

**IMPARTIAL ANALYSIS BY THE CITY ATTORNEY  
MEASURE BB**

(Section 401)

Section 401 of the Santa Ana city charter establishes term limits for council members but does not address when a termed-out council member may run again for city council. This amendment will establish an 8 year waiting period before a councilmember who has been termed-out may run again for city council from any ward. This will not prevent the person from immediately running for mayor.

The charter's current term limit provisions do not apply to a short or partial term, although there is no clear definition for "short or partial term." This measure will clarify that the exception for a short or partial term will only apply to a person who takes office to complete a term begun by another councilmember.

The charter requires a candidate for council to be a resident of the ward (and in the case of the mayor, of the city at large) at the time nomination papers are issued to him or her. The proposed charter amendment will establish the maximum legally permissible limit of thirty (30) days residency before such nomination paper can be issued.

The measure also eliminates gender specific terminology.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE BB. IF YOU DESIRE A COPY OF THE MEASURE, PLEASE CALL THE SANTA ANA CLERK OF THE COUNCIL OFFICE AT 714-647-6520 AND A COPY WILL BE MAILED AT NO COST TO YOU. THE TEXT OF THIS MEASURE IS ALSO AVAILABLE ON THE CITY'S WEBSITE AT: <http://www.santa-ana.org/coc/>

**ARGUMENT IN FAVOR OF MEASURE BB.**

We urge you to Vote YES on Measure BB.

The Citizens' Review Task Force of the Charter and the Charter Review Committee of the City Council has studied this issue and believes that Measure BB will encourage new leadership on the City Council.

Measure BB amends Section 401 of the City's Charter to prohibit termed-out Councilmembers from running for the City Council again until 8 years has passed.

Measure BB amends Section 401 of the Charter to require qualified voters to be 30 day residents of the ward (or 30 day residents of the City for the Mayor) from which the candidate is nominated at the time nomination papers are issued.

The Citizens' Review Task Force of the Charter believes that it is important to **create opportunities for new leadership** in the City of Santa Ana.

Large cities such as the City of Santa Ana benefit from stable leadership, but **Santa Ana can suffer from leadership that becomes set in its ways and unwilling to address changing circumstances.**

The City of Santa Ana has changed significantly every ten years and Measure BB will help ensure that the City of Santa Ana's leadership changes as well. **Recycling the same leadership on the City Council is not in the best interests of the City.**

The City needs to benefit from new ideas and fresh perspectives. Establishing a reasonable eight (8) year waiting period for termed-out Councilmembers will ensure healthy transition for the City.

**Vote for new leadership on the City Council.**

VOTE YES ON MEASURE BB.

s/ Michael Garcia  
Councilmember, City of Santa Ana

s/ Jose Solorio  
Councilmember, City of Santa Ana

s/ David Benavides  
Member, Citizens' Review Task Force of the Charter

s/ Roman Reyna  
Santa Ana Empowerment Zone  
Boardmember

s/ Carlos Bustamante  
Councilmember, City of Santa Ana

**ARGUMENT AGAINST MEASURE BB**

When taken as a part of the larger group of measures that was presented by the Santa Ana Charter Amendment Citizens' Task Force this measure makes perfect sense. However, the Mayor and Council majority struck down another measure that was to go hand-in-hand with this one. The purpose of these measures was to limit the powers of the Council AND the Mayor by imposing stricter regulations on the terms of service for each office. Without ALL the limits suggested this measure will only make a bad situation worse.

Presently, there are no term limits on the position of Mayor, yet the position of Councilmember is limited to two four-year terms in office. While the Mayor serves two year terms the election process in local elections is such that once a person is elected as Mayor it is highly unlikely that person will not get re-elected as many times as they wish. There lies the major inequity among the two positions. By voting yes on this measure the position of Mayor will become even more "powerful" and the City Council will be relegated to being merely cheerleaders for a cause rather than leaders of the cause.

More restrictions on the City Council without also limiting the powers of the Mayor will lead to a virtual dictatorship in City Hall. Don't fall for the bait-and-switch tactics pulled by the Mayor and City Council majority. This measure should only have come forward as a package that included term limits on the Mayor. Without that this measure is simply BAD GOVERNMENT. As a member of the Task Force I voted for this because I thought the WHOLE PACKAGE would be moved forward and there would be equitable limits put on both the Council AND Mayor. By itself, THIS MEASURE WILL HAVE THE EXACT OPPOSITE EFFECT THAN WHAT WAS INTENDED by the Task Force.

Don't be fooled! Vote NO on Measure BB.

s/ Brian A. Bist  
Member, Santa Ana Charter Amendment Citizens' Task Force