

**Charter of the City of Santa Rosa (Revised 20122)**

**Sec. 1. Name.** The municipal corporation now existing and known as the City of Santa Rosa remains and continues to be a body politic and corporate as at present, in name, in fact, and in law.

**Sec. 2. Boundaries.** The boundaries of the City of Santa Rosa are those established on the effective date of this section and as the same may thereafter be altered from time to time in accordance with the provisions of state law.

**Sec. 3. Powers of the City.** The City, by and through its Council and other officials, shall have and may exercise all powers necessary or appropriate to a municipal corporation and the general welfare of its inhabitants which are not prohibited by the Constitution and which it would be competent for this charter to set forth particularly or specifically, and the specifications herein of any particular powers shall not be held to be exclusive or any limitation of this general grant of powers.

**Sec. 4. The Council.** The legislative body of the City shall consist of seven persons elected by district at large to be known as the Council. Boundaries of the seven Council districts shall be established and updated by ordinance in accordance with state and federal law. The members of the Council shall hold office for four years and until their successors are elected and qualified. The terms of the Council member shall alternate so that three members or four members, as the case may be, shall be elected every two years. Council elections for Districts 1, 3, 5 and 7 shall be held every four years in Presidential election years. Council elections for Districts 2, 4 and 6 shall be held every four years in California Gubernatorial election years. In case of a tie vote of the electorate, the person elected shall be decided by lot. There shall be no limitation on the number of consecutive terms a Council member or Vice-Mayor may serve. A Council member may not serve consecutive terms as Mayor.

No person shall be eligible to hold office as a member of the Council, unless ~~he or she is~~ they are a registered voter of the City at the time the person's nomination papers are issued and is, at the time of assuming office, an elector of the City.

~~The Mayor shall receive compensation for performance of their official duties in an amount equal to the Sonoma County area median income for a three-person household as determined by the United States Department of Housing and Urban Development. Council members shall receive compensation for performance of their official duties in an amount equal to two-thirds of the Sonoma County area median income for a three-person household as determined by the United States Department of Housing and Urban Development. Annual adjustments shall be made in such compensation for both Mayor and Council members in alignment with adjustments to the area median income as determined by the United States Department of Housing and Urban Development. The Council may act, by ordinance, to provide compensation to each of its members in an amount authorized by State law for the compensation of council members in general law cities of comparable size; provided, however, that the Mayor, while holding that office, shall receive compensation in an amount equal to one hundred and fifty percent of the compensation received by another council member.~~

**Sec. 5. Council Members Ineligible for Other City Positions During Term of Office and for One Year Thereafter.** No member of the Council shall be eligible for any office in, or employment by the City, for compensation, other than the elective office of Council member, during ~~his or her~~ their term of office and for one year after the termination of ~~his or her~~ their office.

**Sec. 6. Meetings of the Council.** The Council shall meet on the Tuesday next succeeding each general municipal election and the day the returns thereof are certified to the City by the Registrar of Voters, or other authorized election official, and shall approve and certify the results of the election and declare elected those Council candidates receiving the highest number of votes for the available offices. The new Council members shall then be inducted into office, whereupon the Council as thus newly constituted shall choose one of their number Mayor who shall be the executive head of the City.

The regular meetings of the Council shall be held on Tuesdays and shall be held not less than twice each month. The Council shall adopt rules for conducting its meetings.

**Sec. 7. Quorum.** A majority of the Council shall constitute a quorum for the transaction of any business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

The affirmative vote of a majority of the total membership of the Council shall be necessary to adopt any ordinance or resolution and for the Council to approve or settle a claim against the City, which vote shall be taken by ayes and nays and entered upon the record.

**Sec. 8. Ordinances.** All proposed ordinances introduced in the Council shall be in printed or typewritten form. The enacting clause of all ordinances shall be as follows: "The people of the City of Santa Rosa do enact as follows." No ordinance shall be passed by the Council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular meeting. A proposed ordinance may be amended or modified between the time of its introduction and the time of its final passage, providing its general scope and original purpose are retained. All ordinances shall be signed by the Mayor, attested by the City Clerk, and be published at least once in a newspaper of general circulation before becoming effective. The publication requirement of this section may be satisfied by either the publication of a summary of the ordinance and a posting of the ordinance or the publication of display advertisements and posting of the ordinance as provided in the provisions of the Government Code relating to the satisfaction of ordinance publication requirements for general law cities.

Notwithstanding the above, any ordinance declared by the Council to be necessary as an urgency measure for preserving the public peace, health, or safety and containing the reasons for its urgency, may be introduced and passed at one and the same meeting and, if passed by a five-sevenths vote, shall become effective immediately.

**Sec. 9. Staff for City Council.** The Council may authorize the retention of independent staff to assist the Council and to serve at the will of the Council.

**Sec. 10. Task Force: ~~Citizen-Resident~~ & Neighborhood Participation.**

(a) The Council shall appoint a task force to recommend to the Council approaches to greatly increase ~~citizen-resident~~ and neighborhood participation and responsibility.

(b) The Council shall establish a District Commission encompassing the entire City. The Commission shall be composed of the representatives of seven to fourteen districts, whose boundaries shall be established by the Council. The representatives of each district shall advise the Council regarding city matters, including 1) public safety issues; 2) participation in neighborhood planning meetings within the district; and 3) CIP budget priorities for their district. Each district representative, at the time of

appointment and during ~~his or her~~ their service as such, shall be, and remain a resident of the district they are ~~he or she is~~ appointed to represent.

1. The Council shall establish each year an allocation for public improvements within each district which the district representatives, after a noticed public hearing, shall determine how to expend, subject to Council approval.
2. The Council shall adopt a resolution within one year of the adoption by the electorate of this provision that sets forth the boundaries of districts and the responsibilities, length of term, manner of appointment, and number of the district representatives.

#### **Sec. 11. Participation & Diversity in Boards & Commissions.**

(a) The City shall undertake all reasonable efforts to encourage participation by all residentcitizens. Further, the Council shall undertake all reasonable methods to ensure that its appointments to boards, commissions and committees reflect Santa Rosa's diversity, including geographic and ethnic diversity.

The City Council shall issue a written report annually that will be discussed in public session regarding its appointments to boards, commissions and committees. The report shall contain, but is not limited to, the total number of appointments in a given year, the total number of applications in a given year, and relevant diversity information including geographic and ethnic diversity. Further, the report will evaluate the progress and success of increasing the diversity of appointments.

(b) Individual council members shall appoint one member of boards and commissions, except as provided below. Terms shall coincide with the term of the appointing council member. A new council member may replace appointments in the event one is selected to serve out the unexpired term of a council member. Any board or commission with less than seven members shall be increased to seven. This process shall be phased in by the council within two years of adoption by the electorate of this provision. Boards and commissions dealing with issues of interest to the general public shall commence public hearings, whenever practicable, no earlier than 5 p.m. The provisions of this subsection shall not apply to the District Commission, Redevelopment Agency, and Personnel, Building Regulation Appeals, and Housing Authority boards.

**Sec. 12. Charter Review.** This Charter shall be reviewed in the year 2002 and ~~not less than~~ every ten years thereafter by a committee to be appointed by Council in accordance with Section 11 (a) and existing Council Policies on the appointment of Boards, Commissions and Committees. Nothing in this section precludes additional amendments placed on the ballot by voter initiative or by Council ordinance at such other times as deemed necessary.

**Sec. 13. Independent Auditor.** The Council shall provide for an independent annual audit of all City accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified accounting firm selected by the Council which has no financial interest, direct or indirect, in the fiscal matters of the City's government or any of its officers. The audit shall be conducted in accordance with generally accepted auditing standards.

**Sec. 14. Official Bonds.** The Council shall determine which officers and employees shall be bonded for the faithful performance of their official duties and fix the amounts of such bonds.

**Sec. 15. Mayor.** At the Council meeting at which any Council member is installed following any general or special municipal election, and at any time when there is a vacancy in the office of Mayor, the City Council shall meet and shall elect one of its members as its presiding officer, who shall have the title of Mayor. The Mayor shall serve for a term of two years or until a successor is chosen, unless earlier removed by the Council. The Council, at the time it selects a Mayor and during each November in odd numbered years, shall choose one of its number as Vice-Mayor, who shall serve as Mayor Pro Tem in the absence, sickness or other disability of the Mayor. The Vice-Mayor shall serve for a term of one year or until a successor is chosen, unless earlier removed by the Council. The Mayor and Vice-Mayor shall hold their respective offices subject to the pleasure of the Council. A Council member may not serve consecutive terms as Mayor. If a Mayor fails to complete a full term, the Council member elected to fill out the remainder of the unexpired term shall not be barred from serving a consecutive term as Mayor thereafter if the remaining term filled was one year or less.

The Mayor shall be the executive head of the City. ~~In case of riot, insurrection or extraordinary emergencies the Mayor shall assume general control of the City's government and all of its branches, and shall be responsible for the suppression of disorders and the restoration of normal conditions.~~ The Mayor shall sign all ordinances and resolutions and, as authorized and directed by the Council, other legal instruments on behalf of the City. The Mayor shall have the power and authority:

- (a) To preside over meetings of the Council and to vote as a member of the Council.
- (b) To establish the agendas for Council meetings with the assistance of the City Manager.
- (c) To appoint committees of the Council and Council committee chairpersons.
- (d) To appoint chairpersons of the City's boards, commissions, and committees with the approval of the majority of the Council.
- (e) To deliver annually a state of the City address in which ~~he or she~~they articulates policy and vision for the City.
- (f) To act as the ceremonial representative of the City and spokesperson of the City.
- (g) To make appointments to all county, regional and state bodies on which the City is represented with the approval of the majority of the Council.
- (h) To act as chief negotiator on behalf of the City with county, regional, state and federal bodies and agencies.

**Sec. 16. Officers.** The elective officers of the City shall be the members of the Council. The appointive officers shall be a Mayor and Vice-Mayor, a City Manager, a City Clerk, City Engineers, a chief financial officer, a City Attorney, a Chief of Police, a Chief of the Fire Department, and such others as the Council may designate.

**Sec. 17. Oath of Office.** Every officer shall take and subscribe to the Constitutional oath of office before entering upon the performance of his or her official duties.

**Sec. 18. City Manager.** There shall be a City Manager appointed by the Council who shall be the administrative head of the City government. It shall not be necessary that the City Manager be a resident of the City at the time of his or her appointment. The powers and duties of the City Manager shall be as follows:

(a) To see that all ordinances are enforced.

(b) To appoint, except as otherwise provided, all heads of departments, subordinate officials and employees, and remove the same except as otherwise herein provided, and have general supervision and control over the same.

(c) To serve as Director of Emergency Services, responsible for controlling and directing the effort of the emergency organization of the City in response to actual or threatened conditions of disaster or of extreme peril to the safety of persons and property within the City.

~~(d)~~ To exercise general supervision over all privately owned public utilities operating within the City so far as the same are subject to municipal control.

~~(e)~~ To see that the provisions of all franchises, permits and privileges granted by the City are fully observed and report to the Council any violations thereof.

~~(f)~~ To act as purchasing agent for the City, except for the Board of Public Utilities, unless requested by such board.

~~(g)~~ To attend all meetings of the Council unless excused therefrom by the Council or the Mayor.

~~(h)~~ To examine or cause to be examined, without notice, the conduct of any appointed officer or employee of the City.

~~(i)~~ To keep the Council advised as to the needs of the City.

~~(j)~~ To devote his or her~~their~~ entire time to the interests of the City.

~~(k)~~ To have general supervision of all the public parks and playgrounds of the City.

~~(l)~~ To appoint such advisory boards as he or she~~they~~ may deem desirable to advise and assist the work of the City Manager, provided such boards shall not receive any compensation.

**Sec. 19. City Attorney.** There shall be a City Attorney appointed by the Council. The City Attorney shall be an attorney-at-law admitted by the bar of the Supreme Court of this state, and one who has had at least three years of~~been in~~ actual practice in the state ~~for at least three years preceding~~. All other things being equal, an attorney who has had special training or experience in municipal corporation law shall be appointed to this office if practicable. The City Attorney shall be legal advisor of the Council and all other City officials. The City Attorney shall draft all ordinances, resolutions, contracts or other legal documents or proceedings required by the Council or other officials, except as may be otherwise provided. The City Attorney shall prosecute all violators of City ordinances and represent the City in all legal proceedings. The City Attorney shall attend all meetings of the Council unless excused therefrom by the Council or the Mayor.

**Sec. 20. City Clerk.** There shall be a City Clerk appointed by the City Manager. The City Manager may not serve as the City Clerk. The City Clerk shall keep an accurate record of the proceedings of the Council and shall maintain in properly indexed books, the originals of all ordinances and resolutions adopted by the Council. The City Clerk shall have power to administer oaths and affirmations, take affidavits and certify to the same, and shall have charge of the City's Seal. The City Clerk shall act as the City's election official and shall have such other powers and duties as may be prescribed by the Council.

**Sec. 21. Chief of Police.** There shall be a Chief of Police appointed by the City Manager. The Chief of Police shall be head of the Police Department of the City and shall have all powers that are now or may hereafter be conferred upon sheriffs and other peace officers by the laws of the state. ~~It shall be the duty of the Chief of Police to preserve the public peace and to suppress riots, tumults and disturbances.~~ The Chief of Police shall have such other powers and duties as may be prescribed by the Council. The Chief of Police shall appoint and remove all subordinates in the department, in accordance with the applicable rules of the City, and shall make rules and regulations for the management of the department.

