



City of Sacramento
2009 Sacramento Charter Review Committee

Supplemental Material Received at Meeting

Monday, May 18, 2009

Item # 2- Correspondence

1. Correspondence from Dorothy L. Meadors on SCERS retirement

Item # 3- Panel Discussion

1. Competing Arguments for Forms of Government in Charter Contests

Item # 4.d- Benchmark Cities Matrix

1. Draft enlargement of Matrix

From: Bill Edgar <BILLE@eanda.org>
To: "Mark Prestwich" <MPrestwich@cityofsacramento.org>, "Patti Bisharat" <PB...>
Date: 5/18/2009 4:31 PM
Subject: FW: Sacramento City Charter Review Committee

Mark/Patti:

Would you please make sure the Committee and Shirley gets a copy of this for tonight's meeting. Thanks.

Bill

William H. Edgar, EA

Edgar & Associates LLP

7311 Greenhaven Drive, Suite 110

Sacramento, CA 95831

(916) 392-4909, Ext 2 Office

(916) 712-0710 Mobile

(916) 392-2669 Fax

bedgar@edgarandassociates.com

From: D L Meadors [mailto:livingthings@hughes.net]
Sent: Monday, May 18, 2009 3:44 PM
To: Bill Edgar
Subject: Sacramento City Charter Review Committee

Dear Mr. Edgar,

I contacted the Charter Review Committee via the web site on May 4,

2009. I am requesting the Charter Review Committee review and recommend removal of the unjust clause which is embedded in the City Charter under Article XVII that unfairly takes away all benefits earned and funds contributed into the retirement system under SCERS when the surviving spouse remarries. Surviving spouses covered by CalPERS are not similarly unfairly stripped of the retirement benefits upon remarriage.

I am trying to stay on top of the issue as it goes through the process of being considered by the Committee. I am very anxious to know what the process is going to be for items brought before the Committee by citizens like myself. I live in the Placerville area and normally view the meetings via the live streaming video from the City of Sacramento website.

I would appreciate any suggestions on how I can best address the Committee of the need to correct the unfairness of this unequal treatment of those surviving spouses who fall under SCERS.

Sincerely,

(530) 295-8052

Dorothy L. Meadors

P. O. Box 189

Somerset, California 95684

Competing Arguments for Forms of Government in Charter Contests

The Case for the Mayor-Council Form

Arguments/Claims that Support the Strong Mayor-Council Form

- Strong leadership; mayor is “in charge”
- Ability of mayor to form coalitions on the council and in the community by rewarding supporters and sanctioning opponents
- One person who can be held accountable by voters
- Strong mayor provides greater capacity to initiate major policy changes
- Large cities can produce effective political executives
- Ability of mayor to allocate resources to support his/her agenda and to respond to demands of supporters
- Council can be supported by staff to serve as counterweight to the mayor
- CAO can provide administrative expertise

Arguments/Claims that Criticize the Council-Manager Form

- Mayor is figurehead; does not have enough power to set direction, form coalitions, or overcome opposition
- City council is prone to dissension, There is no one who can overcome dissension on the city council
- Diffusion of power, accountability; too many masters
- City manager acquires too much influence; is not properly supervised
- City manager is narrowly focused on improving efficiency
- City manager can ignore the mayor
- City manager turnover; city council can arbitrarily remove manager
- Having city manager does not guarantee competence and high ethical standards
- Form is efficient in small matters but not in taking on major initiatives

The Case for the Council-Manager Form

Arguments/Claims that Support Council-Manager Form

- Mayor is a visionary who provides facilitative leadership and builds partnerships
- Mayor is leader of the council and symbol for the community
- Council is a governing board that focuses on coherent policy making and oversight of administrative performance
- City manager provides policy advice based on objective assessment of trends, needs, and community goals
- There is typically a cooperative relationship between the mayor, council, and manager
- City establishes long-term goals and maintains continuity of commitments
- City administration is innovative and incorporates leading practices
- Decisions reflect universal values such as equality, fairness, social equity, inclusiveness, responsiveness, efficiency, and effectiveness
- City manager is continuously accountable to the council for performance
- Minority groups are empowered as members of the governing body

Arguments/Claims that Criticize the Mayor-Council Form

- Performance of form is too dependent on one person; effectiveness can rise and fall with qualities of the strong mayor
- Mayors lack equal levels of political and executive skills
- Mayors have excessive power and are more prone to corruption; when faced with obstacles, mayors seek more power.
- Council performance as governing board is weak and dominated by the mayor
- Conflict between the mayor and council is common; there is a risk of impasse between the two seats of power
- Professionalism of the CAO depends on whom the mayor appoints; mayor can bypass the CAO and undercut his/her professionalism
- Shortcomings in accountability: separation of powers creates unclear lines of responsibility; review of performance by voters in elections is infrequent; emphasis on election success makes mayor accountable to supporters rather than all voters.

