

NATURE OF CHARTER AMENDMENTS AND REVIEW OF PAST CHARTER REVIEW BALLOT MEASURES

Charter Review Committee Meeting
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Charter Amendments, City Ordinances and Council Resolutions

- Three levels of action:
 - The City Charter: The City's Constitution
 - Ordinances: The City's laws
 - Resolutions: Projects, policies and procedures

Charter Amendments

- The Charter: the City’s “Constitution”
 - Establishes the general framework for City governance
 - Outlines the general organization and operation of the City
 - Enacted by vote of the people
 - Requires a vote of the people to change
 - Current Charter provides for update every ten years

Charter Amendments (cont)

- Process for amending the Charter
 - Charter Section 12 provides that the 10 year review shall be done by Committee appointed by the Council
 - Committee researches, drafts and recommends proposed ballot measures
 - Council reviews recommendations and decides which measures to place on the ballot for voter consideration
 - Charter amendments may also be proposed by voter initiative

City Ordinances

- An Ordinance: a local law
 - Variety of subjects:
 - May establish details of City governance (example – Open Government Ordinance)
 - May establish regulation of persons or property (examples -- land use regulations, regulation of public behaviors, establishment of City taxes)
 - Generally applicable (not project- or person-specific)
 - Often very detailed

City Ordinances (cont)

- Enforceable by civil code enforcement or criminal penalty
- Enacted by a vote of the City Council
- Can be changed by vote of the City Council
- Procedures for adoption are established by state law and local ordinance
 - Usually a two-step process (introduction / adoption)
 - Usually effective 30 days after final Council approval
 - Urgency ordinances permitted

Council Resolutions

- A Council Resolution: Action on specific projects and policies
 - Variety of subjects:
 - May provide ruling on specific project, contract or application (examples – approval of use permit, selection of winning proposal, approval of contract)
 - May establish new program (examples – Community Homeless Assistance Program and Safe Social Distancing Site)
 - May express Council policy (examples – declaration of racism as a public health crisis, proclamations in support of community)
 - Declarations of emergency are done by resolution

Council Resolutions (cont)

- Generally a less formal action, resolutions are not codified in City Code
- Enforcement mechanism, if any, depends on nature of resolution
- Adopted by City Council
- May be amended by City Council
- Effective immediately upon approval

Past Ballot Measures

- 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).

Measure M – 2002 Council Compensation

“Shall an amendment to the Santa Rosa City Charter be adopted to provided stated amounts on monthly compensation to be paid Council members and the Mayor, provide for future increases or decreases based on a cost of living index, and provide certain other Benefits through participation in certain City plans, such as its retirement, health insurance and disability plans?”

Measure M – 2002 Council Compensation

- Increase Council member monthly salary to \$1,500
- Increase Mayor monthly salary to \$2,250
- Provide for annual cost of living adjustment (capped at CPI)
- Provide for benefits, including retirement, health, eye and dental care, long-term disability and employee assistance program
- Failed: Yes -- 39.4% / No – 60.6%

Measure 0 – 2002 Campaign Finance Reform

“Shall an amendment to the Santa Rosa City Charter be adopted which adds a section that requires the City Council to enact measures which set lower limits on Council election campaign contributions, establishes a new schedule for reporting campaign contributions for Council candidates, and provides for public financing of Council election campaigns?”

Measure 0 – 2002

Campaign Finance Reform

- Required Council to “consider and by ordinance enact new election campaign finance reform measures . . .”
- Measures to include:
 - New limits on campaign contributions lower than \$1000
 - Limit independent expenditures to the same cap, if permitted by law
 - New schedule for reporting of campaign contributions for all Council candidates
 - Provisions to provide for public financing of Council election campaigns
- Passed: Yes – 62.8% / No – 37.2%

Measure Q – 2012

District Council Elections

“District Elections: Shall the Santa Rosa City Charter be amended to change the manner in which City Council members are elected from at large elections to each Council member being elected by and from districts created by the Council?”

Measure Q – 2012

District Council Elections

- Move the City from at-large Council member elections (all Council members elected by city-wide vote) to district-based Council member elections (each Council member elected by district vote)
- Creation of seven Council districts, with district boundaries to be established by ordinance
- Set forth criteria for establishment of the district boundaries
- Failed: Yes – 40.2% / No – 59.8%

Measure R – 2012 Binding Arbitration

“Binding Arbitration: Shall an amendment to the Santa Rosa City Charter be adopted to limit and clarify the manner in which binding arbitration is used for Police and Fire Department employee disputes?”

Measure R – 2012 Binding Arbitration

- Original Charter provision for binding arbitration for public safety workers (Police and Fire) was added to the Charter by the voters in 1995
- The 2012 amendment added mandatory guidelines to be followed by the arbitrator in resolving disputes over wages, hours and terms of working conditions
- Among other elements, requires arbitrator to consider City's financial ability to pay a proposed contract and to determine impacts on the interest and welfare of the public
- Passed: Yes – 72.1% / No – 27.9%

Measure S – 2012 Design Build Procurement

“Shall Section 58 be added to the Santa Rosa City Charter to allow for the use of design-build procurement by the City under guidelines to be established by ordinance?”

Measure S – 2012

Design Build Procurement

- Previously, Charter required that, with certain exceptions, all public works contracts must be awarded to the lowest bidder
- Proposed addition of a new Charter section to authorize, but not require, use of the “design-build” method of project delivery
- Allows the City to contract with a single entity for the design and construction of the project
- Passed: Yes – 67.1% / No – 32.9%

Questions?