**Sec. 22. Chief of the Fire Department.** There shall be a Fire Chief appointed by the City Manager. The Fire Chief shall be head of the Fire Department of the City, and shall have charge and supervision over all matters relating to the prevention and extinction of fires, and of all measures necessary to guard and protect all property impaired thereby. The Fire Chief shall have such other powers and duties as may be prescribed by the Council. During the time of a fire, the Fire Chief shall have ~~full supreme~~ authority over the territory ~~immediately involved in or threatened by the fire~~~~involved therein~~, and all persons in the immediate vicinity of the fire during such time shall be subject to the Fire Chief's orders. The Fire Chief shall appoint and remove all subordinates in the department, in accordance with the applicable rules of the City, and shall make rules and regulations for the management of the department.

**Sec. 23. City Engineers.** There shall be one or more City Engineers, as authorized by the Council, who shall be appointed by the City Manager. Each City Engineer shall be a practicing civil engineer, registered as a civil engineer in California for a period of at least three years immediately prior to appointment, and shall maintain such registration during ~~his or her~~~~their~~ employment as City Engineer.

**Sec. 24. Chief Financial Officer.** The chief financial officer (CFO) of the City shall be a position appropriately titled by the Council and appointed by the City Manager. The CFO shall be responsible for the accounting functions of the City including the establishment of appropriate internal controls. The CFO shall be responsible for retaining and preserving all accounts, books and documents relating to the acts and contracts of the City, its debts, collection of its revenues and other financial matters.

The accounting system shall be maintained in accordance with generally accepted accounting principles for municipalities. The CFO shall issue an annual financial report. The accounting records, internal controls and annual financial report shall be subject to annual audit in accordance with section 13 of this charter.

**Sec. 25. Board of Public Utilities.**

(a) There shall be a Board of Public Utilities composed of 7 members appointed by the Council, at least one of which, if practical, shall be a civil engineer having some knowledge of municipal utilities. The members shall be appointed to staggered terms of 4 years in accordance with section 11. Members will

serve without compensation. Additionally, the City Manager or a member of the City Manager staff shall sit on the Board as an ex officio non-voting member.

(b) The Board of Public Utilities shall have general policy authority and direction over the management and operation of the City's water and sewer utilities and stormwater system, and, as the Council may by resolution or ordinance direct, such other utility facilities or operations managed by the City and utilities owned or operated by the City, including dry utilities, including electricity, broadband and others.

(c) Within the limits of the specific appropriations contained in the Council adopted annual budget for each City utility over which the Board of Public Utilities has authority, the Board may: (1) approve utility projects and award contracts therefor in accordance with procedures adopted by the Council; (2) negotiate property acquisitions for each utility consistent with the policies and practices of the City Council and within the parameters of state law; (3) rent and lease utility property and property needed for City utility purposes consistent with the policies and practices of the City Council and within the parameters of state law; 4 award contracts for maintenance, services, supplies and professional services needed by each City utility in accordance with Council adopted procedures.

(d) The books of each utility shall be kept in accordance with generally accepted accounting principles for municipal enterprises.

(e) The Board of Public Utilities shall perform such other duties and exercise said other authority as the Council, by resolution or ordinance, may from time to time direct.

#### **Sec. 26. Water & Sewer Rates; Connection/Demand Fees; & Miscellaneous Fees & Charges.**

(a) The Council, by ordinance or resolution, shall establish, from time to time, the rates to be charged for water furnished and sewer services provided by the City and the fees, currently called demand fees, to be charged for connections to each City utility system under its authority.

(b) The Board of Public Utilities, by resolution, shall establish, from time to time, other fees and charges needed in connection with the operation and maintenance of each City utility system.

(c) Notwithstanding any other provision of this Charter, no funds derived from the sale of water or the providing of sewer services, from fees imposed for connections to either City system, or fees or charges imposed and collected in connection with the operation of either system shall be transferred to the general fund of the City; but all such funds shall be used exclusively for the uses and purposes of the City water system and the City sewer system, respectively, and for the payment of interest on, and the redemption of, bonds issued by the City for the purpose of providing City water and sewer services.

**Sec. 27. Fiscal Year.** The fiscal year shall begin with the first day of July and end with the last day of June of each year.

#### **Sec. 28. Budget.**

(a) Not later than January 1st of each year, the Council shall publish a summary of the current year's adopted budget, along with places where copies of the current year's adopted budget are available for public review. Not later than March 31st of each year and prior to any annual goal setting meeting held by the Council, the Council shall hold a public hearing seeking oral and written comment from the public



on budget priorities for the upcoming fiscal year. The notice of the public hearing shall be published twice, the first not earlier than 31 days prior to the hearing and the second not later than 5 days prior to the hearing. The notices shall be published at least 7 days apart.

(b) The City Manager shall submit a proposed budget to the Council for the maintenance, operations, and capital improvement for all City departments and funds each fiscal year. The budget may span a single or multiple years. Whether a single or multi-year budget, tThe budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such a form as the City Manager deems desirable or the Council may require. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income and all proposed expenditures, including debt service, for the ensuing fiscal year, and shall be so arranged as to show comparative figures for actual and estimated income and expenditures for the current fiscal year and actual income and expenditures of the preceding two fiscal years.

(c) Prior to adopting the budget, the Council shall publish a general summary of the proposed budget and a notice stating:

(1) The times and places where copies of the proposed budget are available for review by the public; and

(2) The time and place, not less than two weeks after such publication, of a public hearing to be held by the Council on the proposed budget.

(d) The Council shall adopt the budget on or before the last day of June of each year. If it fails to adopt the budget by this date, the budget proposed by the City Manager shall go into effect. The Council may revise or amend the budget from time to time during the fiscal year it is in effect.

#### **Sec. 29. The Santa Rosa City School Districts.**

(a) The Santa Rosa City School Districts shall include kindergartens, primary, grammar and high schools, and such evening schools, parental schools, junior high schools, intermediate schools, and other schools and programs as are established or may hereafter be established by the Board of Education of the School Districts under the Constitution and general school laws of the state.

(b) The boundaries of the Santa Rosa City School Districts shall be the boundaries now established for those School Districts, or that may be hereafter established for those School Districts, provided, that nothing herein contained shall be construed as prohibiting, or in any way affecting the annexation, for school purposes, of additional outside territory to the Santa Rosa City School Districts, in accordance with the general school laws of the state.

(c) The government of the Santa Rosa City School Districts shall be vested in a Board of Education composed of those persons, who shall be elected pursuant to the general school laws of the state.

(d) The powers and duties of the Board of Education shall be such as are now, or may hereafter be, conferred upon and enjoined on Boards of Education in city school districts by the laws of the State of California.



**Sec. 30. Elections.** General municipal elections of the City shall be held on the first Tuesday after the first Monday in November of each even-numbered year. All elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exists or hereafter may be amended, for the holding of municipal elections, so far as the same are not in conflict with this Charter. Elections shall be conducted pursuant to the election laws of the state as the same relate to municipal elections.

**Sec. 31. Council Vacancy.**

(a) A Council vacancy may be filled by appointment by the Council or the Council may call a special election to fill the vacancy. If the Council fails to fill a Council vacancy within sixty days after it occurs, the Council shall then call a special election to be held as soon as practicable.

(b) If for any reason the seats of a majority of the Council shall become vacant, the City Clerk shall then call a special election to fill the vacancies for the unexpired terms, such election to be conducted substantially in the manner provided for by the general laws of the state.

(c) An appointee shall hold office until a successor is elected for the unexpired term at the next municipal election or until a successor is elected at a special election held in accordance with this section. Any person elected to the Council pursuant to this section shall serve the balance of the unexpired term.

(d) If any officer of the City shall remove ~~himself or herself themselves~~ from the City or absent ~~himself or herself themselves~~ therefrom for more than thirty days consecutively without the prior permission of the Council or shall fail to qualify or shall resign or be convicted of a felony or adjudged incompetent, ~~his or her their~~ office shall thereupon become vacant.

(e) The Council may, by ordinance, provide the detailed procedure for carrying out the provisions of this Section.

**Sec. 32. Initiative, Referendum & Recall.** Ordinances may be initiated, or the referendum exercised on ordinances passed by the Council under and in accordance with the Constitution and general laws of the state, and any elective officer may be recalled from office under and in pursuance of the provisions of the Constitution and general laws. In case an officer be recalled the office held by ~~him or her them~~ shall be deemed vacant and shall be filled ~~in accordance with Section 31 by appointment by the Council~~ as in the case of any other vacancy. The Council shall, by ordinance, provide the detailed procedure for carrying out the provisions of this section.

**Sec. 33. Public Library.** The free public library of the City shall be managed under and in accordance with the provisions of the general laws of the State of California relating to free public libraries. The City may provide such services through a joint powers agreement with other public entities if approved by the City Council.

**Sec. 34. Public Records.** The records of the City shall be available for inspection in accordance with the California Public Records Act and other applicable state laws.

**Sec. 35. Records to Successor.** All officers and boards shall deliver to their successors all papers, books, documents, records, archives and other properties pertaining to their respective offices or departments in their possession or under their control.

**Sec. 36. Compensation.** The Council shall, by ordinance, fix the compensation of all officers, deputies and assistants appointed by the Council, except those appointed by the City Manager, who shall fix the compensation of the deputies, assistants and employees of all officers appointed by ~~him or her~~them; subject, however, to approval of the Council.

**Sec. 37. Deputies.** Officers appointed by the Council, shall have the power to appoint their own deputies when the same are necessary, ~~subject, however to confirmation by the Council.~~

**Sec. 38. Additional Duties of Officers.** Besides the duties herein specified, all officers and boards shall perform such other appropriate duties as may be prescribed by the Council or the general laws.

**Sec. 39. Participation in Council Elections.** Neither the City Manager, nor any person in the employ of the City, shall take any active part in securing, or shall contribute money toward the nomination or election of any candidate for a municipal office except as permissible under the Constitution of the United States of America, the Constitution of California, and the laws of California.

**Sec. 40. Interference With Manager.** Neither the Council nor any of its members shall in any manner control the appointment or removal of any City administrative officer or employee whom the City Manager or any subordinate of the City Manager is empowered to appoint, but the Council may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

The Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

Notwithstanding the above, the Council acting as a body may make investigations into the affairs of the City and the conduct of any department, office or agency.

**Sec. 41. No Gratuities to Officials.** No officer or employee shall accept any donation or gratuity in money, or other thing of value, either directly or indirectly from any subordinate or employee, or from anyone under ~~their~~his or her charge, or from any candidate or applicant for any position as employee or subordinate in any department of the City.

**Sec. 42. Prohibited Acts & Interests in Contracts.** In accordance with the requirements of the Government Code, City officers and employees and members of boards and commissions of the City shall not be financially interested in any contract, purchase or sale made by them in their official capacity, or by any body or board of which they are members. No officer or employee of the City shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price or rate than proposed by any other bidder, or favor one bidder over another, giving or withholding information, or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials or supplies of a quality inferior to that called for by the contract or knowingly certify to a greater amount of labor performed than has actually been performed, or to the receipt of a greater amount of material or supplies than has actually been received. Any officer or

employee violating any of the foregoing provisions of this section shall be guilty of a misdemeanor and be automatically expelled from ~~his or her~~ their office or employment.

If at any time it shall be found that the person, firm, or corporation to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties, then the contract so awarded shall, if the City so elects, be null and void and the contractor and ~~his or her~~ their bondsmen shall be liable to the City for all loss or damage which the City may suffer thereby. In that event the Council may advertise anew for bids for said work or supplies.

**Sec. 43. Approving Illegal Claims.** Every officer who shall willfully approve, allow or pay any demand on the treasury not authorized by law, shall be liable to the City individually and on ~~his or her~~ their official bond for the amount of the demand so approved, allowed or paid, and shall forfeit such office and be forever disbarred and disqualified from holding any position in the service of the City.

**Sec. 44. Contract Work.** In the erection, improvement and repair of all public buildings and works, in all street and sewer work, or in or about embankments or other works for the protection against overflow, and in furnishing any supplies or materials for the same, when the expenditure required for the same shall equal or exceed the sum provided by the state Contract Act for the letting of bids by the state Department of Transportation or shall exceed such lower amount as the Council may provide, the same shall be done by contract and shall be let to the lowest responsible bidder, after notice by publication in the official newspaper;

Provided that the Council may reject any and all bids presented and may re-advertise in their discretion; and Provided further, that after rejecting bids the Council may declare and determine by a five-sevenths vote of all its members that in its opinion the work in question may be more economically or satisfactorily performed by day labor, or the materials or supplies purchased at a lower price in the open market, and after the adoption of a resolution to this effect, they may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section; and

Provided further, that in case of a great public calamity, such as an extraordinary fire, flood, storm, epidemic or other disaster, the Council may, by resolution passed by a vote of five-sevenths of all its members, declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and thereupon may proceed to expend or enter into a contract involving the expenditure of any sum required for such emergency.

In the employment of labor by contract or day work, preference shall be given so far as practicable to local people as against non-residents, insofar as the same is not in conflict with the Constitution or general laws.

**Sec. 45. Public Improvements & Street Work.** All public improvements, including the improving, widening or opening of streets or highways may be done under and in pursuance of the general laws of the state or procedure ordinances adopted by the Council or the electors, and the whole or any portion of the cost thereof paid out of the City treasury or assessed on the property benefited.

**Sec. 46. Franchises.** Every franchise or privilege to construct, maintain, or operate any railroad, or other means of transportation in or over any street or highway, or to lay pipes or conduits, or erect poles or wires or other structures in or across any street or highway for the transmission of gas, electricity, or other commodity, or for the use of public property or places now or hereafter belonging to the City,

shall be granted under and in pursuance of the provisions of the general laws of the state relating to the granting of franchises; provided, no franchise or the renewal of an existing franchise shall be granted except on condition that at least 2% of the gross annual receipts derived from the use of such franchise shall be paid to the City.