Table 1.
Distribution of Governmental Forms among U.S. Municipalities over 2,500
population, 1984-2008

Form of Government	2008	2002	1998	1996	1992	1988	1984
Council-Manager	3,520 (48.9%)	3,387 (48.5%)	3,232 (48.1%)	2,760 (41.4%)	2,441 (36.5%)	2,356 (35.3%)	2,290 (34.7%)
Mayor-Council	3,131 (43.5%)	3,011 (43.1%)	2,943 (43.8%)	3,319 (49.8%)	3,319 (49.6%)	3,686 (55.3%)	3,686 (55.8%)
Commission	143 (2.0%)	143 (2.0%)	146 (2.2%)	154 (2.3%)	154 (2.3%)	173 (2.6%)	176 (2.7%)
Town Meeting	338 (4.7%)	337 (4.8%)	333 (5.0%)	365 (5.5%)	365 (5.5%)	369 (5.5%)	370 (5.6%)
Rep. Town Meeting	62 (0.9%)	63 (0.9%)	65 (0.9%)	70 (1.0%)	70 (1.0%)	82 (1.2%)	81 (1.2%)
Total	7,194	6,981	6,719	6,668	6,686	6,666	6,603

Note: Totals for U.S. local governments represent only those municipalities with populations of 2,500 and greater. According to the 2002 Census of Governments, there are approximately 12,000 additional municipalities with populations under 2,500.

Source: International City-County Management Association (ICMA) (2002) and ICMA (2008).

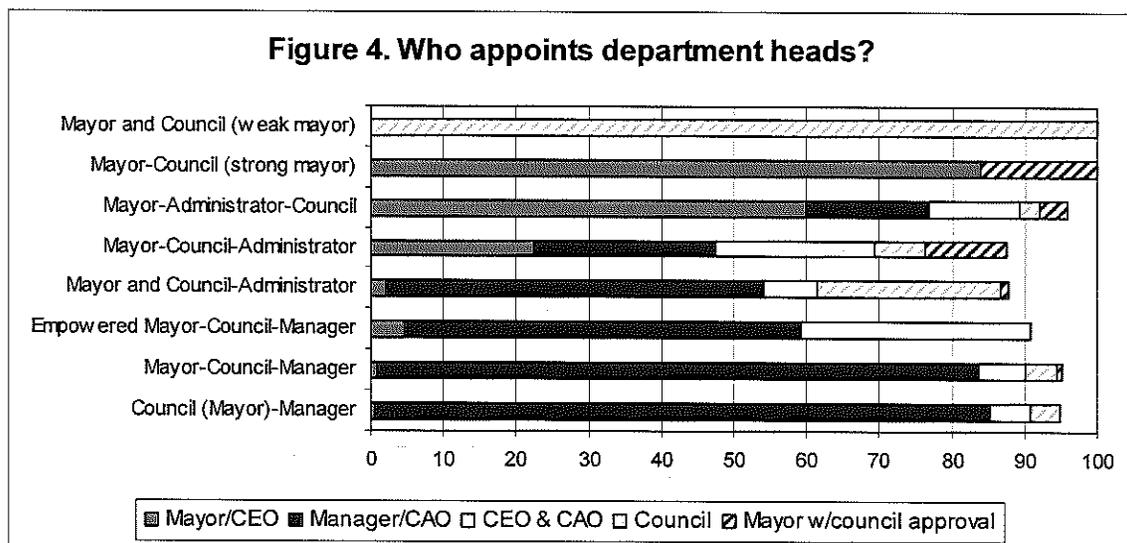
Table 2.
Variations in Forms of Government in Large Cities

