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City of Sacramento

2009 Charter Review Committee

Final Report

November 2009

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COVER LETTER

To The Honorable Mayor, Council Members, and Citizens of Sacramento,

We are pleased to present the 2009 Sacramento Charter Review Committee's final recommendations as provided in Section 5 of Resolution No. 2009-559. This report represents several months of detailed study, analysis, debate, and public outreach.

Per your direction of August 6, 2009, this first installment of our final recommendations was prepared on an accelerated time frame in keeping with the council's decision to receive our report in time to consider recommendations in advance of the June 8, 2010 election.

While we believe these recommendations present a significant improvement to the city's charter, we honestly cannot report that they represent a review of the city's charter "in its entirety" as called for in the Council's initial resolution adopted February 17, 2009. For example, the Committee opted to shelve a discussion of obsolete and out-dated provisions of the charter due to the accelerated timeline. Additionally, our original work plan anticipated two rounds of community meetings after development of the committee's tentative recommendations. The hastened timeline simply has not allowed us to revisit our recommendations by calling forth additional experts to respond to input from the public.

Our analysis of other cities' charter reviews lead us to believe that a complete charter review should include not only the additional items we plan to report on in January 2010, but also additional areas in conjunction with each other. For example, our term limits recommendation did not have the benefit of the remainder of the elections issues reserved for our second supplemental report.

It is our estimation that thorough review would require our Committee a minimum of six more months to complete, with adequate time for public reaction. Most other major cities we studied spent a minimum of a year to study charter changes. It is also our belief that the supplemental reports due December 2009 and January 2010 may also need additional time to review judiciously. This could be accomplished by continuing the work of our existing committee to June 2010. The resulting work product could be then considered for a future additional ballot measure beyond the June 2010 election cycle.

Evidence by those who testified before us indicated that a more comprehensive review of the charter may likely require additional outreach to the city's residents. We completed nine town hall meetings to date, even with our accelerated schedule. A complete analysis of the comments on a broad range of issues we received to date will also take more time. Many residents took time to understand these complex issues throughout the charter and their voices deserve to be carefully considered.

At first glance, our two recommended changes may appear to be less than significant, especially in comparison to the dramatic changes called for in the certified strong mayor initiative. But we believe that these changes strengthen the role of the mayor given the realities of today's political climate, yet still are based within the neighborhood-focused, collaborative political culture that has developed in recent decades in Sacramento.

Each recommendation is supported by a statement of reasoning as adopted by the Committee and a committee member vote record. Several minority reports are also provided as part of this report. Consistent with the resolution, no recommendation was adopted without the support of at least 7 of the 11 committee members.

Many residents who attended the Committee's town hall meeting expressed both openness and skepticism toward changing the city's constitution. Only with the recent opportunity to react to the Committee's tentative recommendations did residents begin to consider what problems, if any, should be addressed by changing the city's charter. This thorough conversation with the city's residents about its fundamental governing document has only begun.

Our Committee looks forward to continuing its work and further reporting to the city council and public.

William Edgar, Chair

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EXECUTIVE SUMMARY

This report provides seven recommendations for city council consideration. Recommended changes to the city charter are in italics and detailed in bold on the summary charter comparison chart that follows. Minority reports are included in Chapter 6.

Unified Legislative and Executive Policy Functions

No Change — Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

Minority Report (Signed by 1)

Legislative and executive policy functions should remain unified; mayor should remain a member of the city council; mayor should continue to chair the city council meetings and deliberate and vote with the city council, mayor should not be granted a veto power.

Appointment / Removal of City Manager

Change Recommended — Vote: | Yes – 7 | No – 2 | Abstain – 1 | Absent – 1 |

Minority Reports (Two Reports Signed by 2 and 1 respectively)

The charter should be amended to provide that the mayor appoints the city manager with a majority confirmation of the city council (excluding the mayor's vote). The mayor should be able to remove the city manager with a majority vote of the city council (excluding the mayor's vote). The council should be able to remove the city manager for cause with a majority vote (excluding the mayor's vote).

Appointment/Removal of Charter Officers (City Clerk, City Treasurer, City Attorney)

No Change — Vote: | Yes – 9 | No – 0 | Abstain – 1 | Absent – 1 |

Minority Report (Signed by 1)

Appointment and removal of the Charter Officers should remain unchanged. Such appointment and removal power should remain within the purview of a majority of the city council including the mayor.

Appointment/Removal of Department Directors and Exempt Management Appointments

No Change — Vote: | Yes – 7 | No – 3 | Abstain – 0 | Absent – 1 |

Minority Report (Signed by 3)

Appointment and removal of department directors and exempt management appointments should remain as is, that is, by the city manager. The current noninterference provision in the City Charter should remain unchanged.

Budget Authority

Change Recommended Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

Minority Report (Signed by 1)

The charter should be amended to provide that the mayor shall issue an annual statement of policy priorities each January. City council shall then review, modify and/or approve the mayor's statement of policy priorities and transmit the resulting policy priorities to the city manager for the purpose of preparing a budget based upon them.

Term Limits

No Change Vote: | Yes – 8 | No – 1 | Abstain – 1 | Absent – 1 |

Minority Report (Signed by 1)

The committee does not recommend term limits for the mayor.

Effective Date for Proposed Charter Changes

Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

Minority Report (Signed by 1)

The effective date for proposed charter changes should be concurrent with the mayor's swearing in following the November 2012 election.

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Current Sacramento City Charter and Committee Recommendations Comparison

This chart outlines the city's current structure compared to the Committee's recommended changes. Changes are bolded.

	Current Charter	Review Committee Proposal
Mayor's Role	Mayor serves as a member of the City Council. Mayor has no veto power	Mayor serves as a member of the City Council. Mayor has no veto power
Appointment of City Manager	Council appoints City Manager with Council confirmation	**Mayor appoints City Manager with Council confirmation**
Appointment of Charter Officers: City Clerk, City Treasurer, City Attorney	City Council appoints these officials	City Council appoints these officials
Appointment of Department Directors and Exempt Management Appointments	City Manager appoints these 800 +/- employees	City Manager appoints these 800 +/- employees
Budget Powers	City Manager makes budget recommendations to Council and Mayor	**Mayor develops policy priorities for the budget that are subject to City Council review & directs the City Manager to develop budget. City Manager makes budget recommendations to Council and Mayor**
Term Limits	None	None
Transition Time	NA	**Nov. 2012 with next mayoral election**

This chart is for illustrative purposes and may not contain all the exact details of each item.

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1. BACKGROUND

The Sacramento City Charter is the foundational document for city governance. The Charter establishes the basic rules for city government and is the source of the city's system of checks and balances that prescribe the relationship between elected officials and staff. Among other things, the Charter establishes the number of officials who are elected to serve the public, the number of districts from which they are elected, and how much authority elected officials may exercise. The Charter also determines how city elections shall be conducted, including the process for redistricting. The Charter may only be amended or repealed by a majority vote of the city's voters.

Since 1921, Sacramento has operated under a council-manager form of government, where the executive and legislative functions are combined, similar to a parliamentary model. In such a system, the Mayor and City Council meet, deliberate and vote as one body. This elected body establishes policy direction and appoints a professionally trained city manager to oversee the daily operations of the city and implement its policies. While there have been numerous amendments to the City Charter during the ensuing years (156 measures in 54 elections; 111 passed and 45 failed), no comprehensive review has occurred in decades (see Appendix G).

In early 2009, a proposed Charter amendment initiative to change the city's governance structure, from council-manager to mayor-council, was pending submittal to the City Clerk from Mr. Thomas Hiltachk (Initiative Measure). A mayor-council form of government separates the executive and legislative functions, similar to the state and federal models. In such a system at the local level, the executive (Mayor) is responsible for administration of the city and typically does not sit with, deliberate or vote with the legislative body (City Council). However, the Mayor is generally provided some form of veto power over the legislative body and enhanced appointment power given his/her city administrative responsibilities.

At the January 6, 2009 City Council meeting, several Council members indicated they had received numerous constituent inquiries related to the merits of the mayor-council proposal. In addition to related requests by council members, Council Member Kevin McCarty requested a workshop and report to aid the council in formulating their assessment of the Initiative Measure.

The City Council reviewed a report by the City Attorney comparing and analyzing the Initiative Measure on February 3, 2009. The report included the following:

- A comparison of the proposed Initiative Measure and the charters of the ten most populous California cities;
- The legal process by which the ten most populous California cities revised and adopted their charters and charter amendments; and
- The legal process by which the City of Sacramento may revise and adopt Charter amendments.

The City Council subsequently directed city staff to provide a report on options and recommendations for establishing an advisory body to review the City's Charter. This report was presented to the Mayor and Council on February 17, 2009. At this meeting, the Mayor and Council voted unanimously to create the 2009 Sacramento Charter Review Committee with the adoption of Resolution R2009-095 (see Appendix A).

Resolution R2009-095 created a Committee composed of eleven (11) members, subject to the following requirements:

- Two members to be appointed at large by the City Council through an application and interview process (recommendations to be provided by the Personnel and Public Employees Committee). At-large members were required, by education, experience or training, to come from the fields of the law, academia, or public administration/policy.
- The next nine members to be appointed individually by the Mayor and each of the eight (8) Council members.
- Confirmation of each member by a majority of the City Council.

The Committee's twice-monthly meeting schedule began on April 2, 2009.

2. CHARGE OF THE MAYOR AND CITY COUNCIL

Resolution R2009-095 charged the Committee with meeting at least twice per month and reviewing the Charter in its entirety, with openness to input from all citizens. The City Council required the following issues be given particular consideration and be addressed in the final report:

- The city's governance structure: mayor-council versus council-manager, and the issues related thereto;
- The delegation and/or reservation of city powers;
- Appointment and removal of city officers and employees;
- The city budget process;
- Green waste disposal;
- Full-time status for Council members and issues related to full-time status for Mayor and Council;
- Term limits;
- Ethics Commission;
- Timing of city general run-off elections, and instant run-off or alternative runoff procedures for city elections.
- Other issues as indicated by the City Council.

The Resolution required Committee progress reports to the City Council in the months of June, August and October 2009. Additionally, the Resolution required a preliminary set of recommendations be presented to the City Council by December 15, 2009 and a final report by January 26, 2010.

Resolution R2009-095 also provided direction regarding the process for reaching decisions. Final recommendations required at least seven (7) member votes. The resolution authorized members to prepare a minority report to be included with the Committee's written reports to the City Council, if desired.

On August 6, 2009, the City Clerk presented a report to the Mayor and City Council indicating the Initiative Measure submitted by Mr. Hiltachk received a sufficient number of signatures to be considered by the voters. The Mayor and City Council subsequently voted to place the Initiative Measure on the June 8, 2010 ballot.

The Council's decision prompted a discussion of whether to accelerate the Committee's time table. Considerations for an accelerated Committee time table included:

- Ensuring adequate time to receive the Committee's report and discuss its recommendations with each other and the community.
- Providing the City Attorney's Office adequate time to draft an alternate measure(s) for the June 8, 2010 ballot, if so desired.

On August 25, 2009, the City Council adopted R2009-559 (see Appendix B) consistent with the Committee's recommendation during its second progress report presentation. Resolution R009-559 revised the Committee's charge and accelerated the final report's submittal date to no later than November 3, 2009. The Committee's refined charge included only the following issues:

- The city's governance structure: mayor-council versus council-manager, and the issues related thereto;
- The delegation and/or reservation of city powers;
- Appointment and removal of city officers and employees;
- The city budget process;
- Full-time status for Council members and issues related to full-time status for Mayor and Council;
- Term limits;
- Ethics Commission;
- Timing of city general run-off elections, and instant run-off or alternative runoff procedures for city elections.

