. on the date established by the San Mateo County elections official for rebuttal arguments.
- C. That all arguments shall be filed with the City Clerk, signed, with printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

SECTION 14. That a statement shall be printed in the ballot pursuant to Elections Code Section 9223 advising voters that they may obtain a copy of the Measure, at no cost, upon request made to the City Clerk.

SECTION 15. That the City of Pacifica's election shall occur as normal on that date pursuant to the other provisions of the Elections Code.

BE IT FURTHER RESOLVED that the City of Pacifica shall separately send information regarding the specifics of its November 7, 2017 election to the San Mateo County Chief Elections Officer.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica on May 8, 2017 by the following vote:

AYES: Councilmembers: Martin, Digre, Keener, O'Neill

NOES: Councilmembers: Vaterlaus

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None

Mike O'Neill, Mayor

ATTEST:

Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney