City of San Leandro

Meeting Date: June 6, 2016

Staff Report

File Number:	16-290	**Agenda Section:**	PRESENTATIONS
		Agenda Number:	3.C.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Jeff Kay
Acting Assistant City Manager

FINANCE REVIEW: Not Applicable

TITLE: Staff Report for Potential Charter Amendment to Increase Councilmember
Term Limits, on the November 8, 2016 Ballot

ATTACHMENT

- Memorandum dated May 23, 2016 to Mayor and City Council

PREPARED BY: Tamika Greenwood, City Clerk, City Manager's Office

Memorandum

TO: **MAYOR AND CITY COUNCIL**   FROM: **Tamika Greenwood**
                                                                  City Clerk

SUBJECT: **Potential Charter Amendment to**   DATE: **May 23, 2016**
              increase councilmember term limits,
              on the November 8, 2016 ballot

At the May 16, 2016 City Council meeting, the City Council approved a request for additional information on the possibility of a charter amendment to increase councilmember term limits. Specifically, Council requested the following information: 1) potential costs to add an additional measure on the November 8, 2016 ballot, and 2) Councilmember term limits in neighboring cities.

Elections Code Section 9255 provides in relevant part, "A proposal by the governing body to amend the City Charter shall be submitted to the voters at an established statewide general election provided there are at least 88 days before the election."

To place a charter amendment on the November ballot, Council would need to approve a resolution establishing November 8, 2016 as the election date for the proposed charter amendment. Once the resolution is approved, the City Attorney must prepare an impartial analysis of the measure showing the effect of the measure on existing law.

After Council approval, the proposed charter amendment and impartial analysis would be submitted to the Registrar of Voters (ROV) for inclusion on the November 8, 2016 ballot.

APPLICABLE DEADLINES

The timeline below outlines the process for the City Council to approve a ballot measure:

Ballot Measure Deadlines	
Action	**November 8, 2016 Election Deadlines**
Last scheduled City Council meeting prior to the 88th day deadline	July 18, 2016
Possible special City Council meeting prior to the 88th day before the election (currently a Work Session)	July 25, 2016
88th day before election	August 12, 2016

Key action items to consider in placing a measure on the ballot not only include drafting the charter amendment language but also allowing sufficient time for the City Attorney to draft an impartial analysis as required by the Elections Code. Typically a City Attorney is allowed approximately 30 days to prepare an impartial analysis given work load, priorities and other outstanding deadlines. Currently, July 18, 2016 is the last scheduled regular Council meeting prior to the 88th day submission deadline for the November election. July 25, 2016 is currently scheduled for a Work Session, however, if necessary, Council can call a Special Meeting and

Work session on that date and approve a resolution to add the Term Limit charter amendment to the November ballot.

Due to the limited timeframe necessary to complete key tasks before the July 18, 2016 meeting, Council would need to provide direction to the City Manager as soon as possible if it elects to move forward with this proposal this year.

COST OF ADDING A BALLOT MEASURE

Election costs for ballot measures largely depend on the length of the measure. In 2014, the City sponsored two measures. Measure HH (7 pages) cost approximately $11,180 and Measure II (3 pages) cost approximately $4,800. Currently there are potentially three City-sponsored measures for the November 2016 ballot – a new Cannabis Business Tax, amendments to the Transient Occupancy Tax and amendments to the Business License Tax. The costs of these individual measures will depend on the length of the measure text as well as potential arguments for and against each measure and rebuttals to arguments for and against each measure. Costs for measures include printing costs and the longer the measure, the higher the printing costs.

Election charges for the 2014 general municipal election totaled $177,954.64, which included the offices of Mayor and District Councilmembers and two measures, Measure HH and II. For the November 2016 election the City should anticipate an increase in election costs based on three City Council seats and up to four potential ballot measures.

TERM LIMITS IN OTHER CITIES

In the past 8 years, more than 49 different municipalities in California voted on term limits for their elected officials and members of boards and commissions. While the vast majority of the measures were proposed to implement term limits, there were some that sought to increase term limits. As a result, the only notable municipality that voted to increase term limits was the City of Santa Ana in 2008 where term limits for members of Boards and Commissions were increased to coincide with councilmember term limits.

Below are councilmember term limits for neighboring jurisdictions.

Jurisdiction	Term Limit
Union City	Three Terms
Oakland	No Term Limits
Hayward	No Term Limits
Fremont	Two Terms
Pleasanton	Two Terms
Dublin	Two Terms

CONCLUSION

The Council could approve a charter amendment for the November ballot by approving a resolution and directing the City Attorney to prepare an impartial analysis for submission to the ROV. While the process for approving a measure is straightforward, if Council wants to add a charter amendment measure for the upcoming election, it needs to be timely. Given the

potential of three additional measures, council should consider whether to add this measure ito the November 2018 ballot, if it elects to move forward with this possibility.