RESOLUTION NO. 2018-059

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING BALLOT MEASURE TEXT RELATING TO THE TERM OF OFFICE FOR MAYOR TO BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, AS CALLED BY RESOLUTION NO. 2018-051

WHEREAS, the City Council desires to submit a question relating to the term of office for the elected mayor to the voters of the City at the General Municipal Election to be held on Tuesday, November 6, 2018, to be consolidated with any other election to be held on that date.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1. The City Council hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. As set forth in Resolution Nos. 2018-051 and 2018-052, adopted on June 12, 2018, the City Council of the City of Atascadero has ordered an election to be called and consolidated with any and all elections also called to be held on November 6, 2018, insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the City of Atascadero, and has requested that the Board of Supervisors of the County of San Luis Obispo order such consolidation under Elections Code Sections 10401 and 10403.

SECTION 3. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

<table>
<thead>
<tr>
<th>BALLOT MEASURE #</th>
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<tr>
<td>Shall an ordinance be adopted that changes the term of office for the mayor from a two-year term to a four-year term?</td>
<td>Yes No</td>
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SECTION 4. That the proposed complete text of the measure (ordinance) submitted to the voters is attached as Exhibit A

SECTION 5. That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

SECTION 6. 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 7. 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 8. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council held on the 26 day of June, 2018.

On motion by Council Member Sturtevant and seconded by Mayor Pro Tem Fonzi, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES: Council Members Moreno, Sturtevant, Mayor Pro Tem Fonzi and Mayor O’Malley
NOES: None
ABSENT: Council Member Bourbeau
ABSTAIN: None

CITY OF ATASCADERO

[Signature]
Tom O’Malley, Mayor

ATTEST:
[Signature]
Lori K. Christensen, City Clerk

APPROVED AS TO FORM:
[Signature]
Brian Pierik, City Attorney
EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING SECTION 2-14.02(b) “ELECTED POSITIONS” OF THE ATASCADERO MUNICIPAL CODE, CHANGING THE LENGTH OF THE MAYOR’S TERM OF OFFICE FROM A TWO-YEAR TO A FOUR-YEAR TERM.

The City Council hereby finds and declares as follows:

WHEREAS, the City Council of the City of Atascadero consists of four council members and a separately elected mayor; and

WHEREAS, Atascadero City Council Members are elected to a four-year term, while the Mayor is elected to a two-year term; and

WHEREAS, Government Code Section 34900 authorizes the City Council to submit to the voters the question of whether an elected mayor should serve a two-year or four-year term; and

WHEREAS, the Mayor serves on a number of countywide commissions and committees where longevity in service on these boards, as well as stability in representation by the same individual, ensures that the needs and expectations of the City of Atascadero are consistently voiced; and

WHEREAS, to promote stability and equality among all voting members of the City Council, and to ensure continuity of representation on countywide boards, the elected term of the Mayor should be increased from a two-year term to a four-year term, as of the November 2020 General Municipal Election.

THE PEOPLE OF THE CITY OF ATASCADERO DO ORDAIN AS FOLLOWS:

SECTION 1. Code Amendment. Section 2-14.02(b) of the Atascadero Municipal Code is hereby amended as follows:

2-14.02 Elected Positions

(b) The term of office of the Mayor, Councilmembers and the Treasurer shall be four (4) years.

SECTION 2. Approval by the Voters. Pursuant to California Elections Code §9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Atascadero voting at the General Municipal Election of November 6, 2018, and shall take effect ten (10) days after certification, by resolution of the City Council, of the results of that election. The new four-year term for Mayor begins with the 2020 General Municipal Election.
SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3)).

This Ordinance was PASSED, APPROVED, and ADOPTED by the People of the City of Atascadero at the City’s November 6, 2018 statewide election.

____________________________________
XXX, Mayor

ATTEST:

____________________________________
City Clerk

APPROVED AS TO FORM:

____________________________________
City Attorney