RESOLUTION NO. 089-2020

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA REVISING THE DEADLINES FOR THE SUBMISSION OF DIRECT ARGUMENTS AND REBUTTAL ARGUMENTS FOR CITY MEASURES TO COMPLY WITH THE SAN DIEGO COUNTY REGISTRAR OF VOTERS RECOMMENDATIONS FOR THE NOVEMBER 3, 2020 ELECTION

WHEREAS, on June 24, 2020, the City Council adopted Resolution 058-2020, calling a General Municipal Election to be held on Tuesday, November 3, 2020, for the election of certain City officers and the submission to the voters of three City measures, and setting rules for arguments and rebuttal arguments for and against the City measures; and

WHEREAS, a copy of Resolution 058-2020 is attached hereto as Exhibit "A"; and

WHEREAS, in compliance with the California Elections Code, Resolution 058-2020 established August 19, 2020, as the date after which no arguments for or against the City measures may be submitted to the City Clerk; and

WHEREAS, in compliance with the California Elections Code, Resolution 058-2020 requires that the City Attorney's impartial analysis for each City measure be filed by the deadline set for filing of arguments for or against the City measures; and

WHEREAS, in compliance with the California Elections Code, Resolution 058-2020 established August 27, 2020, as the date after which no rebuttal arguments may be submitted to the City Clerk; and

WHEREAS, following the adoption of Resolution 058-2020, the San Diego County Registrar of Voters published revised dates for the submission of arguments, rebuttals, and the City Attorney's impartial analyses, and has requested that the City adhere to these revised dates; and

WHEREAS, to ensure that the Registrar of Voters has sufficient time to prepare and print the arguments, rebuttals, impartial analyses, and voter information guides, City staff recommends revising the deadlines set for the submission of ballot arguments, rebuttal arguments, and impartial analyses, to match the dates set by the Registrar of Voters.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1. Revised Deadline for Primary Arguments

Section 13(A) of Resolution 058-2020 is revised to change the deadline for the submission of arguments in favor or against any City measure from August 19, 2020 to **August 13, 2020**.

SECTION 2. Revised Deadline for Rebuttal Arguments

Section 14(A) of Resolution 058-2020, is revised to change the date for the submission of rebuttal arguments from August 27, 2020 to **August 18, 2020**.

SECTION 3. Continuing Effect of Resolution 058-2020

Except as revised by this Resolution, all other provisions of Resolution 058-2020 remain in full force and effect.

ADOPTED by the City Council of the City of Santee, California, at a Special Meeting thereof held this 5th day of August, 2020, by the following roll call vote to wit:

AYES: **HALL, KOVAL, MCNELIS, MINTO**

NOES: **NONE**

ABSENT: **HOULAHAN**

APPROVED:

/s/ John W. Minto
JOHN W. MINTO, MAYOR

ATTEST:

/s/ Annette Ortiz
ANNETTE ORTIZ, CITY CLERK

Exhibit "A" – Resolution 058-2020

Exhibit A

RESOLUTION NO. 058-2020

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES, AND FOR THE SUBMISSION TO THE VOTERS OF MEASURES RELATING TO 1) AMENDING THE CITY OF SANTEE GENERAL PLAN TO REQUIRE VOTER APPROVAL FOR DEVELOPMENT ACTIONS THAT WOULD INCREASE RESIDENTIAL DENSITY OR INTENSIFY LAND USE OVER THAT CURRENTLY PERMITTED BY THE GENERAL PLAN, 2) ESTABLISHING A THREE-TERM LIFETIME LIMIT FOR MAYORAL AND CITY COUNCIL SERVICE, AND 3) ESTABLISHING A THREE-TERM LIFETIME LIMIT ON CITY COUNCIL SERVICE, AND A SEPARATE TWO-TERM LIFETIME LIMIT ON MAYORAL SERVICE, AND SETTING RULES FOR ARGUMENTS AND REBUTTALS FOR AND AGAINST SAID MEASURES

