

**MINUTES
CITY COUNCIL CHARTER REVIEW AD-HOC COMMITTEE
MEETING OF AUGUST 31, 2015**

Council Chambers, City Hall

1. CALL TO ORDER/ROLL CALL

Roll Call

Present:

Elbert Holman

Anthony Silva

Christina Fugazi

2. PUBLIC COMMENT*

None

3. ITEM(S) FOR DISCUSSION

3.1 15-1704 APPROVAL OF AD-HOC COMMITTEE MINUTES

Legislation Text

Attachment A - 2014-03-26 Minutes for Approval

Attachment B - 2015-05-12 Minutes for Approval

Approve **Motion 2015-08-31-0301** approving the minutes of the March 26, 2014 and May 12, 2015 Charter Review Ad-Hoc Committee meetings.

Moved by: Anthony Silva, seconded by Christina Fugazi.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

3.2 15-1868 DISCUSSION REGARDING EXPANDING THE SCOPE OF WORK FOR THE CHARTER REVIEW ADVISORY COMMISSION

Legislation Text

Attachment A - SECTION 1102 Powers and Duties

Attachment B - SECTION 1151 Public Information Officer

Deputy City Manager Scott Carney provided the staff report

Approve **Motion 2015-08-31-0302** instructing staff to create language to include funding in the annual budget for the Mayor's appointed Public Information Officer in Section 1151 or consider eliminating Section 1151 and incorporating this language in Section 1102

Moved by: Christina Fugazi, seconded by Anthony Silva.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

3.3 **15-1953 ARTICLE II THE POLITICAL (ELECTION) DISTRICTS**

Legislation Text

Attachment A - Current Charter Language

Attachment B - CRAC's Proposed Recommendation

Attachment C - CRAC's Argument for District Voting

Attachment D - Staff Proposed Charter Revisions

Deputy City Manager Scott Carney provided the staff report

Public Comment

Marcie Bayne, Commissioner-Charter Review Advisory Commission - noted her opposition to the recommendation from CRAC; favored having a full time Mayor that is elected by the voters; supported District voting for the election of Councilmembers; supported increasing number of districts to eight with the Mayor being elected citywide; supports creating an Advisory Commission to redraw district boundaries; recommended revising language to include how the 2018 election would be conducted with the increased districts and when the Advisory Commission could draw the new district boundaries

Ralph White, Commissioner-Charter Review Advisory Commission - supports having nine Council districts; drawing of district boundaries, supports drawing the districts as they were when he was on the Council

Peter Viri, Commissioner-Charter Review Advisory Commission - authored the committee's recommendation of 9 Council districts with the Councilmembers electing the Mayor; noted the vote of Charter Review Advisory Commission was 10-3 in favor of this recommendation; noted in early Stockton history the Mayor was elected from Council; supports a Councilmember having experience on the Council before becoming Mayor

Ralph White, Commissioner-Charter Review Advisory Commission - suggested putting both proposals, the 8 districts plus a Mayor to be elected at-large, and the 9 districts with the Mayor being selected from the Councilmembers on the ballot

Approve **Motion 2015-08-31-0303-01** approving a revision to Section 200, establishing eight Council districts plus a Mayor at large, to be sent to the full Council for consideration and allowing the City Attorney time to work with the Charter Review Advisory Commission to develop language that will address the mechanical piece of this revision.

Moved by: Anthony Silva, seconded by Christina Fugazi.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

Approve **Motion 2015-08-31-0303-02** making no changes to the existing Charter language in Section 602.

Moved by: Anthony Silva, seconded by Elbert Holman.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

City Attorney John Luebberke recommended that the Charter Review Ad-hoc Committee allow the Charter Review Advisory Committee to look at Section 606 again because the recommendation was different when the Mayor and Councilmembers were separate offices.

Approve **Motion 2015-08-31-0303-03** to send Section 606, Term Limits, back to Charter Review Advisory Commission for review.

Moved by: Christina Fugazi, seconded by Anthony Silva.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

Approve **Motion 2015-08-31-0303-04** making no changes to the existing Charter language of Section 703

Moved by: Anthony Silva, seconded by Christina Fugazi.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

Dale Stocking, Commissioner-Charter Review Advisory Commission - favors Charter Section 704 contain the language 50% plus one to define majority

Ralph White, Commissioner-Charter Review Advisory Commission - opposes double election, they are expensive; favors winner take all for district elections in November

Approve **Motion 2015-08-31-0303-05** to accept the proposed language and add clarifying language to the recommendation of Section 704 defining the word majority to mean 50%+1.

Moved by: Elbert Holman, seconded by Anthony Silva.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

Peter Viri, Commissioner-Charter Review Advisory Commission - favored language in Section 1102 as proposed

Dale Stocking, Commissioner-Charter Review Advisory Commission - recommended removing the language from the Charter entirely and move language to the Municipal Code

Ralph White, Commissioner-Charter Review Advisory Commission - shared personal interpretation of Charter language

Ralph White, Commissioner-Charter Review Advisory Commission - spoke to Charter, budget

Approve **Motion 2015-08-31-0303-06** recommendations to Section 1102 as follows: Section e: no changes to existing Charter language; Section f: revise language to allow the Mayor to serve as a member of a committee; Section h: no changes to existing Charter language; Section n: add language to budget funding for two positions in the Mayor's office to be appointed by the Mayor removing the proposed language "with advice and consent from Council"; Staff to come back with appropriate language to meet the recommendations of the Ad-hoc Committee

Moved by: Christina Fugazi, seconded by Anthony Silva.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

Member Fugazi - Section 1103 asked for clarification regarding filling a vacancy by appointment or election

Vice Chair Silva suggested no changes to the proposed language of Charter Section 1103, to read as follows: During the temporary absence or disability of the Mayor, the Vice Mayor shall act as Mayor. In case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall elect one (1) of its members to be Mayor pro tempore. In case of vacancy in the office of the Mayor, the Vice Mayor shall act as Mayor until such vacancy can be filled as provided in this Charter.

