



EAST PALO ALTO CITY COUNCIL SPECIAL MEETING AGENDA

Thursday, March 5, 2026, 5:30 PM
EPA Government Center
2415 University Avenue, First Floor
East Palo Alto, CA 94303

NOTICE

This meeting will be held virtually and in-person at the Council Chambers located on 2415 University Ave, First Floor East Palo Alto, CA 94303. The virtual portion of this City Council meeting will be conducted in accordance with City of East Palo Alto Resolution adopted pursuant to Assembly Bill 361.

The public may participate in the City Council Meeting via Zoom Meeting or by attending in-person in the Council Chambers at 2415 University Ave, First Floor East Palo Alto, CA 94303. Community members may provide comments by emailing cityclerk@cityofepa.org, submitting a speaker card at the meeting, or using the **RAISE HAND** feature when the Mayor or City Clerk call for public comment. Emailed comments should include the specific agenda item on which you are commenting.

Please click this URL to join

<https://us06web.zoom.us/j/86890319253>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or

+ 1 346 248 7799 or

+ 1 253 215 8782 or

+ 1 312 626 6799 or

+ 1 929 205 6099 or

+ 1 301 715 8592

Webinar ID: 868 9031 9253

International numbers available: <https://zoom.us/u/aMWYF4KT>

1. **CALL TO ORDER AND ROLL CALL**

2. **APPROVAL OF THE AGENDA**

3. **POLICY AND ACTION**

3.1 **Discuss Ordering the Submission of a Measure on Term Limits for a Future Municipal Election**

Recommendation:

Discuss and consider the following regarding term limits:

1. Adopt a Resolution Ordering the Submission of a Measure on Term Limits at the June 2, 2026, Statewide Election and Setting Priorities for Filing Arguments For or Against the Ballot Measure; and
2. Appoint two members to write the argument for and rebuttal against the ballot measure.

4. **ADJOURNMENT**

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

This Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the City Council will be available for public inspection at the City Clerk's Office, 2415 University Avenue, East Palo Alto, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the East Palo Alto website www.cityofepa.org subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3100.

The City Council meeting packet may be reviewed by the public in the Library or the City Clerk's Office. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 24 hours prior to the meeting, shall be made available for public inspection at the front counter at the City Clerk's Office, 2ND Floor, City Hall, 2415 University Avenue, East Palo Alto, California 94303 during normal business hours. Information distributed to the Council at the Council meeting becomes part of the public record. A copy of written material, pictures, etc. should be provided for this purpose.

East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office at (650) 853-3127 no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

DECLARATION OF POSTING

This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website. Under penalty of perjury, this Agenda was posted to the public at least 24 hours prior to the meeting.

POSTED: March 4, 2026

ATTEST:

James Colin

City Clerk



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: March 5, 2026

TO: Honorable Mayor and Members of the City Council

VIA: John D. Lê, City Attorney, Melvin E. Gaines, City Manager

BY: James Colin, City Clerk

SUBJECT: Discuss Ordering the Submission of a Measure on Term Limits for a Future Municipal Election

Recommendation

Discuss and consider the following regarding term limits:

1. Adopt a Resolution Ordering the Submission of a Measure on Term Limits at the June 2, 2026, Statewide Election and Setting Priorities for Filing Arguments For or Against the Ballot Measure; and
2. Appoint two members to write the argument for and rebuttal against the ballot measure.

Alignment with City Council Strategic Plan

Priority: Governance, Organizational Strength, and Fiscal Sustainability

Background

The Fiscal Year 2025–2029 Strategic Priorities and FY 2025–27 Work Plan include Project GOV-2: Conduct Council Term Limit Policy Research. On February 24, 2026, the City Council received a presentation outlining the legal framework governing council term limits under state law, the procedural steps required to place a measure before the voters, and policy options for consideration. The Council directed staff to return with draft ballot language and a resolution calling an election in time to meet the June 2026 submission deadlines.

During that discussion, one proposal received general support: limiting Councilmembers to three consecutive four-year terms, requiring a minimum one-election-cycle break (two years) before an individual could run again. A partial term exceeding two years would count as a full term.

POLICY AND ACTION ITEM 3.1

Consistent with California Government Code section 36502, any measure must apply prospectively only; prior service cannot be retroactively counted.

On March 3, 2026, the Council considered whether to place the proposed measure on the June 2, 2026 ballot. The motion did not receive the required votes (Lincoln and Dinan in favor; Abrica and Romero opposed; Barragan absent).