The new resolution also required the Committee to provide two supplemental reports related to Ethics Commission, full-time status of Mayor and Council Members, and primary/general election scheduling and instant runoff elections. Supplemental Report No. 1 is due by December 1, 2009. Supplemental Report No. 2 is due by January 19, 2010.

3. THE CHARTER REVIEW PROCESS

The Committee met for the first time on April 2, 2009. An independent communications consultant (Michelle McCormick, Executive Vice President, CirclePoint) facilitated the Committee's discussions before the formal selection of the Committee's Chair and Vice Chair occurred during the Committee's meeting on April 20, 2009.

The Committee's first two meetings focused on orientation and planning issues, including a review of the Ralph M. Brown Act, parliamentary procedure, the City's Charter and governance structure, and the Initiative Measure (now certified for the June 8, 2010 ballot). By the Committee's third meeting on May 7, 2009, the Committee created a phased work plan to facilitate its efforts to develop recommendations. The work plan consisted of five distinct phases:

- Organization Phase
- Information Gathering Phase
- Outreach Phase
- Tentative Decision Making Phase
- Final Decision Making/Report Writing Phase

To assist in information gathering, the Committee selected 12 benchmark cities to study and contrast with Sacramento's governance structure (see Appendix C). Committee staff created a matrix reference document (see Appendix D) identifying data about each benchmark city's governance structure and the characteristics of the certified initiative.

Beginning in May, 2009, the Committee convened presentations and panels of academics, practitioners and representatives of organizations to discuss governance structure, election processes, and related issues. The Committee directed staff to assemble speakers with a wide variety of perspectives and experience on the various issues. The Committee's practice of assembling panel discussions and individual testimony continued through the Committee's meeting on August 3, 2009. In total, the Committee received approximately eleven hours of testimony from sixteen individuals. Materials received by the Committee are included in Appendix E.

Pursuant to Resolution 2009-095, the Committee provided progress reports to the City Council on June 23, 2009 and August 25, 2009. The June progress report summarized the Committee's five- phase work plan and provided the City Council with Committee thoughts on lessons learned. The August progress report summarized the Committee's July outreach efforts to approximately 200 representatives of community organizations/associations about ways the public could become involved in the charter review process. The August report also summarized the meeting topics and presentations received to date.

Committee staff created a website for the Committee (www.cityofsacramento.org/charter) to organize the Committee's activities. Meeting agendas and materials were available via a link on the website. Archived video of the meetings and a bibliography of materials compiled by the Committee were archived on the website. The website also provided additional resources for the public and Committee members, including the following:

- Governing resolution
- Committee member biographies
- Committee progress reports
- Frequently Asked Questions document (see Appendix F)
- Links to the charters of the benchmark cities
- Background information on the Brown Act

4. PUBLIC OUTREACH

The Committee's governing resolution emphasized openness to input from all citizens, and the Committee utilized several strategies to meet the Mayor and Council's expectations.

As a matter of law, all Committee meetings were open to the public and publicly noticed in accordance with the Ralph M. Brown Act. Meetings were also video streamed live on the Internet (via the Charter Committee's website) and archived for viewing at later dates. The Committee conducted meetings twice per month between April 2009 and January 2010. Each meeting allocated time for public comments.

Initial Committee outreach efforts focused on education and information. During mid 2009, Committee members presented at five (5) neighborhood area group community meetings located in different geographical areas of the city. Meetings were held on the following dates:

July 8, 2009
Pannell-Meadowview Community Center – 2450 Meadowview Road

July 13, 2009
South Natomas Community Center – 2921 Truxel Road

July 20, 2009
Hart Senior Center – 915 27th Street

July 23, 2009
Coloma Community Center – 4623 T Street

September 10, 2009
Boys and Girls Club – 1117 G Street

The Committee's mid-2009 presentations discussed the Committee's charge and timeline, the city's Charter, and ways to become actively involved in the Committee's activities. Approximately 200 people representing neighborhood groups and associations attended the mid-2009 meetings. Attendees learned that the Committee's website featured a "Share Your Comments" tool to allow members of the public to provide comments to Committee members. All comments were included in the correspondence materials Committee members received before each meeting. Meeting attendees also received an informational brochure explaining the Charter Review Committee.

In September and October 2009, the Committee held a Town Hall Meeting Series on the City's Charter. Nine (9) Town Hall Meetings were conducted in locations throughout the city and in all City Council districts. Over 3,000 notifications and emails were sent to individuals and organizations, as well as press releases sent to media to encourage participation and interest in the Town Hall Meeting Series. The meeting dates/locations are summarized below:

September 23, 2009
Natomas High School - 3301 Fong Ranch Road

September 24, 2009
Ben Ali Shrine Temple – 3262 Marysville Blvd.

September 30, 2009
Elks Lodge – 6446 Riverside Blvd.

October 1, 2009
Christian Brothers High School – 4315 Martin Luther King Jr. Blvd.

October 5, 2009
Tahoe Park Elementary School – 3110 60th Street

October 7, 2009
Sam Brannan Middle School – 5301 Elmer Way

October 8, 2009
Caleb Greenwood – 5457 Carlson Drive

October 14, 2009
Sam Pannell Community Center – 2450 Meadowview Road

October 15, 2009
Sierra II – 2791 24th Street

Attendees learned about the Committee's draft report and provided public comments on its recommendations. Audio recordings were made of the Town Hall meetings and archived on the Committee's website for review. Additionally, notes related to questions/answers and public comments received at the Town Hall meetings were placed on the Committee's website. Approximately 250 people attended the Town Hall Meeting Series.

The Committee also utilized an email sign-up service (via www.GovDelivery.com) for members of the public interested in receiving periodic email updates on the Committee. Nearly 90 subscribers received periodic email updates by the conclusion of the Committee's charge.

5. FINAL RECOMMENDATIONS

The Committee's governing resolution required final recommendations to be approved by an affirmative vote of at least seven (7) Committee members. Members who did not approve a recommendation were authorized to prepare a minority report (see Chapter 6) to be included in the Committee's report to the Mayor and City Council.

To facilitate its ability to develop recommendations, the Committee agreed to develop tentative decisions before conducting its nine-meeting Town Hall Meeting Series on the City Charter. The Town Hall meetings provided an opportunity for the public to learn the Committee's perspective on various issues. More importantly, however, the meetings provided an opportunity for the community to provide the Committee with specific feedback on the Committee's tentative decisions.

The Committee developed its framework for reaching tentative decisions at its July 20, 2009 meeting. The framework consisted of a two-meeting decision making process. During the first meeting, the Committee discussed a list of threshold items/questions for an issue. If there was consensus, the Committee directed staff to draft a tentative decision to be voted on at the second meeting. During the second meeting, the Committee and deliberated each issue and voted.

The Committee reached tentative decisions on governance structure issues during their deliberations in August and September 2009.

Following the Town Hall Meeting Series, the Committee met on October 19, 2009 to vote on final recommendations. The following recommendations include a summary of the Committee's vote and an explanation of the vote prepared by the affirmative voters. A note is included immediately following the vote tally if a minority report or reports is included in Chapter 6.

Unified Legislative and Executive Policy Functions

Tentative Recommendation: *Legislative and executive policy functions remain unified. Mayor remains a member of the City Council; Mayor continues to chair the City Council meetings and deliberate and vote with the City Council. Mayor has no veto power.*

Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

[Minority Report Included in Chapter 6]

A threshold consideration of the committee was whether the existing single entity structure, often referred to as a unified system, should be retained, or whether it should be replaced with a system that divides the legislative and executive functions. Since the progressive era, the single entity governing body is the traditional form of local government in the U.S. Under this structure, all elected policy makers are combined into a single entity, usually referred to as a city council, with the mayor serving as chair. This system has been in existence in Sacramento since 1921. In contrast, separation of powers – with the executive function being separated from the legislative function – is a deeply entrenched notion in the United States at the federal and state levels, although not at the local level.

The decision of the committee was that the existing system should be retained. Several critical factors lead to that conclusion:

1. Accountability. At the local level, the existing unified system is more accountable than would be a divided system. Under a divided framework, residents often have difficulty knowing who is actually responsible for a particular decision or policy. This point is well illustrated by the federal system, wherein presidents have often blamed Congress while Congress blames the White House. With a single body being responsible, it is clear that the city council, of which the mayor is a voting participant, ultimately is solely responsible for the city's policymaking decisions. Put simply, under a unified system, there is no place to "pass the buck," since all power and responsibility rests with the city council.

2. Representative and Inclusive. In contrast to the federal and state governments, the decisions of local governing bodies, such as land use and direct public services, affect the daily lives of city residents in a more direct, immediate way. A unified governing body tends to incorporate the most diverse range of opinion, and is therefore more representative of the views of the community as a whole. In contrast, a divided government structure is more likely to result in policy decisions with "winners" and "losers." In the words of the International City-County Management Association (ICMA), the council-manager form of local government "encourages neighborhood input into the political process, diffuses the power of special interests, and eliminates partisan politics from municipal hiring, firing, and contracting decisions."

3. Community Consensus. The testimony the committee received indicated that divided government systems tend to polarize a city's policymakers. In contrast, a unified governing body tends to forge a consensus-oriented environment among the mayor and council members. More specifically, the interaction of the mayor with the council members results in the emergence of decisions and policies which reflect a blending of community interests and not just those of a particular area or segment of the community. In a city as diverse as Sacramento, this factor is extremely important, because it promotes decisions and policies that are broadly based and reflective of the community as a whole. The absence of broad-based support often undermines the legitimacy of rendered decisions and results in those interests that were not included becoming alienated. This is neither desirable nor healthy for a community and represents the antithesis of the inclusiveness which characterizes Sacramento's political culture.

4. Community Accessibility to the Mayor. Under a divided system, the executive often tends to become a remote and isolated figure who may not be particularly accessible to the public. This is less likely to occur where a mayor sits as part of a city council, meeting in public on a regular and ongoing basis. Under a unified system, the mayor can be approached on the same basis as any other member of the city council by a citizen simply attending a council meeting and voicing a view. When a mayor is removed from this process, there is far less public access to the mayor. Greater accessibility is likely to result in the mayor being more in tune with the needs and desires of the community.

5. Direct Interaction by Mayor with City Council. It requires the interplay of a variety of interests to determine the best decision or policy for our city. Direct interaction among the council members, who represent both the interests of their districts and those of the entire city, with the mayor, who is elected at-large, is crucial. Having the mayor be part of the city council allows for the interaction – and reconciliation – by these sometimes different and competing interests. This situation is more likely to

promote unity and acceptance of decisions within the community. Open dialogue and feedback in a public forum among various council members and the mayor should be encouraged for open, effective governance. In fact, mayors serving in cities that transitioned from a unified council system to a divided executive system reflected on this issue in their testimony to the committee. At least two expressed regret that, as executive mayors, they no longer experience the same degree of interaction and camaraderie with members of the city council.

