

**RESOLUTION NO. 2024 - 66**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO  
PLACING A MEASURE TO APPROVE THE ISSUANCE OF GENERAL OBLIGATION BONDS  
TO FINANCE MUNICIPAL IMPROVEMENTS CONSTITUTING PUBLIC INFRASTRUCTURE OF  
THE CITY ON THE NOVEMBER 5, 2024 BALLOT, REQUESTING CONSOLIDATION WITH THE  
STATEWIDE GENERAL ELECTION, AND SETTING PROCEDURAL DETAILS**

**WHEREAS**, the City of San Bruno (the "City") is a municipal corporation and general law city duly organized and existing under the Constitution and laws of the State of California; and

**WHEREAS**, the City Council is required by the California Constitution as well as other applicable provisions of California law to submit the proposal for bonded indebtedness to the voters for their consideration; and

**WHEREAS**, on July 9, 2024, the City Council adopted, by a two-thirds vote of all its members, Resolution No. 2024-59 determining the necessity to incur a bonded indebtedness to finance municipal improvement projects constituting public infrastructure of the City (the "Bonds"); and

**WHEREAS**, on the date hereof, the City Council adopted, by a two-thirds vote of all its members, AN ORDINANCE ORDERING THE SUBMISSION OF A PROPOSITION INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF SAN BRUNO AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY (the "Ordinance"), which orders the submission to the voters of a proposition authorizing the issuance of the Bonds to the voters of the City for their consideration; and

**WHEREAS**, under existing law, approval of the Bonds requires 2/3 of the voters in the City voting on the proposition to vote in favor; and

**WHEREAS**, Assembly Constitutional Amendment No. 1, as amended by Assembly Constitutional Amendment No. 10, has qualified for the November 5, 2024 Statewide ballot as "Proposition 5" and would, among other things, change existing law to authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements; and

**WHEREAS**, the foregoing amendments effectuated by Proposition 5, if approved at the November 5, 2024 Statewide ballot, would apply to any proposition authorizing general obligation bonds of a city that is submitted at the same election as Proposition 5; and

**WHEREAS**, the proposition to approve the Bonds complies with all the provisions of Proposition 5 so that, if Proposition 5 is approved on November 5, 2024, approval of the Bonds shall require 55% (not 2/3) of the voters in the City voting on the proposition to vote in favor; and

**WHEREAS**, if the ballot measure authorizing issuance of the Bonds is approved by the requisite number of affirmative votes, the City will be authorized to issue the Bonds.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of San Bruno as follows:

**SECTION 1:** Pursuant to its right, power and authority under the California Constitution and the laws of the State of California, the City Council on its own motion hereby orders submitted to the voters at an election to be held in the City on November 5, 2024, a ballot measure designated by letter by the San Mateo County Registrar of Voters authorizing the sale of general obligation bonds to finance the costs of municipal improvement projects constituting public infrastructure of the City described in the Ordinance, to appear on the ballot in substantially the following form:

Shall City of San Bruno measure be adopted to repair deteriorating storm-drains, preventing failure, flooding, water pollution/ sinkholes; repair potholes/ city streets; upgrade fire stations, improving emergency response, accommodate modern firefighting/ lifesaving emergency medical equipment, function during earthquakes/ natural disasters; authorizing \$102,000,000 in bonds, at a tax rate of 3¢ per \$100 of assessed value, while bonds are outstanding, initially generating \$3,300,000 annually, without funds for administrators/ cannot be taken by the State of California, with citizen oversight/ independent audits?	YES _____
	NO _____

**SECTION 2:** The full text of the proposed measure to be submitted to the voters is set forth in the Ordinance, and incorporated herein by reference as if set forth in full. The full text of the Ordinance shall be printed in the voter information guide. The proposed measure shall not take effect unless approved by (1) if Proposition 5 passes, a 55% vote of the City voters voting on the question or (2) if Proposition 5 does not pass, a 2/3rds vote of the City voters voting on the question.

**SECTION 3:** The City Council hereby finds that the estimates and projections contained in the measure and in the tax rate statement required by Section 9401 of the California Elections Code and prepared in connection with the measure, have been made based on currently available information, but depend on a number of variables which are subject to variation. Such estimates and projections have been made in good faith, and are not binding or intended to be limitations on the terms of the Bonds. The City Manager, or his designee, is hereby authorized to finalize and execute the tax rate statement, and to file the tax rate statement and any other documents required for the Bond measure with the San Mateo County Registrar of Voters.