Mayor Lincoln has called this Special Meeting to reconsider a June ballot initiative for term limits because the statutory deadline to submit a measure to the San Mateo County Elections Office for the June 2, 2026 election is Friday, June 6, 2026. If the Council wishes to place a term limits measure on the June 2026 ballot, it must adopt the ordinance and election resolution and authorize submission to the County no later than that date. Absent Council action, the measure cannot appear on the June 2026 ballot.

Alternatively, the Council may defer the measure to a future election, including November 2028, which, based on historical presidential election patterns, would likely produce the highest voter participation.

Accordingly, the Council must now determine whether to proceed with placement on the June 2, 2026 ballot by acting before the June 6 submission deadline, or postpone consideration to a later election cycle.

Analysis

Relevant Elections Background

As a general law city, the City of East Palo Alto is governed by state law, including Government Code section 36502. That statute authorizes a city council to propose, or voters to propose by initiative, a measure imposing term limits on councilmembers. Any such measure must be approved by a majority of voters and may apply only prospectively. Completed prior service cannot be retroactively counted as a term for purposes of a new limitation.

Term limits are commonly justified as a means of encouraging leadership rotation, broadening civic participation, and introducing new perspectives into policymaking. Across California, many cities and counties have adopted some form of limitation on consecutive or lifetime service. The State of California similarly imposes lifetime limits on members of the Legislature and statewide constitutional officers.

The Council has requested that staff return with draft ballot language and a proposed resolution calling an election, along with contextual information to support an informed policy decision.

Term Limits in San Mateo County

As the Council has yet to make a definitive decision on the nature of the term limits, staff has summarized San Mateo County term limits data presented February 24, 2026. You may review the February 24 Agenda Report for a full table.

POLICY AND ACTION ITEM 3.1

A 2024 survey conducted by the City of Brisbane found that only six cities in San Mateo County currently impose council term limits. Those approaches vary. Supervisors of the San Mateo County Board of Supervisors are also ineligible to serve more than three consecutive terms in office.

The Cities of Pacifica and Foster City limit councilmembers to two consecutive terms, although Foster City's ordinance permits additional service after a break in tenure. Millbrae, San Mateo, and San Bruno impose three consecutive term limits, with variations in how partial terms are counted. Redwood City allows up to four consecutive terms and excludes certain partial terms from the calculation. In addition, members of the San Mateo County Board of Supervisors are limited to three consecutive terms.

Most of these cities require a councilmember who reaches the maximum number of consecutive terms to sit out at least one election cycle before seeking office again. A smaller number of California cities impose lifetime limits rather than consecutive limits.

The proposal under discussion in East Palo Alto—three consecutive four-year terms with a required break and counting partial terms over two years as full terms—would align with the mid-range of existing county practice.

Proposed Measure for Discussion

Staff has taken a proposal furnished by Mayor Lincoln and supported by Councilmembers Barragan and Dinan as a starting point. First, staff provides the June 2026 election option to ensure the Council understands the relevant deadlines. Second, staff has included an ordinance and resolution for the Council's consideration and adoption (if that is the Council's desire).

The draft ordinance prepared based on Council input would limit Councilmembers to three consecutive four-year terms beginning after the measure's effective date. A Councilmember who completes three consecutive terms would be ineligible to run again until at least one intervening election cycle has passed. A partial term exceeding two years would count as a full term.

Because Government Code section 36502 requires prospective application, the measure would not count any term that began before its effective date. Accordingly, if voters approve the measure in June 2026 and the Council certifies the results in July 2026, the term limits would apply to terms commencing after certification.

One issue not addressed by the Council at the February 24, 2026 meeting was precisely when term limits would apply. The draft ordinance assumes that if the measure is adopted in June 2026, it would apply to individuals elected in the November 2026 election because their new terms would begin after the effective date. Conversely, if the Council delays submission of the measure until 2028 and voters approve it then, the limitation would apply to anyone elected in that 2028 cycle, as their terms would begin following voter approval. In either scenario, application is triggered by the start date of the term—not by prior service.

Costs of Term Limit Election

POLICY AND ACTION ITEM 3.1

On February 24, staff requested the County Elections Office provide cost information concerning both June and November elections. The County Elections Office has estimated that placing a single measure on the June 2, 2026 ballot would cost between approximately \$75,500 and \$90,600, depending on ballot length and related variables. Cost estimates for November 2026 range between \$63,000 to \$75,600.