WHEREAS, under the provisions of the laws relating to Charter cities in the State of California, a General Municipal Election shall be held on Tuesday, November 3, 2020, for election of Municipal Officers; and

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the City Council of the City of Santee, California, signed by more than ten percent (10%) of the number of registered voters of the City, to submit to the qualified electors a proposed initiative measure amending the City of Santee Municipal Code to establish a three-term lifetime limit on City Council and Mayoral service, and the City Clerk has examined the records of registration and ascertained that, pursuant to Elections Code section 9215, the petition is signed by the requisite number of voters, and has so certified, and on August 22, 2018, the City Council adopted Resolution 108-2018 submitting the proposed measure to the voters; and

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the City Council of the City of Santee, California, signed by more than ten percent (10%) of the number of registered voters of the City, to submit to the qualified electors a proposed initiative measure amending the City of Santee General Plan to require voter approval for development actions that would increase residential density or intensify land use over that currently permitted by the General Plan, and the City Clerk has examined the records of registration and ascertained that, pursuant to Elections Code section 9215, the petition is signed by the requisite number of voters, and has so certified, and on September 5, 2018, the City Council adopted Resolution 112-2018 submitting the proposed measure to the voters; and

WHEREAS, on June 10, 2020, pursuant to Elections Code section 9222, the City Council adopted Resolution 050-2020 submitting to the qualified electors its own measure amending the Santee Municipal Code to establish a three-term lifetime limit on City Council service, and a separate two-term lifetime limit on Mayoral service; and

WHEREAS, the City Council desires to submit to the voters at the General Municipal Election the three measures described above; and

WHEREAS, pursuant to Elections Code sections 9285 and 9286, the City Council further desires to establish rules and regulations for the preparation, submittal and printing of arguments and rebuttals for and against the measures described herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1. That pursuant to the laws of the State of California relating to Charter Cities there is called and ordered to be held in the City of Santee, California on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing one (1) Member of the City Council residing in District 3 and one (1) Member of the City Council residing in District 4, each for the full term of four years, electing one (1) Mayor at-large, for the full term of four years, and submitting to the voters three measures, as describe herein.

SECTION 2. That the City Council, pursuant to its right and authority, does hereby order submitted to the voters at the General Municipal Election the following question/measure relating to amendment of the Santee General Plan to require voter approval for development actions that would increase residential density or intensify land use over that currently permitted by the General Plan:

"Shall an ordinance amending the Santee General Plan requiring voter approval for development actions that would increase residential density or intensify land use over that currently permitted by the General Plan be adopted?"	Yes
	No

SECTION 3. That the City Council, pursuant to its right and authority, does hereby order submitted to the voters at the General Municipal Election the following question/measure relating to a three-term lifetime limit on City Council and Mayoral service:

"Shall the measure amending the Santee Municipal Code to require that no person shall serve as an "Elected Official," defined to include the offices of Mayor and Member of the City Council, for more than twelve years, or three terms, whichever is less, with any portion of term, whether by election or appointment, counting as a full term, be adopted?"	Yes
	No

SECTION 4. That the City Council, pursuant to its right and authority, does hereby order submitted to the voters at the General Municipal Election the following question/measure relating to a three-term lifetime limit on City Council service and a separate two-term lifetime limit on Mayoral service:

"Shall an ordinance amending the Santee Municipal Code to establish a three-term lifetime limit on City Council service and a separate two-term lifetime limit on Mayoral service, be adopted?"	Yes
	No

SECTION 5. That the proposed complete text of the measure proposing to amend the Santee General Plan is attached as Exhibit A, the proposed complete text of the measure proposing to establish a three-term lifetime limit for City Council and Mayoral service is attached as Exhibit B, and the proposed complete text of the measure proposing to establish a three-term lifetime limit for City Council service and a separate two-term limit for Mayoral service, is attached as Exhibit C.