City Attorney John Luebberke asked to revisit discussion on Section to clarify the desire of the Ad-hoc committee with regard to the language of Section 1103.

The Ad-hoc committee agreed to make no changes to the existing Charter language of Section 1103.

3.4 **15-1955 ARGUMENT DELETING ARTICLE IV THE CITY COUNCIL SECTION 409 STATEMENT OF POLICY**

Legislation Text

Attachment A - Argument for Deleting Section 409

Deputy City Manager Scott Carney provided the staff report.

Approve **Motion 2015-08-31-0304** sending the recommendation of the Charter Review Advisory Commission to delete Section 409 from the Charter to the full Council for review and approval to place on the November 2016 General Election ballot.

Moved by: Elbert Holman, seconded by Anthony Silva.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

3.5 **15-1956 ARGUMENT DELETING ARTICLE IV THE CITY COUNCIL SECTION 411 CITY OFFICES**

Deputy City Manager Scott Carney provided the staff report.

Legislation Text

Attachment A - Current Language and Argument

Approve **Motion 2015-08-31-0305** making no changes to existing Charter language in Article IV, Section 411

Moved by: Anthony Silva, seconded by Elbert Holman.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

3.6 **15-1957 AMENDMENTS TO CHARTER ARTICLE XV AUDITOR**

Legislation Text

Attachment A - CRAC Recommendation Article XV (redlined)

Attachment B - CRAC Recommendation Article XV (clean)

Attachment C - Management Partners Memo

Attachment D - Article XV (current language)

Attachment E - Staff's Recommendation (redlined)

Deputy City Manager Scott Carney provided the staff report.

Vice Chair Silva - noted presentation of two proposals, one from the Charter

Review Advisory Commission and one from staff

Chair Holman - shared past history of appointed Auditor position, noting improvements done by outside audit services; not having same audit company more than five years;

Ralph White, Commissioner-Charter Review Advisory Commission - suggested tabling the item; noted his desire to present recommendation for elected positions: Auditor; Chief of Police; City Clerk; City Attorney

Marcie Bayne, Commissioner-Charter Review Advisory Commission - provided information about Charter Review Advisory Commission subcommittee history on developing recommendations and the lack of staff input during the process; submission to Ad-Hoc

Dale Stocking, Commissioner-Charter Review Advisory Commission, Subcommittee Chair for Auditor amendment - asked if Ad-Hoc had received letter from Ned Leiba; agreed with portions of the Management Partners recommendation; favored including a short section in the Charter defining the City Auditor and moving some of the more specific language to the municipal code; referenced paragraph "d" under Section 1500, Article XV of the Charter on the funding of the budget, and indicated his opposition to removing that paragraph

Peter Viri, Commissioner-Charter Review Advisory Commission - favored the proposed language as presented by the Charter Review Advisory Commission

Dale Stocking, Commissioner-Charter Review Advisory Commission - supports proposed recommendation as presented by the Charter Review Advisory Commission

Cynthia Summers, Chair-Charter Review Advisory Commission - spoke to Staff and Charter Review Advisory Commission working together

Vice Chair Silva - noted two recommendations being presented; one from the Charter Review Advisory Commission and one from staff

Member Fugazi - supports forwarding Charter Review Advisory Commission recommendation as presented to full Council

Chair Holman - suggests that the full Council needs to hear all information as presented

Deputy City Manager Scott Carney noted for the record what was included in the packet did not include one additional strikeout. Section 1503 (e).

Approve **Motion 2015-08-31-0306** sending both staff and Charter Review Advisory Commission recommendations to full Council for consideration

Moved by: Anthony Silva, seconded by Elbert Holman.

Vote: Motion carried 2-1

Yes: Elbert Holman, and Anthony Silva.

No: Christina Fugazi.

3.7 **15-1958 AMENDMENTS TO ARTICLE IV CITY COUNCIL, SECTION 410
COMPENSATION**

Legislation Text

Attachment A - Amendments to Section 410

Deputy City Manager Scott Carney provided the staff report

Vice Chair Silva - favored Salary Setting Commission meeting every year

Member Fugazi - asked for clarification regarding time when the Salary Setting Commission would meet

Dale Stocking, Commissioner-Charter Review Advisory Commission - spoke to recommendation language, Mayor salary set for a four year term; Council salary reset every two years

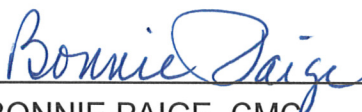
Approve **Motion 2015-08-31-0307** sending Section 410 back to the Charter Review Advisory Commission to work with the City Attorney to develop appropriate Charter language

Moved by: Anthony Silva, seconded by Christina Fugazi.

Vote: Motion carried 3-0

Yes: Elbert Holman, Anthony Silva, and Christina Fugazi.

4. **ADJOURNMENT**



BONNIE PAIGE, CMC
CITY CLERK, CITY OF STOCKTON