Every such franchise shall require the grantee thereof to agree to a joint use of its property to others, wherever practicable, and nothing herein shall be construed as prohibiting the Council from requiring other conditions not inconsistent with the Constitution or general laws. No franchise or privilege so granted shall be sold, leased, assigned, or otherwise alienated without the express consent of the Council given by ordinance and subject to the referendum.

**Sec. 47. Newspaper of General Circulation.** The Council shall select one or more newspapers of general circulation in the City for the publication of ordinances and other legal notices required to be published.

**Sec. 48. Bond Money.** All money derived from the sale of bonds, including premiums and accrued interest, shall be applied only to the purpose for which the bonds were voted; provided, that after such purposes have been fully completed and paid for, any remaining surplus shall be transferred to the bond interest and redemption fund, and provided further, that whenever the Council shall by resolution deem the expenditure of money raised by the sale of bonds for the purpose for which said bonds were voted to be impracticable or unwise, said Council may call a special election to obtain the consent of the people of said City to use said money for some other specified municipal purpose, in which case the resolution calling such special election shall recite the new object or purpose for which the said money is proposed to be expended, and shall fix the date on which such special election will be held, the manner of holding such election and the voting for or against the expenditure of said money for said purpose, and in all particulars not recited in said resolution such election shall be held as provided by law for holding of such municipal elections.

Such resolution shall be published once a day for at least seven days in some newspaper published at least six days a week in the City; or once a week for two weeks in some newspaper published therein less than six days a week, and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. No other notice of such election need be given. It shall require the votes of two-thirds (2/3) of the voters at such special election to authorize the expenditure of the moneys for the purpose mentioned in the resolution calling such special election. If by such vote the voters authorize the expenditure of such money for the purposes mentioned in said resolution calling such election, then the Council may expend such moneys for the purposes so specified and after such purposes have been fully completed and paid, then any remaining surplus shall be transferred to the bond interest and redemption fund.

**Sec. 49. Pensions.** If and when any such coverage is possible under the laws of the State of California and the laws of the United States, the Council may provide for inclusion of City employees, officials or members of the police or fire department in the benefits of the Federal Social Security Act as now or hereafter amended or superseded, and the Council may for and on behalf of the City, enter into such contracts or agreements with the State of California or the federal government of the United States or any agency, department or officer of the state or federal government, make such payments, incur such obligations and take such other action as necessary to accomplish coverage of City employees, officials or members of the police or fire department under the Federal Social Security Act.

The Council may enter into a contract with the Board of Administration of the State's Public Employees' Retirement System or other Retirement Systems or fiduciary providing for IRS Qualified retirement and death and disability benefits plans for persons in the employ of the City.

**Sec. 50. Personnel Rules & Regulations.** The Council shall by ordinance adopt rules and regulations for personnel relations, employment and administration.

**Sec. 51. General Laws Applicable.** All general laws of the state applicable to municipal corporations, now or hereafter enacted, and which are not in conflict with the provisions of this charter or with ordinances or resolutions hereafter enacted, shall be applicable to the City; provided, the Council shall have the power to pass ordinances which in relation to municipal affairs shall control as against the general laws of the state.

The Council may contract with the County of Sonoma for performance by appropriate county officers and employees of City functions or may transfer City functions, including assessment and collection of taxes to the County of Sonoma in accordance with and in the manner provided by any general law of the State of California in effect on the date such action is taken, notwithstanding anything either directly or by implication to the contrary contained in any other section or provision of this charter and dates set out in this charter for completion of things to be done and action to be taken may be varied from to accomplish the purpose of this section.

**Sec. 52. Continuing Officers & Employees.** Until the election or appointment and induction into office of the officers and employees in this charter provided for, the present officers and employees shall without interruption, continue to perform the duties of their respective offices and employments for the compensation provided by the preceding charter or existing ordinances, resolutions, regulations, or laws.

**Sec. 53. Continuing Ordinances in Force.** All lawful ordinances, resolutions, and regulations in force at the time this charter shall take effect, and not inconsistent with its provisions, are hereby continued in force until the same shall have been duly amended, repealed or superseded.

**Sec. 54. Continuing Contracts in Force.** All vested rights of the City shall continue and shall not in any manner be affected by the adoption of this charter, nor shall any right, liability, pending suit or prosecution, either in behalf of or against the City, be affected by the adoption of this charter. All contracts entered into by the City prior to the taking effect of this charter shall continue in full force and effect.

**Sec. 55. When Charter Effective.** This charter will go into effect, following its adoption by the people, when filed with the Secretary of State. All elected officers in office at the time this charter becomes effective shall hold office until the expiration of the terms for which they shall have been elected, and perform the duties of their respective offices in accordance with the provisions of this charter.

**Sec. 56. Impartial & Binding Arbitration for Police & Fire Department Employee Disputes.**

(a) It is hereby declared to be the policy of the City of Santa Rosa that strikes by firefighters and police officers are not in the public interest and should be prohibited, and that a method should be adopted for peacefully and equitably resolving disputes that might otherwise lead to such strikes. It is further acknowledged that strikes by firefighters and police officer are unlawful in the State of California.

(b) Prohibition against Strikes. No City of Santa Rosa police department employee or fire department employee covered by the provisions of this section shall willfully engage in a strike against the City. Any such employee against whom the City brings charges of failing to report for work as part of a strike shall be subject to dismissal from ~~his or her~~ their employment in the event the charges are sustained upon conclusion of the proceedings that are required by law for the imposition of disciplinary action upon said employee.

(c) In the event that the City and any employee organization that is recognized by the City as the exclusive representation unit or representation units composed solely of employees of the police department and/or fire department, as such units are currently constituted or as they may be amended through negotiation or arbitration as provided in this section, fail to reach agreement on a memorandum of understanding after negotiating in good faith as required by the Meyers-Milias-Brown Act, Government Code § 3500 et seq., then either party may request that the issues be submitted to binding arbitration. Except as otherwise provided in this section to the contrary, all provisions of the Meyers-Milias-Brown Act shall apply to the negotiations and impasse procedures between the City and said employee organizations.

(d) In the event that the City and any employee organization that is recognized by the City as the exclusive representative of a representation unit or representation units composed solely of employees of the police departments and/or fire department, as such units are currently constituted or as they may be amended through negotiation or arbitration as provided in this section, fail to resolve any grievance over the application or interpretation of any provision in the memorandum of understanding between the City and said employee organization, except for any issue relating to discipline of an individual employee or employee(s), either party may request submission of the grievance to binding arbitration for final resolution.

(e) The City and the representatives of the employee organization may stipulate to have the issues resolved by a single arbitrator agreed upon by the parties. If the parties are unable to agree to a single arbitrator, then within fourteen days after either party has notified the other in writing that it desires to proceed to arbitration, each party shall select and appoint one arbitrator to the Arbitration Board. The third member of the Arbitration Board shall be selected by agreement between the City and the employee organization and shall serve as the neutral arbitrator and Chairperson of the Board. In the event that the City and the employee organization cannot agree upon the selection of the neutral arbitrator within ten days after the appointment of the arbitrators referenced above, then either party may request the State Mediation and Conciliation Service of the State of California Department of Industrial Relations to provide a list of seven persons to act as the neutral arbitrator, the parties shall alternately strike names from the list of nominees until one name remains and that person shall then become the neutral arbitrator and the Chairperson of the Board.

(f) The Arbitrator(s) in arriving at a decision shall consider the factors set forth in Government Code Section 3505.4 (d) in the following order of priority and importance:

- (1) State and federal laws that are applicable to the City;
- (2) Local rules, regulations, or ordinances;
- (3) Stipulations of the parties;

(4) The interests and welfare of the public and the financial ability of the City as these terms are defined in paragraph (g) below;

(5) Comparison of the wages, hours, and conditions of employment of the employees involved in the arbitration with the wages, hours, and conditions of employment of other employees performing similar services in comparable cities;

(6) The consumer price index for goods and services, commonly known as the cost of living; and

(7) The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays, and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.

(g) The interests and welfare of the public and the financial ability of the City to pay shall be determined based on an evaluation of evidence submitted by both parties based on all of the following criteria:

(1) The documented cost of the respective proposals submitted by both parties to the general fund and other dedicated public safety funding sources;

(2) A genuine general fund budget deficit of the City;

(3) Inability of the City to pay its debts to third parties;

(4) Legislative action by the City declaring a financial emergency;

(5) Long term cash flow problems in the general fund or other dedicated public safety funding sources;

(6) The City's bond rating and inability to sell bonds and other obligations at a reasonable interest rate;

(7) Decline in general fund or other dedicated public safety tax revenues over a period of years;

(8) Documented increases or decreases in benefit costs or other City mandatory expenditures in the general fund or other dedicated public safety funding sources;

(9) Projected costs to the general fund of pending litigation against the City;

(10) Condition of the City's physical infrastructure, especially safety and liability issues arising from poorly maintained facilities;

(11) Reduction in the number of positions by attrition and layoffs of employees in the two fiscal years prior to the fiscal year under negotiation;

(12) Layoffs proposed for the fiscal year under negotiation;

(13) Consideration of salary and benefit increases or decreases to other City general fund employees in the fiscal year prior to the year(s) under negotiation and the current fiscal year(s) at issue;



(14) The relative wealth of the City when comparing general fund revenue per capita with the comparable agencies; and

(15) If the proposed contract is a multiyear contract, the arbitrator must consider ability to pay over the life of the contract being arbitrated.

(h) The decision of the Arbitrator(s) shall provide a written explanation as to the application of the factors set forth above in the decision. Compliance with the provisions of the Charter shall be mandatory and enforceable by either party pursuant to Section 1085 of the Code of Civil Procedure; failure to comply with these provisions shall also constitute an act in excess of jurisdiction.

(i) After reaching a decision, the Arbitrator(s) shall mail or otherwise deliver a true copy of its decision to the parties. The decision shall not be publicly disclosed and shall not be binding until 10 days after it is delivered to the parties. During that 10 day period the parties shall meet privately, attempt to resolve their differences, and by mutual agreement amend or modify the decision of the Arbitrator(s). At the conclusion of the 10 day period, which may be extended by mutual agreement between the parties, the decision of the Arbitrator(s), as it may be modified or amended by the parties, shall be publicly disclosed and shall be binding on the parties. The City and the employee organization shall take whatever action is necessary to carry out and effectuate the arbitration award. No other actions by the City Council or by the electorate to conform or approve the decision of the Arbitrator(s) shall be permitted or required.

(j) The expenses of any arbitration proceeding convened pursuant to this Section, including the fee for the services of the Chairperson of the Arbitration Board and the costs of preparation of the transcript of the proceedings shall be borne equally by the parties. All other expenses which the parties may incur individually are to be borne by the party incurring such expenses.

(k) The terms and language of this Section have been conceived in good faith and based on best known practices and applicable law at the time of its creation; however if after adoption any portion of this Section should be enjoined or declared invalid or otherwise vacated, other than by a vote of the electorate, the court shall determine whether the disputed portion of this Section is severable from the remaining portions of this Section and whether the remaining portions of this Section without the disputed portion maintains the intent of the voters in adopting this Section. The court shall set forth the basis for its determination on this issue as part of any judgment which invalidates any portion of this Section.

**Sec. 57. Campaign Finance Reform.** The Council shall consider and by ordinance enact new election campaign finance reform measures, the purpose of which, in part, shall be to reduce the cost of Council election campaigns and increase the accessibility of Council candidates to the electorate. The ordinance shall include at least the following provisions:

1. New limits on campaign contributions that are lower than the current \$1,000 limitation.
2. A new schedule for reporting campaign contributions for all Council candidates, including all independent expenditures, that shall allow the greatest public knowledge of all campaign contributions.
3. Provisions that provide for public financing of Council election campaigns.

**Sec. 58. Design Build Procurement.** Notwithstanding any provision to the contrary in the California Public Contracts Code, in Charter Section 44, or any other law or regulation of the City of Santa Rosa, the use of design-build procurement by competitive negotiation is authorized. The City Council shall establish by ordinance regulations for the award, use and evaluation of such design-build contracts, in which the design and construction of a public works project are procured from a single entity.

Mayor Rogers and members of the City Council,

We were honored to be selected to serve on the 2022 Charter Review Committee.

Over the past five months, the committee reviewed a number of items referred to us by the City Council and one introduced by a committee member. All were important issues to consider, and as can be expected, there were differing opinions on some critical topics. One of those was the review and discussion about council compensation. We did not support either proposal for City Council compensation and wanted to provide the Council with our perspective.

While we agree that the council compensation should align with the Council and mayor's current duties and responsibilities, we do not believe the two proposals are in the City's best interest.

Increasing the compensation as outlined would change the community's expectation of their Council. The proposed increase is a significant jump from the current salary and may result in pushback from community members.

The Council already has a mechanism to increase their salary as allowed by state law. However, past councils forfeited this option due to concerns about public perception. The proposed committee options would accelerate council salaries well beyond what they would have received if they had implemented increases as authorized by state law. In considering the appetite of Santa Rosa voters to approve such a significant increase, we believe either proposal would fail and, therefore, would be a hollow gesture. Instead, the Council should act without delay to bring its salary in line with what would have been permitted by state law.

One of the other items submitted to the Council for consideration is to amend the City Charter to allow a charter review sooner than the current 10-years. If this charter amendment is approved, we encourage the Council to delve deeper into the issues of Council compensation to ensure adequate information and research are available to the voters.

Changes to Council compensation are long overdue, and we encourage the current Council to take the required steps to make a retroactive salary adjustment as authorized by state rules.