<i>Variation in forms v</i>	Population > Over 1,000,000	500,000- 1,000,000	250,000- 499,999	100,000- 249,999	Total
Council(Mayor)-Manager ^a	0	0	0	22	22
Elected Mayor-Council-Manager	3	5	12	93	113
Empowered Mayor-Council- Manager ^b	0	1	2	2	5
Mayor-Council-CAO ^c	2	1	5	8	16
Mayor-CAO-Council ^d	1	7	9	15	32
Mayor-Council (no CAO)	3	5	5	30	43
Total	9	19	33	170	231

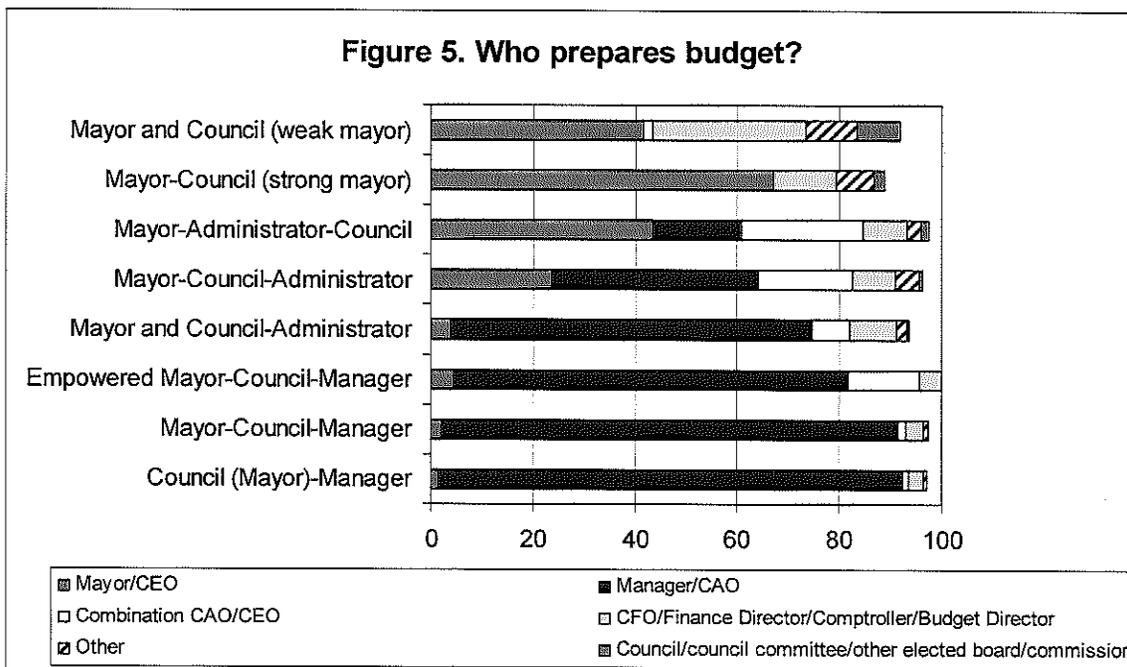
Source: Nelson and Svara (2009)

- a. Mayor selected by council
- b. Mayor nominates candidate for city manager and makes budget statement
- c. CAO appointed by mayor and approved by council
- d. appointed by mayor

All cities over 10,000 in population:



In some city categories, percentage is less than 100% because other appointment combinations are used. Mayor and Council (weak mayor) and Mayor and Council-Administrator are not found in cities over 100,000 population.