6. Mayor Can Act as Leader of the Community and Council. Under the unified system, the mayor is both the political leader of the community and the city council. The skills required for a mayor to lead and govern successfully in a unified council system are those qualities necessary for successful leadership generally. These include political acumen, diplomacy, consensus-building, community support, and communication. In reality, a mayor must work with the community and the council to build support for the direction in which he or she wishes to lead the community. In fact, effective leadership requires a mayor to work to develop agreement to support a particular direction. Sometimes this process is difficult, frustrating, and challenging to all involved. But doing so leads to decisions that reflect democratic principles and inclusiveness. In contrast, the mechanics of divided government, with legislative actions passing between the council and the executive for signature, veto, and override, adds time-consuming steps to the policy making process while potentially losing the benefits of direct communication and agreement.

7. Clear Direction to Consolidated Staff. Divided government results in two staffs, one under the direction of the city council and another under the direction of the mayor. An advantage of the existing city unified structure is that there is a single consolidated group of professional staff under the direction of the city manager, who is responsible to the full city council.

8. Experience of Other Cities. The notion that a transformation to a divided government is simply the byproduct of growth and increasing size of population is not necessarily sound or true. In fact, those other cities that presented their experiences to us clearly indicated that every community must examine its own individual goals, desires, circumstances and community culture when deciding which form of government is appropriate. The clear indication was that "no one size fits all," and that a community must choose the model that serves its own needs. Examples support this conclusion. While many large cities employ a divided executive mayor system, many other cities larger than Sacramento retain a unified system, and some have even returned to a unified system after experimenting with a divided structure. The committee believes the current structure best serves Sacramento's neighborhood-oriented culture.

Appointment / Removal of City Manager

Tentative Recommendation: *Mayor appoints the City Manager with a majority confirmation of the City Council (excluding the Mayor's vote). City Manager may be removed by the Mayor with a majority vote, excluding the Mayor. Council may remove the City Manager for cause with a majority vote (excluding the Mayor's vote).*

Vote: | Yes – 7 | No – 2 | Abstain – 1 | Absent – 1 |

[Minority Reports Included in Chapter 6]

The Sacramento City Charter currently provides that the city council and mayor, acting as a whole, hire the city manager, selecting among the various candidates. A simple majority vote now determines who is hired, while a two-thirds majority vote is required to remove the city manager. This means that a city manager may be hired or retained without the support of the mayor. Experience, however, indicates that both the mayor and city council must be able to work closely with the city manager. For this reason, we recommend amending the charter to allow the mayor to appoint the city manager, with confirmation by the majority of the city council, excluding the mayor's vote (5 members). That would result in 6 of the 9 city council members having to support the hiring of a particular city manager and, most importantly, that the mayor would be allowed to choose the candidate. Removal could be initiated by the mayor for any reason with confirmation by a majority vote by the city council, excluding the mayor's vote. Alternatively, the city council itself would be authorized to propose removal of the city manager for cause with a majority vote, again excluding the vote of the mayor. In either case, with the mayor's vote excluded, 5 votes of 8 would be required to terminate a city manager.

We recommend this specific increase in mayoral authority based upon the reality that the city manager and the mayor need to work closely as a team. This change helps to ensure that the city manager is supported by and responsive to the mayor, and at least a majority of the city council. By selecting the candidate, the mayor is guaranteed a candidate that is compatible with his governing vision. And, by their confirmation, the council is assured that the city manager is also responsive to their individual and collective needs. This solution helps strike a balance between the ability of the mayor to work with the city manager, while simultaneously assuring support of the balance of the city council.

The recommended removal process for a city manager provides a similarly balanced process. The mayor continues to have the right to initiate termination with majority city council approval, while the city council's ability to initiate termination would be limited. A mayor can also initiate dismissal of a city manager, with whom he or she is unable to work effectively for any reason. If the mayor is satisfied with the city manager who is intolerable to the city council, the city council can proceed with termination for a specified cause. Should that occur, however, any new candidate would be appointed by the mayor, thereby maintaining the mayor's pre-eminent role in choosing a satisfactory successor.

The non-interference provisions pertaining to the city manager under the current Charter would not change.

Appointment / Removal of Charter Officers (City Clerk, City Treasurer, City Attorney)

Tentative Recommendation: *Appointment and removal made by a majority of the City Council, including the Mayor.*

Vote: | Yes – 9 | No – 0 | Abstain – 1 | Absent – 1 |

[Minority Report Included in Chapter 6]

Under the existing charter, three charter officers – city clerk, city treasurer and city attorney – are appointed and subject to removal by the city council, including the mayor. We recommend this practice be continued because these offices must remain independent and in a position to exercise their judgment divorced from political pressure. More specifically, all three positions require a high degree of professional experience and judgment. The city clerk, for instance, is the keeper of the city's official

records, is the city's election official and has major responsibility in the bid procedures of the procurement process, while the treasurer manages the city's funds and investments. It is incumbent upon the city attorney to provide objective legal advice to the mayor and city council. Subjecting any of these functions to political pressure potentially jeopardizes professional judgment and could lead to disastrous results for the city, ranging from the possibility of making imprudent investments to unnecessary legal exposure. Independence is necessary, and our recommendation is intended to retain that independence.

Appointment / Removal of Department Directors and Exempt Management Appointments

Tentative Recommendation: *Department Directors and Exempt Management appointments to remain as is - appointed and removed by the City Manager.*

Vote: | Yes – 7 | No – 3 | Abstain – 0 | Absent – 1 |

[Minority Report Included in Chapter 6]

The current charter provides that the city manager appoints and can remove department directors and exempt management appointments, thereby giving the city manager management authority over the professional staff to implement the policy decisions of the mayor and city council. The committee recommends this provision of the charter be retained for the following reasons:

1. Professional Management. It assures professional management for the city which is immune from political influence and pressure.

2. Clear Accountability. The city manager is accountable to the mayor and city council and, if there is dissatisfaction with those whom he/she hires, he/she may be held responsible. Our current charter provides a sound professional administrative structure with a clear, professional chain of accountability.

3. Clear Lines of Authority. It prevents a department head, or other employee, from bypassing his or her superior and appealing directly to those holding political office. Management authority and control should remain vested in those who are held accountable.

4. Stability for Workforce. It provides for stability for the city's workforce and thereby enhances the quality of those candidates seeking employment with the city. This practice by extension provides for a sense of steadiness and professionalism that extends in the professional staff service to the city's residents.

5. Prevents Patronage. It protects city positions from becoming awarded on the basis of political patronage rather than professional expertise. Professional qualifications, not politics should be the principal criterion for job selection.

6. Helps Discourage Political Corruption. It eliminates the possibility for political corruption associated with employment being based upon political factors, as opposed to professional expertise.

Budget Authority

Tentative Recommendation: Mayor shall issue an annual statement of policy priorities each January. City Council shall review, modify and/or approve the Mayor's statement of policy priorities and transmit to the City Manager for the purpose of preparing a budget based upon the adopted statement of policy priorities.

Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

[Minority Report Included in Chapter 6]

Consistent with the council-manager system, the city's budget is enacted by the entire council by majority vote and developed by working with the city's professional staff. As outlined by City Treasurer Russ Fehr in his presentation to the committee on June 15, the city's budget process is a year-round process, beginning with council planning sessions in January and February that provide guidance to city staff to refine council priorities in anticipation of the city manager's formal preparation of the budget, due on May 1 of each year.

As city staff professionals have refined technical details of the budget in each of the last two years, the city has developed a practice of holding between 6 and 12 public workshops--generally occurring in March and April--to provide meaningful inputs from city residents and to inform the public of the state of the city's fiscal situation in anticipation of the formal presentation of the budget. Public input continues in May and June as part of the council's formal budget writing sessions, which must be completed by June 30. The city manager and department directors continue to meet after the beginning of the fiscal year to examine the impacts of the economy and the state of city finances in preparation for the beginning of the next budget cycle the following January.

The committee recommends building on this practice by formalizing the mayor's role to propose initial priorities, as some past Sacramento mayors have informally done in "state of the city" addresses. Once a mayor submits his/her annual statement of policy priorities, the council would continue its current role through the council planning sessions early in the year. The city council would be required to react to the mayor's priorities, and then the mayor and council would forward council-approved priorities to the city manager in anticipation of the manager's formal submission of the budget later in the year.

This recommendation would add prominence to the mayor's role in shaping citywide policy. The committee desires the mayor's role to be invested more than it is today in the city's budget preparation process and developing its corresponding policies. Formalizing the mayor's role in the development of an annual statement and explanation of policy priorities will add consistency to and a clearer articulation of the mayor's priorities. This will also provide more prominence to mayor's role in shaping city-wide policy by allowing the mayor to focus the annual policy discussion occurring throughout the budget process.

Term Limits

Recommendation: *The Committee does not recommend term limits for the Mayor or City Council members.*

Vote: | Yes – 8 | No – 1 | Abstain – 1 | Absent – 1 |

[Minority Report Included in Chapter 6]

The basis for the Committee's recommendation that term limits not be implemented is as follows:

1. The electorate should be allowed when an individual should or should not be returned to office. Imposition of term limits inappropriately constrains the options of the electorate.

2. Experience is often useful, and the public should not be precluded from re-electing experienced office-holders through the imposition of term limits.

Effective Date for Proposed Charter Changes

Tentative Recommendation: *Effective date for proposed Charter changes should be concurrent with the Mayor's swearing in following the November 2012 election.*

Vote: | Yes – 9 | No – 1 | Abstain – 0 | Absent – 1 |

[Minority Report Included in Chapter 6]

One concern with the Strong Mayor Certified Initiative is its effective date. The concern stems from the fact that the approved revised charter would become effective 45 days following certification of the June 10, 2010 election results. The problem is that such an implementation schedule does not allow for adequate transition time before being adopted as a city government structure.

Of the cities the committee studied, none implemented extensive charter revisions without at least a seven month transition. Most averaged two to four years. Fresno asked voters to approve dramatic changes to the mayor's job description when they elected the mayor for the four-year term that preceded the changes. City officials said they started meeting the year that the change was voted in, and they continued until the election of their first executive mayor four years later.

The transition time involves two separate issues.

The first is for the voters, who without an adequate transition time, are forced to make a choice among candidates not knowing the job description of the mayor being elected. In the case of the certified initiative, voters would be asked to make a decision on changes to the mayor's job to be conferred on a sitting mayor only 18 months into his four-year term. We cannot find a precedent in the cities studied that changed the mayor's job description with a new set of sweeping powers on a sitting mayor.

The second transition issue is for the city charter officers, department heads and other 800± non-union city employees whose jobs will be almost immediately transitioned from being managed by a professional city management structure to being political appointees, serving at the pleasure of the

mayor. This has the potential of not only causing chaos within city hall after the transition, but also in the time leading up to the June 2010 vote as city employees prepare exit strategies if the initiative should pass.

By extension, this also has the potential to affect city residents who have come to expect a sense of consistency of city employees in performing their jobs.

Creation of an Inspector General/Budget Analyst Position

The creation of an Inspector General/Budget Analyst position was initially identified as a possible recommendation of the Committee. However, the Committee deferred taking up this topic as a result of action of the City Council which moved the Office of the City Auditor to report to and be selected by the City Council, and a proposed ordinance initiative establishing a City Independent Budget Analyst selected by and reporting to the City Council.

On September 8, 2009 the City Council passed a motion directing staff to work with the Audit Committee in a recruitment attempting to find one person with the proper qualifications for both the city auditor and the independent budget analyst positions.

