



# ***City of Huntington Beach*** ***Charter Review Commission***

## **AGENDA**

**Thursday., Feb. 18 2010, 6:00 PM**  
**City Hall, B-8**

- I. **Roll Call:** Jerry Bame, Ralph Bauer, Mark Bixby, Patrick Brenden, Shirley Dettloff, Dick Harlow, Gregory Hartnett, Marijo Johnson, Gary Kutscher, Joe Shaw, Ray Silver, Sharie Sneddon, Tim Stuart, Dave Sullivan, Shane Whiteside

II. **Public Comments:**

An opportunity for the public to comment on any item of interest, either in general or specific to this agenda, that is within the subject matter or jurisdiction of the Commission. Comments will be limited to no more than 3 minutes. Speakers are encouraged to submit their comments in writing. Each Commission Member will receive a copy of all the submitted comments.

- III. **Approval of the Commission minutes from February 2 meeting.**

IV. **Charter Section 302 – Compensation**

- The Commission has not made a final determination on amending the Council Compensation section of the Charter. Additional information was requested.

V. **Charter Section 313 – Conflict of Interest**

- A Commissioner request had been made and never resolved on adding language to prohibit elected officials from participating in labor negotiations.

VI. **Staff Presentation on Charter Section 612 – Measure C**

VII. **Charter Section 612 - The Commission has requested that staff return for the following on Measure C**

- Optional language for including the City Council action taken on July 11, 1994 (currently at the end of the Charter index) into Section 612 of the Charter
- Optional language for exempting from a Measure C vote repair, replacement, and/or maintenance of sewer, water, water quality, and storm drain facilities
- Optional language and a rationale for exempting from a Measure C vote underground city structures
- Recommendations for an appropriate monetary minimum for a Measure C vote with options for indexing that amount
- Wording for a Commission recommendation to the City Council for requiring notification of residents in the surrounding area when a project below the Measure C threshold is planned for a city park or beach.

\* Material related to the Charter Sections to be discussed and submitted prior to the posting of the agenda will be included in the agenda packet. Items received after posting of the agenda will be distributed at the Commission meeting as late communications.

- VIII. **Charter Section 614 – Contracts – The City Attorney is to provide feedback on potential issues with requiring a local preference on city contracts.**
- IX. **Charter Section 703 - The Commission has requested that staff return with optional language for changing the number of signatures required to place a citizen initiative on the ballot**
- X. **Commissioner Requests: Questions, comments, or suggestions for discussion at a subsequent meeting of the Commission**
- XI. **Adjourn to the next regular meeting scheduled for Tuesday Mar 2 at 6 PM in City Hall Room, B 8**

**Attachments: \***

- 1. Minutes from the February 2 meeting
- 2. Staff report on Section 302 – Compensation
- 3. Requested language on Section 612 (Measure C)
- 4. Information from Commissioner Bixby
- 5. Updated Timeline

**ATTACHMENT #1**



# *City of Huntington Beach*

## *Charter Review Commission*

### **ACTION MINUTES**

**Tuesday., Feb. 2 2010, 6:00 PM**

- I. **Roll Call:** Jerry Bame, Ralph Bauer, Mark Bixby, Patrick Brenden, Shirley Dettloff, Dick Harlow, Gregory Hartnett, Marijo Johnson, Gary Kutscher, Joe Shaw, Ray Silver, Sharie Sneddon, Tim Stuart, Dave Sullivan, Shane Whiteside

All present except Bame and Stuart. Brenden, Johnson, and Sullivan arrived after calling of the roll.

II. **Public Comments:**

An opportunity for the public to comment on any item of interest, either in general or specific to this agenda, that is within the subject matter or jurisdiction of the Commission. Comments will be limited to no more than 3 minutes. Speakers are encouraged to submit their comments in writing. Each Commission Member will receive a copy of all the submitted comments.

Jim Adams requested that the Commission add language to the Charter requiring the use of the prevailing wage on construction projects.

III. **Approval of the Commission minutes from January 5 and January 21.**

Commissioner Whiteside offered a correction to the Minutes from Jan. 5. A motion by Commissioner Sullivan was corrected to read:

Commissioner Sullivan made a motion to place before the voters repealing this section [Section 607(b) 2] of the City Charter. The motion was seconded by Commissioner Silver. Following a presentation by Commissioner Silver, the motion was amended to add that it should not take effect until July of 2012. The motion carried 10-4-1 (Bixby, Shaw, Johnson, & Dettloff No)

The minutes for Jan. 5 were approved as amended, the minutes for Jan. 21 were approved as submitted. (13-0-2)

IV. **Staff Presentation on Charter Sections 614 Contracts – Public Works and Section 617 Infrastructure Funds**

Public Works Director, Travis Hopkins, requested that the Commission consider amending the Section 614 of the Charter to increase the threshold for requiring a bid process on public works contracts.

V. **Discussion and possible action on City Charter Section:**

- 613 – Execution of Contracts
- 614 – Contracts on Public Works including
  - a. Increasing or Eliminating threshold for triggering a bid process & possibly indexing that amount

Following some discussion, a motion was made by Commissioner Shaw and seconded by Commissioner Bauer to change the charter to allow the threshold for requiring a bid process on Public Works contracts to be set by ordinance. The motion carried 13-0-2

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**b. The addition of the financial viability of the bidders**

**c. Discussion on a request to add a prevailing wage requirement**

- **617 – Infrastructure Fund including discussion on:**
  - a. **The requirement that expenditures for infrastructure improvements and maintenance not be less than 15% of the general fund revenues**

Public Works Commission Chair, John McGovern, made a presentation on the 15% infrastructure set aside. The Public Works Commission is concerned about the way the city calculates the 15% and those items that are currently included in the 15%. Following substantial discussion action on this section was postponed until the Feb. 18 meeting so that the City Attorney could provide a opinion on whether the city is currently in compliance with this section of the Charter.

Commissioner Shaw made a motion to add to the Charter the following language: The provisions of California Labor Code Section 1779 et seq. regarding prevailing wages on public works and related regulations, as now existing and a may be amended, are accepted and made applicable to the City, its departments, boards, officer, agents and employees. The motion was seconded by Commissioner Dettloff. Follow substantial discussion, the motion failed 4-9-2 (Bixby, Dettloff, Shaw, Hartnett - Yes)

Commissioner Bauer asked that a requirement be added to Section 613 of the Charter for checking the financial viability of the selected bidder before issuing a public works contract. Staff described the current process required for determining financial viability bidder. No motion was made.