Ernesto Olivares, Vice Chair Charter Review Committee  
Karen Weeks, Member Charter review Committee

May 12, 2022

From: Chris Mazzia

Commission Member

To: Patti Cisco, Chair

Charter Review Commission

Dear Chair Cisco:

Thank you for your excellent work as Chair, and for producing the Report. Using equity as a guiding principle was very helpful. Hopefully council compensation will be favorably considered by the voters. (Money does not solve all concerns and introduces new concerns, but fair compensation appears to be a highly justified step in the right direction.)

A few comments on the Commission and the Report:

1. Process of Framing Issues for Consideration

The City Council might review and refine its process of framing issues for consideration by the Commission. The framing of the issue is an important factor in how the issue is reviewed and acted on. Two examples:

Directly elected mayor: this was framed so the decision was whether to redistrict from seven to six districts and have a mayor with a vote on the council elected at large. Making this a redistricting issue basically doomed this idea from the outset.

Ranked choice voting: this was framed so that ranked choice meant the system where the candidate with the fewest votes is dropped, and votes then re-assigned. There are other alternative voting systems (some of which don't eliminate votes). Perhaps the system that was presented is the only legally permissible alternative, but if not, other systems could have been presented and considered.

2. Directly elected mayor.

Santa Rosa should revisit a directly elected mayor. Alternatives to redistricting should be considered. Perhaps an at-large, non-voting mayor (which is not unusual) can be considered – meaning seven district councilmembers, one at-large, non-voting mayor.

3. Non-citizen voting.

Non-citizens that are permanent residents and/or authorized to work by definition have a 'stake in the system' and there is merit to having them vote in local elections. Review of this issue is appropriate; threshold issues (such as whether and how a voting process in which the County can play no role can be effectively and legally conducted) should be addressed.

Thank you again –

Chris Mazzia

"Equity is **fairness** and **justice** achieved through systematically assessing disparities in opportunities, outcomes, and representation and redressing [those] disparities through targeted actions."<sup>1</sup>

### Mission

We will provide charter recommendations to City Council that create and reinforce equitable access to government for all. We begin by acknowledging that not all residents are situated equally in our community; therefore, we must target specific strategies to mitigate and remove barriers and amplify assets so that all residents can participate, thrive, and have a sense of belonging in our City.

### Values

Compassion, empathy, humility, respect, dignity, integrity, transparency, begin from love, inclusivity, trust, equity, and belonging

### Norms

1. Access. Provide a diverse array of channels through which the public can provide input. Welcome all comments and questions.
2. Transparency. Have clear and open communication, clear expectations, and provide a realistic picture of project constraints. (complexity, it is new, timeline)
3. Trust. Engage with a humble approach. This process that centers on equity is new to the charter committee; nobody is an expert. We are all learning this together as we go.
4. Kindness and Respect. Treat others with the same respect that we want to be treated.

### Principles

1. Knowledge and access for all. Information, knowledge, and access are power. Ensure that community members understand and have access to the charter review process regardless of socio-economic status, immigration status, race/ethnicity, language, differently-abled, gender identity, sexual orientation, etc.
2. Design for all. The goal is for every community member to thrive. The outcomes are universal. The strategies are what need to be nuanced and intentional. Equitable design accommodates differences in historical contexts for BIPOC and other underrepresented communities.
3. Acknowledge historical implications. Race blindness is harmful to communities of color; we will start with recognizing historical harm to Black, Indigenous, and People of Color (BIPOC) and other marginalized communities.
4. Commitment to equity. We will ensure that we are not treating all communities the same. We will give special attention to historically disenfranchised communities and equity priority communities.
5. Explore targeted strategies. Identify and strive to fully engage equity priority communities and other historically disenfranchised members of the City with the most inclusive and equitable opportunities to ensure diversity of voice and leadership, a redistribution of social and political power, and belonging for all.
6. Commit to learning. Enacting equity requires a continual process of learning, deconstruction of assumptions, inviting new concepts and experiences, and analyzing impact data.
7. Ensure equity in the process and the outcome. Apply equity principles across all parts of the charter review process.

Equity in Process	Equity in Engagement	Equity in Charter Recommendations
<ul style="list-style-type: none"> <li>• Committee membership</li> <li>• Community engagement</li> <li>• Laws and guidelines</li> <li>• Timelines</li> </ul>	<ul style="list-style-type: none"> <li>• Focus on communities facing barriers to accessing information and power</li> <li>• Focus on communities historically disenfranchised and underserved</li> </ul>	<ul style="list-style-type: none"> <li>• Increase access to local government for all, including historically disenfranchised communities</li> <li>• The resulting leadership bodies will reflect the communities they serve</li> </ul>

<sup>1</sup> Source *Centering equity in collective impact* by Sheri Brady, Junious Williams, Mark Kramer, Paul Schmitz, John Kania  
<https://philanthropynewsdigest.org/columns/ssir-pnd/centering-equity-in-collective-impact>. (source: SEED) Sshiels

**Committee Members**

**Patti Cisco**  
**Committee Chair**

[Email](#)

*Appointed by Council Member Sawyer*

**Ernesto Olivares**  
**Committee Chair**

[Email](#)

*Appointed by Council Member  
Natalie Rogers*

**Adriana Arrizon**

[Email](#)

*Appointed by Council Member Tibbetts*

**Brian Ling**

[Email](#)

*Appointed by Council Member Tibbetts*

**Lisa Badenfort**

[Email](#)

*Appointed by Mayor Chris Rogers*

**Danny Martinez**

[Email](#)

*Appointed by Vice Mayor Eddie Alvarez*

**Annie Barbour**

[Email](#)

*Appointed by Council Member Schwedhelm*

**Chris Mazzia**

[Email](#)

*Appointed by Council Member Fleming*

**Scott Bartley**

[Email](#)

*Appointed by Council Member Sawyer*

**Ron Miller**

[Email](#)

*Appointed by Council Member  
Natalie Rogers*

**Christine Byrne**

[Email](#)

*Appointed by Council Member  
Natalie Rogers*

**Evette Minor**

[Email](#)

*Appointed by Council Member Sawyer*

**Dan Condron**

[Email](#)

*Appointed by Council Member Tibbetts*

**Logan Pitts**

[Email](#)

*Appointed by Mayor Chris Rogers*

**Abigail Cunningham**

[Email](#)

*Appointed by Council Member Schwedhelm*

**Jocelyn Villalobos**

[Email](#)

*Appointed by Mayor Chris Rogers*

**Ana Diaz**

[Email](#)

*Appointed by Vice Mayor Alvarez*

**Mark Walsh**

[Email](#)

*Appointed by Vice Mayor Alvarez*

**Jazmin Gudino**

[Email](#)

*Appointed by Council Member Fleming*

**Karen Weeks**

[Email](#)

*Appointed by Council Member Schwedhelm*

**Jen Klose**

[Email](#)

*Appointed by Council Member Fleming*



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

Wednesday, November 17, 2021

5:00 PM

### 2. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:00 p.m.

**Present** 20 - Chair Patti Cisco, Committee Member Annie Barbour, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Abigail Cunningham, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Danny Martínez, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Lisa Badenfort, Committee Member Mark Walsh, Committee Member Karen Weeks, Committee Member Jocelyn Villalobos, Committee Member Chris Mazzia, and Committee Member Ana Diaz

**Absent** 1 - Committee Member Adriana Arrizon

### 1. WELCOME AND INTRODUCTION

Interim City Manager Jeff Kolin made comments of welcome, thanked the Committee Members for their service, and stated the importance of the City Charter as a high-level governing document for the City of Santa Rosa.

Chair Cisco made comments of welcome and asked Committee Members to introduce themselves and state which Council Member appointed them to the Committee.

Committee Member Adrian Arrizon joined the meeting at 5:15 p.m.

### 3. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 4. APPROVAL OF MINUTES - NONE.

### 5. SCHEDULED ITEMS

#### 5.1 CHARTER REVIEW PROCESS



This is the first meeting of the 2022 Charter Review Committee, charged with leading the City's decennial review of the City Charter. To set the stage for the Committee's work, the City Attorneys' Office will provide (a) a brief overview of the nature and contents of the Santa Rosa City Charter, (b) a summary of the composition and responsibilities of the Charter Review Committee, and (c) an outline of the Charter review process and its associated timelines.

**Attachments:** [Presentation](#)

City Attorney Sue Gallagher presented an introduction to the City Charter Review process, key elements of the Charter, the responsibilities of the Committee, and answered questions from Committee members.

No public comments were made.

**This item was received and filed.**

## 5.2 INTRODUCTION TO BROWN ACT AND PUBLIC RECORDS ACT

The Charter Review Committee is subject to the Brown Act and the California Public Records Act. Staff will provide an outline of the basic requirements and restrictions of the two statutes.

**Attachments:** [Presentation](#)

City Attorney Sue Gallagher presented information on the mandates of the Brown Act and the Public Records Act as they relate to the Committee.

No public comments were made.

**This item was received and filed.**

## 5.3 CHARTER REVIEW WORK PLAN

The Charter Review Committee has significant responsibilities and exciting work ahead. The Committee will be researching, deliberating and, as it deems appropriate, drafting proposed revisions to the City Charter. The City Council has identified twelve topics for the Committee's consideration. As the Committee moves forward and hears from the community, additional ideas may emerge. The Committee is

expected to have its work completed by sometime in the spring. In this agenda item, the Committee will begin the process of developing its work plan and its path forward.

City Attorney Sue Gallagher presented an initial meeting schedule and work plan requirements for the Committee's consideration and discussion.

The Committee agreed to meet every other Wednesday at 5:00 p.m.

The Committee asked for a summary of the 12 topics Council suggested for Committee discussion and consideration.

No public comments were made.

**This item was received and filed.**

**6. SUBCOMMITTEE REPORTS - NONE.**

**7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

**8. FUTURE AGENDA ITEMS**

**9. ADJOURNMENT**

Hearing no further business, Chair Cisco adjourned the meeting at 7:05 p.m.

**Approved on: December 15, 2021**

**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, December 1, 2021

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:05 p.m.

**Present** 12 - Chair Patti Cisco, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Jazmin Gudino, Committee Member Danny Martínez, Committee Member Chris Mazzia, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Lisa Badenfort, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 9 - Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Ron Miller, Committee Member Evette Minor, and Committee Member Jocelyn Villalobos

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

Committee Member Minor joined the meeting at 5:10 p.m.

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

Committee member Diaz joined the meeting at 6:18 p.m.

#### 4.1 EQUITY PRINCIPLES

In this, the second meeting of the Charter Review Committee, City Staff will provide a presentation on the principles of diversity, equity and inclusion, both as a lens through which the Committee may undertake its work, as well as an introduction to what may be possible Charter revisions to be considered by the Committee.

**Attachments:** [Presentation](#)  
[10 Priorities for Advancing Racial Equity Through the ARPA](#)  
[Sonoma County Advisory Redistricting Commission Equity Principles](#)  
[Prioritizing Community Values – Case Study City of Oakland](#)  
[Presentation REVISED \(Uploaded 12-1-2021\)](#)

Socorro Shiels, Diversity, Equity, and Equal Employment Officer, presented information on the City of Santa Rosa's Diversity, Equity, Inclusion (DEI) journey with SEED Collaborative, information to help the Committee develop an equity lens for their work, and answered questions from the Committee Members.

Committee Member Ling joined the meeting at 5:42 p.m.

#### PUBLIC COMMENT

Gregory Fearon spoke on the importance of using a DEI lens when reviewing the Charter work that needs to be done.

Annette Arnold spoke asking that future meetings have specific times noted on the agenda, and suggested there be a neighborhood contact for every neighborhood in the city.

Committee discussion ensued on how to develop a set of principles to be used as a lens for the Committee, using the County redistricting principles as a starting point, and keeping this issue as a standing agenda item as the Committee goes through the process.

Consensus was made to use the County redistricting principles and norms as the lens with the understanding principles may evolve as the Committee work continues.

Committee Member Klose joined the meeting at 6:17 p.m.

**This item was received and filed.**

#### 4.2 SUMMARY OF COUNCIL TOPICS

At the Committee's request, the City Attorney's Office will provide a presentation clarifying the topics on which the City Council have recommended consideration. In that presentation, the City Attorney's

Office will identify which of the topics proposed by the Council would require a Charter amendment for implementation and which might be addressed by City ordinance or resolution.

Attachments: [Presentation](#)  
[Presentation REVISED \(Uploaded 12-1-2021\)](#)

City Attorney Sue Gallagher and Assistant City Attorney Rob Jackson, presented a review of the following topics recommended by Council for the Committee's consideration:

- Directly elected at-large Mayor
- Ranked choice voting
- Police Auditor/Citizen Oversight Commission
- Council Compensation
- Climate Change
- Diversity, Equity and Inclusion
- Excise Taxes
- Regulation of rental housing
- Procurement policy reforms
- Board and Commission quorums
- Removal of Mayor or Council Member for misconduct
- Two year budget process

#### PUBLIC COMMENT

Joe Leadem spoke proposing the Committee look at the rules for referendums and initiatives that are currently in place.

Committee discussion ensued and it was decided the Committee would focus on the items that require a Charter amendment and to not memorialized in the Charter the items that can be achieved by an ordinance of the Council. A majority of the Committee suggested they focus first on the issues of council compensation, ranked choice voting, and a directly elected Mayor.

**This item was received and filed.**

**5. SUBCOMMITTEE REPORTS - NONE.**

**6. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

## **7. FUTURE AGENDA ITEMS**

1. A primer on adopting an ordinance versus making an amendment to the Charter.
2. Equity Principles
3. Discussion on which item of council compensation, ranked choice voting, and a directly elected Mayor will move forward first for Committee consideration.

## **8. ADJOURNMENT**

Hearing no further business, Chair Cisco adjourned the meeting at 7:23 p.m.

**Approved on: December 15, 2021**  
**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, December 15, 2021

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:03 p.m.

