



City Council Agenda Report

Meeting Date: February 11, 2025

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Approved By: Gabe Engeland

Subject: City Council Term Limit Considerations

COUNCIL PRIORITY AREA

- ☐ Business Communities
- ☐ Circulation Safety and Efficiency
- ☐ Environmental Sustainability
- ☐ Housing
- ☐ Neighborhood Safety Infrastructure
- ☒ General Government

RECOMMENDATION

Provide direction on City Council Term Limits.

FISCAL IMPACT

No fiscal impact has been incurred in the preparation of this agenda item. If a ballot initiative were to be placed on a ballot during a future election additional cost will be incurred by the City.

ENVIRONMENTAL REVIEW

This action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 and 15061(b)(3) as it pertains to organizational structure change that will not result in any direct or indirect physical change in the environment.

PREVIOUS COUNCIL CONSIDERATION

- On October 22, 2024, the City Council requested future agenda items for discussion regarding City Council term limits, and consideration of becoming a Charter City.
- On January 14, 2024, the City Council discussed consideration of a Charter City and Term Limits of the City Council. Consideration of Term Limits was directed to come back for further discussion.

BACKGROUND

The Los Altos Municipal Code (LAMC) of the City of Los Altos (“City”) limits Councilmembers from serving more than two consecutive terms. However, the LAMC does not prohibit a City Councilmember from taking a “break in service” and then being elected to the Council if he or she desires. This is supported by Measure G, adopted by the voters on November 2, 1999, as well as prior City ordinances.

Voter Approved 1999 – Measure G. On November 2, 1999, Measure G was adopted by the voters and approved Ordinance No. 99-370 (Attachment #2). Ordinance No. 99-370 was adopted on June 8, 1999. It was to apply to persons elected to the City Council or appointed thereto on November 2, 1999, and thereafter, “provided that a majority of the voters voting in said election pass and adopt the proposition approving the above ordinance.” Measure G complied with state law that allowed the City Council to enact an ordinance restricting the number of terms a person may serve on the City Council.

Existing Los Altos Municipal Code

2.04.020 - Limitation of terms for councilmembers.

*No person shall serve more than two consecutive terms on the Los Altos city council, plus the completion of any unexpired term to which such person was elected or appointed. [Emphasis added] *Prior code § 2-2.02, renumbered as § 2.04.020.*

Additional information regarding the existing provisions of term limits is discussed in the September 25, 2012, Agenda Item – City Council Term Limits (Attachment #1).

ANALYSIS

The City of Los Altos does currently have limitation of terms for councilmembers pursuant to section 2.04.020 of the Los Altos Municipal Code, as approved Voter Approved 1999 – Measure G. The existing provisions regarding term limits however only limit a maximum of two consecutive terms, not a cumulative maximum of two terms (Attachment #1).

The City Council may consider changing the terms for Council members. However, if an initiative is adopted by the Council, or adopted by the voters, it can be repealed or amended only by the voters, unless the ballot language provides otherwise. Govt. Code § 9217; Mobilepark W. Homeowners Ass’n v. Escondido Mobilepark W. (1995) 35Cal.App.4th 32.

DISCUSSION

If the Council wishes to proceed with a ballot measure changing the Council Term Limits, it will apply prospectively. Govt. Code § 36502. The Council may wish to explore the following options:

- Adopt a ballot measure repealing Term Council Limits (Repeal Measure G)
- Adopt a ballot measure repealing Term Limits (Measure G) and prohibiting any person from serving on the Los Altos City Council:
 - For no more than two terms, or no more than eight consecutive years total.
 - For no more than two terms and any time serving as unexpired term.
 - Or some combination of the above examples or other limitation not listed here.

A ballot measure to repeal or modify the existing term limit provisions could be considered at the 2025 or 2026 election.

ATTACHMENTS

- 1. September 25, 2012, Agenda Item – City Council Term Limits
Ordinance No. 99-37**