

**THIS MEASURE NO. 4 WAS ADOPTED BY THE CITY COUNCIL AS PART OF  
RESOLUTION 28168, BROUGHT FORWARD TO THE VOTERS OF SONOMA  
COUNTY AS MEASURE T AND PASSED ON NOVEMBER 6, 2012**  
MEASURE NO. 4

Shall Sections 12, 15, 28, 30, 31, 33, and 49 of the Charter of the City of Santa Rosa be amended to read as set forth below?

**Section 1.** Section 12 of the Charter of the City of Santa Rosa is revised to read as follows:

**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.

**Section 2.** Section 15 of the Charter of the City of Santa Rosa is revised to read as follows:

**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 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.

**Section 3.** Section 28 of the Charter of the City of Santa Rosa is revised to read as follows:

**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 31<sup>st</sup> 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 five (5) days prior to the hearing. The notices shall be published at least seven (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 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.

**Section 4.** Section 30 of the Charter of the City of Santa Rosa is revised to read as follows:

**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.

**Section 5.** Section 31 of the Charter of the City of Santa Rosa is revised to read as follows:

**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 from the City or absent himself or herself 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 office shall thereupon become vacant.

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

**Section 6.** Section 33 of the Charter of the City of Santa Rosa is revised to read as follows:

**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.

**Section 7.** Section 49 of the Charter of the City of Santa Rosa is revised to read as follows:

**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.

**Section 8. Enumeration of New Powers.** This proposed Charter Amendment does not result in any new powers for the City and does not grant any new power to the Council to increase its own compensation or the compensation of other City officials. The proposed amendments would grant the City the power to use an IRS approved retirement system other than the California Public Employees Retirement System. The City would still be required by law to negotiate any proposed changes to the retirement benefits with its employee bargaining units.