**Present** 19 - Committee Member Adriana Arrizon, Chair Patti Cisco, Committee Member Annie Barbour, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Logan Pitts, Committee Member Lisa Badenfort, Committee Member Mark Walsh, Committee Member Jocelyn Villalobos, and Committee Member Karen Weeks

**Absent** 2 - Committee Member Ron Miller, and Committee Member Ernesto Olivares

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES

3.1 November 17, 2021, Regular Meeting.

**Attachments:** [Draft Minutes](#)

**Approved as submitted.**

3.2 December 1, 2021, Regular Meeting.

**Attachments:** [Draft Minutes](#)

**Approved as submitted.**

### 4. SCHEDULED ITEMS

4.1 EQUITY PRINCIPLES

Pursuant to direction given by the Committee at its December 1, 2021 meeting, City Staff will provide a draft statement of principles regarding



diversity, equity, inclusion and belonging, for the Committee's consideration. From that draft, the Committee will formulate its own statement of principles. The Committee's statement of principles will establish a procedural and substantive lens through which the Committee will undertake its work.

**Attachments:** [Attachment 1 - Charter Review Equity Principles DRAFT](#)  
[Attachment 2 - RS 11.16 Study Session Equity Priority Areas](#)  
[Attachment 3 - SR SEED Diversity Equity Inclusion Belonging Definition Overview Presentation](#)

Socorro Shiels, Diversity, Inclusion, and Equal Employment Officer, presented key terms and definitions of Diversity, Inclusion, Equity, and Belonging, reviewed values shared by the committee, key starting points, and norms. Ms. Shiels answered questions from Committee Members.

No public comments were made.

Committee discussion ensued on access to government and what the outcome looks like for the Committee, what it looks like at a resident level as well as the leadership level, the process used for community of interest, using Community Engagement and the Community Advisory Board to help with community outreach, and possible changes to the Equity Principles.

#### 4.2 DIVERSITY, EQUITY, INCLUSION AND BELONGING -- MICROAGGRESSIONS

At the request of the Committee, City Staff will provide a brief training regarding microaggressions that may undermine efforts for diversity, equity, inclusion and belonging.

**Attachments:** [Attachment 1 - University of Minnesota Microaggression Chart](#)

Socorro Shiels, Diversity, Inclusion, and Equal Employment Officer, provided information on the definition and examples of Microaggressions and how they show themselves in the community.

No public comments were made.

#### 4.3 NATURE OF CHARTER AMENDMENTS AND REVIEW OF PAST

## CHARTER REVIEW BALLOT MEASURES

At the Committee's request, the City Attorney's Office will provide a brief primer on the differences between Charter Amendments, City Ordinances and Council Resolutions. The City Attorney's Office will also provide a brief summary of the measures placed on the ballot for voter consideration in the last two Charter reviews (reviews conducted in 2002 and 2012).

In 2002, three measures were placed on the ballot, including:

- Measure L: Combined Charter Amendments (passed)
- Measure M: Council Compensation (failed)
- Measure O: Campaign Finance Reform (passed).

In 2012, four measures were placed on the ballot, including:

- Measure Q: District Council Members Elections (failed)
- Measure R: Binding Arbitration for Police and Fire Employee Disputes (passed)
- Measure S: Design Build Procurement (passed)
- Measure T: Charter Reorganization, Update and Clarifications (passed).

A brief summary of each measure and the results of the vote will be provided.

**Attachments:** [Presentation](#)

City Attorney Sue Gallagher presented information on the nature of Charter amendments, resolutions, ordinances, and past Charter amendments. She reported charter amendments require a ballot measure and are the most permanent change to the City's constitution and require a vote of the people to amend or change it; ordinances are local laws adopted by City Council addressing a variety of subjects, are generally applicable, not project or person specific, enforced by civil code enforcement and can be changed by the City Council; resolutions are actions on specific contracts, projects and policies, may establish new programs, and adopt Council policies. City Attorney Gallagher also provided a summary of the three Measures placed on the ballot in 2002 and the four Measures placed on the ballot in 2012.

No public comments were made.

#### 4.4 COUNCIL COMPENSATION

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to increase Council member compensation. Currently, the Charter allows for the establishment of Council compensation in accordance with formulas set forth in state law. For a city the size of Santa Rosa, state law allows for Council member salary of up to \$800 per month. State law allows for an annual increase in salary of up to 5% (not compounded). State law also allows the city's voters to approve a higher salary. The voters of Santa Rosa have approved a higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary). This agenda item will outline details of the current state law and options for increasing Council compensation.

**Attachments:** [Attachment 1 - Measure M Presentation](#)

City Attorney Sue Gallagher presented information on the current pay for Santa Rosa City Council Members, what the current Charter and the State allow for pay increases, when Measure M was on the ballot in 2002 for voter consideration, the failure of the Measure, current salaries from other cities in the county and bay area, and answered questions from Committee members.

Committee discussion ensued on the political difficulty for Council to increase their salaries, cities that have a strong mayor system or directly elected mayor, the budget needed to support an increase in salaries, formulas used to determine salaries, conducting polling of residents on the issue, the difference in pay between the City Council and Board of Supervisors, and educating the public on what it takes to serve on a city council or serve as the mayor.

#### PUBLIC COMMENT

World Affairs Council of Sonoma County spoke on being a big fan of voting and suggested the Committee reach out to tax payer

advocates to get their concerns on this issue.

## **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

City Attorney Sue Gallagher reported the Committee received a letter regarding revisions to the referendum process, noting staff will research the topic and report out at a future meeting, and Committee meeting agendas will be published on Fridays.

City Clerk Stephanie Williams announced the recording of the meetings will be posted on the City's website by the end of the next day following the meeting. A link to the meeting portal to access the recording will also be placed on the Committee's webpage.

No public comments were made.

## **6. SUBCOMMITTEE REPORTS - NONE.**

## **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

## **8. FUTURE AGENDA ITEMS**

1. Council Compensation
2. Ranked Choice Voting
3. Equity Principles

No public comments were made.

## **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:16 p.m. The next regularly scheduled meeting will be held on January 5, 2022, at 5:00 p.m.

**Approved on: January 19, 2022**

**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, January 5, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:03 p.m.

**Present** 18 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Abigail Cunningham, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, and Committee Member Karen Weeks

**Absent** 3 - Committee Member Ana Diaz, Committee Member Danny Martinez, and Committee Member Mark Walsh

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

#### 4.1 EQUITY PRINCIPLES

Pursuant to direction given by the Committee at its December 15, 2021, meeting, City Staff will provide a revised draft statement of principles regarding diversity, equity, inclusion and belonging, for the Committee's review and consideration. Once approved, the Committee's statement of principles will establish a procedural and substantive lens through which the Committee will undertake its work. The principles of diversity, equity, inclusion and belonging will remain in the forefront throughout the Charter review process.

**Attachments:** [Attachment 1 - Charter Review Equity Principles DRAFT](#)  
[Attachment 1 - UPDATED Equity Principles \(Revised 1-4-2022\)](#)  
[Attachment 2 - Equity Priority Areas with Council Districts](#)  
[Attachment 3 - Diversity, Equity, Inclusion & Belonging Definitions \(City of Santa Rosa\)](#)

Socorro Shiels, Diversity, Inclusion & Equal Employment Officer, provided an updated Equity Principles document and answered questions from Committee Members.

Committee Member Diaz joined the meeting at 5:12 p.m.

No public comments were made.

#### **4.2 SELECTION OF COMMITTEE VICE CHAIR**

Committee, by motion, will select one of its members to serve as Vice Chair.

No public comments were made.

A motion was made by Committee Member Weeks, seconded by Committee Member Condron, to nominate Committee Member Olivares as Vice Chair. Committee Member Olivares accepted the nomination.

A motion was made by Committee Member Byrne, seconded by Committee Member Barbour to nominate Committee Member Gudino as Vice Chair. Committee Member Gudino accepted the nomination.

A motion was made by Committee Member Badenfort to nominate Committee Member Pitts, who declined the nomination.

After a roll call vote, Committee Member Olivares was appointed as Vice Chair by a majority of the Committee with 10 votes, and Committee Member Gudino receiving 9 votes.

#### **4.3 COUNCIL COMPENSATION**

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to increase Council member compensation. Currently, the Charter allows for the establishment of Council compensation in accordance with formulas set forth in state law. For a city the size of Santa Rosa, state

law allows for Council member salary of up to \$800 per month. State law allows for an annual increase in salary of up to 5% (not compounded). State law also allows the city's voters to approve a higher salary. The voters of Santa Rosa have approved a higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary).

The Committee began its discussion of Council compensation at its December 15, 2021 meeting. This agenda item will allow the Committee to continue that discussion. Staff will present an outline of options for setting Council compensation and will provide information on comparable cities.

**Attachments:** [Staff Report \(Uploaded 1-4-2022\)](#)  
[Attachment 1 - Comparable Cities \(Uploaded 1-4-2022\)](#)  
[Attachment 2 - North Bay Cities \(Uploaded 1-4-2022\)](#)  
[Attachment 3 - Select Northern California Cities \(Uploaded 1-4-2022\)](#)  
[Attachment 4 - Berkeley Measure JJ \(November 2020\) \(Uploaded 1-4-2022\)](#)  
[Attachment 5 - Measure M \(City of Santa Rosa 2012\)  
Presentation](#)  
[Presentation \(REVISED 1-4-2022\)](#)

City Attorney Sue Gallagher presented and answered questions from the Committee.

Discussion ensued on being cautious in setting compensation too high and possibly dissuading some sectors of the community, the impact to the City's budget resulting in the lay-off of staff in order to maintain increases in Council compensation, possibly changing compensation increases tied to state law, bundling charter amendment topics on the ballot, and the full cost of benefits for council members.

No public comments were made.

Further discussion ensued on conducting polls, not having an exact number for compensation, the need to tell the story of how much work is involved in serving as a council member, a definite number for compensation not creating a diverse pool of candidates, tying compensation to Area Median Income (AMI); restructuring the compensation message with possible term limits, term limits being a



more comprehensive discussion than compensation, rational being used to increase compensation (increase diversity), compensation being compared to executives, not attaching compensation to judicial system as some cities do, having an elected mayor affecting the decision on how to compensate, the benefit of health care in exchange for less pay, the structure of family making a difference on who can run for Council, having compensation be an average of the income for city employees, the role and expectations of the council changing over the years, the optics of council increasing their own salaries, making the compensation increase effective at the next election cycle after passage, the need for the ballot argument to justify the increase, term limits promoting diversity and movement on the council by not creating career politicians, and the importance of being mindful when using acronyms in documents.

**5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS - NONE.**

**6. SUBCOMMITTEE REPORTS - NONE.**

**7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

**8. FUTURE AGENDA ITEMS**

1. Directly Elected Mayor
2. Equity Principles as a standing item on the agenda

No public comments were made.

**9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:12 p.m. The next regularly scheduled meeting will be held on Wednesday, January 19, 2022, at 5:00 p.m.

**Approved on: January 19, 2022**

**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Draft

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Wednesday, January 19, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:00 p.m.

**Present** 17 - Chair Patti Cisco, Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 4 - Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Danny Martinez, and Committee Member Ron Miller

Committee Member Barbour joined the meeting at 5:09 p.m.

Committee Member Martinez joined the meeting at 5:20 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Joe Leadem spoke asking the Committee to consider amending the Charter to lower the signature requirements for referendums and initiatives, expressed it would be more democratic, lead to better community wide decision making, and asked for a special meeting for the issue to be discussed.

### 3. APPROVAL OF MINUTES

3.1 December 15, 2021, Regular Meeting.

**Approved as submitted.**

3.2 January 5, 2022, Regular Meeting.

**Approved as submitted.**

## 4. SCHEDULED ITEMS

### 4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

Socorro Shiels, Diversity, Inclusion & Equal Employment Officer, asked the Committee if there were any changes to the principles. There were no changes made and Ms. Shiels stated they would be finalized.

No public comments were made.

### 4.2 DIRECT ELECT AT-LARGE MAYOR

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to establish the position of an elected at-large Mayor, a Mayor elected by a City-wide vote.

Currently, the City Council is comprised of seven Council members, each elected by district. After each Council election, the Council itself selects one of its members to serve as Mayor for a two year term. The Mayor serves at the pleasure of the Council and can be removed from the Mayorship by a vote of the Council.

Under this proposal, the City Charter would be revised to create the new position of at-large Mayor. The City Council would likely be reconfigured such that six Council members would be elected by district and the Mayor would be selected by the voters in a single City-wide vote. Under this scenario, the current seven Council districts would be reduced and realigned into six districts. Other configurations, however, may be considered, including, for example, retaining all seven district Council members and adding an at-large Mayor as an eighth member of

the City Council.

This agenda item will outline the steps entailed in moving to a directly elected at-large Mayor, the pros and cons of having a directly elected Mayor, the possible roles and responsibilities of a directly elected Mayor and a review of possible Council configurations.

City Attorney Sue Gallagher and Assistant City Attorney Rob Jackson presented information on the current composition of the Council, the role and responsibilities of the Mayor and Vice Mayor, a proposal for an elected Mayor and answered questions from Council.

Discussion ensued on concerns having a direct elected mayor could be detrimental to equity issues with the risk of diluting district elections, a direct elected mayor being in conflict with district elections, the changing nature of a mayor's job responsibilities, concerns representation will revert back to where the city was prior to district elections, an elected mayor possibly adding another layer of approval before things can get accomplished, the possibility of making the direct elected Mayor a non-voting member of the Council to balance the power on the Council, a direct elected mayor may affect the ability to recruit a quality person for the City Manager position, the merits of a rotational appointment process allowing for team building and collegiality, the current appointment system working, having someone accountable for every resident of the city, giving district elections a chance to get established and work before making a major change, the possibility of having undocumented residents vote in local elections, adding procedures for removal of a mayor for misconduct, and changing the charter to be reviewed every five to seven years instead of 10.

