

## **MEMORANDUM**

**To:** Honorable Mayor and City Councilmembers  
**From:** Jim Scofield, Chair, Charter Review Commission  
**Date:** July 1, 2022



**RE: Charter Review Commission Proposed Charter Update**

The Charter Review Commission is presenting for Council consideration a thorough update to our City's Charter. The goal of the proposed changes is to make the Charter easier for constituents, staff, and all to read, understand, and implement.

The proposed update is the result of an extraordinary effort of the City Attorney's office, City staff, and the Charter Review Commission. City Attorney Glen Googins and Deputy City Attorney Megan McClurg have reached out to City staff for input and feedback. The Charter Review Commission has held many long meetings to review, discuss, and make suggestions.

Most recommended changes are not "substantive". They instead propose corrections, clarifications, eliminations of redundancies, and reorganizations intended to make the Charter more accurate and usable. We refer to these as "Level 1" changes. Other proposed changes go a step further to provide consistency with state law, update or eliminate outdated practices, fill in gaps, and eliminate ambiguities. While some of these changes may be considered more "substantive," they mostly reflect changes in law, technology, and "best practices" and are, therefore, not believed to be significant enough to warrant separate ballot measures. We refer to these as "Level 2 changes".

A few recommended changes are of greater significance and might arguably deserve separate ballot measures. Some were recommended by previous Charter Review Commissions, but were never presented as ballot measures. These changes are, however, included in the proposed update because they reflect the changing times and the growth of our city. We've identified these as "Level 3" changes.

A more detailed description of how we are characterizing Level 1, Level 2 and Level 3 changes is attached. This attachment also identifies the Level 2 changes that our group thought to be more substantive, along with all of the specific proposals that we are characterizing as Level 3.

The Charter revisions themselves are presented to you in both "clean" and underline/strikeout versions. The underline strikeout version shows changes to the current version of the Charter.

Please note that in a number of places what appear to be substantial deletions are actually relocations of provisions to other Articles or Sections where we think they make more sense.

It should be noted that changes made to the Civil Service section of the Charter, even if minor, may require notice to the bargaining units and an opportunity to meet and confer. We have proposed minor clean-up edits only to such sections, subject to the ability to complete any meet and confer processes in time. Staff have reached out to the bargaining units and provided a copy of the proposed edits. The bargaining units have not expressed any concerns to staff at this point.

The current plan is for a more detailed presentation to you of the proposed Charter update at your July 12<sup>th</sup> City Council meeting. In the interim, this transmittal Memorandum, along with the draft versions of the Charter, will be available for public review on the City's website. We encourage you to review the materials and to ask for clarification from the City Attorney's office on details. As Chair of the Commission, I am also available to assist the City Attorney's office in answering questions, as is Commissioner Buddingh.

The Charter Review Commission and the City Attorney's office enthusiastically support the proposed changes. We thank you for your time and effort in reviewing these materials. We also thank you for the opportunity to update our City Charter. We are now in the 21<sup>st</sup> century, and our Charter should reflect our times.

encl: Description of Level 1, Level 2, and Level 3 Changes; Proposed Amended Charter (clean version); Proposed Amended Charter (redline strikeout version)

cc: Commissioner Jan Buddingh; Commissioner Larry Disharoon; Commissioner Todd Glanz; Commissioner Edgar Hopida; Commissioner Michael Inzunza; Commissioner Rachel McDonald-Hernandez; City Attorney Glen Googins; Deputy City Attorney Megan McClurg