

Review of Topics Recommended by Council

Charter Review Committee
December 1, 2021

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Framework for Consideration

- Council proposed twelve possible topics
- Selection and prioritization
- Limited number of proposed amendments
- Completion by late April

Charter Review Topics

1. Directly elected at-large Mayor

- Charter Section 4 currently provides for election of seven Council members by city-wide vote
- Charter Section 15 currently provides that, once seated, the Council shall select one of its own to serve as Mayor and one of its own to serve as Vice Mayor
- The Mayor serves a two-year term. The Vice Mayor serves a one-year term.

Charter Review Topics

- **Directly elected at-large Mayor (cont)**
 - In 2018, facing litigation and finding that state law preempted the Charter's provision for at-large Council elections, Council adopted ordinance establishing district-based elections and establishing seven independent council districts
 - Process for the Council's selection of Mayor and Vice Mayor remained unchanged

Charter Review Topics

- **Directly elected at-large Mayor (cont)**
 - This proposal would shift the structure of the City Council from seven district-based Council members to six Council members elected by district and one at-large Mayor elected by city-wide vote
 - This proposal would require a Charter amendment.

Charter Review Topics

2. Ranked choice voting

- Currently, in each Council district, each voter votes for just one candidate and the candidate with the most votes wins the Council seat
- With ranked choice voting, each voter will rank the candidates in order of preference
- If no candidate receives a majority of the “first choice” votes, a process of elimination will be used to select the winner

Charter Review Topics

- **Ranked choice voting (cont)**
 - Details of the procedure varies from jurisdiction to jurisdiction
 - Under the most common procedure, if no candidate receives a majority of the “first choice” vote (50% plus one), the candidate with the fewest number of “first choice” votes is eliminated
 - The ballots for the eliminated candidate instead shift to the second choice identified on those ballots

Charter Review Topics

- **Ranked choice voting (cont)**
 - The process continues until one candidate receives a majority of the votes cast
 - California cities with ranked choice voting include San Francisco, Oakland, Berkeley and San Leandro (with several other cities to start in 2022)
 - This proposal would require a Charter amendment

Charter Review Topics

3. Police Auditor / Citizen Oversight Commission

- An independent police auditor is a professional who provides independent oversight of police policies and practices.
- May review and investigate police operations and may observe or participate in disciplinary proceedings. Reports findings to the City Manager or Council

Charter Review Topics

- **Police Auditor / Citizen Oversight Commission (cont)**
 - A citizen oversight commission is a commission of private citizens who perform responsibilities comparable to an independent police auditor
 - The scope of responsibilities and powers of the independent auditor or citizen oversight commission varies significantly from jurisdiction to jurisdiction

Charter Review Topics

- **Police Auditor / Citizen Oversight Commission**
 - The City currently has an independent police auditor position, although the position has been vacant for several years
 - City Council will consider appointment of a new independent police auditor at its Nov 30th meeting
 - The City does not currently have a citizen oversight commission.

Charter Review Topics

- **Police Auditor / Citizen Oversight Commission (con't)**
 - Establishment of an independent police auditor does not require a Charter amendment. It can (and has) been done by ordinance or resolution
 - Establishment of a citizen oversight commission also does not require a Charter Amendment. It can be done by ordinance or resolution

Charter Review Topics

4. Council compensation

- Charter Section 4 currently allows for the Council to establish Council compensation in accordance with formulas set forth in state law
- For a cities with population between 150,000 and 250,000, state law allows for Council member salary of \$800 per month

Charter Review Topics

- **Council compensation (cont)**
 - State law allows the city's voters to approve a higher salary
 - Voters have previously approved higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary)

Charter Review Topics

- **Council compensation (cont)**
 - State law permits an annual 5% increase in Council compensation (not compounded)
 - Increase may be made by ordinance each year or periodically (for example, a \$40 increase in monthly salary each year, or a \$200 increase after five years)

Charter Review Topics

- **Council compensation (cont)**
 - To increase Council compensation beyond the state formula, a Charter amendment will be required.