6. MINORITY REPORTS

Unified Legislative and Executive Policy Functions

Recommendation: Adopt the 'mayor-council' form of government with a professional city manager or a hybrid model that provides the mayor with veto and appointment authority, but keeps her or him as a non-voting member of the city council

Government Must Evolve as Cities Grow

As cities grow, so does the complexity of their problems, the challenge of forging a consensus on solutions, and the disconnect of voters from their government. The council-manager form of government – the one the City of Sacramento currently uses – works well for small cities that do not need the full-time attention of their elected officials. But if citizens do not evolve the structure of their government as their communities grow, response to critical issues slows, the level of service declines and accountability becomes diluted, leading to increasing frustration and apathy on the part of residents.

Sacramento has reached that point in its history, and it is time for a change.

Our city now has nearly half a million residents, joining the ranks of other large cities like New Orleans, Nashville, Seattle and Boston.[1] Surveys show that nearly two-thirds of cities that have half a million people or more in them use the mayor-council form. According to the National Civic Review, one of the main reasons cities evolve to the mayor-council form of government is that their mayors are able to become the "center of energy and public leadership and the focus of responsibility for policy and performance."

COMPARISON OF GOVERNANCE STRUCTURE BY CITY POPULATION

Population (# of cities)	Mayor-Council *(including with an Administrator)*	Council-Manager
100,000-249,999 (172)	32%	68%
250,000-500,000 (38)	50%	50%
500,000-1,000,000 (23)	65.2%	34.8%
>1,000,000 (9)	66.7%	33.3%

Source: James H. Svara, "Are Elected Executives Needed to Achieve Accountability to Citizens? Performance Issues and Form of Government in Large U.S. Cities" (2006) using 2005 population estimates.

[1] The City of Sacramento is the 36th largest city in the United States and the seventh largest in California.

For some, the mayor-council form of government invites images of the political machines that were found in the East and Midwest during the late 19th century. But we would be better served looking at the major cities here in California for models of the mayor-council form of government. Three-quarters of the largest cities in California – those with populations greater than 400,000 – have an 'executive mayor' system which provides the mayor with the authority to sign or veto all proposed ordinances, subject to a veto override by the city council.[2]

CALIFORNIA'S LARGEST CITIES AND THEIR FORM OF GOVERNANCE

Rank	City	Population (CA DOF 2009 estimates)	Form of Governance
1	Los Angeles	4,065,585	Mayor-Council
2	San Diego	1,353,998	Mayor-Council
3	San Jose	1,007,223	Council-Manager
4	San Francisco	845,559	Mayor-Council
5	Fresno	495,913	Mayor-Council
6	Long Beach	492,682	Hybrid Council-Manager / 'Executive Mayor'
7	*Sacramento*	*481,097*	*Council-Manager*
8	Oakland	425,068	Mayor-Council

Sacramento is not the same city it was in the 1920s when we adopted the council-manager form of government. Sacramento needs a 21st century government that is agile and quick to respond – a system to match the fast-paced times we live in.

Ceremonial Leadership Is No Longer Enough

There is a sizeable gap between the expectations that the citizens of Sacramento have of the mayor as the only citywide elected official and the authority that our charter actually provides the office. Today, the mayor of Sacramento is simply one of nine members of the city council. The mayor's only unique authority is to preside over the city council meetings.

Seven years ago, Sacramento voters were offered the opportunity to make an incremental improvement to our city's charter by making the mayor's job full-time. Voters embraced it with 62% of the vote. But because voters were not given the opportunity to also augment the authority of the mayor, we are left with a full-time mayor whose only real authority is to preside over part-time city council meetings. The time has come to match the position with the authority voters expect of it and the ability to get things done for our city.

Citywide Perspective Should Prevail Over Parochial Points of View

The mayor is elected by a citywide vote, and for good reason. Council members are parochial; their responsibility lies with the few thousand who elect them, not the hundreds of thousands who live by their decisions. The mayor, however, is accountable to every voter in every district of the city, and is

[2] Five of the eight cities have a traditional mayor-council form of government, and one - the City of Long Beach - has a unique council-manager/'executive mayor' hybrid. It is discussed below.

responsible for defending citywide interests. His or her job should be to create and promote a unifying city vision and to prioritize competing neighborhood interests for the benefit of all.

Sacramento's charter should be amended to give the office of mayor the power to protect citywide interests over the parochial concerns of district-elected council members.

Needed: Accountability

Cities that have adopted the mayor-council form of government have found improved accountability since the person charged with overseeing the day-to-day operations of the city is the elected mayor and not a city manager who was appointed by a committee. If voters do not like the way a mayor is running the city, they can remove her or him from office. If voters do not like the way a city manager is running the city, they can only complain to the city council.

Unfortunately, the authority the mayor lacks protects her or him from having to make difficult decisions. If the mayor is not required to use her or his citywide voter mandate to articulate clear positions on divisive issues, then voters have no way to judge the mayor's performance. Sacramento needs a mayor's office that is equipped with the tools to implement change. Without it, our city lacks even one consistent and forceful citywide voice.

A Model Mayor-Council Proposal from The National Civic League

Recommendation: Adopt the National Civic League's "Mayor-Council-Chief Administrative Officer" form of government

The National Civic League – a non-profit, non-partisan organization dedicated to strengthening citizen democracy – publishes a "Model City Charter" that prescribes its recommended government structures for cities.[3] Their recommended hybrid for cities that want or have the mayor-council structure is called the "Mayor-Council-Chief Administrative Officer" form of government, and is "based on the combination of separated and shared powers between the mayor and the council found in most mayor-council cities." The title Chief Administrative Officer can be used interchangeably with Chief Operating Officer or city manager.

In the "Mayor-Council-Chief Administrative Officer" form of government, the mayor is the chief executive officer who oversees the work of a professional Chief Administrative Officer (or city manager). The mayor does not serve on the council and has veto authority, subject to a two-thirds vote override by the council. The city manager is nominated by the mayor and approved by the council. The mayor may remove the city manager at will. The city manager formulates the budget for the mayor, and the mayor presents it to the council with her or his own recommendations added to those of the city manager. The city manager recommends major personnel appointments to the mayor who presents them to the council for approval. Finally, the mayor may remove department heads at will.

[3] Model City Charter, 8th Edition: Defining Good Government in a New Millennium. National Civic League. 2003.

The National Civic League states that this "Mayor-Council-Chief Administrative Officer" form of government is ***not*** a strong mayor structure (emphasis added).[4]

According to their Model City Charter, the "Mayor-Council-Chief Administrative Officer" form of government promotes "shared authority between the mayor and the council" in which "both the mayor and the council play an active role."

Unfortunately, the Charter Review Committee did not examine or consider this recommended structure by the National Civic League.

A Unique Hybrid: The City of Long Beach

Recommendation: Short of adopting the "Mayor-Council-Chief Administrative Officer" form of government, consider adopting the City of Long Beach's unique model for Sacramento – especially if keeping the mayor on the city council is a priority

The fundamental difference between the mayor-council and council-manager forms of government is the veto power of the mayor. In the mayor-council form, the mayor has a prescribed role in the legislative process and must make a decision on each ordinance to sign it, veto it, or let it take effect without signature. (The council may override the veto by a two-thirds vote of its members.) This veto authority ensures that the citywide perspective – the one provided only by the mayor – has the final say on what is best for the entire city.

In most cases, mayors with veto authority do not sit with the city council. But the City of Long Beach – a city of similar size to Sacramento – has developed a unique governance hybrid that is worthy of consideration.

While technically a council-manager city, the City of Long Beach's mayor sits with and presides over the city council, but does not vote with it. Instead, their mayor has the power to sign or veto all legislation, subject to a two-thirds vote veto override by the city council.

The City of Long Beach's government structure provides an interesting option for Sacramento, especially if keeping the mayor on the city council is a priority.

Unfortunately, the Charter Review Committee did not examine or consider the City of Long Beach's unique governance structure.

Signed,

Chris Tapio

Appointment / Removal of City Manager (First of Two Minority Reports)

[4] The National Civic League describes a 'Strong Mayor' system as one in which there are no provisions for having major appointments be subject to the 'advice and consent' of the council.

Recommendation: Continue Present Sacramento Charter Provisions for City Council Responsibility in Appointment and Removal of the City Manager

Sacramento's existing Charter framework for Council responsibility in appointment and removal of the city manager warrants continuation. This is most consistent with the Charter Review Committee's (CRC) majority views on three key issues: retain a unitary Council, including the Mayor (reject Separation of Powers); retain provisions for other Charter Officers; and continue managerial appointment and removal of department directors and exempt managerial personnel.

Wisdom exists in the venerable principle: *If it isn't broken, don't fix it.* With respect to present proposals for extensive Sacramento Charter revision, it is wise to add: *It isn't broken; don't wreck it.*

Disempowering Sacramento's City Council and the people and neighborhoods they work to represent would result from drastic revision of the unitary, community-based structure of the present Charter. Informed experience is against that. Sacramento's recent Mayors Rudin, Serna, and Fargo worked closely with managers in ways described as essential by the CRC majority. The Charter continues to facilitate such close working relationships. A Mayor and others benefit from having professionally expert support of a manager with broad authority of the Council rather than a narrow mayoral partisan. The Mayor is thereby empowered to exercise Star talent with confidence of expert backup. Thus, the underlying issue is not the mayor/manager relationship but ill-informed complaints against the City Council for its shared and individual leadership in facilitation of Sacramento's culture of responsibly balanced diversity and a shared sense of community and City-wide advancement.

Sweeping revisions proposed by the Charter Initiative favor severely narrowed civic leadership. Similarly, while less extreme, politically empowered mayoral selection and removal of the city manager, with only subsequent majority Council confirmation, is a prescription for a weak and often divided City Council. A manager who is a mayoral appointee at that official's convenience with support of a Council faction becomes an instrument of narrow political interests. The CRC has recommended against mayoral selection of other Charter Officers "who require a high degree of professional experience and judgment." Without those same standards for the manager, Sacramento's professionally expert government will be wrecked along with its valued culture of broadly inclusive, collaborative leadership.

The irony is that neither separation of city council and mayoral powers, as proposed by the Charter Initiative and rejected by the CRC, nor distinctive mayoral appointment and removal power over the manager serves interests of a mayor with aspirations for strong leadership via civic integrity and noteworthy accomplishments. Officials with command-and-control powers become targets of conquests, subject to self-serving interests and a political culture of unilateralism and entitlement, while council members are downgraded to subordinate roles. It is useful for all to understand that leadership is not what an official does because he/she has power. Leadership is the influence successfully exerted when others are not required to do what one commands. For Sacramento's greatness, the Charter needs to continue to encourage such leadership broadly among all City Officials and the many others who serve in civic roles.

Signed,

JoAnn Fuller
Chester Newland

DRAFT

Appointment / Removal of City Manager (Second of Two Minority Reports)

Summary of Recommendation:

- Require a professional city manager
- Mayor nominates the city manager, but confirmation by the city council is required
- Mayor has authority to remove the city manager at will

Require a Professional City Manager

Recommendation: The city's charter should be amended to require that city managers have experience and training in local government management.

The National Civic League's Model City Charter endorses professional city management. It recommends the following model charter language for the qualifications of the city manager: "The city manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local government management."

This differs from the city's current charter language, which states in more generic language: "The city manager shall be selected solely on the basis of executive and administrative qualifications."

