



## Legislation Details (With Text)

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**File created:** 7/7/2020      **In control:** City Council

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**Title:** City Council consideration of Resolutions Placing a Ballot Measure on the November 3, 2020 General Municipal Election Ballot to Establish Term Limits for City Council Members.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Resolution No. 2020-090 (Ord. No. 3317 Attached), 3. Resolution No. 2020-091, 4. Resolution No. 2020-092

Date	Ver.	Action By	Action	Result
7/15/2020	1	City Council	approved	Pass

### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 07/15/2020

**TO:** Honorable Mayor and City Council Members

**FROM:** Management Services  
Legal & Risk Management

**SUBJECT:**  
City Council consideration of Resolutions Placing a Ballot Measure on the November 3, 2020 General Municipal Election Ballot to Establish Term Limits for City Council Members.

### **RECOMMENDED ACTION: That the:**

- a. City Council, consistent with its direction at the June 17, 2020 City Council meeting, review and consider adoption of Resolution No. 2020-090 calling for the placement of a measure on the November 3, 2020 general municipal election ballot to establish a lifetime limit of three terms for City Council Members;
- b. City Council, consistent with its direction at the June 17, 2020 City Council meeting, review

and consider adoption of Resolution No. 2020-091 setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed term limits measure; and

- c. City Council, consistent with its direction at the June 17, 2020 City Council meeting, review and consider adoption of Resolution No. 2020-092 requesting the County of Riverside to consolidate this election with the Statewide General Election also to be held on November 3, 2020.

### **ANALYSIS:**

Government Code Section 36502(b) provides that the City may prospectively establish by ordinance term limits for City Council Members, only if such ordinance is submitted to the electors of the City at a regularly scheduled election and a majority of the votes cast are in favor of the ordinance. The possibility of establishing a term limits ordinance for Corona elected officials was raised by some members of the public, and Vice Mayor Casillas requested the creation of an Ad Hoc Committee to discuss whether and to what extent such an ordinance should be drafted and placed on the November 2020 ballot.

The Ad Hoc Committee, made up of Vice Mayor Casillas and Council Member Scott, presented recommendations to the City Council at its meeting of June 17, 2020. Following discussions, a majority of the City Council directed staff to prepare documents for the Council's consideration which would be necessary to place a local measure on the November 2020 ballot to establish a lifetime limit of three (3) terms for City Council Members.

Please note that while the discussion documents presented at the June 17, 2020 City Council meeting also contemplated the possibility of term limits for the office of City Treasurer, the City Attorney has since come to the conclusion that a general law City does not have the legal authority to impose terms limits on its elected City Treasurer. Government Code Section 36502(b) applies only to the office of City Council Member and there is no similar statutory authority for the office of City Treasurer. Accordingly, the attached documents address term limits only for the office of City Council Member.

Resolution No. 2020-090 is the principal resolution which calls the election and places the term limits measure on the November 3, 2020 ballot. It contains the language of the proposed measure (and adopting ordinance) to be submitted to the voters and, among other things, directs the City Attorney to prepare an impartial analysis of the measure pursuant to California Code Section 9280.

Resolutions Nos. 2020-091 and 2020-092 are largely boilerplate resolutions to help set up the election on the measure. Resolution No. 2020-091 sets deadlines and rules for how and when interested persons may submit arguments for or against the proposed term limits measure. Resolution No. 2020-092 consolidates the City's term limits measure with the November Statewide General Election on November 3, 2020, effectively allowing the Riverside County Registrar of Voters to conduct the election on the City's behalf.

If the City Council wishes to place the proposed measure on the November ballot, the deadline to do so is eighty-eight (88) calendar days before the election (approximately August 7, 2020).

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The estimate provided by the County to the City Clerk for placing the measure on this November's ballot is between \$75,000 to \$85,000.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt under the California Environmental Quality Act ("CEQA") Guidelines Section 15378(b)(5), which states that a project is exempt from CEQA if the activity relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of CEQA. The recommended action simply would place a proposed term limits measure on the November ballot, and there is no possibility that this action will have a significant effect on the environment. Therefore, no further environmental analysis is required.

**PREPARED BY:** DEAN DERLETH, CITY ATTORNEY/LRM DIRECTOR

**REVIEWED BY:** ROGER BRADLEY, ASSISTANT CITY MANAGER

**SUBMITTED BY:** JACOB ELLIS, CITY MANAGER

**Attachments:**

1. Resolution No. 2020-090: Calling for the placement of a term limits measure on the November 3, 2020 general municipal election ballot (Ordinance No. 3317 Attached as Exhibit "A").
2. Resolution No. 2020-091: Setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed term limits measure.
3. Resolution No. 2020-092: Requesting the County of Riverside to consolidate this election with the statewide general election also to be held on November 3, 2020.