

RESOLUTION NO. 2024 – 068

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD
ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN MUNICIPAL
OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF
CALIFORNIA RELATING TO GENERAL LAW CITIES; AUTHORIZING THE EXECUTION OF
A SERVICES AGREEMENT WITH THE COUNTY OF SAN MATEO FOR SPECIFIED
SERVICES RELATING TO CONDUCTING A GENERAL MUNICIPAL ELECTION TO BE
CONSOLIDATED WITH THE STATEWIDE ELECTION; AND SUBMITTING A MEASURE TO
THE VOTERS A QUESTION RELATING TO THE CITY TREASURER AS AN
APPOINTED POSITION.**

WHEREAS, under the provisions of the laws relating to General Law Cities in the State of California, a General Municipal Election shall be held on November 5, 2024 for the election of Municipal Officers; and

WHEREAS, the City Council also desires to submit to the voters at the election a question whether the City Treasurer should be made an appointed position.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Carlos, California, does declare, determine, and order as follows:

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 San Carlos, California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing two members of the City Council for the full term of four years and a City Treasurer for the full term of four years.

SECTION 2. Ballot Question. The City Council, pursuant to its right and authority as contained in California Elections Code section 9222 and Government Code section 36508, hereby does order submitted to the voters at the General Municipal Election the following question:

| | | |
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| SHALL THE OFFICE OF THE SAN CARLOS CITY TREASURER BE APPOINTIVE? | Yes | |
| | No | |

SECTION 3. Submission of Ballot Ordinance/Measure. That the proposed full text of the measure is attached hereto as Exhibit A to this Resolution and is incorporated by this reference as if fully set forth herein. The full text of the Ballot Measure shall be printed in the voter pamphlet, and a statement shall be printed in the ballot pursuant to Section 9223 of the Elections Code advising voters that they may obtain a copy of this ordinance, the Ballot Ordinance and/ or ballot measure, at no cost, upon request made to the City Clerk.

SECTION 4. Passing Vote. That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

SECTION 5. Impartial Analysis. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure, not exceeding 500 words, showing the effect of the measure on the existing law if passed by the voters. The submittal deadline for the Impartial Analysis is June 24, 2024, at 5:00 p.m

SECTION 6. Argument Submission. That the City Council authorizes the following member(s) of its body:

Vice Mayor McDowell and Councilmember Collins

to file a written argument in favor of the measure not exceeding 300 words regarding the City measure as specified above, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The argument shall be filed with the City Clerk, signed, with 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. Arguments shall be accompanied by the Form of Statement to be filed by author(s) of argument.

- A. Pursuant to Election Code Section 9286, the City Clerk has established August 13, 2024 at 5:00pm as the deadline for submission of arguments in favor of and arguments against the question.
- B. The arguments may be changed or withdrawn until and including August 13, 2024 at 5:00 pm after which no arguments for or against the City measure may be submitted to the City Clerk.
- C. If more than one argument for or against the question is submitted, the priorities set forth in Elections Code Section 9287 shall control.

SECTION 7. Provision for Rebuttal Arguments. The City Council hereby adopts the provisions of Elections Code Section 9285 allowing the filing of rebuttal arguments. The deadline for filing rebuttal arguments shall be August 23, 2024 at 5:00pm.

The Councilmembers designated above in Section 6 are also authorized to submit a rebuttal argument, which must be no more than 250 words long and may be written by the author of the argument, or the author may authorize, in writing, any other person to prepare, submit, or sign the rebuttal argument.

SECTION 8. Election Procedure and Request for Consolidation.

- A. The ballots to be used at the election shall be in the form and content as required by law.
- B. The City Clerk is authorized, instructed, and directed to coordinate with the County of San Mateo Registrar-Recorder to procure and furnish 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.
- C. That the vote centers 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 day when the vote centers shall be closed, pursuant to Election Code § 10242, except as provided in §§ 14212, 14401 of the Elections Code of the State of California.
- D. Candidates may submit optional Candidate Statements, up to 200 words, for printing in the official voter guide and mailed to all voters. Said Candidate Statements are required by law to be printed in English, Spanish, Chinese and Filipino at the candidate's expense.
- E. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding Municipal Elections.

- F. The City of San Carlos does hereby request the Board of Supervisors of the County of San Mateo to consolidate said election with any other election to be held on November 5, 2024 and render specified services to the City relating to the conduct of the election. The City Manager is hereby authorized and directed to enter into a services agreement with the County of San Mateo County Elections Official to provide Election Services to the City of San Carlos relating to the General Municipal Election.
- G. The Board of Supervisors of San Mateo County is requested to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the qualified electors of the City of San Carlos.
- H. 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 the time, form, and manner as required by law.

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

SECTION 10. Delivery of Resolution to County. That the City Clerk is hereby directed to file a certified copy of this Resolution with the San Mateo County Board of Supervisors and the San Mateo County Registrar of Voters.

* * * * *

I, City Clerk Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 10th day of June 2024, by the following vote:

AYES, COUNCILMEMBERS: MCDOWELL, COLLINS, VENKATESH, RAK, DUGAN


NOES, COUNCILMEMBERS: NONE

ABSENT, NONE



CITY CLERK of the City of San Carlos

APPROVED:



ORDINANCE NO. _____

**AN INITIATIVE ORDINANCE OF THE CITY OF SAN CARLOS
CHANGING THE OFFICE OF CITY TREASURER FROM AN
ELECTED OFFICE TO AN APPOINTED OFFICE.**

WHEREAS, General Law cities such as San Carlos are required to have an elected or appointed City Treasurer; and

WHEREAS, the only qualifications in State law for elected City Treasurers is that they must be at least 18 years old and registered voters of the City. The City is prohibited from establishing any other requirements; and

WHEREAS, in short, this position performs critical City functions that should require specialized education and experience to properly discharge these duties; and

WHEREAS, at it's June 10, 2024 meeting, the City Council adopted a Resolution submitting a question to the voters at the November 5, 2024 General Municipal Election relating to changing the City Treasurer to an appointed position.

NOW THEREFORE, THE PEOPLE OF THE CITY OF SAN CARLOS DO ORDAIN AS FOLLOWS:

SECTION 1. The office of the City Treasurer shall be changed from elective to appointive pursuant to California Government Code Section 36508.

SECTION 2. This Ordinance shall take effect as provided in §9217 of the Elections Code of the State of California.

SECTION 3. The City Clerk shall publish this Ordinance according to law.

SECTION 4. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 5, 2024, by signing where indicated below.

I hereby certify that the foregoing Ordinance was passed, approved and adopted by the People of the City of San Carlos on the 5th day of November, 2024.

Date: _____

MAYOR of the City of San Carlos

ATTEST:

CITY CLERK of the City of San Carlos