



**SUPPLEMENTAL AGENDA ITEM
 AGENDA STAFF REPORT**

MEETING DATE: 06/22/21
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Counsel
DEPARTMENT HEAD REVIEW: Leon Page
Department Head Signature
DEPARTMENT CONTACT PERSON(S): Leon J. Page (714) 834-3300
 James C. Harman (714) 834-5257

RECEIVED
 2021 JUN 17 PM 3:42
 CLERK OF THE BOARD
 ORANGE COUNTY
 BOARD OF SUPERVISORS

SUBJECT: Ballot Measure for Lifetime Limit on the Number of Terms for Members of the Board of Supervisors

CEO CONCUR

Frank Kim

Digitally signed by Frank Kim
 DN: cn=Frank Kim, o=County of Orange, ou=CEO,
 email=frank.kim@ocgov.com,
 c=US
 Date: 2021.06.17 15:31:22 -0700

CEO Signature

COUNTY COUNSEL REVIEW

Approved as to Form

Action

James C. Harman

Digitally signed by James C. Harman
 DN: cn=James C. Harman, o=County of Orange, ou=Office of County Counsel, email=james.harman@ocgov.com, c=US
 Date: 2021.06.17 15:51:29 -0700

County Counsel Signature

CLERK OF THE BOARD

Discussion

3 Votes Board Majority

Budgeted: N/A

Current Year Cost: N/A

Annual Cost: N/A

Staffing Impact: N/A

of Positions:

Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A

County Audit in last 3 years: N/A

Prior Board Action: 06/25/1996 #29

RECOMMENDED ACTION(S)

1. Direct the Registrar of Voters to place "A LIFETIME BAN AFTER THREE TERMS IN OFFICE FOR MEMBERS OF THE ORANGE COUNTY BOARD OF SUPERVISORS - AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA REPEALING ORDINANCE NUMBER 096-3965A AND ADDING SECTION 1-2-9 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE" on the ballot at a special election and, subject to the Lieutenant Governor's proclamation, consolidate that election with the statewide recall election.
2. Direct County Counsel to prepare the ballot language and the impartial analysis of the ordinance and to forward these items, when prepared, to the Registrar of Voters.
3. Request the County Auditor-Controller review the measure and prepare a fiscal impact statement as required by Article VII, Section 701 of the County Charter.

SUMMARY/BACKGROUND INFORMATION:

Under present circumstances, and as approved by the Board of Supervisors on June 25, 1996, Section 1-2-9 of the Codified Ordinances of Orange County places a two term limit on the number of consecutive terms that an individual can serve as a Board of Supervisors Member (Member). There is, however, no lifetime limitation on the number of terms an individual can serve as a Member. Accordingly, an individual can serve one or two terms on the Board of Supervisors, leave office for a term, and then be re-elected to serve two more consecutive terms. In Orange County's history, 18 Members have served over 12 years. The proposed ordinance simplifies and strengthens term limits by restricting individuals to a lifetime maximum of three full terms as a County Supervisor.

This proposed ordinance balances the need for term limits with the benefits of both experience in public service and seniority on regional and statewide organizations. Understanding the complex systems, laws, and policies that govern an organization as large as the County of Orange (approximately 18,000 employees, 22 departments) requires years of service. Precluding the electorate from re-electing a Member after eight years of service (as is current practice) needlessly disrupts the public's ability to achieve significant and sustained reforms through their chosen representatives. County Supervisors serve on regional boards and also in statewide and national associations where greater seniority enables Members to take leadership positions, enabling them to more effectively advocate for the County and serve the public.

Since 1998, 16 jurisdictions have implemented term limits. Of the 16, nine jurisdictions passed term limits in Orange County. Significantly, in June of 2012, California voters approved Proposition 28, which provided that during her or his lifetime a person may serve no more than 12 years in the Senate, the Assembly or both, in any combination of terms. The lifetime limit on a legislator's terms in office was passed statewide by 61 percent of the vote.

In summary, voters will be presented the opportunity to restrict the term limits of the Board of Supervisors. Passage of the proposed ordinance will better balance stable leadership with the need for new perspectives in government.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A – Proposed Ordinance

ORDINANCE NO. ____

A LIFETIME BAN AFTER THREE TERMS IN OFFICE FOR MEMBERS OF THE ORANGE COUNTY BOARD OF SUPERVISORS - AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA REPEALING ORDINANCE NUMBER O96-3965A AND ADDING SECTION 1-2-9 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE.

The People of the County of Orange, California ordain as follows:

SECTION 1: Ordinance Number O96-3965A is hereby repealed.

SECTION 2: Section 1-2-9 is hereby added to Article 1, Division 2 of Title 1 of the Codified Ordinances of the County of Orange as follows:

Sec. 1-2-9. – Lifetime Ban After Three Terms in Office.

No person shall serve more than three full terms as a member of the Board of Supervisors regardless of Supervisorial District represented. No person shall be elected and qualified for the office of member of the Board of Supervisors if such person has been elected or served in such office for three full terms.