RESOLUTION NO. 2009-095

Adopted by the Sacramento City Council

February 17, 2009

APPROVING THE 2009 SACRAMENTO CHARTER REVIEW COMMITTEE

BACKGROUND

A. The Sacramento City Charter is the foundational document for City governance.

B. The City's current charter dates from 1921. Although it has been amended numerous times, there has been no comprehensive review of the Sacramento City Charter in decades.

C. There is currently pending a proposed Charter amendment initiative to change the City's governance structure, from Council-Manager to Mayor-Council. If the elections official verifies a legally sufficient number of initiative petition signatures, the City is obligated to place that measure before the voters.

D. A city government should reflect the needs, aspirations, and values of its citizenry, and it works best when it taps the diverse resources of its citizens.

E. The City Council desires to have representatives of its citizenry review the Sacramento City Charter and make recommendations to the Council regarding Charter changes needed.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Establishing the Committee

The 2009 Sacramento Charter Review Committee ("SCRC") is hereby established.

Section 2. Purpose of the Committee

The SCRC shall be an advisory body to the City Council. The SCRC is established for the purpose of reviewing the City's current Charter and making recommendations to the City Council for amendments thereto.

Section 3. Scope, Charge and Timetable of the Committee

The SCRC is charged as follows:

(a) To review the Sacramento City Charter and to consider whether the Charter meets the current needs of the City and whether the Charter should be amended to meet the City's needs into the future.

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(b) To hold public meetings pursuant to the Ralph M. Brown Act to achieve its purposes. The SCRC shall adopt its own meeting schedule as necessary to achieve its purposes; provided, however, that it shall meet a minimum of twice per month.

(c) To make regular progress reports to the City Council during its operation, but no less than one report in each of the months of June, August, and October 2009.

(d) To provide a written report of preliminary recommendations to the City Council on or before December 15, 2009.

(e) To present a written report of final recommendations to the City Council on or before January 26, 2010.

(f) To perform such other duties as the City Council directs by motion or resolution.

Section 4. Appointment and Composition of SCRC

The SCRC shall be organized as follows:

(a) The SCRC's membership shall be broadly constituted to reflect the diversity of the residents of the City. All voting members of the SCRC must be qualified electors of the City.

(b) The commission shall be composed of eleven (11) members, each of whom shall be approved by City Council, subject to the following requirements:

(1) Each councilmember (including the Mayor) shall appoint one member;

(2) Two members shall be appointed at large by the City Council, through an application and interview process. The Personnel & Public Employees Committee shall be responsible for making the at large recommendations to the City Council. The at large members shall, by education, experience or training, come from the fields of the law, academia, or public administration/policy.

(c) The City Council shall complete their appointments to the SCRC no later than March 24, 2009.

(d) The SCRC shall select from among its voting members a Chair and a Vice-Chair.

(e) A vacancy shall be filled in the same manner as the original appointment.

(f) Any member may be removed by the City Council without cause.

(g) A quorum of the SCRC shall be 6 voting members.

(h) The SCRC shall be staffed by no less than three City employees – the City Attorney, the City Manager, and the City Clerk, or their respective representatives. These City offices may provide additional support as they deem necessary and appropriate.

Section 5. General Provisions

(a) City employees, including Charter Officers and department heads, are encouraged to assist the SCRC when so requested, including presenting testimony.

(b) The Sacramento City Charter should be reviewed in its entirety, with openness to input from all citizens. However, the following issues should be given particular consideration and shall be addressed in the final report to City Council:

(1) The City's governance structure: Mayor-Council versus Council-Manager, and the issues related thereto;

(2) The delegation and/or reservation of City powers;

(3) Appointment and removal of City officers and employees;

(4) The City budget process;

(5) Green waste disposal;

(6) Full-time status for Council members and issues related to full-time status for Mayor and Council;

(7) Term limits;

(8) Ethics commission;

(9) timing of City general run-off elections, and instant runoff or alternative runoff procedures for City elections.

(10) Other issues as indicated by the City Council.

(c) Each final recommendation in the SCRC's written report to the City Council shall be approved by an affirmative vote of at least seven (7) members. All other actions of the SCRC shall be by majority vote of the members.

(d) Members who do not approve a recommendation shall be entitled to prepare a minority report to be included with the SCRC's written reports to City Council.

(e) The charge to the SCRC is to develop policy recommendations, and not to craft proposed Charter language.

(f) Each SCRC member shall file a Statement of Economic Interest as would be required for filers under Government Code section 87200, within 30 days of their appointment. A member who fails to so file shall not participate as a member of the SCRC until the Statement of Economic Interest is filed.

Section 6. Commencement

The SCRC shall begin its work as soon as practical after the City Council approves member appointments equal to a quorum of the SCRC, but in any event no later than April 3, 2009.

Section 7. Sunset

The sunset date of the SCRC shall be the earlier of the date of the City Council meeting when the City Council receives the SCRC's final written report, or January 26, 2010.

Adopted by the City of Sacramento City Council on February 17, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.

Mayor Kevin Johnson

Attest:

Shirley Concolino, City Clerk