Follow Model City Charter Guidelines Regarding Authority to Remove City Manager
In its recommended "Mayor-Council-Chief Administrative Officer" form of government, the Model City Charter recommends that the CAO/city manager be nominated by the mayor and approved by the council. But it also recommends that the mayor have authority to remove the CAO/city manager at will.

The Model City Charter book explains that when the city manager is appointed this way, he or she "helps link the mayor and council and promotes communication between them." It continues that the city manager "serves as the bridge to span the separation of powers between the mayor and the council," "provides professional advice and detached assessment regarding key decisions to both the mayor and the council, and "can promote a higher level of performance and shared information by both sets of officials."

Authority to Dismiss is More Important Than The Authority to Nominate
If the goal is to ensure that the city manager and the mayor work together closely as a team, then the ability of that mayor to dismiss the city manager at will is more important than the ability to nominate the city manager. City managers who are subject to at-will dismissal by the mayor will always work in tandem with the city's chief executive officer. By requiring council approval of the nomination, the city council is assured of having a city manager that has the qualifications for the job and is a person they can work with as well.

Additionally, while the city has an opportunity to elect a new mayor every four years, city managers remain on the job for an indeterminate amount of time. The only way to ensure that new mayors and their city manager can be partners is to provide a new mayor with the authority to dismiss the incumbent city manager, if need be, and nominate a new one.

The history of Sacramento's mayors and city managers makes the point well. The City of Sacramento has had seven city managers and 17 mayors since 1946. While Sacramento mayors serve four year terms, Sacramento city managers have served an average of 10 years in the position since that time.

The Majority's Recommendation Takes Away the Mayor's Vote to Hire and Fire the City Manager
The current city charter requires five votes of the city council to hire a city manager. This simple majority can include the mayor, as she or he is a member of the city council. Six votes of the council are required to remove the city manager. Again, under today's city charter, the mayor has the ability to vote on the motion to remove the city manager.

The Charter Review Committee's majority recommends not counting the vote of the mayor in both the hiring and firing of the city manager. The Charter Review Committee was never presented with information indicating that any city in the nation excludes its mayor from voting to hire and fire the city manager.

No charter amendment should diffuse accountability by stripping the mayor of the authority to vote to hire or fire the city manager - the single most critical position in the city.

The Majority's Recommendation Makes It More Difficult to Hire a City Manager Than It Is Today
The current city charter requires five votes of the city council (a simple majority) to hire a city manager.

The Charter Review Committee's majority recommendation is that the mayor's nominee requires a majority vote of the city council (five votes) - excluding the mayor's vote - to be confirmed.[5] Because the mayor would always support her or his nominee, the effect of this recommendation is that a city manager nominee cannot be confirmed without the support of six members of the city council (five council members plus the mayor). This is a higher threshold than is currently required by our city charter.

Revision of our city's charter should not make the process of hiring the city manager more onerous. The mayor's nominees should never require a supermajority of the city council's support for confirmation.

The Majority's Recommendation Invites Mischief by Giving the Council More Authority to Fire A City Manager Over the Mayor's Objections Than They Have Today
The current city charter requires six votes of the city council (a two-thirds vote) to remove the city manager.

The Charter Review Committee's majority recommendation is that the city council be able to fire the city manager 'for cause' with a majority vote of the council (five votes), excluding the mayor. This

[5] The Charter Review Committee's majority recommendation confuses the authority to appoint with the authority to nominate. An "appointment" does not require any approval or voting. Those with authority to appoint simply exercise that authority. To "nominate" is to propose a candidate for selection by others.

situation would only arise under the unlikely scenario where the council wanted to dismiss the city manager over the mayor's objections.[6]

The majority recommendation invites mischief by making it easier for the city council to remove the city manager over the mayor's objections simply by asserting some vaguely-defined 'cause' (which would likely be revealed only in closed session) than it is under today's city charter.

Revision to our city's charter should not make the process of dismissing the city manager more confrontational and onerous. Only the mayor should have authority to remove the city manager.

Signed,

Chris Tapio

Appointment / Removal of the City Clerk

Recommendation: Appointment and removal of the city clerk should be the same as the city manager as long as the mayor presides over the city council

The Charter Review Committee's majority recommendation is that the mayor nominate the city manager because "the city manager and the mayor need to work closely as a team" and to "ensure that the city manager is supported by and responsive to the mayor."

As long as the mayor is the presiding officer of the city council, the same should be said of the city clerk. As secretary of the city council, the city clerk needs to be supported by and responsive to the presiding officer. At city council meetings, the city manager sits on one side of the mayor and the city clerk sits on the other. The process of hiring the city clerk should be the same as that of the city manager as long as the mayor continues to serve as the presiding officer of the council.

Signed,

Chris Tapio

Appointment / Removal of Department Directors and Exempt Management Appointments

A Mayor is elected on a city-wide basis and brings a "platform" of major policy proposals with him/her to office. In order to implement his/her policy platform, the Mayor needs a "cabinet" of individuals who share his/her priorities and the enthusiasm for implementing these policy priorities. A Mayor would be significantly more effective in implementing these priorities if he/she appointed, with Council

[6] Under the majority's recommendation, if the mayor initiates or concurs with the dismissal, a majority vote of the council (five votes) excluding the mayor is still required. This is functionally equivalent to requiring the support of six members of the council for dismissal (five council members plus the mayor) - the same two-thirds vote threshold required in today's city charter.

confirmation, a slate of department heads, in conjunction with the City Manager, to implement key policies.

Under this scenario, the Mayor will need to work collaboratively with Council Members to maintain coalitions to implement his/her policy agenda. Collaboration and consensus building is the role a Mayor should take in governing the City of Sacramento.

In addition to the "clout" the Mayor holds as the sole city-wide elected official, he/she needs the tools to implement key policies. Appointing the City Manager and department heads is an additional "tool" in the Mayor's "tool box." The role of the Council is not diminished by this approach; rather, in order to implement policy, the Mayor must build consensus with Council and the public to implement policy.

The Mayor would provide overall policy direction to department heads and the City Manager would provide oversight and direction of their work. This approach demands accountability by the public for both the Mayor and the Council, yet allows the steady hand of a seasoned administrator to guide department heads on a day-to-day basis.

Signed,

Cecily Hastings
Tina Thomas
Jay Wisham

Budget Authority

Recommendation: Mayor proposes the city budget to the council

Our current city charter requires the city manager to prepare the proposed city budget and submit it to the council for consideration.

The budget document is the city's most important statement of policy priorities, and it should not be proposed by an unelected city employee. Rather, the mayor - the official head of the city - should propose to the city council her or his recommended city budget, drafted with the technical assistance of the city manager and staff.

Nearly every mayor-council city in the country provides that the mayor prepares the initial budget in which she or he lays out the city's priorities and sets the agenda for discussion. The "Mayor-Council-Chief Administrative Officer" form of government outlined by the National Civic League's Model City Charter recommends mayoral budget proposing authority.

The Majority's Recommendation Does Not Provide the Mayor with New Budget Authority
The majority's recommendation is that the city council as a whole would submit a set of policy priorities to the city manager to use in preparing the proposed city budget. In advance of this, the mayor would be required to issue a statement of policy priorities. The city council would be required to review the priorities, and could accept them, modify them or reject them – just as they can with any mayoral proposal today.

The intent of the majority's recommendation is to "add prominence to the mayor's role in shaping citywide policy," but their recommendation actually codifies the role of the city council as a whole in the early part of the budget drafting process. It does not give the office of mayor any new budget-proposing authority.

The city's charter already recognizes the mayor as the "official head of the city" who is charged with "providing leadership within the community." As the official head of the community, and by tradition, Sacramento mayors give an annual State of the City address to outline achievements, milestones and policy priorities in the first quarter of every year. No charter amendment is needed to authorize this statement of policy priorities.

Section 40 of the City's Charter also provides the mayor with authority "to make recommendations to the city council on matters of policy and program that require council decisions." Because the majority's recommended "annual statement of policy priorities" carries no special weight or significance (the council do with it as it wishes), it is no different than any other item that the mayor may recommend and the council may consider.

Signed,

Chris Tapio

Term Limits

Recommendation: The mayor is able to serve two successive four-year terms in office. After at least one four-year term out of office the former mayor can run again for up to two successive four-year terms in office.

Term limits are an effective way to encourage participation in the electorate among candidates and voters. When given the opportunity to vote on term limits in California and elsewhere, voters have voted overwhelmingly to approve term limits. This is also why some incumbent politicians shy away from having voters get the opportunity to make the choice at the polls. This in turn may breed voter cynicism regarding the election process and those who hold political power.

Many citizens expressed support for term limits during our town hall meetings and committee meetings. Most of the opposition to term limits is voiced by those directly associated with state politics.
The following council-manager cities we studied have term limits: Austin, El Paso, San Antonio, Phoenix, Long Beach, San Jose, and Cincinnati. The following executive mayor cities also have term limits: Oakland, Fresno; which adopted the term limits described above, Los Angeles and San Diego. Of the California cities that recently voted to change their charters all included term limits.

Term limits also help build a "citizen" vs. career or "professional" class of elected officials. Reasonably limited terms help introduce fresh thinking, new ideas and hope as well as provide the opportunity for newcomers to enter the elective arena.

The longer an official is in office the more difficult it is for alternate candidates to emerge as challengers. And more time in public office assures an incumbent's campaign coffers keep growing allowing that officeholder to sit comfortable in their current office or to help promote higher political aspirations. Our current non term-limited system disproportionately favors entrenched incumbents.

Sacramento has history of an unusually large percentage of local elections with incumbents going unchallenged. This discourages voter participation as they are provided with no alternative to the incumbent so they don't bother to cast their ballots. Reasonably limited terms encourage greater voter participation in elections because it increases choice. Greater choice brings more spirited elections as voters can compare incumbents and challengers on their records, character and vision for the future.

Term limits also help break the ties between long-serving officials and special interests. In the case of the City of Sacramento, those special interests primarily include real estate developers and public sector employee unions.

Reasonable term limits also encourage a diversity of ideas and increase citizen participation in the election process.

Entrenched incumbency impedes ordinary people who do not intend to make a life in politics, but who may want to improve the system. These people will most likely be the source of truly new thinking, and far more likely to vote on principle, considering the right thing to do, and what is best for the city, rather than doing what will make them more acceptable to a political party and special interest patrons.

Term limits ensure competition, inclusiveness and opportunity that can otherwise be blocked by entrenched incumbency.

Signed,

Cecily Hastings

Effective Date for Proposed Charter Changes

Recommendation: City Council should use its judgment in determining the effective date of any charter changes

Recommending effective dates of proposed charter changes is beyond the scope of the Charter Review Committee's organizing resolution. The city council should use its judgment in deciding when any proposed charter changes would take effect.