No public comments were made.

## **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were made.

## **6. SUBCOMMITTEE REPORTS - NONE.**

**7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

**8. FUTURE AGENDA ITEMS**

- At-Large Mayor with Speakers
- Council Compensation
- Ranked Choice Voting

No public comments were made.

**9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:00 p.m. The next meeting will be held on February 2, 2022, at 5:00 p.m.

**Approved on:**

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**Stephanie A. Williams**  
City Clerk



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, February 2, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:02 p.m.

**Present** 15 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Chris Mazzia, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, and Committee Member Karen Weeks

**Absent** 6 - Committee Member Scott Bartley, Committee Member Abigail Cunningham, Committee Member Danny Martinez, Committee Member Ron Miller, Committee Member Evette Minor, and Committee Member Mark Walsh

Committee Member Minor joined the meeting at 5:09 p.m.

Committee Member Martinez joined the meeting at 5:25 p.m.

Committee Member Walsh joined the meeting at 5:53 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

#### 4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles.

The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

**Attachments:**    [Attachment 1 - Updated Equity Principles](#)  
[Attachment 2 - Equity Priority Areas with Council Districts](#)  
[Attachment 3 - Diversity, Equity, Inclusion & Belonging Definitions \(City of Santa Rosa\)](#)

This is a standing item on the agenda. No presentation was made at this meeting.

No public comments were made.

#### **4.2 DIRECT ELECT AT-LARGE MAYOR**

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to establish the position of an elected at-large Mayor, a Mayor elected by the voters in a City-wide vote.

Currently, the City Council is comprised of seven Council members, each elected by district. After each Council election, the Council itself selects one of its members to serve as Mayor for a two year term. The Mayor serves at the pleasure of the Council and can be removed from the Mayorship by a vote of the Council.

Under this proposal, the City Charter would be revised to create the new position of an elected at-large Mayor. The City Council would be reconfigured to accommodate the new position. Several options for reconfiguration might be considered, including: (a) restructuring the Council such that six Council members are elected by district and the Mayor is elected by a single City-wide vote (under this scenario, the current seven Council districts would be reduced and realigned into six districts); or (b) retaining all seven district Council members and adding the at-large Mayor as an eighth member of the City Council.

This agenda item will outline the steps entailed in moving to a directly elected at-large Mayor, the pros and cons of having a directly elected Mayor, the possible roles and responsibilities of a directly elected Mayor, and the legal limitations on Council reconfiguration.

**Attachments:** [Attachment 1 - NLC - Cities 101 - At-Large and District Elections](#)  
[Attachment 2 - Editorial - An at-large San Mateo mayor worth exploring](#)  
[Attachment 3 - California Voting Rights Act - M.Leoni Presentation](#)  
[Attachment 4 - Ballotpedia - Laws permitting noncitizens to vote Presentation](#)  
[Late Correspondence \(Uploaded 2-2-2022\)](#)

City Attorney Sue Gallagher provided information clarifying a mayor's power and position, the Voting Rights Act implications and the Act's four key elements of At-large election system, presence of protected classes, racially polarized voting, impairment of voting influence, and information on voter turn-out by District for the 2020 election. City Attorney Gallagher presented information on possible implications for an At-Large Mayor, and information for later consideration by the Committee on the removal of a mayor for misconduct, voting rights for undocumented individuals, more frequent charter amendments, and the scope of responsibilities for a mayor.

Petaluma Mayor Teresa Barrett and San Rafael Mayor Kate Colin provided information on their experiences, on the pros and cons of being an At-large directly elected Mayor, and answered questions from Committee members.

No public comments were made.

Discussion ensued on if a problem exists that having a directly elected mayor will solve, if the average resident knows who the mayor is in the city, a directly elected mayor being a symbol in the community, an appointed mayor possibly not being viewed by constituents and colleagues as having the same power authority as elected officials, providing residents the opportunity to vote for two council members instead of one, mitigating inequities in the election process, possible term limits for the Mayor, raising Council member compensation to a middle-class wage to allow for more equity of candidates, changing campaign contribution limits, amendments to the charter being implemented in phases, and changing charter amendments to happen more frequently than every 10 years.



A straw vote was taken on whether or not to support putting a measure on the ballot for a directly elected mayor. Ten Committee members present did not support, and seven members present were in support. Chair Cisco will provide the City Council the Committee's decision to not move forward with a ballot measure for a directly elected mayor on the ballot.

## **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

Chair Cisco reported she provided an update to the City Council at their meeting on January 25, 2022, on the Committee's progress and process to date, and shared Council Member Natalie Rogers thanks and praise to the Committee for their service and commitment to this process.

Attachments: [Proposed Schedule \(Uploaded 2-2-2022\)](#)

## **6. SUBCOMMITTEE REPORTS - NONE.**

## **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

## **8. FUTURE AGENDA ITEMS**

City Attorney Gallagher reviewed a proposed schedule of the topics for Committee discussion with May 11 being the Committee's last meeting. Future agenda items are:

- Ranked choice voting for Council member elections
- Council Compensation
- the Omnibus measure including the allowance for a two-year budget process

The Committee will decide on their next priorities for discussion.

No public comments were made.

## **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:39 p.m. The next meeting is scheduled for February 16, 2022, at 5:00 p.m.

**Approved on: February 16, 2022**  
**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, February 16, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:01 p.m.

**Present** 16 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jen Klose, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 5 - Committee Member Scott Bartley, Committee Member Jazmin Gudino, Committee Member Brian Ling, Committee Member Danny Martinez, and Committee Member Ron Miller

Committee Member Ling joined the meeting at 5:07 p.m.

Committee Member Miller joined the meeting at 5:09 p.m.

Committee Member Bartley joined the meeting at 5:12 p.m.

Committee Member Martinez joined the meeting at 5:25 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

2.1 CORRESPONDENCE.

### 3. APPROVAL OF MINUTES

3.1 January 19, 2022, Regular Meeting.

**Approved as submitted.**

3.2 February 2, 2022, Regular Meeting.

**Approved as submitted.**

### 4. SCHEDULED ITEMS

4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

This is a standing item on the agenda and no presentation or discussion was made at this meeting.

No public comments were made.

#### 4.2 RANKED CHOICE VOTING

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to move the City to a ranked choice voting system in the election of Council members. Currently, in each Council district, each voter votes for one candidate and the candidate with the most votes wins the Council seat. Under a ranked choice voting system, each voter would 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 winning candidate. This agenda item will outline the key elements of the most common ranked choice voting systems, the pros and cons of such systems, and the experiences of jurisdictions utilizing ranked choice voting.

Deva Proto, Sonoma County Clerk, Assessor, Recorder, presented information on Ranked Choice Voting and answered questions from Committee Members.

No public comments were made.

Discussion ensued on concerns of voter fatigue and the possibility of disenfranchising voters, the small size of district candidates not meeting the needs of voters, concerns on the cost to implement, educating the community, opening the field for diverse candidates to run, not needing to address this issue so soon after the transition to

district elections, if the process generates more involvement by the public, the process possibly being perceived as unfair and met with skepticism on the outcome of elections, possible confusion with the ballot for the voters, and the process that would be used for a council appointment when a vacancy occurs.

A straw vote was taken on whether or not to support putting a measure on the ballot for Ranked Choice Voting. Three Committee Members present voted in support, and 17 Committee Members voted to not support. At the conclusion of the straw vote, the Committee did not move forward with a ballot measure on Ranked Choice Voting.

## **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were provided.

## **6. SUBCOMMITTEE REPORTS - NONE.**

## **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

## **8. FUTURE AGENDA ITEMS**

### **8.1 PROPOSED SCHEDULE**

- Omnibus ballot for Charter clean-up with examples of previous omnibus ballots
- More frequent review of the Charter to not coincide with census
- Align Charter with District Elections
- Review of using the term citizen versus resident
- Align Community Advisory Board with Council Districts
- Make gender references neutral
- Appointment process for Council vacancies
- Campaign finance reform

No public comments were made.

City Attorney Gallagher will provide a revised list of issues for Committee review and prioritization.

## **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:01 p.m. The next meeting is scheduled for March 2, 2022, at 5:00 p.m.

**Approved on: March 30, 2022**

**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, March 2, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:01 p.m.

**Present** 15 - Chair Patti Cisco, Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 6 - Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Dan Condron, Committee Member Jen Klose, Committee Member Brian Ling, and Committee Member Ron Miller

Committee Member Barbour joined the meeting at 5:09 p.m.

Committee Member Condron joined the meeting at 5:09 p.m.

Committee Member Arrizon joined the meeting at 5:10 p.m.

Committee Member Miller joined the meeting at 5:26 p.m.

Committee Member Klose joined the meeting at 6:18 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

#### 2.1 CORRESPONDENCE.

Attachments: [Correspondence](#)

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

#### 4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item

provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

**Attachments:**    [Attachment 1 - Updated Equity Principles](#)  
[Attachment 2 - Equity Priority Areas with Council Districts](#)  
[Attachment 3 - Diversity, Equity, Inclusion & Belonging Definitions \(City of Santa Rosa\)](#)

This is a standing item on the agenda and no presentation or discussion was made at this meeting.

No public comments were made.

#### 4.2 COMMITTEE WORKPLAN AND PRIORITIES UPDATE

The Committee has considered and given staff direction on three issues recommended for consideration by the Council, including Council compensation, direct elect Mayor, and ranked choice voting. In the course of its discussions, the Committee has raised two new issues for consideration, including authorization for non-citizen voting and possible revisions to the procedures for filling a Council vacancy. Nine additional issues still remain on the list of topics recommended by Council for Committee consideration. The public has also offered suggestions. This agenda item will give the Committee an opportunity to review the outstanding matters, identify priorities and establish a work plan for its remaining meetings.

**Attachments:**    [Presentation](#)  
[Attachment - Council Policy 000-23 \(Uploaded 3-2-2022\)](#)

City Attorney Gallagher presented the Committee with a list of issues for prioritization and next steps in the Charter Review Process, reviewed the three new issues identified by Committee Members, the remaining issues brought forward by Council, reviewed the issues that require a Charter Amendment, items that are subject to an ordinance or resolution, and one additional issue recommended for consideration by a member of the public. City Attorney Gallagher reviewed the current procedure for filling a council vacancy, voting rights for non-citizens, the timing of charter amendments, the possibility of allowing the mayor to serve two



consecutive terms, police auditor position and a citizen oversight commission, items subject to ordinance or resolution such as climate change, diversity, equity, inclusion and belonging.

## PUBLIC COMMENT

Gregory Fearon spoke on changing the Community Advisory Board to a neighborhood based committee and naming it a Council of Neighborhoods, and asked who has the authority to name committees, and if there is a process if a resident wants to rename one.

Joe Leadem spoke calling attention to his proposal reducing the signature requirements for referendums and stated his reasons why this should move forward.

Each Committee member shared their top three issues of interest with the following three proposals receiving the most votes:

Voting Rights for Non-Citizens  
Council Vacancy Procedures  
Changing the Frequency of Charter Amendments

Chair Cisco informed the Committee that the remaining issues that did not score in the top three proposals for a deeper discussion, will be included in the final report to Council noting the Committee found them to be of concern or interest for the Council to discuss. Chair Cisco informed the Committee they will have an opportunity to review the report prior to submission to Council.

### **4.3** CHARTER UPDATE AND CLARIFICATION

In addition to the separate ballot measures currently under consideration on significant substantive issues, the City Attorney recommends that the Committee consider an additional measure to include a number of non-controversial amendments to update and clarify the City Charter. The proposed measure is intended to clarify and streamline City procedures, remove ambiguities, and delete

outdated provisions. Similar measures were placed on the ballots in 2002 and 2012 and were passed with strong voter approval. Proposed amendments may include clarification of the timing of Charter review and amendments, clarification of emergency management responsibilities, allowance for a two-year budgeting process, streamline provisions for procurement, clarification of scope of authority of the Board of Public Utilities, establishment of a date certain for the seating of new Council members, and others.

**Attachments:**    [Presentation \(Uploaded 3-2-2022\)](#)  
[Attachment 1 - Measure L 2002 \(Uploaded 3-2-2022\)](#)  
[Attachment 2 - Measure L Results \(Uploaded 3-2-2022\)](#)  
[Attachment 3 - Measure T 2012 \(Uploaded 3-2-2022\)](#)  
[Attachment 4 - Measure T Results \(Uploaded 3-2-2022\)](#)

City Attorney Gallagher presented information on updates that can be made to the City Charter that include potential elements that can be included in a Measure to ensure consistency with state law, clarify ambiguities, and modernize City procedures, noting it will not include issues that will be addressed in a separate measure. City Attorney Gallagher presented a list of potential elements for inclusion in the update to include District Elections, the timing of review of the City Charter, clarification of the Mayor's role in an emergency response, the Chief of Police and Fire Chief's authority and responsibilities in an emergency response; clarify the Community Advisory Board appointments, update and clarify language as it relates to the hiring of a City Attorney; clarify the scope of responsibility of the Board of Public Utilities to include "dry" utilities including electricity, broadband and potentially others; adopt a two-year budget cycle; revise language to allow flexibility in contract procurement; a proposal for a date certain for induction of new Council Members after an election; address voting process in the event of a Council vacancy; clarify vacancy process created by a recall of a Council member be by appointment or special election; remove reference to the Santa Rosa School District; possible removal of reference to the Public Library; and to clarify language in the hiring of Deputy Officials. City Attorney Gallagher answered questions from Committee Members.

