

CHARTER AMENDMENTS

City Council
July 12, 2022

Sue Gallagher, City Attorney

Charter Review Committee Recommendations

- Three ballot measures for November 2022:
 - Ballot measure to increase Council compensation, tying Mayor and Council member compensation to a percentage of Area Median Income (AMI)
 - Ballot measure to align the Charter with the City's district-based election of Council members
 - Ballot measure to update and modernize the City Charter, including provisions to remove ambiguities, to provide additional flexibility in City operations, and to ensure gender and citizenship neutrality.

I.
**Ballot Measure to Increase
Council Compensation**

Current Compensation

- Council members currently receive \$800 per month salary, the Mayor \$1200 per month salary
- There has been no increase since 2005
- Current Charter provisions would allow Council to increase salaries, by ordinance, up to \$17,760 /month for Council members and \$26,640 /month for Mayor
- Current Charter provisions would allow an additional 5% annual increase thereafter

Committee Concerns

- Charter Review Committee heard of the substantial workload of the Mayor and Council members and recognized the difficulties of balancing private employment, childcare, family and the significant responsibilities of Council membership
- Committee found current salaries are an impediment to candidacy for those without financial means
- Committee found the limited increases allowed under the current Charter insufficient to address concerns

Council Compensation

- Committee found that increased compensation would:
 - Enable a greater diversity of Council membership
 - Ensure continued strong commitment and professionalism
 - Reflect fairness and respect for the extensive and important work performed by members of the Council

Committee Recommendation

Charter Review Committee recommends:

- Set Mayor's salary at Area Median Income for a three-person household (currently \$101,500)
- Set Council members' salary at 2/3 of Area Median Income for a three-person household (currently \$66,990)
- Permanently tie Mayor's and Council members' salaries to Area Median Income for a three-person household
- Consider establishing a penalty or reduction in salary for unexcused absences, to parallel a city-wide salary reduction or as otherwise determined by Council

Options

- At last Council meeting, discussion focused on two options:
 - Adopt Committee's recommendation
 - Propose single salary for both Mayor and Council members, with salary to be set at 100% of AMI for three-person household
- Other alternatives remain available

Effective Date

- Effective date of increase impacts Council members as well as public perceptions of fairness
- Under current Charter provisions, changes in compensation apply to all Council members upon election or reelection of any one Council member
- Options:
 - New salaries effective upon certification of vote
 - New salaries apply only upon the individual's own election or reelection
 - Set date certain for new salaries for all Council members

Benefits

- At the last Council meeting, questions were raised regarding benefits. Council members receive City benefits, and those benefits were outlined in the staff reports then and now.
- Benefits include health, dental and vision, life insurance, long term disability, medicare, unemployment, workers compensation, EAP, and, for some members, retirement
- Benefits are calculated separately for each individual Council member
- Value of benefits ranges from \$19,400 to \$33,700

Budgetary Impacts

- At last Council meeting, questions were also raised regarding potential budgetary impacts
- Focusing on the two proposals highlighted at last meeting, Finance prepared chart of potential impacts on City's five-year forecast, and that chart is set forth on next slide
- With Charter Review Committee recommendation, Council compensation would constitute approximately 0.25% of the City's general fund budget (approximately 1/4 of 1 percent)
- With proposal for 100% of AMI for all members, Council compensation would constitute approximately 0.34% of the City's general fund budget (approximately 1/3 of 1 percent)

Budgetary Impacts



Long Range Financial Forecast - as of 6/23/22

	FY 22-23 Budget	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Revenues	197.5	199.6	206.3	211.2	215.7
Transfers In	2.3	2.3	2.4	2.4	2.5
Total	199.8	201.9	208.7	213.6	218.2
Expenditures	190.3	196.9	201.1	205.4	209.5
Transfers Out	9.5	6.3	7.5	9.3	12.1
Total	199.8	203.3	208.7	214.7	221.6
Surplus (Deficit)	--	(1.4)	--	(1.1)	(3.4)

Option 1:

Mayor Salary \$100K, Council Member Salaries \$67K

	FY 22-23 Budget	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Revenues	197.5	199.6	206.3	211.2	215.7
Transfers In	2.3	2.3	2.4	2.4	2.5
Total	199.8	201.9	208.7	213.6	218.2
Expenditures	190.5	197.4	201.6	205.9	210.0
Transfers Out	9.5	6.3	7.5	9.3	12.1
Total	200.1	203.8	209.2	215.2	222.2
Surplus (Deficit)	(0.3)	(1.9)	(0.5)	(1.6)	(3.9)

Option 2:

Mayor and Council Member Salaries \$100K each

	FY 22-23 Budget	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Revenues	197.5	199.6	206.3	211.2	215.7
Transfers In	2.3	2.3	2.4	2.4	2.5
Total	199.8	201.9	208.7	213.6	218.2
Expenditures	190.6	197.6	201.8	206.1	210.2
Transfers Out	9.5	6.3	7.5	9.3	12.1
Total	200.2	204.0	209.4	215.4	222.3
Surplus (Deficit)	(0.4)	(2.1)	(0.7)	(1.8)	(4.1)

Next Steps

- Finalize proposed ballot language:

SAMPLE: City of Santa Rosa City Charter Amendment – Increasing Council Compensation

<p>Shall the City of Santa Rosa’s measure to amend the City Charter to increase compensation of the City Council, setting the salary for the Mayor at Sonoma County’s Area Median Income for a three person household (currently \$101,500 annually) and the salary for Council members at two-thirds of Sonoma County’s Area Median Income for a three person household (approximately \$66,990 annually), with annual adjustments to reflect changes in Area Median Income and reductions as provided by ordinance, be adopted?</p>	<p>Yes</p> <p>_____</p>	<p>No</p> <p>_____</p>
---	-------------------------	------------------------

2.

Ballot Measure to Align Charter with District-Based Election of Council Members

District-based Elections

- California Voting Rights Act prohibits at-large election of Council members, if a city experiences racially polarized voting
- In 2018, an independent analysis of multiple prior City elections revealed racially polarized voting
- In 2018, under threat of litigation, the Council adopted an ordinance to provide for the transition to district-based elections

District-based Elections

- The transition began in November 2018, with the district-based election of Council members in Districts 2, 4 and 6
- The transition was completed in November 2020, with the election of Council members in Districts 1, 3, 5 and 7
- The City Charter still contains a reference to at-large election of Council members in its Section 4, which should now be addressed

District-based Elections

- It is recommended that Section 4 of the City Charter be amended to confirm:
 - District-based election of Council members
 - District boundaries established and updated by Council ordinance in accordance with state and federal law
 - District residency and voter registration requirements for eligibility for office

District-based Elections

- Proposed ballot language:

Measure ___ City of Santa Rosa City Charter Amendment -
District-Based Election of Council Members

	Yes	No
Shall the City of Santa Rosa's measure to amend Section 4 of the Santa Rosa City Charter to reflect the City's recent transition to district-based election of Council members be adopted?	<hr/>	<hr/>

3.

Ballot Measure to Provide for Charter Update and Modernization

Charter Update and Modernization

- Charter Review Committee recommended placing measure on the ballot to update and modernize the City Charter, including:
 - Revisions to remove ambiguities
 - Revisions to provide greater flexibility in City operations
 - Revisions to modernize language, including revisions to ensure gender and citizenship neutrality

Frequency of Charter Amendments

- **Section 12: Charter Review**
 - Current wording: the Charter “shall be reviewed in the year 2002 and not less than every ten years thereafter”
 - Add: “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”

Responsibility for Emergency Management

- City Code currently designates the City Manager as the Director of Emergency Services
- Charter creates some ambiguity
- To avoid ambiguity, confirm responsibility of City Manager and Public Safety for leadership in times of emergency
- Amendments to four sections: Section 15 (Mayor), 18 (City Manager), 21 (Police Chief), 22 (Fire Chief)

Flexibility for City Operations

- **Section 25: Board of Public Utilities**
 - Clarify that BPU's responsibility may, at Council's discretion, include stormwater and "dry" utilities, including electricity, broadband and others

- **Section 28: Budget**
 - Clarify that City Manager may propose a single year or multi-year budget, retaining all procedural provisions

Clarification of Ambiguities

- **Section 19: City Attorney**
 - Clarify that required three years of California practice need not be immediately preceding appointment

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

- **Section 37: Deputy Officials**
 - Clarify that officers appointed by Council have the power to appoint their own deputies without need for confirmation by Council

Gender and Citizenship Neutrality

- Recommendation by unanimous vote to revise Charter to ensure gender neutral language throughout
- Recommendation by unanimous vote to revise Charter to substitute “resident” for “citizen” throughout

Charter Update and Modernization

- Proposed ballot language:

Measure ___ City of Santa Rosa City Charter Update and Modernization

<p>Shall the City of Santa Rosa's measure to update and modernize the language of the Santa Rosa City Charter, including revisions to remove ambiguities, to provide additional flexibility in City operations, and to ensure gender and citizenship neutrality equality, be adopted?</p>	<p>Yes</p> <p>_____</p>	<p>No</p> <p>_____</p>
--	-------------------------	------------------------

Key Next Steps

- Submit approved ballot measures to Sonoma County Registrar of Voters
- Refer to City Attorney for Impartial Analysis
- State law authorizes submission of arguments for and against, so no action needed
 - If Council wishes to authorize Mayor or Council members to author arguments, incorporate authorization into resolution
- Proposed resolution authorizes rebuttal arguments
- **Prohibition on use of public resources for advocacy once approved for ballot**

Questions?