Signed,

Chris Tapio

DRAFT

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Robert Waste, Ph.D., California State University, Sacramento
Henry Gardner, Executive Director, Association of Bay Area Governments
Gerald Newfarmer, CEO and President, Management Partners, Inc.
Daniel Whitehurst, Former Mayor, City of Fresno
Russell Fehr, City Treasurer, City of Sacramento
Jay Goldstone, Chief Operating Officer, City of San Diego
Matthew Hymel, County Administrator, County of Marin
Derek Okubo, Senior Vice President, National Civic League
Dave Mora, West Coast Regional Director, International City/County Management Association
Stephanie Mizuno, Assistant City Clerk, City of Sacramento
Jll LaVine, Sacramento County Registrar of Voters
Blair Bobier, Deputy Director of Political Reform, New America Foundation
Martin J. Chavez, Mayor, City of Albuquerque
Jim Patterson, Former Mayor, City of Fresno

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Coloma Community Center
Hart Senior Center
Pannell-Meadowview Community Center
Tahoe Park Elementary School
Sam Pannell Community Center
Boys and Girls Club
Christian Brothers High School
Elks Lodge
Natomas High School
South Natomas Community Center
Sam Brannan Middle School
Sierra II

COMMITTEE MEMBER BIOGRAPHIES

Bill Edgar. Bill Edgar's career in local government service spans more than 40 years, with particular emphasis in trouble shooting, program development, local government finance and intergovernmental collaboration. He served as both City Manager and Assistant City Manager for the cities of Sacramento and Pleasanton. In addition, he developed a successful record of inter-agency cooperation during his separate assignments as the executive directors for the Sacramento Housing and Redevelopment Agency, the Sacramento Transit Development Agency, the Sacramento City/County Office of Metropolitan Water Planning and the Sacramento Area Flood Control Agency. Bill served as a member and officer of the State Reclamation Board as well as other local boards and commission in Sacramento. He graduated from Haverford College in Philadelphia, Pennsylvania, and received his Masters Degree from the University of Pennsylvania, Fels Institute of State and Local Government within the Wharton School. Bill's contributions to the community have been honored by the American Society of Public Administration, the League of California Cities, the League of Women Voters and the Modern Transit Society of Sacramento.

JoAnn Fuller. Ms. Fuller is the Associate Director of California Common Cause, a nonpartisan, nonprofit citizen's lobby focused on making democracy work for all and holding government accountable. In her work for Common Cause, Fuller successfully campaigned for local government reforms on the issues of campaign finance, ethics, and lobbyist disclosure in Sacramento and California. She marched with Martin Luther King, Jr. in Selma, Alabama in the 1965 voting rights march, which inspired her to be an active participant in public interest efforts, while encouraging others to take effective action for themselves on important issues of the day.

Cecily Hastings. Cecily Hastings is the founder and publisher of Inside Publications. They produce three neighborhood newsmagazines - Inside East Sacramento, Inside The City and Inside Arden - that are direct-mailed for free to more than 50,000 homes each month. Hastings also co-founded the McKinley East Sac Neighborhood Association in 1992 and the East Sac Chamber of Commerce in 1996. She served on the boards of each for more than a decade and spearheaded numerous fund-raising efforts for neighborhood beautification, safety and schools. She has been a resident of Sacramento for 20 years.

Grantland Johnson. Grantland Johnson, a native of Sacramento, has an extensive record of public service. In addition, he has worked for a number of not-for-profit non-governmental organizations. Since, May, 2007, he has served as a Senior Advisor for Strategic Policy, with Community Housing Opportunities Corporation, Inc. (CHOC). CHOC is a twenty-five year old Davis, California based non-profit developer of affordable housing. Grantland served as the Director of Community & Economic Development, for the Sacramento Central Labor Council, AFL-CIO. Grantland was appointed by former California Governor Gray Davis to the cabinet-level position of Secretary, Health & Human Services Agency. He served in that position from January, 1999, until November, 2003. Mr. Johnson was appointed by President Clinton to the position of Region IX Director, within the U.S. Department of Health & Human Services. Grantland served ten years as a local elected official. From January, 1987-November, 1993, he served a member of the Sacramento County Board of Supervisors. And, he served as a member of the Sacramento City Council from November, 1983-December, 1986. Grantland served a combined fourteen years on the Sacramento Regional Transit District Board of

Directors, from October, 1976 through November, 1993. He was appointed by the Sacramento City Council in January, 1970, as a charter member of the Del Paso Heights Project Area Committee; the first neighborhood redevelopment project in the City of Sacramento. Most recently, he co-chaired the "Yes on Measure B" Committee that lead the successful campaign to form the Twin Rivers Unified School District. Grantland received an Associate of Arts Degree from American River Community College, and a Bachelors-of-Arts Degree, from California State University, Sacramento.

Alan LoFaso. Alan LoFaso has over 20 years of policy making experience in California state government. Also a member of the State Bar, Mr. LoFaso currently serves as Chief Deputy to Board of Equalization Chairwoman Betty T. Yee. Prior to that position, Mr. LoFaso served as Chief of Staff to state Senator Carole Migden and Governmental Affairs Director for the California Public Utilities Commission. Mr. LoFaso has developed major legislative enactments in the areas of health care, energy, taxation, and civil rights. Mr. LoFaso graduated with honors from the University of Pacific, McGeorge School of Law. Mr. LoFaso is also a member of the California Democratic State Central Committee and serves as Parliamentarian of the Democratic Party of Sacramento County and Political Action Chair of the Stonewall Democratic Club of Greater Sacramento.

Robert (Bob) Murphy. After graduating from McClatchy High School, Bob attended U C Davis and thereafter received his J D. from UC Berkeley Boalt Hall in 1967. After military service, Bob joined Kronick, Moskovitz, Tiedemann & Girard, where he has practiced since 1969 and is now a senior shareholder. Bob is a public agency, land use, development and finance attorney. Bob currently serves as a city attorney in another jurisdiction and acts as special counsel to several cities, districts and schools. His experience includes all matters of municipal law, public and private finance, land use and redevelopment. Bob counsels private clients in the areas of finance and development law, negotiating complex transactions and ensuring regulatory compliance. Bob is a former Regent of the University of California and currently serves as the Chair of the UC Davis Chancellor's Club and on the UC Davis Foundation Board. Bob previously served as the chair of the boards of United Way Sacramento and KVIE Channel 6 and as an adjunct professor of law at Mc George Law School on Local Government.

Chester A. (Chet) Newland. Chester A. (Chet) Newland is a teacher at the University of Southern California, where he is the Duggan Distinguished Professor of Public Administration. He has been at USC's State Capital Center in Sacramento since 1984. He was a Sacramento Discovery Museum Trustee, 1993-1995. He has been an honorary member of the International City/County Management Association (ICMA) since 1980, following earlier involvement in local government affairs since the 1950s. He now serves on the Association's Credentialing Advisory Board, and he is also a member of the Cal-ICMA Board, 2003-2009. Dr. Newland was the initial director of the Lyndon B. Johnson Presidential Library, first working at the White House and then in Austin to establish that institution. He served twice as director of the Federal Executive Institute (FEI), the U.S. Government's training and development center for top executives. He managed the Labor-Management Relations work of the U.S. Civil Service Reform Act (Title VII) of 1978, which continues as today's framework. He has worked extensively internationally. Since 1975, he has been a Fellow of the Congressionally Chartered National Academy of Public Administration (NAPA).

Chris Tapio. Chris Tapio is a lifelong student of government and politics. He earned a degree in Political Science from UC Davis and has worked in the field for the last sixteen years. He is currently

the president of a public policy and campaign consulting firm located in downtown Sacramento. Chris and his family live in the Pocket area, where he enjoys walking his two children to school each morning.

John Taylor. John Taylor is a land use lawyer who appears before local planning bodies throughout the Sacramento Region. He has been a Sacramento City resident since 1981. For ten years he taught land use law at McGeorge School of Law and prior to moving to Sacramento was a political science professor at San Diego State University. Mr. Taylor is a graduate of Chico State (B.A., Political Science) and the University of Arizona (M.A., Ph.D., Political Science, J.D.). He is the father of two college sons (University of San Diego and Chico State) and twin daughters who are high school seniors. His wife was formerly a land use planner for Sacramento County and is now an art student at Sacramento City College.

Tina Thomas. Tina is a founding partner at Remy, Thomas, Moose and Manley, LLP where she served as the managing partner for 28 years and is currently of counsel to the firm. She and late law partner Michael Remy founded the practice in 1982. The Sacramento County Bar Association named Tina "Distinguished Attorney" in 2005. Along with her former partners, Tina co-authored the "Guide to the California Environmental Quality Act" which is in its 11th edition (2006). Tina's clients include governmental agencies and developers and her practice focuses on the environmental and entitlement process in both administrative and judicial forums. Tina serves on a number of nonprofit boards – including Sacramento Food Bank Services and Valley Vision – and provides pro-bono representation to social-service organizations such as Francis House, Works in New Directions (WIND Center for Homeless Teens), Loaves & Fishes, WEAVE, Union Gospel Mission and The Moral Values Program. Tina received her BA from Stephens College and her law degree from the University of San Diego.

Jay Wisham. Jay Wisham is a firefighter with the City of Sacramento. Over the last fifteen years, he has worked in fire stations in several areas of the City, including four years in Del Paso Heights, 5 years downtown, 2 years Oak Park, and most recently at station 10 at Fruitridge and 66th. Although he was raised in the Pocket area of Sacramento, working in each of these fire stations has educated Mr. Wisham about the needs of many of the City's neighborhoods. Growing up, his father was the Assistant City Manager for the City of Sacramento, and his mother was a communications professor at Sacramento State University. Jay's wife is an attorney with Legal Services of Northern California, the legal aid program for Sacramento. They have two children and have lived in Curtis Park for ten years.

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Appendix A

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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.

amended to meet the City's needs into the future.

(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.

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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

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Appendix B

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RESOLUTION NO. 2009-559

Adopted by the Sacramento City Council

August 25, 2009

REPEALING RESOLUTION 2009-095 AND RESTATING AND REVISING THE CHARGE TO THE 2009 SACRAMENTO CHARTER REVIEW COMMITTEE

BACKGROUND

A. On February 17, 2009, the City Council adopted Resolution 2009-095, creating the 2009 Sacramento Charter Review Committee ("SCRC"), for the purpose of having representatives of the City's citizenry review the Sacramento City Charter and make recommendations to the Council regarding Charter changes needed.

B. Pursuant to Resolution 2009-095, the SCRC was to have submitted a written report of final recommendations in January 2010.

C. On August 6, 2009, after certifying the requisite number of elector signatures for a proposed Charter amendment initiative, the City Council decided to place the Charter amendment initiative on the June 8, 2010, ballot.

D. If, after receipt of the SCRC's report, the City Council decides to place a separate Charter amendment measure on the June 8, 2010, ballot, time must be afforded for appropriate public and Council discussion and action.

E. To provide sufficient time for public and Council input on a possible Charter amendment measure, as well as sufficient time for necessary staff and Council action, the SCRC's scope and timetable must be modified.

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

Section 1. Repeal

Resolution 2009-095 is hereby repealed; provided, however, that the 2009 Sacramento Charter Review Committee ("SCRC"), as it existed on August 24, 2009, shall continue as provided in this resolution.

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.

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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.

(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 and August 2009.

(d) To present a written report of final recommendations on the issues described in Section 5 of this Resolution to the City Council on or before November 3, 2009.

(e) 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 committee 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 7 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. The following issues shall be addressed in a written 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) Term limits.

(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 final written report 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. Supplemental Reports

(a) On or before December 1, 2009, the SCRC shall provide to Council a written report of final recommendations on the following issues: full-time status for Council members and issues related to full-time status for Mayor and Council.

(b) On or before January 19, 2010, the SCRC shall provide to Council a written report of final recommendations on the following issue: primary/general election scheduling and instant run-off elections.

(c) The reports submitted pursuant to this Section 6 shall comply with Section 5, subsections (c), (d), and (e).

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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 August 25, 2009 by the following vote:

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

Noes: Mayor Johnson.

Abstain: None.

Absent: None.

