

RESOLUTION NO. 2018-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE, CALIFORNIA CALLING A SPECIAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 6, 2018, FOR SUBMISSION TO THE VOTERS OF A PROPOSED AMENDMENT TO THE CITY OF BRISBANE GENERAL PLAN CONCERNING THE BAYLANDS

WHEREAS, the City Council on July 19, 2018 approved GP-1-18, an amendment to Brisbane General Plan (“the General Plan Amendment”) concerning the Baylands, directed that the General Plan Amendment be submitted to the voters on November 6, 2018 and provided that the General Plan Amendment would not be effective unless and until it was approved by the voters ; and

WHEREAS, the City Council is authorized by State Elections Code, section 9222 to submit Council sponsored initiatives to the voters.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRISBANE, CALIFORNIA, AS FOLLOWS:

SECTION 1. ELECTION CALLED

Pursuant to State Elections Code, sections 1415, 9222 and 12001, the City Council of the City of Brisbane hereby calls a special municipal election, to be consolidated with the statewide general election on Tuesday, November 6, 2018, at which there shall be submitted for approval by the voters of the City of Brisbane a proposed General Plan Amendment described above concerning the Baylands

SECTION 2. SUBMISSION OF MEASURE TO THE VOTERS.

Pursuant to the State Elections Code, sections 9222, 10201, 10403 and 12001, the City Council hereby orders the measure proposing to amend the Brisbane General Plan to be submitted to the qualified voters of the City of Brisbane at the special City municipal election and statewide general election on November 6, 2018. The full text of the General Plan Amendment that shall be voted on is attached hereto as Exhibit A. The measure shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in California Elections Code, section 13116.

SECTION 3. BALLOT QUESTION

The City Council, pursuant to State Elections Code, sections 13119 and 10403, hereby orders that the abbreviated form of the measure as it shall appear on the ballot is as follows:

City of Brisbane Ballot Measure: Shall the Brisbane’s General Plan be amended to permit within the Baylands a range of 1800 to 2200 residences north of an extension of Main Street, and up to 7 million square feet of new commercial development, subject to these restrictions to protect Brisbane: land for housing must be certified safe for ground-level residential use; landfill must be permanently, safely capped; and development must

abide by Brisbane's Sustainability Framework principles and produce net positive City revenues?

SECTION 4. REQUEST TO CONSOLIDATE, CONDUCT ELECTION AND CANVASS RETURNS

The Board of Supervisors of the County of San Mateo is hereby requested to authorize the County Clerk/Registrar of Voters to render all services necessary and proper for the conduct of the special municipal election called by the Resolution. Pursuant to California Elections Code Section 10403, the City Council hereby requests that the San Mateo County Board of Supervisors consolidate that election with the election to be held on November 6, 2018, and order the special municipal election to be conducted by the Registrar of Voters. The San Mateo County Elections Department is authorized to canvass the returns of the special election.

The City Clerk's Office is authorized, instructed and directed to work with the County Elections Division as needed in order to properly and lawfully conduct the election. The ballots to be used in the election shall be in the form and content as required by law. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. REQUIRED VOTER APPROVAL AND EFFECTIVE DATE

If a majority of the voters voting upon the ballot measure vote in its favor, the proposed General Plan Amendment shall become valid and binding. The General Plan Amendment shall be considered as adopted on the date that the vote is declared by the City Council and shall go into effect on that date or such other date as may be specified by the City Council.

SECTION 6. PROCEDURE FOR ARGUMENTS AND REBUTTALS

Any individual voter who is eligible to vote on the measure or bona fide association of citizens or combination of voters and associations may submit a written argument For or Against the measure. Such argument, whether For or Against, shall not exceed 300 words and be accompanied by the printed name(s) and signature(s) of the person(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, in accordance with Article 4, Chapter 3, Division 9 of the Election Code of the State of California. Primary arguments For or Against the measure must be submitted to the City Clerk by August 16, 2018. The Rebuttal arguments must be submitted to the City Clerk by August 27, 2018 and shall not exceed 250 words.

SECTION 7. IMPARTIAL ANALYSIS

Pursuant to Elections Code Section 9280, the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, and directs the City Attorney to prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure. The analysis shall be printed preceding the arguments For and Against the measure. The analysis shall not exceed 500 words in length. The impartial analysis shall be filed by the date set by this resolution for the filing of primary arguments.

SECTION 8. FULL TEXT OF THE GENERAL PLAN AMENDMENT

The full text of the General Plan Amendment shall be printed in the Voter Information Pamphlet.

SECTION 9. CONDUCT OF ELECTION

The election on said ballot measure shall be consolidated with the statewide general election to be held on November 6, 2018 and shall be held and conducted in the manner prescribed by State Elections Code, section 10418.

SECTION 10. CEQA

On July 19, 2018, the City Council certified a Final Environmental Impact Report for the General Plan Amendment, adopted a Mitigation Monitoring and Reporting Plan and adopted a Statement of Overriding Considerations. Therefore, no additional environmental review is required to adopt this resolution.

SECTION 11. EFFECTIVE DATE

This Resolution shall become effective upon its adoption.

Clarke Conway, Mayor

I hereby certify that the foregoing Resolution No. 2018-63 was duly and regularly adopted at the meeting of the Brisbane City Council on July 19, 2018 by the following vote:

AYES:

NOES:

ABSENT: None

Ingrid Padilla, City Clerk