PUBLIC COMMENT

Gregory Fearon spoke in support of the current language in Sections 10 and 11 of the Charter, and expressed concern the structure of the Community Advisory Board does not represent districts, and in opposition to having At-Large appointments on the board.

Committee discussion on this item will be continued to the March 16, 2022, meeting.

**5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

Chair Cisco reported she attended the March 1, 2022, City Council meeting and provided the Council with an update on the Committee's work to date.

**6. SUBCOMMITTEE REPORTS - NONE.**

**7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

**8. FUTURE AGENDA ITEMS**

City Attorney Gallagher will provide a calendar of topics to the Committee at the next meeting.

**9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:03 p.m. The next meeting is scheduled for March 16, 2022, at 5:00 p.m.

**Approved on: March 30, 2022**

**/s/ Stephanie A. Williams, City Clerk**



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Final

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Wednesday, March 16, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:02 p.m.

**Present** 15 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 6 - Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Danny Martinez, and Committee Member Ron Miller

Committee Member Diaz joined the meeting at 5:08 p.m.

Committee Member Martinez joined the meeting at 5:09 p.m.

Committee Member Bartley joined the meeting at 5:11 p.m.

Committee Member Miller joined the meeting at 5:35 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Kevin Conway spoke on the climate crisis and urged the Committee to address this issue.

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

#### 4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the

Committee undertakes all of its work.

**Attachments:** [Attachment 1 - Updated Equity Principles](#)  
[Attachment 2 - Equity Priority Areas with Council Districts](#)  
[Attachment 3 - Diversity, Equity, Inclusion & Belonging Definitions \(City of Santa Rosa\)](#)

No presentation or discussion was made on this item.

No public comments were made.

#### 4.2 CHARTER UPDATE AND MODERNIZATION

The Committee is currently considering several proposed Charter amendments to address significant substantive issues, including, but not limited to Council compensation, directly elected Mayor and ranked choice voting. In addition, the City Attorney recommends that the Committee consider a ballot measure to include more minor amendments, designed to update, clarify and modernize the City Charter.

The proposed measure would be intended to remove ambiguities, streamline City procedures, and revise outdated provisions. Similar update measures were placed on the ballots in 2002 and 2012 and were passed with strong voter approval. For 2022, the proposed amendments may include clarification of the timing of Charter review and amendments, clarification of emergency management responsibilities, allowance for a two-year budgeting process, streamlined provisions for procurement, clarification of scope of authority of the Board of Public Utilities, alignment with District-based elections and others.

**Attachments:** [Presentation](#)  
[Article 1 - Multiyear Budget](#)  
[Article 2 - Multiyear Budget](#)  
[Attachment - Council Policy 000-023 \(Uploaded 3-16-2022\)](#)

City Attorney Sue Gallagher presented language that could be included in the general charter update related to district elections, council vacancy procedures, frequency of charter amendments, revisions to provide flexibility related to the Board of Public Utilities, budget, contract procurement, emergency response, Community Advisory Board appointments, and making language gender neutral.

Chief Financial Officer Alan Alton answered questions from Committee members regarding factors on the flexibility and benefits of a two-year budget and outlined the process that would be used.

No public comments were made on this portion of the presentation.

Committee discussion ensued on the benefits and flexibility of a two-year budget, and the decision needing to be made by the City Council. The Committee took a straw vote with a majority voting to recommend a two-year budget cycle to Council.

City Attorney Gallagher presented information on District Elections and language revisions for the charter to align with the City's district elections, state law and the Voting Rights Act with the boundaries established by ordinance. Information was provided on the current process for filling a Council vacancy and discussion ensued whether procedures to fill a vacancy should be changed, a review of the pros and cons of a council appointment versus a special election, the process for more frequent charter revisions, and the pros and cons for the allowance of more frequent reviews and possible charter amendments through an initiative by the voters.

City Attorney Gallagher provided proposed language amendments to Charter Section 25 - Board of Public Utilities to clarify the scope of responsibilities to include "dry" utilities, the pros and cons of expanding their role, for contract procurement to allow for flexibility and innovation on contracting for public works, clarifying emergency response language by revising the charter to avoid ambiguity in leadership during emergency response, clarifying appointment to the Community Advisory Board to one at large and one from the Council Member's district, revising language to be gender neutral, and making the seating of new council members to a date certain.

City Attorney Gallagher answered questions from Committee members.

PUBLIC COMMENT

Kevin Conway spoke in support of updating the charter more frequently than every 10 years, and the need to respond to the climate emergency.

Discussion on this item was continued to the next meeting.

#### **4.3 PROPOSED SCHEDULE**

In its work thus far, the Committee has considered and given staff direction on three issues that were recommended by the Council for consideration, including Council compensation, direct elect Mayor, and ranked choice voting. At its last meeting, the Committee identified three additional issues as priorities for consideration, including voting rights for non-citizens, frequency of Charter amendments, and procedures for filling a Council vacancy. In addition, the City Attorney has recommended consideration of a measure to include more minor amendments, designed to update, clarify and modernize the City Charter.

This item will allow the Committee the opportunity to establish a schedule and final work plan for its remaining meetings.

Attachments: [Proposed Schedule](#)

City Attorney Gallagher reviewed the proposed schedule to include the continued discussion of Charter updates and modernization of language, voting rights for non-citizens, proposed ballot language to be reviewed by the Committee, an introduction of the report to Council for Committee review and comment, and the final report to Council.

No public comments were made.

#### **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were made.

#### **6. SUBCOMMITTEE REPORTS - NONE.**

#### **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

## **8. FUTURE AGENDA ITEMS**

- Council Compensation
- Extending the last Charter Review meeting beyond the May 11

## **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:03 p.m. The next meeting is scheduled for March 30, 2022, at 5:00 p.m.

**Approved on: April 27, 2022**

**/s/ Stephanie A. Williams, City Clerk**





# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Draft

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Wednesday, March 30, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:02 p.m.

**Present** 15 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Dan Condon, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 6 - Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Abigail Cunningham, Committee Member Ana Diaz, and Committee Member Brian Ling

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES

3.1 February 16, 2022, Regular Meeting.

**Approved as submitted.**

3.2 March 2, 2022, Regular Meeting.

**Approved as submitted.**

### 4. SCHEDULED ITEMS

4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the

Committee undertakes all of its work.

No presentation or discussion was made.

No public comments were made.

**Present**19 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose , Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 2 - Committee Member Abigail Cunningham, and Committee Member Brian Ling

#### 4.2 CHARTER UPDATE AND MODERNIZATION

The Committee is currently considering several proposed Charter amendments to address significant substantive issues, including, but not limited to Council compensation, directly elected Mayor and ranked choice voting. In addition, the City Attorney recommends that the Committee consider a ballot measure to include more minor amendments, designed to update, clarify and modernize the City Charter.

The proposed measure would be intended to remove ambiguities, streamline City procedures, and revise outdated provisions. Similar update measures were placed on the ballots in 2002 and 2012 and were passed with strong voter approval. For 2022, the proposed amendments may include clarification of the timing of Charter review and amendments, clarification of emergency management responsibilities, allowance for a two-year budgeting process, streamlined provisions for procurement, clarification of scope of authority of the Board of Public Utilities, alignment with District-based elections and others. This agenda item will ask the Committee to

provide its recommendations on the contents of this measure.

City Attorney Sue Gallagher presented a summary of elements for the Committee's continued discussion on District Elections, Council Vacancy Procedures, frequency of Charter Amendments, Clarification of Emergency Response roles for the City Manager, Mayor, Police Chief, and Fire Chief. Information was presented on adding flexibility to the following: Two-year budget, Board of Public Utilities, Contract Procurement, to clarify ambiguities to City Attorney work experience, Council Member Recall vacancy, appointment of Deputy Officials, and language as it relates to the Community Advisory Board, Santa Rosa School Districts, Public Library, and the induction of new Council Members.

No public comments were made.

**A motion was made by Committee Member Pitts, seconded by Committee Member Badenfort, to approve the recommended staff revisions to the following City Charter Sections:**

**Section 4, District Elections: revise to provide district based election of Council Members, district boundaries set by ordinance, decennial update of District boundaries following the Federal census, and additional updates of district boundaries if structure of Council is revised.**

**CLARIFICATION OF EMERGENCY RESPONSE:**

**Section 15, Mayor: delete sentence "In case of riot, insurrection or extraordinary emergencies the Mayor shall assume general control of the City's government and all its branches, and shall be responsible for the suppression of disorders and the restoration of normal conditions."**

**Section 18, City Manager: add emergency management to list of City Manager powers and duties, and require emergency services be provided in accordance with Federal and State standards for emergency response.**

**Section 21, Chief of Police: delete or revise the sentence "It shall be the**

**duty of the Chief of Police to preserve the public peace and to suppress riots, tumults and disturbances." and make no changes to the general language that grants the Police Chief powers as provided by State law and as prescribed by Council.**

**Section 22, Chief of the Fire Department: revise fourth sentence under scope of powers to read "During the time of a Fire, the Fire Chief shall have full and complete authority over the territory immediately involved in or threatened by the fire and all persons in the immediate vicinity of the fire during such time shall be subject to the Fire Chief's orders."**

**TO ADD FLEXIBILITY:**

**Section 28, Budget: clarify that City Manager may propose a multi-year budget, while retaining all other provisions of the Section.**

**Section 44, Contract Procurement: revise to add allowance for alternative procurement procedures as authorized by ordinance.**

**TO CLARIFY AMBIGUITIES:**

**Section 19, City Attorney: revise to read "City Attorney must have at least three years of actual practice in the state."**

**Section 32, Council Member Recall: clarify that a vacancy created by recall will be filled as any other vacancy, in accordance with Section 31: Council Vacancy.**

**Section 37, Deputy Officials: delete phrase "...subject however to confirmation by Council" to align with current practice Deputy City Managers and Deputy City Attorneys are not confirmed by Council.**

**The motion carried by the following vote:**

**Yes:** 19 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condron, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**A motion was made by Committee Member Weeks, seconded by Committee Member Barbour, to keep the current language in Section 31: Council Vacancy as reflected in the Charter and not imbed an appointment process in the Charter language on how to fill a vacancy.**

**The motion carried by the following vote with Committee Member Gudino abstaining due to being undecided on the issue:**

**Yes:** 17 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Klose, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**No:** 1 - Committee Member Minor

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**Abstain:** 1 - Committee Member Gudino

**A motion was made by Committee Member Weeks, seconded by Vice Chair Olivares, to recommend Council revise the methodology used in the appointment process to fill a Council Vacancy.**

**The motion carried by the following vote:**

**Yes:** 19 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**A motion was made by Committee Member Bartley, seconded by Vice Chair Olivares, to revise the Charter language in Section 12: Charter Review to reflect the Charter be reviewed at least every 10 years and adding the statement "Nothing in this section precludes additional amendments placed on the ballot by voter initiative or by Council ordinance at such other times as deemed necessary."**

**The motion carried by the following vote:**

**Yes:** 15 - Chair Cisco, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Condrón, Committee Member Diaz, Committee Member Klose, Committee Member Martínez, Committee Member Mazzia, Committee Member Miller, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**No:** 4 - Committee Member Arrizon, Committee Member Byrne, Committee Member Gudino and Committee Member Minor

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**A motion was made by Committee Member Weeks, seconded by Vice Chair Olivares, to clarify the scope of responsibility in Section 25: Board of Public Utilities to include storm water, "dry" utilities including electricity, broadband, and others at the discretion of the Council .**

**The motion carried by the following vote:**

**Yes:** 19 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martínez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**A motion was made by Committee Member Weeks, seconded by Committee Member Barbour, to leave the language as currently written**

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**in Charter Section 29: Santa Rosa School Districts and Section 33:  
Public Library.**

**The motion carried by the following vote:**

**Yes:** 19 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martínez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

**4.3 COUNCIL COMPENSATION**

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to increase Council member compensation. Currently, the Charter allows for the establishment of Council compensation in accordance with formulas set forth in state law. For a city the size of Santa Rosa, state law allows for Council member salary of up to \$800 per month. State law allows for an annual increase in salary of up to 5% (not compounded). State law also allows the city's voters to approve a higher salary. The voters of Santa Rosa have approved a higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary).

The Committee began its discussion of Council compensation at its December 15, 2021 meeting and expanded its discussion at its meeting on January 5, 2022. This agenda item will provide the Committee with the opportunity to provide final direction on its recommendation for Council compensation.

**This item was continued to the April 13, 2022, meeting.**

**4.4 PROPOSED SCHEDULE**

In its work thus far, the Committee has considered and given staff direction on three issues that were recommended by the Council for

consideration, including Council compensation, direct elect Mayor, and ranked choice voting. In addition, the Committee has identified three additional issues as priorities for consideration, including voting rights for non-citizens, frequency of Charter amendments, and procedures for filling a Council vacancy. The City Attorney has also recommended consideration of a measure to include more minor amendments, designed to update, clarify and modernize the City Charter.

This item will allow the Committee the opportunity to approve a work plan for its remaining meetings.

City Attorney Gallagher provided a proposed schedule of topics for Committee discussion and informed the Committee the Sonoma County Registrar of Voter Deva Provo will be presenting information on non-citizen voting at the April 13 meeting.

No public comments were made.

**A motion was made by Committee Member Weeks, seconded by Committee Member Bartley, rescinding her request for a separate discussion and vote on Section 10: Community Advisory Board and to leave the language as currently reflected in the Charter.**

**The motion carried by the following vote:**

**Yes:** 18 - Chair Cisco, Committee Member Arrizon, Committee Member Barbour, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Olivares, Committee Member Pitts, Committee Member Villalobos, Committee Member Walsh and Committee Member Weeks

**No:** 1 - Committee Member Minor

**Absent:** 2 - Committee Member Cunningham and Committee Member Ling

## **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were made.

## **6. SUBCOMMITTEE REPORTS - NONE.**



**7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

**8. FUTURE AGENDA ITEMS**

April 13:

Voting Rights for Non-Citizens  
Council Compensation

April 27:

Voting Rights for Non-Citizens (if needed)  
Council Compensation (if needed)

May 11:

Possible final meeting and continued discussion of items if needed.

