
Proposal to Amend Municipal Code to Increase Term Limits

CITY COUNCIL MEETING

SEPTEMBER 3, 2019





Summary

- **Section 2-8 of La Palma Municipal Code limits City Council terms of office:**
 - **No more than two consecutive terms (totaling 8 years)**
 - **After serving two consecutive terms, Council Members must wait four consecutive years before running again (“cooling off period”)**
- **August 20, 2019: City Council discussed options to amend term limits (three consecutive terms with a two-year cooling off period) and directed staff to return with documents necessary to place a measure on the upcoming March 3, 2020, election**



Summary

- **Section 2-8 of La Palma Municipal Code limits City Council terms of office:**
 - **No more than two consecutive terms (totaling 8 years)**
 - **After serving two consecutive terms, Council Members must wait four consecutive years before running again (“cooling off period”)**
- **August 20, 2019: City Council discussed options to amend term limits (three consecutive terms with a two-year cooling off period) and directed staff to return with documents necessary to place a measure on the upcoming March 3, 2020, election**



Background

- **March 3, 2020 Election Deadlines:**
 - **Last day for citizens to file petitions regarding ballot measures – September 13**
 - **Last day for City Council to call an election for ballot measures – December 6**
 - **Last day for City Council to withdraw ballot measures – December 11**
- **If Council defers decision tonight, it is recommended a decision be made by the November 19th City Council meeting**



Background

- **In 1995, Governor Wilson signed SB 2 authorizing city council term limits, either by ordinance or initiative, both of which require majority vote of the electorate**
- **In 1996, La Palma residents passed Measure O by nearly 80%, which reinstated two consecutive term limits for Council Members**



Analysis – Term Limits

➤ **Staff surveyed all 34 Orange County cities and found 25 had some kind of term limits**

Anaheim	Huntington Beach	Newport Beach
Buena Park	Irvine	Orange
Costa Mesa	La Palma	Placentia
Cypress	Laguna Hills	Santa Ana
Dana Point	Laguna Niguel	Seal Beach
Fountain Valley	Lake Forest	Stanton
Fullerton	Los Alamitos	Tustin
Garden Grove	Mission Viejo	Villa Park
		Yorba Linda



Analysis – Cooling Off Period

- **Cooling off period = time out of office before being eligible to run again**
- **La Palma Municipal Code states that after serving two consecutive terms that Council Members must wait four consecutive years before running for City Council again**



Analysis – Cooling Off Period

➤ **After surveying 25 Orange County cities with term limits, staff found 20 have a cooling off period**

Anaheim	Huntington Beach	Newport Beach
Buena Park	Irvine	Orange
Costa Mesa	La Palma	Placentia
Cypress	Laguna Hills	Santa Ana
Dana Point	Laguna Niguel	Seal Beach
Fountain Valley	Lake Forest	Stanton
Fullerton	Los Alamitos	Tustin
Garden Grove	Mission Viejo	Villa Park
		Yorba Linda



Analysis – Arguments & Argument Rebuttals

- **If City Council passes Resolution tonight, there are two options regarding arguments in favor:**
 - 1. Council can choose to set a Special Meeting between September 9 and September 12 to approve authors and signors for argument in favor**
 - 2. Council can appoint an Ad Hoc Committee to draft the argument and rebuttal, if necessary, and to sign & solicit signors**
- **City Council gets first priority to sign argument in favor as they are the originators of the measure**



Analysis – Arguments & Argument Rebuttals

- **City Attorney will prepare impartial analysis**
- **If multiple arguments are received, the City Clerk determines which argument is published**
- **Deadlines for arguments and rebuttals are set by the Election Code or recommended by the County Registrar’s Office**
 - **7 to 14 day deadline for arguments (September 17, 2019)**
 - **10 day review period of arguments**
 - **Rebuttal arguments filed within 10-day review period (September 26, 2019 deadline)**



Fiscal Impact

- **One-time costs associated with the election of approximately \$49,000**
 - Election costs: \$37,000
 - Legal fees: \$12,000



Recommendation

➤ It is recommended that the City Council:

- 1. Adopt a Resolution proposing and submitting to the voters at the Municipal Election on March 3, 2020, a proposal to amend Municipal Code Section 2-8 to increase the term limits applicable to the Offices of the Members of the City Council from two to three consecutive terms and to decrease the cooling off period from four to two years**
- 2. Direct the City Attorney to prepare an impartial analysis**
- 3. Authorize and set deadlines for the filing of arguments for or against the ballot measure**



Questions/Discussion