SECTION 6. That the Ballots to be used at the election shall be in such form and content as required by law.

SECTION 7. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 9. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 11. That the City Clerk shall certify to the passage and adoption of this Resolution and shall enter it into the book of original Resolutions.

SECTION 12. That the City Council hereby authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 13. Arguments and Analysis.

A. The City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measures, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against any of the measures, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and may change the argument until and including **August 19, 2020** after which no arguments for or against the measures may be submitted to the City Clerk. Arguments in favor of or against a measure shall each not exceed 300 words in length. Each argument shall be

filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.

C. Pursuant to Section 9280 of the Elections Code, the City Council directs the City Clerk to transmit a copy of each measure to the City Attorney. The City Attorney shall prepare an impartial analysis of each measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The City Attorney shall transmit such impartial analysis to the City Clerk, who shall cause the analysis to be published in the ballot pamphlet along with the ballot measure as provided by law. The impartial analysis shall be filed by the deadline set for filing of primary arguments as set forth in subsection (A) above. The impartial analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **"The above statement is an impartial analysis of Ordinance or Measure ____. If you desire a copy of the ordinance or measure, please call the election official's office at (insert phone number) and a copy will be mailed at no cost to you."**

SECTION 14. Rebuttals.

A. That pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the arguments for and against the various measures which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measures to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **August 27, 2020.** Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

B. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

C. That the provisions herein shall apply only to the election to be held on November 3, 2020, and shall then be repealed.

SECTION 15. Placement on the Ballot. The full text of each measure shall be printed in the voter pamphlet, and a statement shall be printed in the ballot pursuant to Elections Code section 9223 advising voters that they may obtain a copy of a measure, at no cost, upon request made to the City Clerk.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 24th day of June, 2020, by the following roll call vote to wit:

AYES: **HALL, HOULAHAN, KOVAL, MCNELIS, MINTO**

NOES: **NONE**

ABSENT: **NONE**

APPROVED:

/s/ John W. Minto
JOHN W. MINTO, MAYOR

ATTEST:

/s/ Annette Ortiz
ANNETTE ORTIZ, CMC, CITY CLERK

RESOLUTION NO. 058-2020

EXHIBIT "A"

GENERAL PLAN INITIATIVE MEASURE

[ATTACHED BEHIND THIS COVER PAGE]

SANTEE GENERAL PLAN PROTECTION INITIATIVE

To the honorable Clerk of the City of Santee: We, the undersigned, registered and qualified voters of the City of Santee, hereby propose an Initiative measure to amend and protect the City of Santee General Plan. We petition you to submit this measure to the City Council for the City of Santee for adoption without change, or for submission of the measure to the voters of the City of Santee at the earliest regular or special election for which it qualifies. The measure provides as follows:

SANTEE GENERAL PLAN PROTECTION INITIATIVE

The people of the City of Santee hereby ordain as follows:

Section 1: Purpose And Findings

A. **Purpose:** The purposes of the Santee General Plan Protection Initiative ("Initiative") are (1) to protect the Santee General Plan from unwise densification and intensification amendments and (2) to protect the residents of Santee from overdevelopment with resultant traffic gridlock. The Initiative does so by amending the City's General Plan as adopted on August 27, 2003, and amended through April 6, 2018 ("General Plan"), to require a vote of the people for certain development projects.

B. **The Importance of Protecting the General Plan:** Campaign contributions from special interests can influence or pressure City Council members to approve projects that overburden Santee streets and highways with traffic. The California Fair Political Practices Commission (FPPC) has levied fines in Santee for laundering of campaign contributions when a proposed Fanita Ranch development project requested a density intensifying General Plan Amendment, which Council members approved. Currently, voters do not have a right to vote on controversial projects that threaten overdevelopment.

C. **Effect of the Initiative:** The Santee General Plan Protection Initiative helps protect Santee from overdevelopment, and prevents resultant traffic gridlock by requiring a vote of the people before certain General Plan amendments are adopted.