Election	Jurisdiction	On the Ballot	Total Cost Low	\$/Registered Voters Low	Total Cost High	\$/Registered Voters High
Jun-26	City of East Palo Alto	1 measure (5 pages SBVIP)	\$75,500	\$6.30	\$90,600	\$7.55
Nov-26	City of East Palo Alto	1 measure (5 pages SBVIP)	\$63,000	\$5.36	\$75,600	\$6.43

Voter Turnout (East Palo Alto)

The County also provided links to obtain information concern voter turnout:

	March	June	November
2018		24.1% (GP)	56% (G)
2020	37.34% (PP)		72.51% (P)
2022		17.86% (GP)	35.57% (G)
2024	19.83% (PP)		56.81% (P)
2025	9.59% (S)		36.95% (S)
Averages	22.25%	20.98%	51.59%

GP = CA Gubernatorial Primary; G = CA Gubernatorial; PP = Presidential Primary; P = Presidential;
S = Special Election

In addition to cost, the more significant policy consideration is voter participation. Over the last five election cycles in East Palo Alto, November elections have consistently generated substantially higher turnout than March or June elections.

Average turnout in November elections between 2018 and 2025 was approximately 51.6 percent, with participation ranging from 35.6 percent in a gubernatorial year to more than 72 percent in a presidential year. By contrast, March and June elections during the same period averaged approximately 21–22 percent turnout. In non-presidential primary or special elections, turnout has fallen below 20 percent, and in March 2025 participation was 9.59 percent.

POLICY AND ACTION ITEM 3.1

On average, November elections in East Palo Alto have drawn more than double the participation of March or June elections. In certain cycles, the difference has been even more pronounced. This gap is not marginal; it reflects tens of percentage points and, in practical terms, thousands of additional voters.

If the Council places a term limits measure on the June 2026 ballot, historical patterns strongly indicate that the electorate will be significantly smaller than in a November general election. If the Council's objective is to maximize representational breadth and electoral legitimacy for a structural governance reform, a November election would statistically provide broader participation.

However, if the Council intends to place a different initiative on the November 2026 ballot, that election should be avoided for the term limits measure in order to prevent ballot congestion, competing campaign dynamics, or strategic conflicts between measures. In that circumstance, the June 2026 election offers an earlier decision point, albeit with materially lower turnout.

The Council could also defer this decision until November 2028, a Presidential election expected to have the highest level of participation. As mentioned above, term limits approved in November 2028 would apply to the three council seats elected in November 2028 as well as the two council seats elected in 2030.

Conclusion

The Council must weigh three primary considerations: legal structure, timing, and participation.

The proposed three-term consecutive limit is consistent with state law and comparable to several San Mateo County cities. Because the law requires prospective application, the measure would apply only to terms beginning after voter approval. A delay until 2028 would not defer application to future officeholders; rather, if approved in 2028, the limitation would apply immediately to those elected in that cycle.

From a participation standpoint, historical data demonstrates that a June election will likely result in substantially lower voter turnout than a November general election—often less than half. If maximizing voter engagement is paramount, a November election is structurally stronger. If the Council plans to advance another ballot initiative in November 2026, that election should be avoided for this measure, and June 2026 provides the clearest alternative within the current cycle.

Staff seeks Council direction regarding whether to proceed with the June 2, 2026 submission and associated resolutions.

POLICY AND ACTION ITEM 3.1

Fiscal Impact

The cost estimate for holding an election June of this year ranges from \$75,500 to \$90,600, whereas the cost of a November election ranges from \$63,000 to 75,600.

Public Notice

The public was provided notice by making the agenda and report available on the City's website and on a bulletin board located at City Hall: 2415 University Avenue, East Palo Alto.

Environmental

The action being considered does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline section 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

Government Code § 84308

Applicability of Levine Act: No, the proposed does not involve an entitlement.

Analysis of Levine Act Compliance: Not applicable.

