

**EXHIBIT "A"**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING THE ALISO VIEJO MUNICIPAL CODE TO ADD SECTION 2.04.125 REGARDING COUNCILMEMBER TERM LIMITS, SUBJECT TO THE APPROVAL OF THE ELECTORS VOTING ON THE MEASURE IN THE GENERAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2022.**

**NOW THEREFORE, THE PEOPLE OF THE CITY OF ALISO VIEJO DO ORDAIN AS FOLLOWS:**

**Section 1. Term Limits**

Pursuant to Government Code section 36502, subdivision (b) and subject to the approval of a majority of the voters of the City of Aliso Viejo, the Aliso Viejo Municipal Code is hereby amended to add section 2.04.125, Term Limits, to chapter 2.04, City Council, of title 2, Administration and Personnel to read as follows:

**2.04.125 Term Limits**

A. No person shall be eligible to serve as a member of the City Council for more than two consecutive four-year terms following the adoption of this ordinance commencing with the, and including those persons elected to serve as a member of the City Council in the November 8, 2022 election. Notwithstanding the foregoing, any person who is appointed by the City Council or elected to fill a vacant office of a member of the City Council for the balance of a four-year term, but serves less than two years in that office, shall be eligible for nomination and election for two consecutive four-year terms thereafter.

B. Any person who shall be ineligible for election, appointment, or further services as a member of the City Council due to the limitation set forth in subsection A of this section, shall again be eligible for election or appointment as a member of the City Council, and a new period of consecutive years of service shall commence, provided that at least two years has or will have elapsed between the most recent date of such person's prior service as a member of the City Council and the effective date of such person's most recent election or appointment to such office.

C. The phrase "two years" as used in subsection B of this section shall mean the period between the date of the declaration of the results of any general municipal election held in November of an even numbered year and the date of the declaration of the results of any general municipal election held in November of any immediately preceding or immediately succeeding even-numbered year, even though such period may be more or less than an actual period of two years.

## **Section 2. Voter Approval, Prospective Application, and Effective Date**

Except as provided in section 3 below, this ordinance shall take effect if approved by a majority of the eligible voters of the City of Aliso Viejo voting in the general election held on Tuesday, November 8, 2022, and shall only apply prospectively beginning with the terms of members of the City Council that start after the November 8 election. If so approved, this ordinance becomes effective 10 days after the City Council declares and certifies the results of the election by resolution.

## **Section 3. Severability**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

## **Section 4. Publication**

The City Clerk is hereby directed to publish this ordinance at least once, within 15 days after the election results are certified, in a newspaper of general circulation published and circulated in the City of Aliso Viejo.

I certify that Ordinance No. \_\_\_\_\_ was adopted by the electorate of the City of Aliso Viejo at the general election held on November 8, 2022. This ordinance was adopted as a result of the passage of Measure \_\_\_\_\_. Please refer to Resolution No. \_\_\_\_\_ for the recitation of the election results.

Mitzi Ortiz, MMC  
City Clerk