

City Attorney Impartial Analysis of Measure SL

Measure SL would amend the City of Commerce's existing term limits ordinance. The current term limits ordinance was approved by the voters in 2011. The ordinance includes two provisions that establish the limitations on the amount of time a member of the City Council can serve. One provision limits the number of terms a person can serve on the City Council to three full terms. The ordinance provides that a person's service of more than one-half an original term shall be considered a full term. The other provision that establishes a limitation on the time a person can serve as a councilmember provides that no person can serve more than a total of twelve years. These provisions must be read together.

In 2015, the California State Legislature passed the California Voter Participation Rights Act, also known as SB 415. SB 415 requires cities that have low voter turnout to change their election dates to coincide with statewide election dates. The City of Commerce was forced to move its election date to coincide with a statewide election date because the City of Commerce held its elections on non-statewide election dates and the fact that the City of Commerce voter turnout statistics were deemed to be low pursuant to the criteria established by SB 415. Following the enactment of SB 415, the City of Commerce has moved its election dates twice to comply with SB 415.

Compliance with SB 415 and the related movement of the City's election date to coincide with statewide election dates resulted in the extension of councilmember terms by a number of months. If the City's existing councilmembers seek and secure a third term, the councilmembers will be required to resign and vacate their respective offices before the expiration of their third term due to the term limits ordinance's prohibition of any person serving more than twelve total years as a councilmember. Similarly, one existing councilmember will be required to resign and vacate his office prior to the expiration of his third term due to his appointment and service of a partial term.

The proposed amendment to the City's term limits ordinance would remove the provision establishing that no person may serve more than twelve total years as a councilmember. The amended term limits ordinance would retain the prohibition against any person serving more than three full terms. The amended term limits ordinance would also retain the provision establishing that any partial term resulting in a person serving more than one-half the original term shall be considered a full term.

Measure SL was placed on the November 8, 2022 election ballot by a majority vote of the Commerce City Council.

The above statement is an impartial analysis of Measure SL. If you desire a copy of the ordinance or measure, please call the elections official's office at 323-722-4805 and a copy will be mailed at no cost to you.