



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

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Staff
February 17, 2009

Honorable Members of the
Law and Legislation Committee

Title: Proposed Amendments to City Code Section 2.40.120 Relating to
Consecutive Terms for Board and Commission Members

Location/Council District: Citywide

Recommendation: Approve an Ordinance amending City Code Section 2.40.120 to include the Compensation Commission as a board/commission that is excluded from consecutive terms limits and forward to the full City Council with recommendation of approval.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-7200
Patti Bisharat, Director of Governmental Affairs, 808-8197

Presenters: Patti Bisharat, Director of Governmental Affairs, 808-8197

Department: City Clerk's Office and City Manager's Office

Division: N/A

Organization No: 04001011

Description/Analysis

Issue: One full term of appointment on the Compensation Commission is four years. Members are restricted to serving two consecutive terms, or a total of eight years. Although this appears to be a long period of time, the Commission only meets once per year thereby members actually serve very little time compared to other city advisory boards. After 8 to 10 meetings over a period of 8 years, members finally achieve the needed level of knowledge needed for this Commission. Disqualifying incumbent members at a time when their knowledge is most effective is counter productive to efficient governmental processes.

Policy Considerations: Provide an exception to the two-term limit and allow the Mayor and City Council the opportunity to re-appoint experienced incumbent members who would have otherwise been excluded from consideration.

Environmental Considerations: None.

California Environmental Quality Act (CEQA): None.

Sustainability Considerations: None.

Commission/Committee Action: None.

Rationale for Recommendation: To give the City Council the opportunity to re-appoint individuals who are fully knowledgeable and qualified to serve on the Commission.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

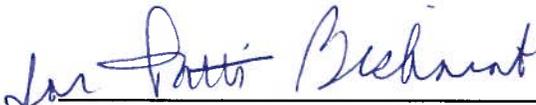
Respectfully Submitted:



Patti Bisharat

Director of Governmental Affairs

Approved:



Ray Kerridge
City Manager

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ATTACHMENT 1

Background:

Sacramento City Charter Section 29 establishes a Compensation Commission for the purpose of determining the compensation for the mayor, members of the city council, and public members of city boards and commissions. The Compensation Commission is comprised of five members who serve four year terms. The Commission shall meet at least once a year. Although the Charter does not provided for term limits for this Commission, City Code Section 2.40.120(D) applies a two-term limitation on those boards or commissions that have less restrictive limits. As the formation documents of this Commission do not address the issue of term limits, the City Code limit of two terms would apply.

At the Commission's inception in 20##, the Commission met several times in the first two years in order to establish the foundational policies and procedures associated with the Commission's charge. Over the past several years, the members have become more knowledgeable and only meet one time per year. Taking into consideration the once-a-year meeting schedule, and a possible service length of eight years, members are termed out after only 8 to 10 meetings.

Other board positions under City Code currently excluded from the consecutive term limits include one seat on the Joint City/County Disabilities Appeals Board, twelve seats on the Stockton Boulevard Redevelopment Advisory Committee, and two public seats on the Administration, Investment and Fiscal Management Board of the city employee's retirement system.

The proposed change would not restrict the Council's privilege to limit any individual member's service on the Commission. The requirement that every eligible member re-apply for consideration of a new term would still apply. This provides the Council with the ability to re-appoint educated individuals who possess the knowledge necessary to make prudent decisions regarding compensation.

Staff is recommending that the Law & Legislation Committee support the exclusion of the Compensation Commission from consecutive term limits and forward this issue to the full City Council for approval.

ATTACHMENT 2

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE AMENDING SECTION 2.40.120 OF THE
SACRAMENTO CITY CODE RELATING TO
CONSECUTIVE TERM LIMITS FOR
CITY BOARD AND COMMISSION MEMBERS**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

Subsection B of Section 2.40.120(B) of the Sacramento City Code is hereby amended to read as follows:

A. No person appointed to any board or commission by the mayor with the concurrence of the city council or by the city council shall be appointed to serve more than two consecutive terms.

B. Subsection A of this section shall not apply:

1. If the appointee is the mayor or a member of the city council;

2. If the appointee is appointed jointly by the mayor or city council and any other appointing authority;

3. To the administration, investment and fiscal management board of the city employee's retirement system; and

4. To the compensation commission.