**Sacramento Charter Review Committee
Benchmark Cities Matrix (DRAFT)**

	Sacramento*	Los Angeles	Phoenix*	San Diego	San Antonio	San Jose	Austin*
GENERAL INFORMATION							
Population	475,000	4,065,585	1,552,259	1,336,865	1,328,984	1,006,892	743,074
Number of Full-time Employees (approximate)	4,100	30,000,000	17,297	10,729	12,000	6,985	3,700
Unified Legislative and Executive Branches?	Yes	No	Yes	Yes	Yes		
No. of Voting Council/Board Members	9	15	9	9	11	11	7
Form of Government	Council-Manager	Mayor-Council-Commission	Council-Manager	Mayor-Council - Trial - Sunsets December 2010	Council-Manager	Council-Manager	Council-Manager
Are Council/Board Members Full-Time or Part-Time?	Part-Time	Full-Time	Full-Time	Full-Time	Part-time	Full-Time	
Are Council/Board Members Elected by District or At-Large?	District	District	District	District	District	District	At-Large
Length of Mayoral Term?	4 years	4 years	4 years	4 years	2 years	4 years	3 years
How Long May the Mayor Serve?	Unlimited	2 terms	2 terms	2 terms		2 terms	3 terms
Length of Council/Board Term?	4 years	4 years	4 years		2 years	4 years	3 years
How Long May Council/Board Members Serve?	Unlimited	3 terms	3 terms		4 terms	2 terms	3 terms
APPOINTMENT POWER							
Who Appoints/Removes City Manager?	Council	Mayor	Council	Mayor with Council Confirmation	Council	Council	Council
Who Appoints/Removes City Treasurer?	Council	Mayor	N/A	Chief Financial Officer	N/A	Council	N/A
Who Appoints/Removes City Clerk?	Council		Council	Council	Council		Council
Who Appoints/Removes City Attorney?	Council	Elected	Council	Citizens - Elected	City Manager with Council Confirmation	Council	City Manager
Who Appoints/Removes Department Directors?	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager with Council Confirmation	City Manager
Who Appoints/Removes Commissioners?	Council	Mayor	Council			Council	
Who Appoints/Removes Subordinate Staff?	Department Directors	Department Directors	Department Directors	Department Directors	Department Directors	Department Directors	Department Directors
Are Mayor's Appointees Automatically Confirmed if No Council Action?	N/A		N/A				
Excluding Mayor's Office, Number of Employees Appointed by Mayor	0	25	0			0	
LEADERSHIP RESPONSIBILITIES							
Who appoints City Manager/Chief Administrative Officer?	Council	Mayor	Council	Mayor	Council	Council	Council
Appoints/Removes Department Directors	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Appoints Members of Boards/Commissions/Advisory Agencies Subject to Council Confirmation (unless otherwise noted)?	Mayor	Mayor	Council	Mayor	Council	Council	
Responsible for Administration of City	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Prepares Annual Budget	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Supervises intergovernmental relations function?	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Responsible for the City's emergency response activities	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	
May Issue executive orders that are not inconsistent with City Code/Ordinance	N/A	Yes	City Manager				City Manager
OTHER							
Does Mayor Vote?	Yes		Yes	No	Yes	Yes	Yes
Does Mayor Have Veto?	No		No	No	No	No	No
Does the Charter Provide for a Council President?	No	Yes	No		Yes - Mayor	No	
Who Retains all Residual Powers?	City Council		City Council				
Who Proposes Budget?	City Manager	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
If Mayor Proposes Budget, Is It Effective If No Council Approval/Override?	N/A	Yes	N/A	Yes	N/A	N/A	N/A
Does the City have an Ethics Commission?	No	Yes	No	Yes	Yes - Review Board	Yes - Review Board	
What Charter Officers are included in the Charter?							
Mayor	No	Yes	Elected	Elected	Elected	Yes	Elected
Council/Board	No	Yes	Elected	Elected	Elected	Yes	Elected
City Manager	Yes	Yes	Yes	No	Yes	Yes	Yes
City Attorney	Yes	Yes	Yes	Elected	No - Under City Manager	Yes	No
City Clerk	Yes	Yes	Yes	Yes	Yes	Yes	Yes
City Treasurer	Yes	Yes	No	Yes	No	No	No
City Controller	N/A	Yes	No	Yes	No	No	No
Chief Administrative Officer of Each Department	No	Yes	No				No
Members of the Boards or Commissions of the Departments	No	Yes	No			Yes	
Executive Director of the Board of Police Commissioners	N/A	Yes	No				

Sacramento Charter Review Committee
Benchmark Cities Matrix (DRAFT)

