



# 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 Condrón, 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 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 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 Martinez, 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 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 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 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

**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**