

FOR IMMEDIATE RELEASE

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**Cerritos City Attorney responds to claim
of term limit issue in current election**

In response to an article published in the "Los Cerritos Community News" on Friday, March 24, 2017 claiming that a Cerritos City Council candidate in the current election is not eligible to run, Cerritos City Attorney Mark Steres has issued the following statement:

"All of the City Council candidates for the upcoming Cerritos Municipal Election on April 11, 2017 are proper and legal, and all of the sitting City Councilmembers are proper and legal under the Cerritos term limit restrictions found in the Cerritos City Charter, known as Proposition H.

The headline and conclusion in the article that ran in the 'Los Cerritos Community News' published on Friday, March 24, 2017 is wrong. The City Clerk's office has received several calls after the article appeared and it has caused some confusion among voters in the City. As such, I am responding to the article to clarify that all City Council candidates for the

(more)

Cerritos City Attorney responds to claim of term limit issue in current election - 2

upcoming election on April 11, 2017 are legally on the ballot under Proposition H.

The City and City Clerk have consistently enforced Proposition H for more than 25 years. Neither the City nor City Attorney have ignored the 1989 case referenced in Brian Hews' March 24 article regarding Proposition H.

After Proposition H was adopted by the voters in 1986 there were two lawsuits filed, one in 1988 and one in 1989. The March 1988 lawsuit answered the question of whether Dr. Daniel Wong could run in the April 1988 City election. The Court in 1988 ruled that Dr. Wong could run in the April 1988 City election. The December 1989 lawsuit questioned whether Proposition H was valid and enforceable in Cerritos. The Court in 1989 ruled that Proposition H was valid and enforceable in a Cerritos and, thus, ruled that Barry Rabbitt and Diana Needham could not run in the April 1990 city election.

Neither the 1988 nor the 1989 lawsuit answered the question of whether Proposition H required a councilmember, after serving two consecutive terms, to wait one election (two years) or two elections (four years) to run for City Council again.

The City and the City Clerk's office, since Proposition H was adopted in 1986, have consistently applied the 'one election' rule. Once a councilmember has served two terms, that councilmember cannot run and must wait two years to the next general City election to run for a City Council position. The

(more)

Cerritos City Attorney responds to claim of term limit issue in current election - 3

2004 California Attorney General opinion confirmed that the City had been correctly applying the law.

The voters of Cerritos, if they so desire, have the ability to change anything about City Council term limits by way of a new initiative. Until then, the City will continue to be consistent in its enforcement and application of Proposition H."

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Term Limits 2.rtf