Section 2: Amendment of the General Plan

A. The Land Use Element of the General Plan of the City of Santee shall be amended as hereinafter set forth. This amendment shall not be modified or rescinded without the approval of a simple majority of the voters of the City voting at a special or general election.

B. The following shall be added to the General Plan under the Land Use Element "7.0 Objectives and Policies" as "Objective 12.0 Maintain the Integrity and Consistency of the General Plan."

"**Policy 12.1** Permitted land uses in the City shall be intensified only when the voters approve such changes. No General Plan amendment, Planned Development Area or new Specific Planning Area shall be adopted which would:

1) increase the residential density permitted by law,
2) change, alter, or increase the General Plan Residential Land Use categories if the change intensifies use; or
3) change any residential designation to commercial or industrial designation on any property, or visa versa, if the change intensifies use;

unless and until such action is approved and adopted by the voters of the City at a special or general election, or approved first by the City Council and then adopted by the voters in such an election."

"**Policy 12.2** No change to the slope criteria and minimum parcel sizes and lot averaging provisions of this General Plan which would permit increased density or intensity of use shall be adopted unless and until such change is approved by ordinance adopted by the voters of the City at a special or general election, or approved first by the City Council and then adopted by the voters in such an election."

"**Policy 12.3** The City Council shall set any election required by this Initiative to the next available general municipal election at no cost to the proponent of the land use change, or set a special election, the cost of which shall be borne by the proponent."

"**Policy 12.4** The voter approval requirement of subsection (a) shall not apply where the General Plan amendment is necessary to comply with state or federal law governing the provision of housing, including, but not limited to affordable housing requirements. This exception applies only if the City Council first makes each of the following findings based on substantial evidence in the record:

(1) a specific provision of state or federal law requires the City to accommodate the housing that will be permitted by the amendment;
(2) the amendment permits no greater density than that necessary to accommodate the required housing; and
(3) an alternative site that is not subject to the voter approval requirement in this Policy is not available to satisfy the specific state or federal housing law."

Section 3: Conforming Amendments

In order to promote internal consistency among the various sections of the General Plan amended by this Initiative, this Initiative makes the following conforming amendments. Text to be inserted in the relevant document is indicated in **bold** type, and text to be deleted is indicated in ~~strikethrough~~ type. Non-bolded text currently appears in the General Plan and is not changed or readopted by this Initiative. The language adopted in the following amendments may be further amended as appropriate without a vote of the people, during the course of further updates and revisions to the General Plan.

A. Land Use Element, 8.1 Land Use Classifications, Residential Density Ranges, page 1-24 is amended as follows:

Project approval at any density is subject to obtaining all requested agency approvals. **Densities that require a general plan amendment under section 7.0 Objectives and Policies will also require majority approval of voters at a special or general election.**

B. Housing Element, 5. DEVELOPMENT PERMIT PROCEDURES, page 3-24 is amended as follows:

GENERAL PLAN AMENDMENT AND/OR REZONE

A proposed housing project may include a general plan amendment and/or rezone. This type of approval is discretionary, requiring approval of the City Council at a public hearing **or depending on the nature of the general plan amendment and/or rezone, a vote of the people**. Approval of a rezone or general plan amendment would depend on the applicant's ability to show that the proposal would further and not detract from the City's established land use goals. General Plan Amendments and Zone Code Amendments are generally processed concurrently with required project entitlements to save time.

Section 4: Implementation

A. The effective date means the date that the Santee General Plan Protection Initiative becomes effective pursuant to State law.

B. Upon the effective date of this Initiative, the provisions of this Initiative are inserted into the Santee General Plan as amendments thereof, except that if the four amendments permitted by State law for any given calendar year have already been utilized in 2018 prior to the effective date of this Initiative, the General Plan amendments shall be the first inserted into the Santee General Plan on January 1, 2019. At such time as the General Plan amendments are inserted in the Santee General Plan, any provisions of City law inconsistent with those amendments shall be unenforceable to the extent of such inconsistency.