Mayor Kevin Johnson

Attest:

Shirley Concolino, City Clerk

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ATTACHMENT 4

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:

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amended to meet the City's needs into the future.

(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.

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(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:

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(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.

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ATTACHMENT 4

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

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Appendix C

Sacramento Charter Review Committee
Proposed Benchmark Cities

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	City	Population	Current Governmental Structure
1	Los Angeles	4,065,585	Mayor-Council-Commission
2	Phoenix*	1,552,259	Council-Manager
3	San Diego	1,353,993	Mayor-Council
4	San Antonio	1,328,984	Council-Manager
5	San Jose	1,006,892	Council-Manager
6	Austin*	743,074	Council-Manager
7	El Paso	606,913	Council-Manager
8	Seattle	594,210	Mayor-Council
9	Fresno	495,913	Mayor-Council
10	Long Beach	492,682	Council-Manager
11	Oakland	425,068	Mayor-Council
12	Cincinnati	364,040	Council-Manager
	Sacramento*	**481,097**	**Council-Manager**

** State Capitols*

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Appendix D

Sacramento Charter Review Committee
Benchmark Cities Matrix

Updated June 3, 2009

		Sacramento*	Certified Initiative	Los Angeles	Phoenix*	San Diego	San Antonio	San Jose	Austin*
GENERAL INFORMATION									
Population		475,000	475,000	4,065,585	1,552,259	1,336,865	1,328,984	1,006,000	743,074
Number of Full-time Employees (approximate)		4,100	4100	40,000	17,297	10,729	12,000	6,985	3,700
Unified Legislative and Executive Branches?		Yes	No	No	Yes	Yes	Yes	Yes	Yes
No. of Voting Council/Board Members		9	9	15	9	9	11	11	7
Form of Government		Council-Manager	Mayor-Council	Mayor-Council-Commission	Council-Manager	Mayor-Council - Trial - Sunsets December 2010	Council-Manager	Council-Manager	Council-Manager
Is the Mayor Full-Time or Part-Time?		Full-Time	Full-Time	Full-Time	Full-Time	Full-Time	Part-time	Full-Time	Part-Time
Do Council/Board Members Serve Full-Time or Part-Time?		Part-Time	Part-Time	Full-Time	Full-Time	Full-Time	Part-time	Full-Time	Part-Time
Are Council/Board Members Elected by District or At-Large?		District	District	District	District	District	District	District	At-Large
Length of Mayoral Term?		4 years	4 years	4 years	4 years	4 years	2 years	4 years	3 years
How Long May the Mayor Serve?		Unlimited	Unlimited	2 terms	2 terms	2 terms	4 terms	2 terms	3 terms
Length of Council/Board Term?		4 years	4 years	4 years	4 years	4 years	2 years	4 years	3 years
How Long May Council/Board Members Serve?		Unlimited	Unlimited	3 terms	3 terms	2 terms	4 terms	2 terms	3 terms
APPOINTMENT POWER									
Who Appoints the...	City Manager	Council	Mayor w/ Council Confirmation	Mayor	Council	Mayor with Council Confirmation	Council	Council	Council
	City Treasurer	Council	Mayor w/ Council Confirmation	Mayor	N/A	Chief Financial Officer	N/A	Council	N/A
	City Clerk	Council	Mayor w/ Council Confirmation	Mayor	Council	Council	Council	Council	Council
	City Attorney	Council	Mayor w/ Council Confirmation	Elected	Council	Citizens - Elected	City Manager with Council Confirmation	Council	City Manager
	Department Directors	City Manager	Mayor	Mayor	City Manager	Mayor	City Manager	City Manager with Council Confirmation	City Manager
	Commissioners/Committee Members	Mayor	Mayor	Mayor	Council	Mayor	Council	Council and Mayor	Council
	Subordinate Staff	Department Directors	Mayor	Department Directors	Deartment Directors	Department Directors	Department Directors	Department Directors	Department Directors
Are Mayor's Appointees Automatically Confirmed if No Council Action?		N/A	N/A	Yes	N/A	Yes, unless otherwise stated	N/A	N/A	No
Excluding Mayor's Office, Number of Employees Appointed by Mayor		0	500-800	25	0		0	0	0
LEADERSHIP RESPONSIBILITIES									
Who is Responsible for Administration of City?		City Manager	Mayor	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Who Proposes Annual Budget?		City Manager	Mayor	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	Yes	N/A	Yes	N/A	N/A	N/A
Who Supervises intergovernmental Relations Function?		City Manager	Mayor	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
Who is Responsible for the City's Emergency Response Activities?		City Manager	Mayor	Mayor	City Manager	Mayor	City Manager	City Manager	City Manager
May issue executive orders that are not inconsistent with City Code/Ordinance		No	No	Mayor	City Manager	Mayor Can issue Administrative Regulations	No	No	No
OTHER									
What Officers are included in the Charter?	Mayor	No	Yes	Yes	Elected	Elected	Elected	Yes	Elected
	Council/Board	No	No	Yes	Elected	Elected	Elected	Yes	Elected
	City Manager	Yes	No	Yes	Yes	No	Yes	Yes	Yes
	City Attorney	Yes	No	Yes	Yes	Elected	No - Under City Manager	Yes	No
	City Clerk	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
	City Treasurer	Yes	No	Yes	No	Yes	No	No	No
	City Controller	N/A	N/A	Yes	No	Yes	No	No	No
	Chief Administrative Officer of Each Department	No	No	Yes	No			Yes	No
	Members of the Boards/Commissions	No	No	Yes	No			Yes	No
Does Mayor Vote?		Yes	No	No	Yes	No	Yes	Yes	Yes
Does Mayor Have Veto?		No	Yes	Yes	No	Yes	No	No	No
Does the Charter Provide for a Council President?		No	Yes	Yes	No	Yes, Presiding Officer	Yes - Mayor	No	No
Who Retains all Residual Powers?		City Council	Unclear	Mayor/Council	City Council		City Council	City Council	City Council
Does the City have an Ethics Commission?		No	No	Yes	No	Yes	Yes - Review Board	Yes - Review Board	Yes

* Capitol Cities

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Sacramento Charter Review Committee
Benchmark Cities Matrix

Updated June 3, 2009

		Sacramento*	El Paso	Seattle	Fresno	Long Beach	Oakland	Cincinnati
GENERAL INFORMATION								
Population		475,000	606,913	594,210	495,913	492,682	425,068	364,040
Number of Full-time Employees (approximate)		4,100	6,300	t0,000	3,700	5,810	4,200	5,320
Unified Legislative and Executive Branches?		Yes	Yes	No	No	Yes	Yes	Yes
No. of Voting Council/Board Members		9	9	9	7	9	8 + Mayor if tie	9
Form of Government		Council-Manager	Council-Manager	Mayor-Council	Mayor-Council	Council-Manager	Mayor-Council	Council-Manager
Is the Mayor Full-Time or Part-Time?		Full-Time	Part-Time	Part-Time			Full-Time	
Do Council/Board Members Serve Full-Time or Part-Time?		Part-Time	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	10 years	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	10 Years	Unlimited	2 terms	2 years	Unlimited	8 Years Total
APPOINTMENT POWER								
Who Appoints the...	City Manager	Council	Council	Mayor with Council Approval	Mayor	Council	Mayor with Council confirmation	Mayor + 5 Council
	City Treasurer	Council	N/A	Mayor with Council Approval	N/A	N/A	Elected	N/A
	City Clerk	Council	City Manager	Council	Council	Council	City Administrator	Mayor + 5 Council
	City Attorney	Council	Mayor with Majority Vote of Council	Elected	Council	Elected	Elected	City Manager
	Department Directors	City Manager	City Manager	Mayor with Council Approval	City Manager	City Manager	City Administrator	City Manager
	Commissioners/Committee Members	Council	Council	Some Mayor/ Some Council/ Some Other	Mayor	Some Mayor/some Council	Council	Mayor + 5 Council
	Subordinate Staff	Department Directors	City Manager		Department Directors	Dept. Directors with City Manager input	Department Directors	Department Directors
Are Mayor's Appointees Automatically Confirmed if No Council Action?		N/A	N/A			No		No
Excluding Mayor's Office, Number of Employees Appointed by Mayor		0	0			0		
LEADERSHIP RESPONSIBILITIES								
Who Is Responsible for Administration of City?		City Manager	City Manager	Mayor	City Manager	City Manager	City Administrator	City Manager
Who Prepares Annual 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	No	N/A	No	N/A
Who Supervises Intergovemmental Relations Function?		City Manager	City Manager	Mayor's office	City Manager under General City Purpose Dept.	City Manager	City Administrator	City Manager
Who Is Responsible for the City's Emergency Response Activities?		City Manager	Fire Dept	Mayor	City Manager - Fire Dept.	City Manager	N/A	City Manager
May Issue executive orders that are not inconsistent with City Code/Ordinance		N/A	No	Yes	No	No	No	N/A
OTHER								
What Officers are Included in the Charter?	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/Commissions	No	No	Yes		Yes	No	
Does Mayor Vote?		Yes	Yes	No	No	No	Only if tie	No
Does Mayor Have Veto?		No	Yes (3.5E)	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	City Council	?	Mayor	Yes		City Council
Does the City have an Ethics Commission?		No	Yes	Yes	No	No	Yes	No

* Capitol Cities

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Appendix E

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Sacramento Charter Review Committee

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Appendix F

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Sacramento Charter Review Committee
Frequently Asked Questions (FAQs)

What is a city charter?
A city charter is a unique document that, in many ways, acts like a constitution for the city. The charter can only be amended or repealed by a majority vote of a city's voters.

When was the City's charter adopted?
The City's current charter dates from 1921. There have been numerous amendments over the years, but no comprehensive review in decades.

What is the purpose of the Charter Review Committee?
The Committee is an advisory body to the City Council and will be reviewing the City's current charter and making recommendations to the City Council for amendments.

How were the 11 Charter Review Committee Members selected?
Each Councilmember and the Mayor appointed one member each. Two additional members were appointed at large by the City Council through an application and interview process.

How long will the Charter Review Committee's review take?
The Charter Review Committee's first meeting was held April 2, 2009. The Committee is required to present a written report of recommendations to the City Council on November 3, 2009. Supplemental reports are due to the City Council in December 2009 and January 2010.

When are Charter Review Committee meetings held?
With a few exceptions, Charter Review Committee meetings are generally held the first Thursday and third Monday of each month at 6:00 p.m. A comprehensive meeting calendar is posted on the City's Charter Review Committee website at www.cityofsacramento.org/charter.

What issues will the Charter Review Committee examine?
The governing resolution requires the Committee review the following charter issues:

- The City's governance structure (Mayor-Council vs. Council-Manager, and the issues related thereto);
- The delegation and/or reservation of City powers
- Appointment and removal of City officers and employees
- The City budget process
- Full-time status for Council members and issues related to full-time status for Mayor and Council
- Term limits
- Ethics Commission

How can I participate in the process?
Charter Review Committee meetings are open to the public and are held in the City Council Chambers at 915 I Street. Every meeting includes a public comment period. The meetings are also streamed live over the internet via the City's website at www.cityofsacramento.org. Meeting agendas and video archives of the meetings are also posted on the City's website. Comments may be provided to the Charter Review Committee by visiting the Charter Review Committee website at www.cityofsacramento.org/charter and clicking on the "Share Your Comments" link on the left column.