Commissioner Bixby made a motion to modify Section 614 to allow a local preference when consider bids on Public Works contracts. The motion was seconded by Commissioner Shaw. Following some discussion the motion was amended to ask the City Attorney to provide an opinion on whether current law allows a local preference and how that would be integrated with the current requirement that the bid go to the lowest responsible bidder. The motion carried 10-3-2 (Silver, Bauer, Dettloff – No)

Commissioner Bixby made a motion to add a language to the Charter to create greater public oversight over city contracts by requiring contract of a duration of 10 years to be approved by ordinance subject to a referendum and requiring contracts greater than twenty-five years to be approved by a majority of the electors of the city. Staff reported that contracts with the city were seldom over three years in duration, and the only contracts that would surpass the twenty-five year threshold would be franchise agreement. Commissioner Bixby withdrew his motion.

**b. Citizen Infrastructure Advisory Board**

No action taken.

**VI. Discussion and possible action on the Charter Review Commission Timeline/Schedule – Dapkus**

Included in the agenda packet was an updated schedule. The next meeting will be used to reconsider items deferred for further staff input. March 2 the Commission will be considering legislative drafts of the amended sections of the Charter. The goal is to take a final vote on the amended Charter as a whole at the Commission's first meeting in April.

\* Material Related to the Charter Sections to be discussed and submitted prior to the posting of the agenda will be included in the Agenda Packet. Items received after posting of the agenda will be distributed at the Commission meeting as late communications.

**VII. Distribution and possible discussion on legislative drafts of some of the Charter Sections on which the Commission has taken straw votes – McGrath**

City Attorney McGrath explained what the material covered. No action was taken on this item.

**VIII. Commissioner Requests: Questions, comments, or suggestions for discussion at a subsequent meeting of the Commission**

- **Request by Commission Chair Harlow to reconsider the straw vote taken on Charter Section 607(b) 2 - Retirement Tax**

A motion was made by Commissioner Harlow and seconded by Commissioner Johnson for the Commission to reconsider the action they took on Charter Section 607(b)2 – Retirement Tax. Commissioner Harlow express his concerned that staff had not had an adequate opportunity to respond to the issues raised at the Jan. 5 meeting. A presentation on the potential impact of eliminating this section was made by the City’s Finance Director, Bob Wingenroth. Facilitator Sonenshein expressed his concerns that the action taken. The motion to reconsider carried 9-4-2 (Brenden, Whiteside, Silver, Sullivan – No) A second motion was made by Commissioner Harlow, seconded by Commissioner Johnson to leave Charter Section 607(b)2 in the Charter. The motion carried 8-5-2 (Brenden, Whiteside, Kutscher, Silver, Sullivan – No)

**IX. Adjourn to the next regular meeting scheduled for THURSDAY, Feb. 18 at 6 PM in City Hall Room, B 8**

1. Memo from City Attorney McGrath & Legislative Drafts of *Charter Section 308,606, 607,608, 610, & 611*
2. Information from Commissioner Bixby on amendments to *City Charter* on contracting and on the prevailing wage
3. **PLEASE** also refer to information from the Jan. 21 meeting regarding prevailing wage available on the city’s website under at:

\* Material Related to the Charter Sections to be discussed and submitted prior to the posting of the agenda will be included in the Agenda Packet. Items received after posting of the agenda will be distributed at the Commission meeting as late communications.

**ATTACHMENT #2**

## SUMMARY OF CITY COUNCIL COMPENSATION

Section 302 of the City Charter sets City Council Compensation as follows:

### **Section 302. - Compensation.**

The members of the City Council including the Mayor shall receive as compensation for their services as such a monthly salary in the sum of One Hundred Seventy-five Dollars per month. In addition, each member of the City Council shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty upon submission of itemized expense accounts therefor. In addition, members shall receive such reasonable and adequate amounts as may be established by ordinance, which amounts shall be deemed to be reimbursement to them of other routine and ordinary expenses, losses and costs imposed upon them by virtue of their serving as City Councilmen.

In May of 1989 the City Council adopted Section 2.28 of the Municipal Code. It set an expense allowance for the City Council at \$698 per month with the Mayor to receive \$936 a month. Both of these amounts were to be indexed to the Consumer Price Index (CPI).

**MC 2.28.010 Expense allowance.** It is deemed reasonable and adequate that in reimbursement of the ordinary and routine expenses, losses and costs imposed upon them by virtue of their serving the city in their official capacity, each Council Member shall receive monthly, during his term of office the sum of \$698 per month, and the mayor shall receive the sum of \$936 per month, such sums to be adjusted annually by the consumer price index for all urban consumers, all items, 1982-84 equals 100, published by the United States Department of Labor, Bureau of Labor Statistics, for the Los Angeles/ Anaheim/ Riverside Metropolitan Area. Further, such expense allowance need not be accounted for by the recipient.

In addition thereto, each member of the City Council, including the mayor, shall be reimbursed pursuant to the city's business expense policy for council authorized travel and other expenses when on official duty upon submission of itemized expense account therefor. This section is intended to meet the requirements of section 302 of the city Charter. Appropriations for the allowance and other expenses provided for herein shall be included in the annual budget approved by the City Council. (1346-9/67, 2079-8/76, 2566-8/82, 2997-5/89)

Since the adoption of Municipal Code 2.28 there have been a number of years where the City Council waved the right to increase their expense allowance. Last year, because of budget concerns, the City Council actually approved a 10% reduction in the amount they would have received during the 2009/10 Fiscal Year. The current monthly compensation for each Council Member is about \$1221.72, and the Mayor receives about \$1,709.54 a month.

In addition to the above, the Mayor and Council Members are eligible to receive health benefits similar to those received by city department heads.

**MC2.28.020 Fringe benefits.** Each member of the City Council shall receive all fringe benefits which are granted, and in the future shall be granted, to the department heads of the city of Huntington Beach, and the cost of such fringe benefits shall be included in the annual budget. (2079-8/76)

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## COMPENSATION IN OTHER CITY CHARTERS

