

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Randi Johl, Director of Legislative Affairs/City Clerk

DATE: February 14, 2023

SUBJECT: Consider Term Limits for City Council Members (At the Request of Council Member Kalfus)

PREPARED BY: Randi Johl, Director of Legislative Affairs/City Clerk

RECOMMENDATION: That the City Council consider term limits for City Council Members and provide general direction regarding the same.

BACKGROUND: At the January 24, 2023 meeting, the City Council unanimously approved the placement of the subject of term limits on a future agenda at the request of Council Member Kalfus.

California Government Code

Government Code Section 36502 (b) specifically states that *“Notwithstanding any other provision of law, the city council of a general law or charter city may adopt, or the residents of the city may propose, by initiative, a proposal to limit or repeal a limit on the number of terms a member of the city council may serve on the city council, or the number of terms an elected mayor may serve. Any proposal to limit the number of terms a member of the city council may serve on the city council, or the number of terms an elected mayor may serve, shall apply prospectively only and shall not become operative unless it is submitted to the electors of the city at a regularly scheduled election and a majority of the votes cast on the question favor the adoption of the proposal.”*

State Term Limits

In 1990, voters in California imposed term limits on the state legislature. Senators could not serve more than two four-year terms (total of eight years) and assembly members could not serve more than three two-year terms (total of six years). In 2012, voters modified these limits to allow legislators to serve a total of 12 years in either chamber. Other State offices are limited to two four-year terms (i.e., Governor, Lieutenant Governor, Secretary of State, Attorney General). https://ballotpedia.org/California_State_Legislature

County Term Limits

With respect to term limits for board of supervisors in California, 7 of the 58 counties (12%) limit the terms of county supervisors. In Los Angeles, Santa Clara, and San Mateo counties, supervisors are limited to three four-year terms. In El Dorado, Orange, San Francisco, and San Joaquin counties, supervisors are limited to two four-year terms.

https://ballotpedia.org/Term_limits_in_California

City Term Limits

Aggregated data on term limits for cities in the State of California and/or County of Riverside is not readily available. As such, staff aggregated current data on Riverside County cities from scratch polling the cities via email and/or telephone to verify the information. The information was also cross-checked with each cities' municipal code to ensure accuracy. It is important to note that the information included references only those cities that have term limits for their City Council members collectively (i.e., does not include cities with term limits for boards and commissions and/or for directly elected mayor only). The preliminary information regarding term limits for council members for Riverside County cities is as follows:

CITY:	TERM LIMITS?	DETAILS:	MUNICIPAL CODE SECTION:
Banning	N		
Beaumont	N		
Blythe	N		
Calimesa	N		
Canyon Lake	N		
Cathedral City	N		
Coachella	N		
Corona	Y	3 Term Limit (Lifetime)	2.08.180
Desert Hot Springs	N		
Eastvale	N		
Hemet	Y	3 Term Limit (Lifetime)	Article II, Sec 2-37
Indian Wells	Y	2 Term Limit (Lifetime)	2.08.045
Indio	N		
Jurupa Valley	N		
Lake Elsinore	N		
La Quinta	N		
Menifee	Y	2 Successive Term Limit (2 Year Break)	2.04.080
Moreno Valley	Y	3 Successive Term Limit (2 Year Break)	2.04.025
Murrieta	Y	2 Consecutive Term Limit (4 Year Break)	1.20.020
Norco	N		
Palm Desert	N		
Palm Springs	N		
Perris	Y	3 Term Limit (Lifetime)	2.05.010
Rancho Mirage	N		
Riverside	N		
San Jacinto	N		
Temecula	N		
Wildomar	N		

ADDITIONAL DETAILS

Corona: "Pursuant to Government Code § 36502(b), term limits are imposed upon persons serving on the City Council as follows: (A) As further provided in section (B) below, no person shall be eligible for nomination and/or election to more than three (3) terms of office as a City Council Member, whether by election or appointment and whether served consecutively or not.

(B) As used herein, a term of office shall include any term as City Council Member which commences on or after November 3, 2020, whether by election or appointment, and which lasts for two (2) years and one (1) day or more. Notwithstanding the foregoing, any person who resigns their office as a City Council Member shall be deemed to have served a full term of office regardless of when during their term of office their resignation becomes effective.”

Hemet: “During their lifetime no person shall serve, whether by means of election or appointment, more than three terms of office as a city councilmember, as the treasurer, or as any other elected city official. This term limit shall be applied separately to each different type of elected office held.”

Indian Wells: “No person shall be eligible for nomination and/or election to the office of Member of the City Council for more than two (2) four (4) year terms during his or her lifetime, including, without limitation, terms to which the person was nominated and appointed to office by the City Council in lieu of a General Municipal Election pursuant to California Elections Code Section 10229.”

Menifee: “Any person who has served two successive terms or eight consecutive years as a councilmember shall be ineligible to serve again in that office until an intervening period of two years has elapsed.”

Moreno Valley: “Any person who shall have served three successive terms as a member of the city council shall be ineligible to serve again in the office until an intervening period of two years has elapsed.”

Murrieta: “In order to broaden the opportunities for public service and to assure that elected officials of government are responsive to the citizens of the government, no elected official of the City of Murrieta or any other political subdivision of the City of Murrieta shall serve more than two (2) consecutive terms in office.”

Perris: “No person shall be elected or appointed to more than three terms as an elected official in the City of Perris. For the purposes of calculating the number of terms in the limitation on terms of office, the terms served by a person elected or appointed to one elected office in the City of Perris shall not be aggregated with terms served by that person in another elected office in the City of Perris. For example, a single person may serve three terms as mayor, three terms as a city council member, and three terms as city clerk.”

SUMMARY

As of January 31, 2023, 7 out of 28 cities (25%) in Riverside County have adopted some form of term limits for City Council members collectively. The method by which the term limits came to be in each city varies and could include measures initiated by both residents and council members.

Should the City Council wish to pursue term limits, the questions to be considered are as follows:

- (1) Does the City Council wish to place term limits for elected officials on the local ballot?
- (2) If yes, what number of terms would be the limit? Would the limit be lifetime?

Depending upon the direction of the City Council, staff will either return with a proposed ordinance for placement on the ballot, table the matter until such time that a future City Council wishes to discuss the item further, or follow other direction provided by the Council as needed.

FISCAL IMPACT: None

ATTACHMENTS: None