

MEASURE "BBB"

SECTION 1. THE PEOPLE OF THE CITY OF LONG BEACH DO HEREBY AMEND THE LONG BEACH CITY CHARTER BY REPEALING SECTION 214 AND REPLACING IT WITH THE FOLLOWING ARTICLE ____ TO THE CITY CHARTER:

"ARTICLE ____ – TERM LIMITATIONS ON BALLOT ACCESS BY CANDIDATES FOR CITY COUNCIL AND MAYOR

Section 214 – MAYOR AND CITY COUNCIL – THREE TERM LIMIT.

(a) Notwithstanding any other previously enacted provision of law or of this Charter, during his or her lifetime, a person may serve no more than three (3) terms as a member of the Long Beach City Council, and may also serve no more than three (3) terms as Mayor of Long Beach. The City Clerk, or other election official authorized by law, shall not accept or verify the signatures on any nomination paper for any person, including any paper seeking election as a write-in candidate, nor shall he or she certify or place on the list of certified candidates, nor print or cause to be printed on any ballot, ballot pamphlet, sample ballot or ballot label, the name of any person whose candidacy, if successful, will result in a new Mayoral or City Council term that exceeds the limits set forth herein.

For purposes of this Section, "term" shall mean the following:

- (1) Any full four-year term of service for which a person was formally nominated (not as a write-in candidate) and to which he or she was elected to office at any Municipal Primary or General Election, occurring on or after November 3, 1992;
- (2) Any full four-year term of service for which a person was formally nominated (not as a write-in candidate) and to which he or she was appointed in lieu of a Municipal Election, pursuant to California Elections Code Section 10229, occurring on or after November 3, 1992;
- (3) Any full four-year term of service for which a person was nominated as a write-in candidate and to which he or she was elected to office at any Municipal Primary or General Election occurring on or after November 6, 2018;
- (4) Any full four-year term of service described in paragraphs (1) through (3) above, which commences on or after November 6, 2018 and which terminates prior to the scheduled expiration of the term due to any of the following:

(a) The officer's seat is lawfully declared vacant during that term for any reasons other than resignation;

(b) The officer is lawfully recalled from office by the voters during that term;

(c) The officer has legally forfeited his or her elected office under applicable Federal or State law during that term.

(d) If the officer vacates his or her office due to resignation:

(i) If the resignation occurs with more than two years remaining in his or her current term, this shall not count as a "term" against the three-term limit.

(ii) If the resignation occurs with two years or less remaining in his or her current term, this shall count as a "term" against the three-term limit.

(c) For purposes of this Section, "term" shall not mean any of the following:

(1) Any full four-year term of service, whether expired or unexpired, for which a person was nominated as a write-in candidate and to which he or she was elected to office at any Municipal Primary or General Election occurring prior to November 6, 2018;

(2) Any term to which a person has been specially elected or appointed to the office of Mayor or City Council to fill a mid-term vacancy, pursuant to City Charter Section 204;

(3) Any full four-year term of service for which a person was elected to office, or was appointed in lieu of a Municipal Election, pursuant to California Elections Code Section 10229, at any Municipal Primary or General Election, occurring prior to November 3, 1992.

(d) No person who has already served three terms as a member of the City Council may be appointed to serve on the City Council, and no person who has already served three terms as Mayor may be appointed to serve as Mayor, whether said appointment is in lieu of a Municipal Election, pursuant to California Elections Code Section 10229, or to fill a vacancy on the City Council pursuant to City Charter Section 204.

(e) No person who has already served three terms as a member of the City Council may run for special election to fill a vacancy on the City Council pursuant to City Charter Section 204. No person who has already served three terms as

Mayor may run for special election to fill a vacancy in the office of Mayor pursuant to City Charter Section 204.”

SECTION 2. Approval, Filing and Recordation of Charter Amendment. Pursuant to California Government Code Section 34460, if approved by a majority of voters, the Mayor and City Clerk shall certify, authenticate and attest to the passage of this Charter Amendment. The City Clerk shall also (i) record one copy of this Charter Amendment with the Los Angeles County Recorder’s Office, (ii) file one copy in the City’s archives and (iii) file one copy with the California Secretary of State. Each copy recorded with the County Recorder and filed in the City’s archives shall also be filed with the following:

(a) Certified copies of all publications and notices required of the City by State law in connection with the calling of an election to propose the Charter Amendment.

(b) Certified copies of any arguments for or against the Charter Amendment that were mailed to voters pursuant to California Elections Code Sections 9281 and 13303.

(c) A certified abstract of the vote at the election at which the Charter Amendment was approved by the voters.

SECTION 3. Ratification and Effective Date. Pursuant to California Government Code Section 34459, this Charter Amendment shall be deemed ratified if approved by a majority of the eligible voters of the City of Long Beach voting at the General Election of November 6, 2018. However, this Charter Amendment shall not take effect until it has been accepted and filed by the Secretary of State pursuant to Government Code Section 34460.

SECTION 4. Severability. If any provision of this Charter Amendment or the application thereof to any person or circumstance is held invalid, the remainder of the Charter Amendment and the application of such provision to other persons or circumstances shall not be affected thereby.

PASSED, APPROVED and ADOPTED by the People of the City of Long Beach at a General Election held on November 6, 2018.

ROBERT GARCIA
Mayor of the City of Long Beach

Attest:

Monique De La Garza
City Clerk

Approved as to form:

Charles Parkin
City Attorney