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Appendix G

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City of Sacramento
History of Charter Amendments

Election Date	# of Issues	Issue	Pass or Fail
11/07/1933	4	Pension	P
		Veterans Preference	P
		Closing Polls	P
		Payment of Claims	P
11/05/1935	3	Taxation	P
		Police	P
		City Employees	P
11/02/1937	7	Ordinance/Codes	P
		Representation System	P
		Proportional Voting	P
		Names on Ballot	F
		Regulation Elections	P
		Canvass of Vote	P
		Municipal Bond Elections	P
03/28/1939	1	Changing Fiscal Year	P
11/05/1940	5	Initiative and Referendum	P
		Retirement System	P
		Contracts and Bids	P
		Powers and Claims	P
		Municipal Elections	P
11/06/1945	7	Financial Provisions, Powers and Duties of the City Manager, Authorizing Certain Contracts and Purchases	P
		Composition and Terms of Council, Meetings, Acting Mayor, Salaries and Elections	F
		Annual Budget, Appropriation Ordinance and Tax Levy	P
		Veterans' Preference, Hours of Duty of Firemen; & Vacation of all City Employees	P
		Qualifications of Councilmen, Nominations, Declaration of Candidacy, Nomination Petitions and Application of the General Law to Elections	P
		Police Court, Appointments by the City Council, Investigation by City Council and Duties of City Attorney	F
		General Qualifications of City Employees	P
11/04/1947	3	Council Salary	P
		Fireman's Age	P
		Advertising	P
11/02/1948	2	Off-Street Vehicular Parking	P
		Extending Leasing Powers	P
11/08/1949	5	Tax Levy	P
		Civil Service	F
		Advertising for Bids	P
		Retirement System	P
		Official Advertising	F

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Election Date	# of Issues	Issue	Pass or Fail
11/06/1951	3	Term of Council	F
		Personnel Office	P
		Power to Administer Oath	P
11/04/1952	2	Term of Utility Franchises	P
		Retirement System	P
11/03/1953	1	Civil Service Board Salary	F
11/02/1954	2	Increased Pension to Retired Persons	P
		Term of the Council	F
11/06/1956	3	Transfer City Health Department to Sacramento County	P
		Transit Authority	P
		Salaries of City Council	F
11/05/1957	2	Increase Mayor's Expenses	P
		Change in Employees Retirement System	P
11/04/1958	4	Residence Requirements for Councilmen	P
		Residence Requirements for Employees	P
		Increase Civil Service Board from 3 to 5	P
		Compensation for Civil Service Board, Retirement Board and Planning Commission	P
05/19/1959	3	Increased Pension to Retired Persons	P
		Social Security Coverage for City Employees	P
		Minor Changes in Retirement System	P
11/03/1959	1	Elective School Board	P
11/08/1960	3	Civil Service	P
		Letting of Contracts	P
		Salaries of Councilmen	F
06/05/1962	1	Increased Pension to Retired Persons	P
11/06/1962	1	Eliminate Office of City Prosecutor	P
11/05/1963	3	Initiative and Referendum	P
		4-Year Terms for Councilmen	F
		Payment to Housing Code Board Members	P
11/02/1965	2	City Employees Transferred to Sacramento County	P
		Control of Streets	P
11/08/1966	2	Employee Retirement System	P
		Elimination of 2 Years Experience Requirement in Department of Law	P
11/07/1967	2	Retirement Cost of Living	P
		Financial Provisions	P
06/04/1968	2	Qualifications of Officers and Conduct of Elections	P
		Dismissal of City Employees	P
06/24/1969	1	Election of 10 Councilmen and Mayor (11th district); Qualification of Office; Duties for Mayor; Term Staggering; Compensation of Councilmen; Compensation of Board Members	F
11/04/1969	3	Residency Requirements for City Employees	F
		Letting of Contracts	P
		Awarding of Contracts	P

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Election Date	# of Issues	Issue	Pass or Fail
06/02/1970	1	Sacramento City Employees Retirement System	P
11/03/1970	11	Election of 8 Councilmen by District and Mayor Citywide (as 9th member of the Council); Staggered 4-Year Terms; Require 1-Year (Mayor) 1 1/2-Year (Council) Residency; and Procedure for Districts and Conduct of District Election	P
		Election of 8 Councilmen (2 Nominated From Each District to be Elected Citywide); Mayor Elected Citywide (9th Councilmen); Staggered 4-Year Terms; Require 1-Year (Mayor) 1 1/2-Year (Council) Residency; and Procedures for Districts and Conduct of Elections	F
		Election of 8 Councilmen At-Large Citywide; Mayor Elected Citywide (9th Councilmen); Staggered 4-Year Terms; Require 1-Year Residency for All	F
		Election of 8 Councilmen At-Large Citywide; Mayor Elected Citywide (9th Councilmen); Require 1-Year Residency for All	F
		Retain the Form of Government Except to: a) Stagger 4-Year Terms for All; and b) Require 1-Year Residency for All	F
		Retain the Form of Government Except Require 1-Year Residency for All	F
		Relating to Compensation of Mayor and Councilmen under general state law; Mayor to receive 1 1/2 times compensation for Councilmem.	F
		Relating to Commencement of Term of Office of the Council [21 Days After Nov Election]	P
		Elimination of Civil Service Board Salary Survey	F
		Procedures for Submission and Adoption of Annual City Budget	P
		Eliminate Residence Requirement of City Employees Except for Public Heath and Safety Reasons to be Established by Civil Service Board	P
09/21/1971	8	Federally Assisted Low Rent Housing	P
		Binding Arbitration of Certain Labor Negotiation Impasses (Charter Initiative)	F
		Relating to Compensation of Mayor and Councilmen	F
		Relating to Compensation of Mayor and Councilmen	F
		Board of Education Residency Requirement and Salary	F
		City Board and Commission Members Salary and Compensation	P
		Letting of Contracts for Public Works and Supplies, & Execution of Contracts	F
		Consolidation of City/Council Library System	P
11/02/1971	7	Obsolete and Superseded Charter Sections	P
		Franchises, Licenses, Permits, Leases and Sales	P
		Initiative, Referendum and Recall	P
		Consolidation of City/County Departments	F
		Method of Payment of Salaries	P
		City Entertainment and Advertising Fund	F
		Public Transportation System	P
06/06/1972	3	City Purchases and Contracts	P
		Consolidation of City/County Departments	P
		Retirement Benefits for Transferred Employees	P
11/07/1972	9	Salaries of Mayor and Councilmembers	F
		Salaries of Mayor and Councilmembers	F
		Election of Member of Board of Education of Sac City Unified School District	F
		Election of Member of Board of Education of Sac City Unified School District	F
		Election of Member of Board of Education of Sac City Unified School District	F
		Conflict of Interest and Removal from Office	P
		Probationary Period for City Employees	P
		City Employee Retirement Benefits	P

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Election Date	# of Issues	Issue	Pass or Fail
		City Entertainment and Advertising Fund	F
04/17/1973	2	Conflict of Interest and Removal from Office	P
		Secondary Employment for Police Officers and Firefighters	P
11/06/1973	4	Salaries of Mayor and Councilmembers	F
		Elimination of Civil Service Board Salary Survey	P
		Elimination & Modification of Certain Sections in the Personnel Mgmt. Area	P
		Modification of the Disability Provisions of the Retirement System	P
06/04/1974	1	Sacramento City Employees Retirement System	F
11/04/1975	1	Employee Development Programs	P
06/08/1976	3	Election of Member of Board of Education of Sac City Unified School District	P
		Method of Enacting Ordinances	P
		Appointment of Hearing Officers by Civil Service Board	P
11/02/1976	1	Retirement of City Employees and Requiring Employees to Join State PERS	P
09/27/1977	2	Eliminating Unnecessary and Unclear Language in Charter; Minor Revisions	P
		Official Salaries Commission for Mayor, Council and Agencies on Which Members Serve	F
09/25/1979	5	Multipurpose Sports Stadium (Enacting Ordinance Initiative Failed)	P
		Multipurpose Sports Stadium (Enacting Ordinance Initiative Failed)	P
		Civil Service and Other Personnel Matters	F
		Sacramento City Employees Retirement System Cost of Living and Survivor Benefits	P
		Appointment of Former Council Members to Commissions	F
11/04/1980	5	Civil Service and Other Departmental and Personnel Matters	F
		Veterans' Preference	P
		Salaries of Employees	P
		Date Elected Officials Take Office	P
		Adoption of Ordinances	P
11/02/1982	5	Civil Service and Personnel Matters	F
		Employee Discipline Procedures and Other Personnel Matters	F
		Districts with City Consolidated, Merged, Incorporated, Annexed or Contracts for Service Area	P
		Employee Vacation Allowance	F
		Longevity Pay for City Employees	F
06/06/1984	1	Retirement Benefits Increase and Special Tax	F
09/22/1987	1	Designated Up to 4 Weeks Per Year When Council Meetings Not Held	P
11/08/1988	1	Contracts for Public Projects/Competitive Bid	P
06/06/1989	1	Transfer of SCERS Employees to PERS	P
09/26/1989	1	Primary and General Elections Held on Same Dates and Statewide Elections	P
11/06/1990	1	Appointment of Employees From List of Highest 3 Scoring Ranks	P
11/05/1996	1	Mandatory Binding Arbitration for Police Department Employees (Initiative)	P
06/02/1998	1	Mandatory Binding Arbitration for Fire Department Employees	P
03/05/2002	1	SCERS Definition of Final Compensation	F
11/05/2002	1	Full Time Mayor and Compensation Commission	P

54 Elections 156 Issues From 1933 to 2002

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Appendix H

Sacramento City Charter Proposals

The City of Sacramento Charter Review Committee's final report provides an alternative to the "strong-mayor" certified initiative that will appear on the June 2010 ballot **exactly as written**. The City Council will decide in coming months whether to place a competing measure on the June 2010 ballot.
This chart outlines the city's current structure and the two proposed changes.

	Current Charter	Review Committee Proposal	Strong-Mayor Certified Initiative
Mayor's Role	Mayor serves as a member of the City Council. Mayor has no veto power	Mayor serves as a member of the City Council. Mayor has no veto power.	Mayor is CEO of the city & assumes the City Manager's powers. Mayor does NOT sit with Council at weekly public meetings & has authority to veto City Council decisions. Some exceptions apply. 6 or more council votes to override veto.
Appointment of City Manager	Council appoints City Manager with Council confirmation	**Mayor appoints City Manager with Council confirmation**	Mayor appoints City Manager with Council confirmation
Appointment of Charter Officers: City Clerk, City Treasurer, City Attorney	City Council appoints these officials.	City Council appoints these officials.	Mayor appoints these officials.
Appointment of Department Directors and Exempt Management Appointments	City Manager appoints these 800 +/- employees.	City Manager appoints these 800 +/- employees.	Mayor appoints all heads or directors of departments. Majority concurrence of City Council required. All other 800 +/- employees serve at the discretion of the Mayor.
Budget Powers	City Manager makes budget recommendations to Council and Mayor.	**Mayor develops policy priorities for the budget that are subject to City Council review & directs the City Manager to develop budget. City Manager makes budget recommendations to Council and Mayor.**	Mayor creates budget. City Council can vote to modify it.
Term Limits	None	None	None
Transition Time	NA	**Nov. 2012 with next mayoral election**	45+/- Days after June 2010 election

This chart is for illustrative purposes and may not contain all the exact details of each item. Prepared by Inside Publications with thanks to Sacpress.com

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