

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ADDING CHAPTER 2.32.010 GENERAL MUNICIPAL ELECTIONS

The City Council of the City of San Bruno **ORDAINS** as follows:

SECTION 1.

WHEREAS, Over the last several years, cities, school districts, and community college districts throughout the State of California have been changing from at-large to by district elections to comply with the California Voting Rights Act of 2001 (CVRA) and/or to avoid litigation regarding their compliance with the Act. During its March 10, 2020, meeting, the City Council adopted Resolution 2020-21, which expressed the City Council's "intent to transition from an at-large election system to a by-district election system for the City Councilmembers as authorized by Government Code section 34886 for use in the City's General Municipal Election for City Councilmembers commencing in November 2020 or November 2022." Five public hearings were held on September 28, 2021, October 19, 2021, January 25, 2022, February 22, 2022, and March 8, 2022, as well as two community workshops on November 1, 2021 and November 13, 2021.

WHEREAS, The City Council received public comment through the above-referenced process and the next step in the transition to effectuate the changes from at-large to by district elections is to introduce the attached ordinance. The district map selected by the City Council complies with all applicable law, including the provisions of the California Voting Rights Act, the Federal Voting Rights Act providing criteria for the establishment of City Council Districts; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff.

SECTION 2. San Bruno Municipal Code Chapter 2.32.010 – General Municipal Elections is hereby amended as follows, with insertions shown in underline format:

A. The two councilmembers elected in the November 2017 and in the November 2019 general municipal elections shall each serve for a term of three years, from the Tuesday succeeding their election and until their successors are elected and qualified in 2020 and 2022, respectively.

B. The mayor elected in the November 2017 general municipal election shall serve for a term of three years until a successor is elected and qualified in 2020.

C. The terms of councilmembers elected in November 2020 and 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. (Ord. 1856 § 2, 2017; Ord. 1391 § 1, 1981; Ord. 1349 § 1, 1980; prior code § 2-8.1)

D. City councilmembers will be elected on a by-district basis from the council districts described in subsection 1 below and depicted on the map attached to the ordinance codified in this section as Exhibit "A" and incorporated by this reference. To the extent there is a conflict between the map incorporated herein and the descriptions contained in subsection 1. below, the description will prevail. The Mayor will continue to be elected at large for a term of two years until otherwise changed in accordance with state law.

1. District Boundaries:

District 1

Starting at the intersection of Interstate 280 and the City's northern border; thence proceeding southerly along I-280 to Sneath Lane; thence proceeding westerly along Sneath Lane to Skyline Blvd; thence proceeding southerly along Skyline Blvd approximately 310 yards to where Skyline Blvd first adjoins the City's western border; thence proceeding counter-clockwise along the city border to the point of beginning.

District 2

Starting at the intersection of the City's northern border and El Camino Real, thence proceeding southerly along El Camino Real to Interstate 380; thence proceeding westerly along the southern portion of I-380 to Interstate 280; thence proceeding southerly along I-280 to Crestmoor Dr; thence proceeding easterly along Crestmoor Dr and continuing northeasterly along Crystal Springs Rd and its extension to the City's southern border; thence proceeding clockwise along the city border and continuing along Skyline Blvd to Sneath Lane; thence proceeding easterly along Sneath Lane to I-280; thence proceeding northerly along I-280 to the City's northern border; thence proceeding easterly along the City border to the point of beginning.

District 3

Starting at the intersection of the City's northern border and El Camino Real, thence proceeding southerly along El Camino Real to Interstate 380; thence proceeding westerly along the southern portion of I-380 to Interstate 280; thence proceeding southerly along I-280 to Crestmoor Dr; thence proceeding easterly along Crestmoor Dr and continuing easterly along Crystal Springs Rd and its extension to the City's southern border; thence proceeding counter-clockwise along the city border to El Camino Real; thence proceeding northerly along El Camino Real to San Bruno Ave; thence proceeding easterly along San Bruno Ave to Huntington Ave; thence proceeding northerly along Huntington Ave to I-380; thence proceeding easterly along I-380 to the Bay Area Rapid Transit (BART) rail line; thence proceeding northerly along the rail line to the City's northern border; thence proceeding counter-clockwise along the City border to the point of beginning.

District 4

Starting at the intersection of City's southern border and El Camino Real; thence proceeding northerly along El Camino Real to San Bruno Ave; thence proceeding easterly along San Bruno Ave to Huntington Ave; thence proceeding northerly along Huntington Ave to I-380; thence proceeding easterly along I-380 to the Bay Area Rapid Transit (BART) rail line; thence proceeding northerly along the rail line to the City's northern border; thence proceeding clockwise along the City border to the point of beginning.

SECTION 2. NO MANDATORY DUTY OF CARE. This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or parties within the city or outside of the city, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid or ineffective by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness 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 unconstitutional, invalid or ineffective.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect on the date of adoption per Government Code section 36937(a).

SECTION 4. PUBLICATION. The City Clerk is directed to cause publication of this Ordinance as required by law.

Exhibit A: District Map

Dated:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk
Melissa Thurman

City Attorney
Marc Zafferano

Rico E. Medina, Mayor

ATTEST:

Melissa Thurman, City Clerk

APPROVED AS TO FORM:

Marc Zafferano, City Attorney

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I hereby certify that foregoing **Ordinance No.**
was introduced at a regular meeting of the San Bruno City Council on
March 22, 2022 and adopted by the San Bruno City Council at a regular meeting on
March 22, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

RECUSED: Councilmembers:

ABSENT: Councilmembers:

Melissa Thurman, City Clerk