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CITY	COMPENSATION
Anaheim	The members of the City Council, including the Mayor, shall receive as compensation for their services as such a monthly salary in such amount as established in accordance with, and limited by, the provisions of law applicable to the salaries of City Council members in general law cities as set forth in Section 36516 of the Government Code of the State of California or any successor provision thereto. In addition, each member of the City Council shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty. In addition, members shall receive reimbursement for itemized routine and ordinary expenses incurred in official duty or such reasonable and Last Revised 4/30/2007 Page 8.adequate amount as may be established by ordinance, which amount shall be deemed to be reimbursement to them of routine and ordinary expenses imposed upon them by virtue of their service as members of the City Council. ( <i>Amended March 5, 1991, filed by Secretary of State April 18, 1991.</i> )
Carlsbad	<b>Council Compensation.</b> (1) The compensation of each member of the city council shall be set at one thousand three hundred and eighty-nine dollars per month upon the effective date of this ordinance. Adjustments to city council compensation may be made from time to time by ordinance amending this section. (2) The compensation established by this section is exclusive of any amounts payable to each member of the city council as reimbursement for actual and necessary expenses incurred in the performance of official duties for the city. <b>Elected mayor—Additional compensation.</b> The mayor, elected pursuant to Sections 34900 to 34904 inclusive of the Government Code, shall receive additional compensation of one hundred dollars per month in addition to the compensation he receives as a member of the city council. This additional compensation may be amended from time to time by the adoption of an ordinance amending this section.
Coronado	Each Councilmember shall be entitled to a salary in the amount of \$435.00 per month (effective November 1996).The Mayor shall be entitled to a salary in the amount of \$435.00 per month (effective November 1996). In addition to reimbursement on demand and consistent with existing policies for extraordinary expenses and out-of-county expenses actually and necessarily incurred in the performance of official duties, the Mayor shall receive a monthly expense allowance of \$150.00 & the Council \$75.00 for the normal expenses actually and necessarily incurred in the performance of their official duties within San Diego County.
Escondido	Effective on the date the city council members to be elected at the 2008 regular municipal election are sworn into office, the members of the city council shall receive a monthly salary of one thousand two hundred fifty-five dollars and twenty-five cents (\$1,255.25) per month in accordance with the provisions of Section 36516 of the Government Code. In addition to the salary provided for council members in subsection (a) of this section, the mayor of the City of Escondido shall receive a monthly salary of one thousand six hundred dollars (\$1,600.00), in accordance with the provisions of Section 36516.1 of the California Government Code. The salary provided by this subsection shall increase by the same percentage set forth in any ordinance adopted which provides for city council salaries.
Huntington Beach	The members of the City Council including the Mayor shall receive as compensation for their services as such a monthly salary in the sum of One Hundred Seventy-five Dollars per month. In addition, each member of the City Council shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty upon submission of itemized expense accounts therefor. In addition, members shall receive such reasonable and adequate amounts as may be established by ordinance, which amounts shall be deemed to be reimbursement to them of other routine and ordinary expenses, losses and costs imposed upon them by virtue of their serving as City Councilmen.

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LINK TO THE CALIFORNIA GOVERNMENT CODE :

<http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=gov&codebody=&hits=20>

2/11/10

<b>Inglewood</b>	In the case of elective officers, however, the restrictions of the Constitution of the State of California relating to the compensation of elective officers shall be observed. Said council may also by ordinance provide for any and all such other and additional subordinate boards, commissions, officers, assistants, deputies, clerks and employees, as such council may from time to time hereafter deem necessary, and fix their respective powers, duties and compensations. The council may appoint any person to more than one office or appointment, provided said council does not deem the duties of such officers or appointments to be in conflict, or the holding thereof by one person to be contrary to good public policy. If an elective officer of the city under the authority herein given, other than the mayor or councilmen, be appointed to hold any appointive office created herein, or created by ordinance as herein provided, he shall be entitled to receive as such appointive officer the salary or compensation attached to such appointive office in addition and without regard to his salary or compensation as an elective official; provided the duties of such appointive office or not such as he would reasonably be required to perform as such elective official.
<b>Irvine</b>	Compensation for Council member is hereby set, and from time to time shall be changed, in accordance with the provisions of the Government Code relating to salaries of Council members in general law cities. Such compensation may be increased or decreased other than as set forth above by an affirmative vote of a majority of the voters voting on the proposition at any election.
<b>Long Beach</b>	<p>Salary.</p> <p>(a) Commencing with the first Mayor to assume the office of Mayor on or after July 1, 1988, the Mayor shall receive an annual salary of Sixty-seven Thousand, Five Hundred Dollars (\$67,500.00), which salary shall be automatically adjusted on July 1, 1989, and on July 1 of each year thereafter equivalent to the most recent upward change in the annual average of the Consumer Price Index as published by the United States Department of Labor for the Los Angeles-Long Beach-Anaheim metropolitan area.</p> <p>For purposes of calculating the annual adjustment under this section the base year shall be that year ending with the quarter ending December 31, 1988. The Mayor's salary shall first be adjusted on July 1, 1989, and annually thereafter, based on the annually calculated change from the base year.</p> <p>(b) Each member of the City Council shall receive a salary which shall be twenty-five percent of that provided for the Mayor under Subsection (a) of this Section 203.</p>
<b>Orange</b>	<p>2.08.020 Increase in Salaries.</p> <p>A. Upon certification of population increase by the State Department of Finance that the population of the City has increased in an amount which authorizes an increase in salaries, the City Council shall consider the effect of such population increase and shall determine whether to increase salaries of Councilmen to the extent permitted by any formula established by state law.</p> <p>B. Notwithstanding any Council compensation formula contained in the provisions of 36516 of the California Government Code or other State law, the Council hereby determines to study from time to time the compensation of Council members and shall from time to time determine whether to adjust the compensation of Council members to the extent authorized by State Law.</p> <p>C. In accordance with the authority of Subsection (C) of 36516 of the California Government Code, the City Council authorizes the compensation of Council members to be increased from its present level of \$600 per month to \$690 per month.</p> <p>D. Each member of the City Council shall receive the sum of \$690 a month. This salary is payable beginning January 27, 1989, and is payable at the same time and in the same manner as the salaries paid to each of the officers and employees of the City.</p> <p>E. Salaries exclusive of reimbursement. The salaries prescribed by this chapter are exclusive of, and in addition to, any other amount payable to a member of the Council as reimbursement for actual and necessary expenses incurred by him in the performance of his official duties. (Ords. 44-88; 41-85; 41-84)</p> <p>2.08.030 Compensation.</p> <p>A. Each member of the Orange Redevelopment Agency shall receive the sum of \$120.00 a month, based on attendance at four meetings of the Agency each month. The salary shall be charged to the Redevelopment Agency as follows: 20% to Fund 910; 40% to Fund 920; and 40% to Fund 930.</p> <p>This compensation shall be payable beginning October 13, 1989, and is payable at the same time and in the same manner as the salaries paid to each of the Officers and employees of the City.</p>

**Palm Springs**

The members of the city council shall receive such compensation for their services as may be established by ordinance. The mayor may receive compensation in addition to any compensation received as a member of city council, as may be established by ordinance. Those members of city council in office on the effective date of this Charter shall continue to be compensated at the level of compensation effective immediately prior to the effective date of this Charter, and shall continue to be compensated at such level for the remainder of their terms. No ordinance of the city council shall increase the compensation of any member of the council during that member's term of office, provided that nothing herein shall prevent the adjustment of the compensation of all members of a council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of beginning a new term of office. Each member of the city council shall receive reimbursement on order of the city council for council-authorized traveling and other expenses when on official duty.