**9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 7:00 p.m. The next meeting will be held on April 13, 2022, at 5:00 p.m.

**Approved on:**

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**Stephanie A. Williams**  
City Clerk



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Draft

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Wednesday, April 13, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:03 p.m.

**Present** 13 - Chair Patti Cisco, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Ana Diaz, Committee Member Danny Martínez, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 8 - Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Abigail Cunningham, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, and Committee Member Jocelyn Villalobos

Committee Member Ling joined the meeting at 5:15 p.m.

Committee Member Arrizon joined the meeting at 5:19 p.m.

Committee Member Klose joined the meeting at 5:20 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES - NONE.

### 4. SCHEDULED ITEMS

#### 4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

No presentation or discussion was made.

## PUBLIC COMMENT

West Below spoke on the 14th Amendment of the United States Constitution and on Article 1, Sections 7 and 31 of the California Constitution, his concern with the map showing Santa Rosa Districts that are given equity priority over others, and the equity principles being a flagrant disregard to the constitution.

- Present**18 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Lisa Badenfort, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose , Committee Member Brian Ling, Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Mark Walsh, and Committee Member Karen Weeks
- Absent** 3 - Committee Member Annie Barbour, Committee Member Abigail Cunningham, and Committee Member Jocelyn Villalobos

## 4.2 VOTING RIGHTS FOR NON-CITIZENS

The Charter Review Committee has requested, as a high priority, the opportunity to consider a possible Charter amendment to allow non-citizens to vote in local City elections. This agenda item will provide the Committee with general background on voting rights for non-citizens, arguments for and against granting such rights, and the logistics of implementation. The Committee may provide direction to staff on recommended next steps.

City Attorney Sue Gallagher presented information and introduced Deva Proto, Sonoma County Registrar of Voters, who presented information on non-citizen voting rights and answered questions from the Committee.

## PUBLIC COMMENT

Joe Leadem spoke asking the Committee to check with leaders

of the non-citizen communities to see if the right to vote is a desired value for them before the Committee embarks on the issue.

Committee discussion ensued on the need to do more research on the topic, for Council to decide if this is an issue to explore, whether to make voting available only for permanent non-citizen residents who are authorized to work, concerns on the cost to implement, concerns voting registration is a public record with members of the community possibly being exposed to U.S. Immigration and Customs Enforcement officials (ICE), to let non-citizens decide if they want to take the risk of exposure, weighing the cost to implement should not be considered when giving the under served community a voice, asking the Council to form a subcommittee to explore the issue, and making a very specific recommendation to Council on a specific timeline to implement.

**A motion was made by Committee Member Pitts, seconded by Committee member Martinez, to recommend Council examine non-citizen voting as part of the Charter Review process by conducting a study session, consider costs, define groups, verification process to identify voter registration as a non-citizen, explore how it has been implemented in other cities, and various other information deemed necessary related to this topic.**

**Committee Member Minor made a friendly amendment to place this on the ballot at a future time, for Council to explore the best process either through a study session, subcommittee or listening session, to look at data on how many residents will be able to vote in the next few years, to explore how other cities have implemented non-citizen voting, costs, and clarification and definition on the meaning of non-residents.**

**The friendly amendment was not accepted.**

**A motion was made by Committee Member Klose, seconded by Committee Member Gudino, to recommend to Council to undertake whatever process they deem necessary to place non-citizen voting on a ballot on or before 2026 and for cost consideration not to be a factor in the decision making process.**

**The motion failed by the following vote:**

- Yes:** 9 - Committee Member Arrizon, Committee Member Byrne, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Martinez, Committee Member Miller, Committee Member Minor and Committee Member Walsh
- No:** 9 - Chair Cisco, Committee Member Badenfort, Committee Member Bartley, Committee Member Condrón, Committee Member Ling, Committee Member Mazzia, Committee Member Olivares, Committee Member Pitts and Committee Member Weeks
- Absent:** 3 - Committee Member Barbour, Committee Member Cunningham and Committee Member Villalobos

**A motion was made by Committee Member Pitts, seconded by Committee Member Martinez, to recommend Council examine non-citizen voting as part of the Charter Review process by conducting a study session to consider costs, define the meaning of non-citizen groups, verification process to identify voter registration as a non-citizen, explore how it has been implemented in other cities, and various other information deemed necessary related to this topic.**

**The motion carried by the following vote:**

- Yes:** 18 - Chair Cisco, Committee Member Arrizon, Committee Member Badenfort, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Diaz, Committee Member Gudino, Committee Member Klose, Committee Member Ling, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Olivares, Committee Member Pitts, Committee Member Walsh and Committee Member Weeks
- Absent:** 3 - Committee Member Barbour, Committee Member Cunningham and Committee Member Villalobos

**4.3 COUNCIL COMPENSATION**

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to increase Council member compensation. Currently, the Charter allows for the establishment of Council compensation in accordance

with formulas set forth in state law. For a city the size of Santa Rosa, state law allows for Council member salary of up to \$800 per month. State law also allows for an annual increase in that salary of up to 5% (not compounded), which increase may accumulate if not immediately applied. In addition, State law allows the city's voters to approve a higher or alternative salary. The voters of Santa Rosa have approved a higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary).

The Committee began its discussion of Council compensation at its December 15, 2021 meeting and expanded its discussion at its meeting on January 5, 2022. This agenda item will provide the Committee with the opportunity to provide final direction on its recommendation for Council compensation.

**This item was continued to the April 27, 2022, meeting.**

#### **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were made.

#### **6. SUBCOMMITTEE REPORTS - NONE.**

#### **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

#### **8. FUTURE AGENDA ITEMS**

- Council Compensation

#### **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 6:48 p.m. The next meeting will be held on Wednesday, April 27, 2022, at 5:00 p.m.

**Approved on:**

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**Stephanie A. Williams**  
City Clerk



# City of Santa Rosa

## City Charter Review Committee Regular Meeting Minutes - Draft

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Wednesday, April 27, 2022

5:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Chair Cisco called the meeting to order at 5:01 p.m.

**Present** 15 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condrón, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 6 - Committee Member Annie Barbour, Committee Member Lisa Badenfort, Committee Member Jazmin Gudino, Committee Member Jen Klose, Committee Member Brian Ling, and Committee Member Ron Miller

Committee Member Klose joined the meeting at 5:07 p.m.

Committee Member Miller joined the meeting at 5:29 p.m.

Committee Member Gudino joined the meeting at 5:39 p.m.

Committee Member Barbour joined the meeting at 6:02 p.m.

### 2. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public comments were made.

### 3. APPROVAL OF MINUTES

3.1 March 16, 2022, Regular Meeting.

**Approved as submitted.**

### 4. SCHEDULED ITEMS

4.1 EQUITY PRINCIPLES

The principles of diversity, equity, inclusion and belonging remain in the forefront of the Charter review process. This standing agenda item provides the Committee with the opportunity, at the outset of each of its

meetings, to refine, reaffirm and recommit to its Statement of Principles. The Statement of Principles regarding diversity, equity, inclusion and belonging provides a procedural and substantive lens through which the Committee undertakes all of its work.

No presentation or discussion was made.

No public comments were made.

**Present**19 - Chair Patti Cisco, Committee Member Adriana Arrizon, Committee Member Annie Barbour, Committee Member Scott Bartley, Committee Member Christine Byrne, Committee Member Dan Condron, Committee Member Abigail Cunningham, Committee Member Ana Diaz, Committee Member Jazmin Gudino, Committee Member Jen Klose , Committee Member Danny Martinez, Committee Member Chris Mazzia, Committee Member Ron Miller, Committee Member Evette Minor, Committee Member Ernesto Olivares, Committee Member Logan Pitts, Committee Member Jocelyn Villalobos, Committee Member Mark Walsh, and Committee Member Karen Weeks

**Absent** 2 - Committee Member Lisa Badenfort, and Committee Member Brian Ling

#### 4.2 COUNCIL COMPENSATION

The City Council has recommended that, among other topics, the Committee research and consider preparing a Charter amendment to increase Council member compensation. Currently, the Charter allows for the establishment of Council compensation in accordance with formulas set forth in state law. For a city the size of Santa Rosa, state law allows for Council member salary of up to \$800 per month. State law also allows for an annual increase in that salary of up to 5% (not compounded), which increase may accumulate if not immediately applied. In addition, State law allows the city's voters to approve a higher or alternative salary. The voters of Santa Rosa have approved a higher salary for the Mayor, currently equal to \$1200 per month (150% of Council member salary).

The Committee began its discussion of Council compensation at its December 15, 2021 meeting and expanded its discussion at its



meeting on January 5, 2022. This agenda item will provide the Committee with the opportunity to provide final direction on its recommendation for Council compensation.

City Attorney Sue Gallagher presented information on the current Charter provision for Council compensation in accordance with State law and provided information on the following options for Committee consideration:

Option 1: Let Council vote whether to proceed with state law provision that allows a 5% increase of up to \$40/month per calendar year multiplied by 17 years, when Council last approved their compensation in 2005, with compensation increased from \$9,600 to \$17,760 for Council Members and \$26,640 annually for the Mayor. Health, vision, dental, life insurance, long-term disability, retirement and other benefits are also provided.

Option 2: Tying Council compensation to City staff income. The lowest salary would be equal to \$32,968 annually with the average salary approximately \$95,000.

Option 3: Area Median Income (AMI). In 2021 AMI being \$72,3000 for a one person household, \$84,650 for a two persons household, and \$92,950 for a three person household.

City Attorney Gallagher provided information on the City of Berkeley's Measure JJ which tied compensation to AMI and approved by the voters in 2020.

No public comments were made.

Discussion ensued on the three options presented, a possible monetary penalty for unexcused absences, creating a high level of expectation from the public for Council Members with the increase in compensation, cutting Council's compensation before employee compensation when budget cuts are needed, making the Mayor's compensation the same as the 3rd District Board of Supervisor's compensation, additional benefits Council already

receives, using the average Council compensation of comparable cities to set the compensation for Santa Rosa Council Members, making compensation increases justifiable to the voters, and whether to make compensation increases automatically placed on a ballot as a separate measure.

**A motion was made by Committee Member Klose, seconded by Committee Member Gudino, to set the Mayor's Compensation at 140% of Area Median Income (AMI) for a three person household, and set Council Member's compensation at 100% of AMI for a three-person household.**

**The motion failed by the following vote:**

**Yes:** 8 - Committee Member Arrizon, Committee Member Byrne, Committee Member Gudino, Committee Member Klose, Committee Member Martinez, Committee Member Miller, Committee Member Minor and Committee Member Villalobos

**No:** 11 - Chair Cisco, Committee Member Barbour, Committee Member Bartley, Committee Member Condrón, Committee Member Cunningham, Committee Member Diaz, Committee Member Mazzia, Committee Member Olivares, Committee Member Pitts, Committee Member Walsh and Committee Member Weeks

**Absent:** 2 - Committee Member Badenfort and Committee Member Ling

**A motion was made by Committee Member Pitts, seconded by Committee Member Martinez, to set the Mayor's compensation to 3-person Area Median Income (AMI), set Council Member compensation at two-thirds of AMI at three-person household, permanently tying compensation to AMI, and recommend the Council build in a penalty system for non-performance.**

**The motion carried by the following vote:**

**Yes:** 14 - Chair Cisco, Committee Member Barbour, Committee Member Bartley, Committee Member Byrne, Committee Member Condrón, Committee Member Cunningham, Committee Member Diaz, Committee Member Martinez, Committee Member Mazzia, Committee Member Miller, Committee Member Minor, Committee Member Pitts, Committee Member Villalobos and Committee Member Walsh

**No:** 5 - Committee Member Arrizon, Committee Member Gudino, Committee Member Klose, Committee Member Olivares and Committee Member Weeks

**Absent:** 2 - Committee Member Badenfort and Committee Member Ling

#### **4.3 INITIAL OUTLINE OF FINAL REPORT**

The City Attorney will present a proposed outline of the Charter Review Committee's Final Report to the City Council. The Report is expected to include (a) a background on the Committee's formation, composition and practices, (b) a detailed description of each of the five items considered by the Committee in depth, together with the Committee's recommendation on each item, if any (the five items include Council compensation, at large Mayor, ranked choice voting, voting rights for noncitizens and Charter update and modernization), and (c) a brief description of additional issues considered by the Committee, but not prioritized, including additional issues identified by the Council in its Resolution No. RES-2021-147

City Attorney Gallagher provided proposed outline of the Committee's Final Report that will go to Council and answered questions from the Committee.

Committee discussion ensued on the content of the report and how Committee members should submit any comments they would like to be included in the report.

No public comments were made.

#### **5. COMMITTEE CHAIR'S/CITY ATTORNEY'S REPORTS**

No reports were provided.

#### **6. SUBCOMMITTEE REPORTS - NONE.**

#### **7. WRITTEN AND/OR ELECTRONIC COMMUNICATIONS - NONE.**

#### **8. FUTURE AGENDA ITEMS**

- Draft of Final Report

#### **9. ADJOURNMENT**

Chair Cisco adjourned the meeting at 6:52 p.m. The next meeting is scheduled for May 11, 2022, at 5:00 p.m.

**Approved on:**

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**Stephanie A. Williams**  
City Clerk

The May 11, 2022 Minutes of the Charter Review Committee are currently pending.