

Bond Case Briefs

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CITY COUNCILS - CALIFORNIA

Pease v. Zapf

Court of Appeal, Fourth District, Division 1, California - August 17, 2018 - Cal.Rptr.3d - 2018 WL 3948515 - 18 Cal. Daily Op. Serv. 8314

Unsuccessful primary election candidate for city council filed petition challenging successful candidate's eligibility for office.

The Superior Court entered judgment in favor of successful candidate. Unsuccessful candidate appealed.

The Court of Appeal held that:

- Laches doctrine did not preclude action even though it was brought after primary election, and
- City charter provision stating that no person may serve more than two consecutive four-year terms as "[c]ouncil member from any particular district" precluded a person from serving more than two consecutive terms while representing the same district, rather than precluding an individual from serving as a council member for more than two consecutive terms while residing in a given district.