**Pasadena**

Pursuant to an ordinance adopted by the City Council authorizing the formation of a Committee on City Councilmembers' Compensation ("the Committee"), each member of the City Council shall nominate one person to the Committee, subject to the approval of the City Council. The duties of the Committee shall be to study, take public input, and make recommendations regarding the compensation paid to members of the City Council and benefits to which the members of the City Council are entitled including, but not limited to, insurance, expense allowances and reimbursement. Each member of the Committee shall be an elector of the City. In making their nominations, City Councilmembers shall consider persons recommended by representatives of the fields of higher education, labor, business, and organizations reflecting the diversity of the City. No person shall be eligible for membership on the Committee who is, or within five years prior to his or her appointment was, an officer or employee of the City; or who has, within five years prior to his or her appointment, had any personal or business-related contractual relation with the City.

The nominee of the Mayor shall act as temporary chair of the Committee, with the power to fix the time and place of the Committee's first meeting. At such meeting, the Committee shall elect a Chair and a Vice-Chair, and shall adopt such rules as it deems necessary to conduct its business. The provisions of the Ralph M. Brown Act shall govern the conduct of meetings of the Committee. Records of the Committee shall be maintained as public records as provided by State law. The Committee shall gather such information as it deems necessary to complete its duties, and prior to making its recommendation, shall hold at least one duly-noticed public hearing for the purpose of seeking public input. The City Manager shall provide office space, staff assistance and supplies for the work of the Committee. Committee members shall serve without compensation, other than reimbursement for reasonable expenses pursuant to City ordinance.

Not later than October 1 of the year the Committee is appointed, the Committee shall submit to the City Council a report adopted by a majority of the members of the Committee recommending either that no change be made in the compensation paid to members of the City Council, or that change, either an increase or a decrease, be made and the amount thereof. If such report is not timely submitted, or is not adopted by a majority of the members of the Committee, the Committee's recommendation shall be deemed to be a recommendation for no change. The Committee shall cease to exist thirty (30) days after its report is submitted to the City Council.

The City Council may take no action on the recommendation, or it may, by ordinance, adjust the compensation paid to members of the City Council by an amount not to exceed the recommendations of the Committee. No action which increases the compensation of City Council in excess of the level recommended by the Committee may be taken without a vote of the people. Any ordinance adopted pursuant to a recommendation of the Committee shall be adopted by a 2/3 majority vote and shall be subject to referendum as provided in this Charter. Once compensation has been initially established as provided in this section, no increase in the annual compensation shall be greater than five percent for each calendar year following the operative date of the most recent change for the compensation. No more than one ordinance establishing the compensation of City Council members may be adopted in any two calendar year period. Any compensation and benefits fixed as a result of this Section shall constitute full compensation for the services of the City Council member and the maximum benefits provided to the City Council member by the City.

Until such time as the City Council adopts an ordinance as provided herein, Councilmembers shall continue to receive the compensation in effect as of the effective date of the Section.

(Sec. 405 amended by vote of the people 11-3-1998: Sec. 405 amended by vote of the people 3-9-1993: Sec. 405 amended by vote of the people 11-4-1980, effective May 4, 1981.)

<b>Redondo Beach</b>	<p><b>Sec. 6.2. Compensation.</b> The members of the City Council shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties and shall receive a salary which shall be set by ordinance in accordance with the provisions of Government Code Section 36516 as it now exists or as it may be hereafter amended by the State Legislature.</p> <p><b>Sec. 10.1. Compensation of elective officers, other than Mayor and City Council.</b> The elective officers of said City shall receive at stated times a compensation for their services in their respective capacities, to be fixed by ordinance adopted by the City Council. The compensation for such services shall not be increased or diminished as to any such officer after his election and during his term of office, nor within thirty (30) days prior to the date when nomination papers for the position may be filed, provided, however, that in the event of an emergency and in the event any law is adopted by the Legislature of the State of California permitting an increase during the period of any emergency of the salaries of elective officers, then and in that event the City Council may by ordinance increase the salaries of such elective officers in accordance with the provisions of the general law then in effect. In the event of an appointment to fill the vacancy in the unexpired term of any elective official, the City Council may, prior to the time of such appointment, adopt an ordinance, as an emergency ordinance, providing for the compensation of such appointee during the balance of the unexpired term and thereafter the salary or compensation of such appointee shall not be increased or decreased except in the manner hereinabove provided for elective officials.</p>
<b>San Bernardino</b>	<p>The Office of Mayor shall be a full time position and the incumbent shall not engage in any business, professional or occupational activities which interfere with the discharge of the duties of such office. Effective January 1, 2003, the annual salary of the Mayor shall be set at fifty percent (50%) of the salary for a Superior Court Judge, County of San Bernardino, State of California, as of July 1, 2002, and shall thereafter be adjusted and implemented January 1 of each subsequent year at the same fifty percent (50%) figure of the salary for said Superior Court Judge then in effect on said January 1 date.</p> <p>The Council Members shall each receive an annual salary of six hundred dollars (\$600.00), payable monthly.</p>
<b>Santa Ana</b>	<p>Each member of the City Council shall receive as compensation for his or her services as such a monthly salary in the sum of one hundred and twenty-five dollars (\$125.00). The member elected to fill the office of mayor shall receive the additional amount of seventy-five dollars (\$75.00) for each month said member shall fill the office of mayor. Further, each member of the City Council shall receive reimbursement for required travel and other expenses while on official business of the City as authorized and approved by the City Council.</p> <p>Absence of a member of the City Council from all regular and special meetings of the City Council during any calendar month shall render him or her ineligible to receive the monthly salary for such a calendar month unless by permission of the City Council expressed in its official minutes.</p>
<b>Santa Barbara</b>	<p>Beginning July 1, 2005, the members of the City Council, except the Mayor, shall receive an annual salary in the sum equal to eighty percent (80%) of the annual Area Median Income and the Mayor shall receive an annual salary equal to one hundred percent (100%) of the Area Median Income. In addition, the Mayor and each member of the City Council shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty upon submission of an itemized expense account therefor, or may receive an advance for such purposes subject to such accounting. In addition, members shall receive such uniform, reasonable and adequate amount as may be established by ordinance, which amount shall be deemed to be reimbursement to them of other routine and ordinary expenses and costs imposed upon them by virtue of their serving as City Councilmen, including the Mayor.</p>
<b>Westminster</b>	<p>Each member of the city council shall receive a salary as required by ordinance in conformance with state law. (Ord. 2118 § 1, 1989; Ord. 1932 § 1, 1981; Ord. 1853 § 6, 1978: prior code § 2207)</p> <p>Council Members receive \$850 per month and the Mayor \$950 per Ordinance 2425 dated - 01/16/08.</p>

CALIFORNIA GOVERNMENT CODE: Council / Mayor Compensation

36514.5. City council members may be reimbursed for actual and necessary expenses incurred in the performance of official duties. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3.

