

**FULL TEXT OF MEASURE X
CITY OF LAKE FOREST**

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF LAKE FOREST,
CALIFORNIA, ADDING LAKE FOREST MUNICIPAL CODE
SECTION 2.04.080 TO ESTABLISH A CONSECUTIVE TERM
LIMIT ON MEMBERS OF THE CITY COUNCIL**

WHEREAS, California Government Code section 36502(b) authorizes the City Council of a general law city to submit a measure to the voters of the City limiting the number of terms a member of the City Council may serve; and

WHEREAS, the people of the City of Lake Forest find and determine that a limit on the number of consecutive terms a member of the City Council may serve is in the public interest; and

WHEREAS, the people of the City of Lake Forest find and determine that a limit of three consecutive four-year terms would best serve the public interest.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LAKE FOREST DO ORDAIN AS FOLLOWS:

SECTION 1. Section 2.04.080 of the Lake Forest Municipal Code is hereby added to read as follows:

"2.04.080 – Term Limits.

No person shall be eligible to serve in the office of City Council Member or Mayor for more than three (3) consecutive four-year terms following the adoption of this measure, commencing with those elected in the November 4, 2014 election. No person who has held office as a City Council Member or Mayor, or either office, for three (3) consecutive four-year terms may seek nomination and election to either office until after the next election date immediately following the termination of his or her third term. In no event shall a person having served three (3) consecutive four-year terms seek nomination and election to either office within two (2) years following the termination of his or her third term. Notwithstanding the foregoing, any person who is appointed by the City Council or elected to fill a vacant office of a City Council Member or Mayor for the balance of a four-year term, but who serves for less than four (4) years in that office, shall be eligible for nomination and election for three (3) full four-year terms thereafter."

SECTION 2. Pursuant to California Government Code section 36502(b), this measure shall apply prospectively only, beginning with terms started in November 2014.

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 4. Pursuant to California Elections Code section 9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Lake Forest voting at the Regular Election of November 4, 2014, and shall take effect immediately after the City Council has certified the results of that election by resolution.

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
CITY OF LAKE FOREST
MEASURE X**

The City of Lake Forest currently does not impose term limits on its elected officials.

Measure X proposes the adoption of an Ordinance of the City of Lake Forest which would add Section 2.04.080 to the Lake Forest Municipal Code. Section 2.04.080 would establish a three four-year term limit for the Mayor and City Council Members.

If Measure X is approved, Section 2.04.080 will apply prospectively only, beginning with officers elected in November 2014. No person having served three consecutive four-year terms will be permitted to seek nomination or election for a new term commencing sooner than two years after the expiration of his or her last term. Those who are elected or appointed to fill a vacant position for a partial term shall not have that partial term counted against the term limit. The limitation on the Mayor's term would have no immediate effect because that office is not elective in Lake Forest. However, if it became elective in the future, the same term limit would apply to the Mayor.

Measure X was placed on the ballot by the City Council, the governing body of the City.

The above statement is an impartial analysis of Measure X. If you desire a copy of Measure X (Ordinance No. ____), please call the election official's office at (949) 461-3421 and a copy will be mailed at no cost to you.

s/ Scott C. Smith
City Attorney

ARGUMENT IN FAVOR OF MEASURE X

On July 2, 2013, the Lake Forest City Council approved placing on the ballot the establishment of term limits for City Council Members. Pursuant to California Government Code section 36502(b) term limits must be approved by the voters.

If approved by the voters, this measure would:

1. Limit to three the number of consecutive four-year terms a person could serve on the Lake Forest City Council.
2. Require a veteran of three terms on the council to remain out of office for two years before seeking election.
3. Provide that any person who is appointed or elected to serve out the unexpired term of a council member and who, in this capacity, holds a council seat for less than four years can serve for an additional three full four-year terms thereafter.

Persons favoring Term Limits believe that Term Limits encourage greater participation in local politics and encourage new approaches and ideas. They also believe that an incumbent is more likely to be reelected as compared to a non-incumbent.