C. The Santee General Plan in effect at the time the Notice of Intent to propose this Initiative measure was submitted to the City Clerk, and the Santee General Plan as amended by this Initiative measure, comprise an integrated, internally consistent and compatible statement of policies for the City. To ensure that the Santee General Plan remains an integrated, internally consistent and compatible statement of policies for the City, the General Plan provisions adopted by this Initiative shall prevail over any conflicting revisions to the General Plan adopted between April 6, 2018 and the date the amendments adopted by this Initiative measure are inserted into the General Plan.

D. Interim Amendments: The Santee General Plan in effect on the Submittal Date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the City of Santee. In order to ensure that nothing in this Initiative would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

E. Other City Plans, Ordinances, and Policies: The City of Santee is hereby authorized and directed to amend the City of Santee General Plan, Santee Municipal Code, and other plans, ordinances, and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the City of Santee General Plan, Santee Municipal Code, and other City plans, ordinances, and policies.

F. Reorganization: The General Plan may be reorganized or readopted in different format, and individual provisions may be renumbered or reordered in the course of ongoing updates of the General Plan, provided that the provisions of Section 2 of this Initiative shall remain in the General Plan, unless earlier repealed or amended by a vote of the people of the City of Santee.

G. Implementing Ordinances: The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and/or regulations, as necessary, to further the purposes of this Initiative.

H. Enforcement and Defense of Initiative: The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.

Section 5: Construction

Nothing contained in this Initiative shall be construed to make illegal any lawful use presently being made of any property, or to prohibit further development of any property in accordance with that property's present zoning and general plan designation at a density and intensity presently permitted by existing zoning and general plan standards. Nothing contained in this Initiative is intended to limit or impact affordable housing laws. Nothing contained in this Initiative shall be construed to require more than a simple majority vote for the adoption of this Initiative or for the approval of any future measure

required by this Initiative. Nothing in this Initiative shall be construed to:

a) Interfere with rights to obtain density bonuses or other entitlements available under affordable housing laws, or,
b) Limit rights, entitlements or obligations required by the state under affordable housing laws.

Section 6: Effect of Competing or Alternative Measure on the Same Ballot

By voting for this Initiative, the voters expressly declare their intent that any other measure that appears on the same ballot as this Initiative and addresses voter approval for such General Plan amendments, or conflicts with any provision of this Initiative, shall be deemed to conflict with this Initiative. Because of this conflict, if this Initiative and any such other City of Santee measure that appears on the same ballot as this Initiative and addresses voter approval for such General Plan amendments, or conflicts with any provision of this Initiative, both receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail and no provision of the other measure shall take effect. For the purposes of this Section 6, any other measure that appears on the same ballot as this Initiative and purports to amend any provision of this Initiative shall be deemed to directly conflict with this entire Initiative.

Section 7: Severability and Interpretation

This Initiative shall be broadly construed in order to achieve its purpose. This Initiative shall be interpreted so as to be consistent with all applicable Federal, State, and City laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions were declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

Section 8: Amendment or Repeal

This Initiative may be amended or repealed only by a simple majority of the voters at a City election.

RESOLUTION NO. 058-2020

EXHIBIT “B”

TERM LIMITS INITIATIVE MEASURE

[ATTACHED BEHIND THIS COVER PAGE]

SECTION 2: AMENDMENT OF THE CITY OF SANTEE MUNICIPAL CODE

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SANTEE, CALIFORNIA, DO ORDAIN AS FOLLOWS:

Title 2 Administration And Personnel. Chapter 2.08 City Council, a new Section "2.08.030 Term Limits For Mayor And City Council" is added to Title 2 of the Santee Municipal Code to read, in its entirety, as follows:

2.08.030 TERM LIMITS FOR MAYOR AND CITY COUNCIL

Section 2.08.03010. Elected Official

The term "elected official" as used in this Chapter includes the offices of:

A. Mayor, and

B. Member of the City Council.

Section 2.08.03020. Partial Terms of Office.