36515. The compensation of a city councilman appointed or elected to fill a vacancy is the same as that payable to the member whose office was vacated.

36516. (a) A city council may enact an ordinance providing that each member of the city council shall receive a salary, the amount of which shall be determined by the following schedule:

- (1) In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month;
- (2) In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month;
- (3) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.
- (4) In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.
- (5) In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.
- (6) In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

(a) For the purposes of this section the population shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(b) At any municipal election, the question of whether city council members shall receive compensation for services, and the amount of compensation, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the compensation specified in the election call. Compensation of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Compensation of council members may be increased beyond the amount provided in this section by an ordinance or by an amendment to an ordinance but the amount of the increase may not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No salary ordinance shall be enacted or amended which provides for automatic future increases in salary.

(d) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) to (c), inclusive. For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body.

(e) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section provided the same benefits are available and paid by the city for its employees.

(f) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

36516.1. A mayor elected pursuant to Sections 34900 to 34904, inclusive, of the Government Code may be provided with compensation in addition to that which he receives as a councilman. Such additional compensation may be provided by an ordinance adopted by the city council or by a majority vote of the electors voting on the proposition at a municipal election.

36516.5. A change in compensation does not apply to a councilman during his term of office; however, the prohibition herein expressed shall not prevent the adjustment of the compensation of all members of a council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of his beginning a new term of office.

October 31, 2009

To: City of Huntington Beach Charter Reform Commissioners  
From: Raphael Sonenshein, Consultant  
Subject: Council Compensation

Compensation for council members is a difficult challenge for California cities. The great majority of councilmembers serve part time. A balance must be struck between the policy role of councilmembers (who shouldn't be spending their time micromanaging city operations) and the increasing expectations of the public for constituency service and responsiveness from their councilmembers.

The compensation should not be so great that councilmembers can see themselves as full timers, but must be high enough that a diverse range of people can afford to seek and hold public office.

#### Rules for General Law Cities

The California Government Code provides a starting point, since it is the basis for how general law cities compensate their councilmembers. Charter cities do not have to follow these rules, but they often adopt some variant of them anyway.

According to the state code, a city council may adopt an ordinance providing for compensation based on population. For the smallest cities (up to and including 35,000 in population) the baseline cannot exceed \$300 per month. Huntington Beach is in category #5 of 6 (150,000 to 250,000), and the amount may not exceed \$800 per month.

The code allows a majority of the voters to make changes to this baseline, either higher or lower. The council may also make changes as long as those changes are no larger than 5% for each calendar year that the initial ordinance has been in effect. This can be a substantial increase if no change has occurred for years. However, the council may not create an automatic increase, such as one pegged to the cost of living.

General law cities may pay councilmembers up to \$150 per month to serve on other committees authorized by statute (e.g., redevelopment). Councilmembers can also be reimbursed for "actual and necessary expenses." They can be compensated for benefits as long as such benefits are available to city employees.

Rules for general law cities tend to be more restrictive than for charter cities. Even so, general law cities can pay significant salaries, offer benefits, reimburse expenses, and pay members to serve on other committees or commissions.

### Huntington Beach

The mixture of compensation in Huntington Beach is not particularly unusual either for general law cities or for charter cities. The basic model, as can be seen in the attachments sent by Pat Dapkus, is a mixture of a monthly salary, a benefits package, reimbursement for official travel, and some funding for expenses deemed part of the work of a councilmember.

Actually, the salary for Huntington Beach councilmembers is on the low side. A general law city of the size of Huntington Beach could pay its members up to \$800 per month. The actual amount is \$175 per month.

There is great variety in the baseline salary for councilmembers in other cities. In Fontana, the salary is \$1,170 per month; in Fremont, \$1,407; in Moreno Valley, \$1,101. Other cities, even with charters, defer to the rules for general law cities. Based on the general law population formula, these cities would pay higher salaries than Huntington Beach. Included in this group are Anaheim and Irvine.

### Possible Proposals for Commission Consideration

The Commission may wish to consider consolidating all compensation into a single cash package. A review of other cities that can be seen in Pat's attachments indicates that this would be an unusual approach. Expenses and benefits are unpredictable, and it may be very difficult to estimate their value in cash terms. Furthermore, this might have the unintended effect of making Huntington Beach's compensation package, which at least in salary terms is actually quite modest compared to other cities, seem unusually rich.

It is also possible to establish automatic models. This option is available to charter cities, but not general law cities. One of the problems with automatic models is that they can take Huntington Beach out of the "best practices" boundaries of comparable cities, and may not actually reflect the goals of councilmember compensation.

An approach that may be more flexible is to establish a mechanism to evaluate council compensation on a regular basis, with comparisons to neighboring and other cities and current economic conditions.

This is the model of the salary setting commission. A number of California cities use such commissions to make recommendations for council salaries. So far, I have identified Sacramento, San Jose, Stockton, Oakland, Pasadena, and Modesto as cities

that use salary setting commissions to make recommendations. I imagine that further research will uncover more examples.

The workings of this model vary from city to city, and I will use Pasadena as a detailed example. On November 3, 1998, Pasadena voters adopted Proposition O to empower the city council to establish a Committee on City Councilmembers' Compensation. The newly created Section 405 of the Pasadena City Charter indicated that such a commission could only be created once every two calendar years.

Each member of the council nominates a member of the Commission, subject to the approval of the council. There are restrictions to prevent current or recent city employees or contractors from being selected. The Mayor's nominee serves as the chair. The council must adopt the recommendations by a two thirds vote, and in any case may not adopt any increase larger than that recommended by the commission without a vote of the people.

**ATTACHMENT #3**

**Section 612. PUBLIC UTILITIES AND PARKS AND BEACHES.**

- (a) No public utility or park or beach or portion thereof now or hereafter owned or operated by the City shall be sold, leased, exchanged or otherwise transferred or disposed of unless authorized by the affirmative votes of at least a majority of the total membership of the City Council and by the affirmative vote of at least a majority of the electors voting on such proposition at a general or special election at which such proposition is submitted.
- (b) No golf course, driving range, road, building over three thousand square feet in floor area nor structure costing more than ~~\$100,000.00~~ **\$163,000.00** may be built on or in any park or beach or portion thereof now or hereafter owned or operated by the City unless authorized by the affirmative votes of at least a majority of the total membership of the City Council and by the affirmative vote of at least a majority of the electors voting on such proposition at a general or special election at which such proposition is submitted **after the appropriate environmental assessment has been completed. Effective January 1, 2011, and each year thereafter, the maximum cost will be adjusted by the Construction Cost Index for the Los Angeles area.**
- (c) Section 612(a) and 612(b) shall not apply;
- (1) to libraries or piers;
- (2) to any lease, franchise, concession agreement or other contract where;
- the contract is to perform an act or provide a service in a public park or beach AND
  - such act was being performed or service provided at the same location prior to January 1, 1989
- AND
- the proposed lease, franchise, concession agreement or other contract would not increase the amount of parkland or beach dedicated to or used by the party performing such act or providing such service.
- (3) to above ground utility structures under 3,000 square feet, but may cost more than \$163,000 to construct;**
- (4) to underground structures if park or beach use is not impeded.**
- (5) to any construction, maintenance or repair mandated by state or federal law;**
- (d) If any section, subsection, part, subpart, paragraph, clause or phrase of this amendment, or any amendment or revision of this amendment, is for any reason held to be invalid or unconstitutional, the remaining sections, subsections, parts, subparts, paragraphs, clauses or phrases shall not be affected but shall remain in full force and effect. (12/7/90)