Attachments

- 1. Timeline for June 2026 Election**
- 2. Resolution & Ordinance Regarding June 2, 2026 Term Limits Ballot Measure**

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO
CALLING AND ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF
THE CITY OF EAST PALO ALTO A MEASURE
TO AMEND THE MUNICIPAL CODE TO ESTABLISH TERM LIMITS FOR CITY
COUNCIL POSITIONS**

WHEREAS, at its duly noticed special meeting held on March 5, 2026, the City Council determined to submit a proposed measure regarding City Council term limits to the voters of the City pursuant to Elections Code Section 9222 and Government Code Section 36502; and

WHEREAS, in accordance with Elections Code Section 10002 and 10403, the San Mateo County Board of Supervisors is requested to consolidate the City of East Palo Alto Municipal Election with the Statewide General Election to be held June 2, 2026; and

WHEREAS, the City of East Palo Alto hereby requests that the San Mateo County Board of Supervisors permit the San Mateo County Registrar of Voters to perform services in connection with the consolidated election at the request of the City Clerk. These services are to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

WHEREAS, the City Council desires to submit this measure to be placed on the ballot at the consolidated Municipal Election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO THAT:

SECTION 1. Pursuant to Elections Code Section 10403, the City Council hereby calls an election to be consolidated with the Statewide Election on June 2, 2026, for the purpose of submitting the measure to a vote of the qualified voters of the City of East Palo Alto, and hereby requests the San Mateo County Board of Supervisors to consolidate this election with the Statewide General Election on June 2, 2026. The consolidated Municipal Election shall be held and conducted in the manner prescribed by Elections Code Section 10418.

SECTION 2. The City Council pursuant to its right and authority does order to be submitted to the voters at the General Municipal Election the following question:

<p>Shall the measure providing that no person shall be eligible to serve for more than three (3) consecutive full terms on the City Council be adopted, with service of partial terms exceeding two years qualifying as a full term?</p>	YES
	NO

SECTION 3. The full text of the proposed measure submitted to the voters is attached as Exhibit A to this Resolution, which is incorporated herein by this reference. To be effective, a majority of the City Council must vote to place the measure on the ballot and a majority of the voters voting on the measure must vote in the affirmative.

SECTION 4. The City Council hereby requests the San Mateo County Registrar of Voters to provide all services necessary to conduct the General Municipal Election and to canvass the results of the General Municipal Election. The City will reimburse San Mateo County for the actual cost incurred in conducting the election when the work is completed and upon receipt of a bill stating the amount due as determined by the elections official.

SECTION 5. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of the time and place of holding the election is given and the City Clerk is authorized and directed to give further or additional notice of the election as required by law. The hours during which the polling places shall be open shall be the hours established for the consolidated General Municipal Election.

SECTION 7. The City Clerk is hereby directed to do all things required by law to effectuate the consolidated General Municipal Election and to present the measure submitted herein to the electorate, including but not limited to required publications, postings, notices, and filings.

SECTION 8. Pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure to the existing law and the operation of the measure, and transmit the impartial analysis to the City Clerk within 15 days of the adoption of this Resolution.

SECTION 9. Arguments for and against, not to exceed 300 words in length, may be filed consistent with Election Code Section 9282 requirements. The City Council, or any members of the City Council authorized by the City Council, may file a direct argument for or against the measure and a rebuttal argument. Pursuant to Elections

Code Section 9285, the City Council hereby permits rebuttal arguments if arguments have been filed for or against the measure.

SECTION 10. The measure, impartial analysis, any arguments for and against, and any rebuttal arguments filed under the authority of the Elections Code shall be available for public examination in the City Clerk's office pursuant to Elections Code Section 9295 for 10 calendar days, a period that shall begin immediately following the last filing deadline for the submission of such materials.

SECTION 11. 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.

ADOPTED this March 5, 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

SIGNED:

Webster Lincoln, Mayor

ATTEST:

James Colin, City Clerk

APPROVED AS TO FORM:

John D. Lê

**ORDINANCE NO.
CITY OF EAST PALO ALTO, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**AN ORDINANCE OF THE CITY OF EAST PALO ALTO
ADDING ARTICLE IV TO CHAPTER 2.08 OF TITLE 2 OF THE EAST PALO ALTO
MUNICIPAL CODE REGARDING TERM LIMITS FOR COUNCILMEMBERS**

**NOW THEREFORE, THE PEOPLE OF THE CITY OF EAST PALO ALTO DO ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT OF THE EAST PALO ALTO MUNICIPAL CODE.

Article IV of Chapter 2.08 of Title 2 of the East Palo Alto Municipal Code is hereby added to read as follows:

Article IV – Term Limits

2.08.190 Term limits for councilmembers.

No person shall be eligible to serve as a member of the City Council for more than three consecutive four-year terms. If a person serves a partial term that exceeds two years, that partial term shall be considered a full term for purposes of this section. The section shall apply only to terms that begin after the effective date of this ordinance.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall take effect as provided in Section 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 June 5, 2026, by signing where indicated below.