Any portion of a term, whether by election or appointment, shall count as a full term.

Section 2.08.03030. Term Limits.

The Santee Term Limits Initiative requires that no person shall serve as an elected official more than twelve years, or three four-year terms as a member of the Santee City Council, with any portion of a term, whether by election or appointment, counting as a full term.

Section 2.08.03040. Application.

The term limits described in this Chapter shall apply to terms of office beginning on or after the general election held on November 6, 2018.

SECTION 3: IMPLEMENTATION

A. Effective Date. The effective date means the date that the Santee Term Limits Initiative becomes effective pursuant to State law.

B. Severability. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The People of the City of Santee hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

C. Amendment or Repeal. This initiative may be amended or repealed only by a simple majority of the voters at a City election.

D. Enforcement and Defense of Initiative. The Mayor and City Council shall take all steps necessary to enforce this Initiative and to defend it against any challenge to its validity.

RESOLUTION NO. 058-2020

EXHIBIT "C"

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADDING SECTION 2.02.060 TO CHAPTER 2.02 ("CITY COUNCIL") OF THE SANTEE MUNICIPAL CODE TO ESTABLISH A THREE-TERM LIFETIME LIMIT ON CITY COUNCIL SERVICE, AND A SEPARATE TWO-TERM LIFETIME LIMIT ON MAYORAL SERVICE

NOW, THEREFORE BE IT ORDAINED, by the Council of the City of Santee, as follows:

SECTION 1. Subject to the approval of a majority of the voters of the City of Santee at the scheduled election so designated by the City Council in a separate resolution placing the proposal on the ballot for such election, Section 2.02.060 is hereby added to Chapter 2.02 of the Santee Municipal Code and shall read as follows:

2.02.060 Separate Term Limits for City Council and Mayor

A. City Council. No person shall serve as a City Council member for more than three four-year terms, regardless of district represented. If for any reason a person serves as a City Council member for a partial term in excess of two years, that partial term shall be considered to be a full term for purposes of this City Council term limit.

B. Mayor. No person shall serve as Mayor for more than two four-year terms. If for any reason a person serves as Mayor for a partial term in excess of two years, that partial term shall be considered a full term for purposes of this Mayoral term limit. The term limit for Mayor is separate from and in addition to the term limit that applies to service as a City Council member.

C. Prospective Application Only. The separate term limits for Mayor and City Council members established in this section shall apply prospectively only, with the first term for any person commencing with any term that starts on or after the November 3, 2020 general election, regardless of any prior service as Mayor or as a City Council member.

D. Nomination Papers. 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 for the purpose of 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.

SECTION 2. If any portion of this Ordinance is declared invalid by a court of law or other legal body with applicable authority, the invalidity shall not affect or prohibit the force and effect of any other provision or application of the Ordinance that is not deemed invalid. The voters of the City hereby declare that they would have circulated for qualification and/or voted for the adoption of this Section, and each portion thereof, regardless of the fact that any portion of the initiative may be subsequently deemed invalid.

SECTION 3. To the fullest extent allowed by law, the provisions of this Ordinance shall prevail over, and supersede, all other provisions of the Municipal Code and any ordinances, resolutions or administrative policies of the City of Santee which are in conflict with any provision of this Ordinance.

SECTION 4. This Section shall not be repealed or amended except by a measure approved by a majority of the electors voting on the issue at a General Municipal Election, or at a special election called for that purpose.

SECTION 5. This Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Santee voting at a General Municipal Election to be held on November 3, 2020, and shall take effect ten (10) days after the City Council has certified the results of the General Municipal Election by resolution.

SECTION 6. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 3, 2020, by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED AND ADOPTED by the People of the City of Santee on the 3rd day of November, 2020.

_____

JOHN W. MINTO, MAYOR