

MEMORANDUM

TO: Assembly President Knopp
Members of the Borough Assembly

DATE: August 2, 2011

FROM: Linda Murphy

SUBJ: Ordinance 2011-24

After considerable thought and discussion with a number of members of the public, I can no longer support Ordinance 2011-24 as written. While I agree with the amendments changing the 3-term limit to 2 terms, I am uncomfortable with the convoluted explanation of full terms, partial terms, etc. I also think we can fix the problems with the ordinance and with the term limit question as it relates to truncated terms without taking this question to the voters.

To accomplish this, I propose that we amend the ordinance so that the definition of a full term mirrors the language limiting the mayor's term of office. The amendments I propose are as follows:

1. Eliminate the last two "whereas" clauses.
2. Amend Section 1 of the ordinance as follows:

22.30.030. Terms of Office.

- A. The full term of office for assembly members is 3 years. No person who has completed two consecutive full terms on the assembly may serve another term or portion of a term until a period of 180 days has passed since the end of his second consecutive full term of office. A full term of office means the regular term of office for assembly and does not include portions of a term served by appointment or election to the remainder of an unexpired term vacated by another person or to a truncated term resulting from assembly redistricting.
 - B. No change
 - C. Delete in its entirety.
3. Section 2 - Delete in its entirety.
 4. Section 3 - Renumber as Section 2 and amend to read as follows:

Section 2. This ordinance shall take on October 14, 2011 or upon preclearance by the U. S. Department of Justice, whichever occurs later.

5. Amend the ordinance title to read: **AN ORDINANCE AMENDING KPB 22.30.030 TO REDEFINE A FULL TERM OF OFFICE WITH RESPECT TO ASSEMBLY TERM LIMITS**

Since these changes do not seek to further limit terms of office for assembly members, I do not believe voter approval would be required.