* * *

I hereby certify that the foregoing Ordinance was passed, approved and adopted by the People of the City of East Palo Alto on the — day of June, 2026.

Date

Mayor

ATTEST:

City Clerk

EAST PALO ALTO INITIATIVE QUALIFICATION CALENDAR
INITIATIVE QUALIFICATION CALENDAR
June 2, 2026, Statewide Primary Election

DATE	STEPS	DESCRIPTION
February 24, 2026 ^{*i}	Adopt Resolution Ordering the Submission of a Measure at the June 2, 2026 Municipal Election	<p>The City may submit to the voters, via ordinance or resolution calling for a special election or proposition, a proposition for the enactment of any ordinance, to be voted upon at any succeeding regular city election, and if the submitted proposition receives a majority of the votes cast on it at the election, the ordinance shall be enacted accordingly.</p> <p style="text-align: center;">The election shall be held not less than 88 days after the date of the order of election.</p> <p style="text-align: center;">Elec. Code § 9222; Gov. Code § 36502</p>
March 3, 2026 ⁱⁱ	Last Day to Submit or Amend Measure at Regular City Council Meeting	<p>Last regular City Council meeting to submit or amend the ordinance to the voters before the 88-day deadline.</p> <p style="text-align: center;">Elec. Code § 9222</p>
March 17, 2026 [*]	Submission of Opening Arguments (If Election is Not Consolidated)	<p>Elections Code § 9286(a) specifies that the date for submitting opening arguments must be fixed 14 days from the date of the order of election.</p> <p>However, this provision does not apply if the election is consolidated with the statewide general election pursuant to Election Code § 10403, in which case Council either fixes the dates for submission of arguments or directs the Clerk to do so.</p> <p>(Because the City is likely to consolidate the June municipal election with the statewide election, the City Council will have discretion regarding the date for submission of arguments, so this date is included for illustrative purposes only.)</p> <p style="text-align: center;">Elec. Code §§ 9282, 9286</p>
March 6 – 27, 2026 ^{*iii}	Submission of Impartial Analysis	<p>The city attorney shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. The analysis shall be</p>

EAST PALO ALTO INITIATIVE QUALIFICATION CALENDAR
INITIATIVE QUALIFICATION CALENDAR
June 2, 2026, Statewide Primary Election

		printed preceding the arguments for and against the measure. The analysis shall not exceed 500 words in length. Elec. Code § 9281
March 6, 2026	Last Day for the Measure to be placed on the June 2026 Election	Last day for the City Council to place the measure on the ballot for the June 2, 2026, election (88 days before Election Day). Last day for the City Council to adopt a resolution requesting consolidation of election with statewide election (88 days before Election Day). Elec. Code §§ 9222, 10403
March 27, 2026*	Submission of Rebuttal Arguments	Last day for supporters and opponents to submit rebuttal arguments (10 days from submission of opening argument). Elec. Code § 9285
March 28 – April 6, 2026* ^{iv}	Public Inspection Period	Public inspection period during which petition for writ of mandate can be filed to challenge ballot materials. This 10-calendar day period runs immediately following the deadline for submission of ballot materials, the last day of which is the submission of rebuttal arguments. Elec. Code § 9295
June 2, 2026	Election Day	Election Day
July __, 2026*	Effective Date (if passed)	Measure goes into effect 10 days after the City Council certifies the vote. Elec. Code § 9217

ⁱ Dates marked with an asterisk (*) are approximate. This calendar is provided as a guideline; there are contingencies and unanticipated events that could alter the timeline.

ⁱⁱ This date assumes that the City Council will hold a meeting on this day.

ⁱⁱⁱ The submission is fixed by resolution, typically either 10 days from the order of election or the day that opening arguments are due to be submitted, but because the statute does not specify a deadline, the date could be fixed as late as the last day to submit rebuttal

EAST PALO ALTO INITIATIVE QUALIFICATION CALENDAR
INITIATIVE QUALIFICATION CALENDAR
June 2, 2026, Statewide Primary Election

arguments.

^{iv} It is important for the Clerk to coordinate with the County Registrar of Voters to ensure that the public inspection period is consistent with the Registrar's printing deadlines.