**SECTION 4:** Pursuant to Section 10002 and 10403 of the California Elections Code, the City hereby requests that the Board of Supervisors of San Mateo County and the San Mateo County Registrar of Voters consolidate the City's general obligation bond measure with the Statewide general election to be held on November 5, 2024, and further requests the services of the San Mateo County Registrar of Voters in carrying out the election for the City's general obligation bond measure, including sending to the City's registered voters all required election materials, conducting the election, canvassing the vote received, and taking all steps necessary and required for the holding of this election within the City. The City Clerk of the City shall receive the canvass as it pertains to the election on the measure from the County, and shall certify the results to the City Council, as and to the extent required by law.

**SECTION 5:** The City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the California Elections Code. The location of the central counting place for the ballots to be cast at the election shall be as established by the Board of Supervisors of San Mateo County and/or the San Mateo County Registrar of Voters. The precincts, ballot drop box locations and hours of operations, vote center locations and hours of operations, vote-by-mail procedures and timing, and election officers, and all other persons and procedures for the election shall be the same as those utilized by San Mateo County.

**SECTION 6:** The City acknowledges that the compensation for election officers, polling place rental fees and any other fees or costs of the election shall be based on the rates set by the San Mateo County Board of Supervisors which are in effect at the time of the consolidated election, and the County shall be reimbursed by the City for such services as they are performed.

**SECTION 7:** The last day for filing direct arguments for or against the measure shall be August 13, 2024 at 5:00 p.m., and all such arguments shall be filed with the City of San Bruno City Clerk, 567 El Camino Real, San Bruno, CA 94066 and shall not exceed 300 words in length. Each argument shall be signed and include the 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. The arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk. Arguments received prior to the deadline shall be confidential until the deadline. The City Clerk, upon receipt of arguments and after the filing deadline, shall immediately transmit copies to any known opposing parties who may then submit rebuttals within the time period described below.

**SECTION 8:** The last day for filing rebuttal arguments for or against the measure shall be August 20, 2024 at 5:00 p.m., and all such arguments shall be filed with the City of San Bruno City Clerk, 567 El Camino Real, San Bruno, CA 94066 and shall not exceed 250 words in length. The rebuttal arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk. Arguments received prior to the deadline shall be confidential until the deadline.

**SECTION :** The City Council directs the City Clerk to submit to the City Attorney a copy of the measure, and the City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the measure on the existing law and operation of the measure. The impartial analysis shall be submitted by the City Attorney to the City Clerk on or before August 20, 2024 at 5:00 p.m., shall not exceed 500 words in length, and otherwise shall comply in all respects with the applicable provisions of the California Elections Code.

**SECTION :** Pursuant to Section 9295 of the California Elections Code, there shall be a 10-day public review period for the impartial analysis, arguments submitted for or against the measure, and rebuttal arguments. These time periods are established as follows: (a) with respect to arguments submitted for or against the measure, commencing on August 13, 2024 and closing on August 20, 2024, and (b) with respect to the impartial analysis and rebuttal arguments, commencing on August 20, 2024 and closing on August 30, 2024.

**SECTION :** The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

**SECTION :** In all particulars not recited in the Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION :** The City Clerk is directed to give notice of the election and synopsis of the City's general obligation bond measure in the time, form, and manner as required by law.

**SECTION :** The City Clerk is authorized to transmit a certified copy of this resolution to the San Mateo County Board of Supervisors and the San Mateo County Registrar of Voters.

**SECTION :** Each of the City Manager, the Administrative Services Director/CFO and the City Clerk are hereby authorized and directed to work with the appropriate officials of San Mateo County to carry out the purposes and intent of this Resolution, including preparing, signing, filing and/or revising any applicable documents, agreements, or other materials.

**SECTION:** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

**SECTION:** This Resolution shall take effect immediately upon its adoption.

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I hereby certify that foregoing **Resolution No. 2024 - 66**  
was introduced and adopted by the San Bruno City Council at a regular meeting on  
July 23, 2024, by the following vote:

AYES: Councilmembers: Alvarez, Hamilton, M. Medina, Salazar, Mayor R. Medina

NOES: Councilmembers: None

ABSENT: Councilmembers: None

  
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Lupita Huerta, City Clerk