	Sacramento*	El Paso	Seattle	Fresno	Long Beach	Oakland	Cincinnati
GENERAL INFORMATION							
Population	475,000	606,913	584,210	495,913	492,682	425,068	364,040
Number of Full-time Employees (approximate)	4,100	6,300	10,000	3,700	5,810		5,320
Unified Legislative and Executive Branches?	Yes	No	No		Yes	Yes	Yes
No. of Voting Council/Board Members	9	9	9	7	9	7	9
Form of Government	Council-Manager	Council-Manager	Mayor-Council	Mayor-Council	Council-Manager	Mayor-Council	Council-Manager
Are Council/Board Members Full-Time or Part-Time?	Part-Time				Part-time		Part-time
Are Council/Board Members Elected by District or At-Large?	District	District	At large	District	At large	District	At Large
Length of Mayoral Term?	4 years	4 years	4 years	4 years	4 years	4 years	4 years
How Long May the Mayor Serve?	Unlimited			2 terms	2 terms	2 terms	2 Terms
Length of Council/Board Term?	4 years	4 years	4 years	4 years	4 years	4 years	2 Years
How Long May Council/Board Members Serve?	Unlimited			2 terms	2 years	Unlimited	8 Years Total
APPOINTMENT POWER							
Who Appoints/Removes City Manager?	Council	Council	n/a	Mayor	Council	Mayor with Council confirmation	Mayor + 5 Council
Who Appoints/Removes City Treasurer?	Council	N/A	n/a	N/A	N/A	Elected	N/A
Who Appoints/Removes City Clerk?	Council	City Manager	Council	Council	Council	City Administrator	Mayor + 5 Council
Who Appoints/Removes City Attorney?	Council	Mayor with Majority Vote of Council	Elected	Council	Elected	Elected	City Manager
Who Appoints/Removes Department Directors?	City Manager	City Manager		City Manager	City Manager	City Administrator	City Manager
Who Appoints/Removes Commissioners?	Council	Council	Some Mayor/ some Council/ some Other	Mayor	Some Mayor/some Council	Council	Mayor + 5 Council
Who Appoints/Removes Subordinate Staff?	Department Directors	City Manager		Department Directors	Dept. Directors with CM input	Department Directors	Department Directors
Are Mayor's Appointees Automatically Confirmed if No Council Action?	N/A	N/A			No		N/A
Excluding Mayor's Office, Number of Employees Appointed by Mayor	0	0			0		
LEADERSHIP RESPONSIBILITIES							
Who appoints City Manager/Chief Administrative Officer?	Council	Council	n/a	Mayor	Council	Mayor	Mayor+ 5 Council
Appoints/Removes Department Directors	City Manager	City Manager		City Manager	City Manager	City Administrator	City Manager
Appoints Members of Boards/Commissions/Advisory Agencies	Mayor	Council	Depends	Mayor	Som Mayor/some Council	Mayor	Mayor
Subject to Council Confirmation (unless otherwise noted)?		Yes		Yes	Yes	Yes	
Responsible for Administration of City	City Manager	City Manager	Mayor	City Manager	City Manager	City Administrator	City Manager
Prepares Annual Budget	City Manager	City Manager	Mayor	Mayor	City Manager	City Administrator	City Manager
Supervises intergovernmental relations function?	City Manager	City Manager	Mayor's office	City Manager under General City Purpose Dept.	City Manager	City Administrator	City Manager
Responsible for the City's emergency response activities	City Manager	Fire Dept	Mayor	City Manager - Fire Dept.	City Manager		City Manager
May Issue executive orders that are not inconsistent with City Code/Ordinance	N/A		Mayor	City Manager - Fire Dept.	?		N/A
OTHER							
Does Mayor Vote?	Yes	Yes	No	No	No	No*	No
Does Mayor Have Veto?	No	Yes (3.5E)	Yes	Yes	Yes	Yes	Yes
Does the Charter Provide for a Council President?	No	No	Yes	No	No	No	Yes
Who Retains all Residual Powers?	City Council		?	Mayor	Depends		City Council
Who Proposes Budget?	City Manager	City Manager	Mayor	Mayor	City Manager	Mayor	City Manager
If Mayor Proposes Budget, Is It Effective If No Council Approval/Override?	N/A	N/A	No	Approval	No		
Does the City have an Ethics Commission?	No	Yes	Yes	No	No	Yes	No
What Charter Officers are included in the Charter?			n/a				
Mayor	No	Elected	Yes	Elected	Yes	Yes	Yes
Council/Board	No	Elected	Yes	Elected	Yes	Yes	Yes
City Manager	Yes	Yes	No	Yes	Yes	Yes	Yes
City Attorney	Yes	Yes	Yes	Yes	Yes	Yes	Yes
City Clerk	Yes	No	Yes	Yes	Yes	Yes	No
City Treasurer	Yes	No	No	No	No	Yes	N/A
City Controller	N/A	No	No	Yes	No	N/A	N/A
Chief Administrative Officer of Each Department	No	No	Some, not all	No	No	No	No
Members of the Boards or Commissions of the Departments	No		Yes		Yes	No	
Executive Director of the Board of Police Commissioners	N/A		No		No	N/A	N/A