**ATTACHMENT #4**

## **COMMISSIONER BIXBY'S PROPOSALS:**

**Attached is information submitted by Commissioner Mark Bixby that relates to the Charter Sections scheduled for the Commission's Feb. 18 Meeting.**

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

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**SUBMITTED TO:** HB Charter Review Commission

**SUBMITTED BY:** Mark D. Bixby, Charter Review Commissioner *MDB*

**SUBJECT:** Amend section 703 (Initiative, Referendum, and Recall).

**Statement of Issue:** Population growth of the city makes it more challenging for grass-roots organizations to gather the required number of petition signatures to qualify ballot measures. This proposal retains the General Law percentage amount and time requirements, but changes the signature metric from the number of registered voters to the number of ballots cast in the previous general municipal election, resulting in a 26% decrease in the number of signatures required based on data from the 11/04/2008 election.

**Recommended Action: Motion to:**

Amend Huntington Beach charter section 703 to use the number of ballots cast in the last preceding general municipal election instead of the number of registered voters to determine whether initiative, referendum, and recall petitions have attained the percentage of valid elector signatures as specified by General Law to qualify for the ballot.

**Alternative Action(s):**

The recommended action above uses the “last preceding general municipal election” for simplicity. But turnout differences between presidential election years and non-presidential years will lead to wide fluctuations in the required number of signatures. Therefore I present the following alternative actions, either of which would serve to limit signature fluctuation:

1. Use the average number of ballots cast in the two preceding general municipal elections (one presidential, one non-presidential).
2. Use the number of Huntington Beach ballots cast in the last preceding presidential election.

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

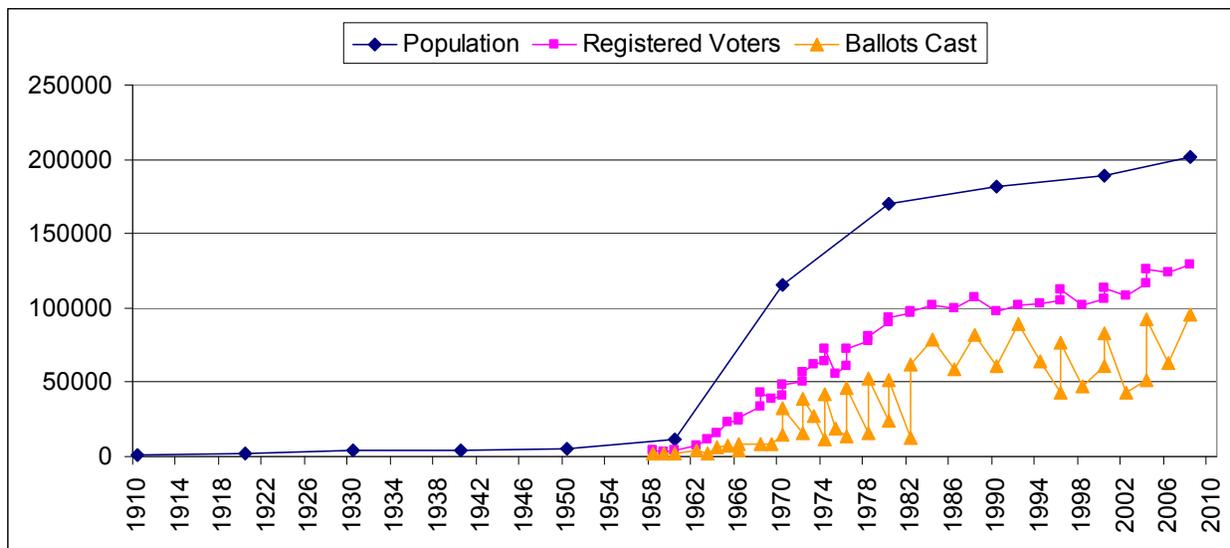
MEETING DATE(S): 11/03/2009

## Analysis:

The city's current initiative, referendum, and recall requirements follow General Law. Proponents of such measures must circulate petitions with specified deadlines for collecting voter signatures greater than or equal to 10% of registered voters in order to qualify for the ballot.

The number of registered voters tracks closely with city population, thus the number of required signatures increases as the city grows over time. Well-funded proponents can always pay for signature collection no matter how big the city grows, but true grass-roots organizations generally lack the resources to mount paid signature gathering campaigns, and may find initiative, referendum, and recall to be effectively out of reach.

The following graph charts city growth from 1910 to 2008. Population counts come from the US Census while election statistics come from the city clerk's archives. Election statistics prior to 04/07/1958 have been omitted for clarity. The graph shows that the first 50 years of the city were marked by very slow population growth, while the second 50 years ushered in explosive population growth which had been leveling off except for a slight uptick since 2000:



The 04/12/1960 general municipal election serves as the dividing line between the two growth eras. There were 4,043 registered voters and 2,457 ballots cast in that

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

**MEETING DATE(S): 11/03/2009**

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election. If one assumes that current General Law initiative, referendum, and recall requirements were in effect back in 1960 (and I do not know if that assumption is true), then a minimum of 405 signatures would have been required to qualify citizen-circulated petitions. That equates to an average of 3 signatures per day for initiatives and recalls, and 14 signatures per day for referendums. Those numbers would have been easily achievable for all-volunteer grass-roots organizations.

Now fast-forward to the present. Based on the 11/04/2008 general municipal (and presidential) election, a minimum of 12,920 signatures are required, which equates to an average of 72 signatures per day for initiatives, 431 signatures per day for referendums, and 81 signatures per day for recalls. That's approximately 32 times as difficult as compared to 1960 (based on the total number of signatures).

The following table summarizes the current and proposed signature requirements based on the 11/04/2008 election. The total number of signatures and the daily average across the entire collection period is provided for each measure type. However, a simple daily average may not be indicative of real-world conditions faced by all-volunteer grass-roots organizations. Most volunteers probably need to work for a living, and so can only collect signatures on weekends. Therefore I provide an alternative pair of daily averages which assumes that 80% of signatures are collected on weekends, and the remaining 20% are collected on weekdays. These alternative averages are for every Saturday and Sunday, plus every mid-week day during the collection period.