Persons opposing Term Limits say they penalize experience, take away a citizen's right to vote for the candidate of their choice, and/or eliminate the ability to re-elect a candidate who they are satisfied with.

This measure combines the best features of Term Limits with maximum choice and flexibility for voters and candidates. At each City general election voters will have a choice of, either electing a new member, or re-electing an incumbent for a second or third term, or electing any former Council Member.

A yes vote offers Lake Forest voters the best of all worlds—the freedom to choose candidates, the opportunity to be represented by experienced council members, and the power to limit their periods of service.

s/ David A. Bass
City Council Member

s/ Scott Voigts
Lake Forest City Council Member

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE X

This proposal is the worst of all worlds.

Vote NO if you are against term limits, because this proposal offers term limits.

Vote NO if you are in favor of term limits, because the limits it offers (24 out of 26 years) are not really limits.

Defeat this proposition and ask the politicians to bring back a new measure with an absolute maximum of 8 or 12 years. If term limits are good enough for the President of the U.S. then it's definitely good enough for our city council.

With the power of incumbency and the money from special interests, once elected it becomes a lifetime gig. With REAL term limits in place, instead of attracting career politicians, we'd attract citizen representatives who are more in touch with the people.

We have such a depth of talent and resources in this community - we're selling ourselves short by just keeping in the same people.

Vote NO. Send a message.

s/ Dr. Jim Gardner
Founder, Citizens to Save Lake Forest

ARGUMENT AGAINST MEASURE X

DON'T LET THE POLITICIANS FOOL YOU

Politicians are trying to fool you. This "term limits" measure is not really term limits.

The politicians propose allowing a Council member to serve 12 years, take 2 years off, and then serve another 12 years. That's 24 of the next 26 years and that's not what people mean when they say "term limits". Most cities have limits of 2 terms (8 years) or at most 3 terms (12 years).

We don't want career politicians. Real term limits ensure citizen participation.

Every year a Council member stays in office, they learn more ways to abuse the system. As time goes on, they coerce more and more money from businesses and people seeking favors from the Council and this money goes into their campaign coffers and helps them win the next election. They learn how to pad their expense account and charge the City for their personal expenses. Pretty soon they have been there for 20 years and begin to think of themselves as Kings and Queens.

The best way to stop the corruption and insure that new ideas can survive is to force them out after 8 or at most 12 years.

Vote NO on this measure. Show the Council you are not stupid or naïve. Force them to bring us a term limits measure that really limits the terms.

s/ Dr. Jim Gardner
Founder, Citizens to Save Lake Forest

REBUTTAL TO ARGUMENT AGAINST MEASURE X

The proposed City of Lake Forest term limits ballot measure is like that of the City of Mission Viejo. It sets a limit of three consecutive four-year terms a person could serve on the City Council. The Lake Forest term limits, like the Mission Viejo term limits, allows the freedom of a former Council Member to seek office if they feel the city is going in the wrong direction or if the citizens of the city ask the former Council Member to run again after two years out of office

Those opposed to the proposed term limit want a lifetime ban on serving as a council member after 12 consecutive years. In our society there is not a life-time ban if one has done an excellent job.

The proposed term limits is truly the best of both worlds. If you support term limits it establishes a maximum of three consecutive terms. If you are against term limits and believe that the vote of the people at each election is the best type of term limits this meets that standard. A citizen who wants to run for City Council can challenge an incumbent or run when an incumbent is at their term limit run for an open seat. Council Members must be voted on by the voters every 4 years.

THE CITY OF LAKE FOREST IS HEADING IN THE RIGHT DIRECTION AND WE BELIEVE LAKE FOREST IS ON COURSE FOR A VERY BRIGHT FUTURE.

A Yes vote will establish Term Limits.

s/ David A. Bass
City Council Member

s/ Scott Voigts
Lake Forest City Council Member