

ORDINANCE NO. 2022-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADDING ARTICLE 2, SECTION 2-25 TO CHAPTER 2 OF THE ESCONDIDO MUNICIPAL CODE TO ESTABLISH TERM LIMITS FOR THE MAYOR AND CITY COUNCILMEMBER OFFICES

WHEREAS, in Community Opinion Survey Summary Report, prepared for the City of Escondido and published on December 31, 2021, approximately two-thirds (68%) of Escondido residents favored limiting City Councilmembers to two consecutive four-year terms, twenty-two percent (22%) preferred no term limits, and 10% were unsure or unwilling to answer the question; and

WHEREAS, California Government Code section 36502(a) authorizes the city council of a general law city to adopt, by initiative, a 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; and

WHEREAS, California Government Code section 36502(b) holds that 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; and

WHEREAS, at a duly noticed meeting held on May 25, 2022, the City Council directed the City Attorney to prepare a ballot measure for voter approval to establish term limits for the Mayor and City Councilmembers of the City of Escondido.

NOW, THEREFORE, subject to approval by an affirmative, simple majority vote of the people as required by law, THE PEOPLE OF THE CITY OF ESCONDIDO, CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. The Escondido Municipal Code is revised to add Chapter 2 - Administration, Article 2 - City Council, Section 2-25 – Term Limits, as set forth below:

CHAPTER 2, ARTICLE 2, SECTION 2-25

Term limits.

(a) No person shall serve more than two terms as the mayor whether consecutive or not. This term limit applies to appointed terms and elected terms. A partial term of two years or more in that office shall count as one term. A partial term of less than two years in that office shall not count as one term.

(b) No person shall serve more than three terms as a councilmember, regardless of the district represented, whether consecutive or not. This term limit applies to appointed terms and elected terms. A partial term of two years or more in that office shall count as one term. A partial term of less than two years in that office shall not count as one term.

SECTION 2. ENVIRONMENTAL ANALYSIS. This Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code sections 2100, *et. seq.*, "CEQA") and CEQA Regulations (14 California Code of Regulations sections 1500, *et. seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not have any commitment to a specific project which could result in a potentially significant physical impact on the environment; and, constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Ordinance does not constitute a "project" that requires environmental review (14 CCR section 15378(b)(4-5)).

SECTION 3. INCONSISTENT PROVISIONS. Any provisions of the Escondido Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 4. This Ordinance shall take effect immediately, upon approval by a simple majority of the voters, voting on the question at the November 8, 2022 election.