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

11/04/2008 election baseline	129,193 registered voters 95,477 ballots cast	Current (registered voters)	Proposed (ballots cast)
Recall – 10% in 160 days	Total signatures required	12,920	9,548
	Daily avg	81	60
	Daily avg (80% Sat-Sun)	225	167
	Daily avg (20% Mon-Fri)	23	17
Referendum – 10% in 30 days	Total signatures required	12,920	9,548
	Daily avg	431	319
	Daily avg (80% Sat-Sun)	1,034	764
	Daily avg (20% Mon-Fri)	130	96
Initiative – 10% in 180 days (next general election)	Total signatures required	12,920	9,548
	Daily avg	72	54
	Daily avg (80% Sat-Sun)	199	147
	Daily avg (20% Mon-Fri)	21	15
Initiative – 15% in 180 days (forces special election)	Total signatures required	19,379	14,322
	Daily avg	108	80
	Daily avg (80% Sat-Sun)	299	221
	Daily avg (20% Mon-Fri)	31	23

Note that the above table (and indeed all of the signature numbers everywhere in this document) does not reflect the real-world need to collect some percentage of additional signatures beyond the statutory requirements in order to provide breathing room for the inevitable invalid signatures (people not registered to vote, etc). So the actual signature gathering effort will be greater than listed above.

My proposal makes it easier to qualify initiatives, referendums, and recalls for the ballot, but I would not call new the requirements “easy”, nor should they be. I feel that I have the bar set low enough such that all-volunteer grass-roots organizations can still utilize these fundamental levers of democracy, but high enough such that only sober-minded measures will qualify.

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 12/15/2009

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**SUBMITTED TO:** HB Charter Review Commission

**SUBMITTED BY:** Mark D. Bixby, Charter Review Commissioner *MDB*

**SUBJECT:** Various amendments to charter section 612 (Measure C)

**Statement of Issue:** Fixes to strengthen Measure C

**Recommended Action: Motion to:**

Amend Huntington Beach charter section 612 as follows:

- Formally include all of the requirements of the July 11, 1994 city council minute action into the body of section 612.
- Add new public vote trigger to the list in section 612(a) when entering into any form of agreement which results in reduced public recreational opportunities.

**Analysis:**

## ***Incorporate City Council Minute Action of July 11, 1994***

On July 11, 1994, the city council approved by a vote of 4-1-2 (ayes: Bauer, Moulton-Patterson, Winchell, Sullivan; noes: Silva; absent: Robitaille, Leipzig) the following minute action to clarify the intent of charter section 612 as noted immediately prior to the preamble of the current charter:

“It is the intent of Charter Section 612, the Measure "C" amendment, that a vote of the people be the final approval of projects approved by the city for construction on park land or beaches. Therefore, all projects falling under the criteria of Charter Section 612 must obtain all city approvals prior to being submitted to a vote of the people. The

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 12/15/2009

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cost for the ballot measure shall be borne by the applicant for the project. If the project requires a lease or other financial consideration, the terms and conditions of the lease and/or financial aspect of the project shall be included in the information provided for the Charter Section 612 vote.”

On July 3, 2006, when the city council approved placing the Central Park senior center on the ballot for a Measure C vote, the council also exempted the city from complying with the “must obtain all city approvals prior to being submitted to a vote of the people” clause of the minute action.

This exemption (specifically from complying with CEQA) became one of the causes of action in the lawsuit of *Parks Legal Defense Fund v. City of Huntington Beach*. Although the judge dismissed this cause of action from the lawsuit due to the statute of limitations, the judge did rule that the city should have complied with CEQA prior to the Measure C vote. Thus because of this ruling, the city is already obligated to have completed CEQA approvals prior to future Measure C votes.

I propose that the charter review commission go one step further and incorporate all of the July 11, 1994 minute action language into section 612. There were various other city approvals in addition to CEQA that occurred after the senior center Measure C vote, as well as revealing the Pacific City Quimby fee diversion that would be used to fund construction of the senior center. Only by incorporating the minute action language into section 612 would all approvals and financial disclosures be forced to occur before future Measure C votes so that the public will truly understand what they are being asked to vote on.

## ***Add Vote Trigger for Agreements that Reduce Public Recreation***

Section 612(a) forces a public vote whenever public utilities, parks, or beaches are “leased” (emphasis added) in whole or in part:

“No public utility or park or beach or portion thereof now or hereafter owned or operated by the City shall be sold, leased, exchanged or otherwise transferred or disposed of unless authorized by the affirmative votes of at least a majority of the total membership of the City Council and by the affirmative vote of at least a majority of the

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 12/15/2009

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electors voting on such proposition at a general or special election at which such proposition is submitted.”

This finite list of actions leaves a loophole whereby the city can evade a Measure C vote by labeling the action something other than a sale, lease, exchange, transfer or disposal. The city has exploited this loophole to lease portions of certain parks to wireless companies for cell phone towers by calling such agreements “site licenses”. It is telling to note that the cell phone company documents for these agreements refer to them as “leases” and not “site licenses”. Thus it is obvious that the city is playing semantic games to avoid the word “lease” to avoid Measure C votes.

I propose to close this loophole by adding an additional vote trigger to section 612(a) – “...or any form of agreement which results in reduced public recreational opportunities...”.

It is not my intent to abrogate any existing agreements, or to prevent the renewal of such existing agreements. This will only apply to future agreements.

Note that agreements that DO NOT reduce public recreational opportunities are exempt from this vote trigger. Thus, for example it would be permissible to add a cell antenna to an existing lighting pole or other structure (does not impact any recreational opportunities), but it would not be permissible to add a new cell tower in the middle of a grassy play area (reduces recreational opportunities) without a vote.

Finally, note that this proposed additional language does not create any new exemptions to the section 612(b) size/cost vote trigger. Any construction or agreement that did not reduce public recreational opportunities would still be subject to the size/cost trigger.

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 02/02/2010

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**SUBMITTED TO:** HB Charter Review Commission

**SUBMITTED BY:** Mark D. Bixby, Charter Review Commissioner *MDB*

**SUBJECT:** Add new charter language allowing the city council to establish by ordinance local preference and prevailing wage requirements for contracts

**Statement of Issue:** Local preference and prevailing wage can be important tools for boosting the local Huntington Beach economy. I propose modifying the charter to allow (not require) the city council to establish local preference and prevailing wage requirements by ordinance.

**Recommended Action: Motion to:**

Add new Huntington Beach charter language as follows:

The city council may by ordinance adopt prevailing wage, geographic boundaries and other guidelines and restrictions, including local bidding preference, governing public works and other city contracts.