Charter Review Topics

5. Climate change

- Broad topic
- Council did not provide detailed direction
- Definition of proposal left to this Committee

Charter Review Topics

- **Climate change (con't)**
 - Proposals could range from a general vision statement to individual climate change policies, programs or initiatives
 - Most individual climate change policies, programs and initiatives can be (and have been) done by ordinance or resolution

Charter Review Topics

6. Diversity, equity and inclusion

- Broad topic
- Council did not provide detailed direction
- Definition of proposal left to this Committee

Charter Review Topics

- **Diversity, equity and inclusion (cont)**
 - Charter Section 10 directs the establishment of a taskforce to recommend “approaches to greatly increase citizen and neighborhood participation and responsibility”
 - Section 10 also establishes the Community Advisory Board (CAB) to provide representation by district

Charter Review Topics

- **Diversity, equity and inclusion (cont)**
 - Charter Section 11 directs the City to “undertake all reasonable efforts to encourage participation by all citizens”
 - Section 11 also directs Council to “undertake all reasonable methods to ensure that its appointment to boards, commissions and committees reflect Santa Rosa’s diversity, including geographic and ethnic diversity”

Charter Review Topics

- Diversity, equity and inclusion (cont)
 - Possible revision or refinement of these provisions?
 - Other proposals could range from a general vision statement to individual diversity, equity and inclusion policies, programs or initiatives
 - Many programs and initiatives for diversity, equity and inclusion can (and are being) adopted through ordinance or resolution

Charter Review Topics

7. Excise Taxes

- Excise taxes are taxes that are imposed at the time of the manufacturing of a good or rendering of a service
- Excise taxes are imposed on the manufacturer or the service provider and are generally incorporated into the price of the good or service

Charter Review Topics

➤ **Excise Taxes (cont)**

- Contrast with sales taxes which are imposed at the time of sale of a good or service and are added onto the price of the good or service
- Excise taxes are commonly used to provide revenues to address negative consequences of the good or service and/or to discourage use of such goods or service

Charter Review Topics

- **Excise Taxes (cont)**
 - Examples include excise taxes on gasoline and other fuels, tobacco, alcohol and soda
 - All new taxes require voter approval
 - Need for Charter amendment is uncertain

Charter Review Topics

8. Regulation of rental housing

- Broad topic
- Council did not provide detailed direction
- Definition of proposal left to this Committee

Charter Review Topics

- **Regulation of rental housing (cont)**
 - May be related to rent control, tenant protections, short term rentals or other housing matters
 - These issues do not require a Charter amendment. All can be addressed through ordinance or resolutions

Charter Review Topics

9. Procurement policy reforms

- Broad topic
- Council did not provide detailed direction
- Definition of proposal left to this Committee

Charter Review Topics

- **Procurement policy reforms (cont)**
 - Could be used to provide for procurement flexibility, local preferences, project labor agreements or to address other procurement issues
 - Most of these issues do not require a Charter amendment, but could be addressed instead through ordinance or resolution

Charter Review Topics

- **Procurement policy reforms (cont)**
 - If the Committee wishes to propose procurement flexibility beyond that allowed by state law such proposal may require a Charter amendment

Charter Review Topics

10. Board and Commission quorums

- This item proposes to address the difficulty of ensuring quorums for various City Boards and Commissions
- The solution is uncertain and options will need to be explored
- Solutions may or may not require a Charter amendment

Charter Review Topics

- 11. Removal of Mayor or Council member for misconduct**
- Under current law, no member of the Council can be removed from the Council, except by a vote of the electorate
 - The Mayor, however, is appointed by vote of the Council and can be removed from the Mayorship by vote of the Council
 - In that event, the Mayor loses the Mayorship, but remains a member of the Council

Charter Review Topics

- **Removal of Mayor or Council members for misconduct (cont)**
 - This proposal would allow the Council to remove one of its own members in the event of misconduct
 - This proposal would require a Charter amendment

Charter Review Topics

12. Two year budget process

- Charter Section 28 currently sets forth a required process and schedule for an annual budget
- Council has recommended that the Committee consider whether a two-year budget cycle might be advantageous

Charter Review Topics

- **Two year budget process (cont)**
 - Committee could consider whether to shift the City to a two-year budget cycle or simply provide flexibility for the City Manager to propose a two-year budget
 - Any allowance for a two-year budget would require a Charter Amendment

Charter Review Topics

- Direct Elect Mayor
- Ranked Choice Voting
- Police Auditor / Citizen Oversight Commission
- Council Compensation
- Climate Change
- Diversity, Equity and Inclusion
- Excise Tax
- Rental Housing Regulation
- Procurement Reform
- Quorums
- Removal of Mayor / Council Member for Misconduct
- Two-Year Budget

Charter Review Topics

Amendment Required

- Direct Elect Mayor
- Ranked Choice Voting
- Council Compensation
- Removal of Mayor / Council Member for Misconduct
- Two-Year Budget

Option for Ordinance

- Police Auditor / Citizen Oversight Committee
- Excise Tax
- Rental Housing Regulation
- Procurement Reform
- Quorums
- Climate Change
- Diversity, Equity, Inclusion

QUESTIONS AND DISCUSSION