

RESOLUTION 24-68

**CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE
AMENDING RESOLUTION NO. 24-58 ORDERING THE SUBMISSION TO THE
QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO
TERM LIMITS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 5, 2024, AS CALLED BY RESOLUTION NO. 24-47 AND
SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A
CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN
IMPARTIAL ANALYSIS**

WHEREAS, a General Municipal Election on Tuesday, November 5, 2024 has been called by Resolution No. 24-47, adopted on June 11, 2024, and

WHEREAS, the City Council adopted Resolution No. 24-58 on July 9, 2024 to submit to the voters at the election a question to change the term limits from no more than two successive four-year terms to no more than four successive four-year terms; and

WHEREAS, the City Council has reconsidered its previous action and desires to amend Resolution No. 24-58 to have the ballot measure propose no more than three successive four-year terms;

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

SECTION 1. Ballot Question. The City Council, pursuant to its right and authority as contained in California Elections Code §9222 and Government Code §36502, hereby does order submitted to the voters at the General Municipal Election the following question:

Shall the City Council term limit ordinance be updated stating that no person shall be eligible to serve for more than three successive four-year terms be approved?	YES
	NO

SECTION 2. 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 Election Code §9223 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.

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SECTION 3. Passing Vote. That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

SECTION 4. Argument Submission. That the City Council authorizes the following members of its body:

Mayor Anders Fung and Councilmember Ann Schneider

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

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 August 20, 2024, at 5: 00 p.m.

SECTION 6. Provision for Rebuttal Arguments. The City Council hereby adopts the provision of Election Code §9285 allowing the filing of rebuttal arguments. The deadline for filing rebuttal arguments shall be August 23, 2024 at 5:00 p.m. The Councilmembers designated above in Section 4 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 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

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SECTION 8. 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 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 10. The City Clerk hereby is directed to transmit certified copies of this Resolution to the Board of Supervisors of the County of San Mateo, and to the Elections Official of the County of San Mateo, California.

REGULARLY PASSED AND ADOPTED this ^{23rd @} 9th day of July, 2024.

And

ATTEST:

[Redacted signature]

7/2024

Elaine Tran, City Clerk

[Redacted signature]

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 23rd day of July 2024, by the following vote:

AYES:	COUNCILMEMBERS:	Fung, Goodman, Cahalan, Papan, Schneider
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

 7/25/2024
CITY CLERK

ORDINANCE XXX

**CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**AN INITIATIVE ORDINANCE OF THE CITY OF MILLBRAE
AMENDING SECTION 2.05.050 OF THE MILLBRAE MUNICIPAL CODE
REGARDING TERM LIMITS FOR COUNCILMEMBERS**

**NOW THEREFORE, THE PEOPLE OF THE CITY OF MILLBRAE DO
ORDAIN AS FOLLOWS:**

SECTION 1. AMENDMENT OF THE MILLBRAE MUNICIPAL CODE.

Section 2.05.050 of the Millbrae Municipal Code, entitled "Term limits for councilmembers," hereby is amended to read in its entirety as set forth below.

2.05.050. Term limits for councilmembers.

No person shall be eligible to serve as a member of the City Council for more than three successive four-year terms. Any person appointed or elected to the City Council to fill an unexpired term shall be eligible to serve two successive four-year terms upon the expiration of the unexpired term for which that person was appointed or elected.

SECTION 2. EFFECTIVE DATE.

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

SECTION 3. PUBLICATION.

The City Clerk shall publish this Ordinance according to law.

SECTION 4. ATTESTATION.

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.

* * *

ORDINANCE XXX

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

Date

Mayor

ATTEST:

City Clerk