**Analysis:**

Local preference and prevailing wage can be important contracting tools for boosting the local Huntington Beach economy, so I propose modifying the charter to give the city council the option to specify such requirements by ordinance.

Huntington Beach municipal code section 3.02.180 ([http://www.huntingtonbeachca.gov/files/users/city\\_clerk/MC0302.pdf](http://www.huntingtonbeachca.gov/files/users/city_clerk/MC0302.pdf)) already provides for local preference for goods & service contracts. However, charter section 614 requires public works contracts to be awarded to the “lowest responsible bidder”, which precludes local preference requirements similar to HBMC 3.02.180. My proposal will allow the city council to implement similar local preference requirements for public works contracts.

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 02/02/2010

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Current city practice is to pay prevailing wage for non-maintenance contracts. My proposal will allow the status quo to continue, and provides for a greater degree of policy formalization through the ordinance process.

My proposal is derived from Lindsay charter section 8.11(K) nearly word for word, differing from the Lindsay language in only providing for such requirements by ordinance, and not also by resolution as is done in Lindsay. I prefer the greater formality of the ordinance process because it also gives the public a chance to exercise the right of referendum.

Given the dire fiscal challenges facing the city in the years ahead, I am not comfortable with requiring the city to adopt local preference and prevailing wage. I want to ensure that the city has maximum flexibility to meet these challenges, and so my proposal only allows the city to optionally adopt such an ordinance. Implementing local preference and prevailing wage by ordinance will allow the city to make adjustments given changing fiscal realities, up to and including suspension or repeal if the fiscal situation becomes sufficiently dire.

## References:

- Lindsay charter section 8.11(K) - <http://www.bixby.org/charter/charters/Lindsay.pdf>

**ATTACHMENT #5**

**CHARTER REVIEW COMMISSION TIMELINE:**

<b>Topic</b>	8/18	9/01	9/15	10/06	10/20	11/03	11/17	12/01	12/15	1/05	01/21*	2/02	2/18*	3/2	3/16	4/06	Status
<i>Consent Items Sects. 101-105 , 301, 404, 405, 603, 604, &amp; 606</i>	<b>X</b>																S
<i>Section 200 – Council-Administrator Form of Government</i>							<b>X</b>										S
<i>Section 300, Elective Offices Discussion on Elected Mayor</i>				<b>X</b>	<b>X</b>				<b>X</b>								S
<i>Section 302 Council Compensation -</i>				<b>X</b>	<b>X</b>												R
<i>Section 303 - Meetings Possible set by Ordinance or Resolutions</i>		<b>X</b>															S
<i>Section 304 Subsection (b) Council control of all legal business of the city</i>				<b>X</b>	<b>X</b>												S
<i>Section 305-306– Mayor’s Role – Review and discuss adding language on Mayor’s Rotation</i>				<b>X</b>	<b>X</b>												S
<i>Section 307 Non-Interference with Administration</i>							<b>X</b>										S
<i>Section 308 – Bonds -Compliance with State Law</i>		<b>X</b>															D
<i>Section 309 City Attorney - Discuss Making Appointed</i>				<b>X</b>	<b>X</b>				<b>X</b>								S
<i>Section 310 City Clerk - Discuss Making Appointed Format for Maintaining Records</i>				<b>X</b>	<b>X</b>				<b>X</b>								S
<i>Section 311 – City Treasurer - Discuss Making Appointed Qualifications</i>				<b>X</b>	<b>X</b>				<b>X</b>								S
<i>Section 312- Vacancies – Moral Turpitude</i>		<b>X</b>															S
<i>Section 313 - Conflict of Interest – Nepotism- See Municipal Code and Adm. Reg. 411</i>		<b>X</b>															S

City Officials

Town Hall Meeting on Sections 300,302, 304, 305, 306, 309, 310, 311, & 800 – Elected City Officials

Town Hall Meeting – Section 612 – Measure C

Town Hall Meeting – Prevailing Wage

**Charter Review Timeline**

<b>Topic</b>	8/18	9/01	9/15	10/06	10/20	11/03	11/17	12/01	12/15	1/05	01/21*	2/02	2/18*	3/2	3/16	4/06	Status
Section 400 – 404 City - Administrator /Asst. City Adm. Change/Update Titles - Hire/Fire Dept. Heads							X										S
Sections 500-503 – Ordinances, Resolutions, Publication, Legal Notices - Second Reading of Ordinances		X															S
Sections 600-602 -City Budget - Change in Fiscal Year Submission to Council 30 not 60 days		X															S
Sections 605 - City Budget - Allow Capital Projects to be Carried forward from one FY to the Next		X															S
Section 607(b) 2 - Retirement Tax										X							D
Section <del>607</del> , 608, 610, 611- Taxes Update to conform with State Law		X															S
Section 609 – Estate Transfer Tax - Possible Elimination		X															S
Section 612 – Measure C - Possibly Increase and Index Dollar Amount									X								R
Sections 613-614 – Contracts Increase/Eliminate Dollar Amount & Possibly Index to CPI Financial Viability of Bidders Prevailing Wage Discussion												X					R
Section 615- City Franchises		X															S
Section 616- Independent Audit - Higher Level Audit		X															S
Section 617 – Infrastructure (c) Update Board Name												X					R

\* Meeting Moved to THURSDAY

\*\* 5<sup>th</sup> Tuesday

**Charter Review Timeline**

<b>Topic</b>	8/18	9/01	9/15	10/06	10/20	11/03	11/17	12/01	12/15	1/05	01/21*	2/02	2/18*	3/2	3/16	4/06	Status	
Article 7- Elections - Campaign Finance Reform						X				X	Town Hall Meeting						D	
Section 800- Transitions – Review after Election Sections				X	X													S
Section 801 – Definitions Possibly Eliminate Subsection (e) – Masculine includes Feminine		X																S
Section 802 – Charter Violations Discuss eliminating dollar amount & setting fines by ordinance/reso		X																S
Section 803- Property Rights Policy Question		X																S
Proposed Miscellaneous Additions to the City Charter										X								S
Review of Language															X	X		ED
Voter Approval of a Major General Plan Amendment										X								S
Re-discussion Items: Campaign Finance										X								S
Reconsideration Items														X				D
Vote on Recommended Charter Amendments																X	D	

<b>LEGEND</b>	
<b>X</b>	<b>Recommended Date for Discussion</b>
<b>C</b>	<b>Completed</b>
<b>D</b>	<b>Discussion Needed</b>
<b>ED</b>	<b>Extended Discussion Needed</b>
<b>R</b>	<b>Reconsider - Decision pending further information for the Commission</b>
<b>S</b>	<b>Straw Vote taken to authorize preparation of draft ballot measure language</b>

\* Meeting Moved to THURSDAY

\*\* 5<sup>th</sup> Tuesday