

CHARTER REVIEW COMMITTEE
MONDAY, JUNE 10, 2019, 5 P.M.
MAYOR'S CEREMONIAL ROOM

MINUTES

PRESENT: Chair Clarke and Members McQuern, Evans, Barnhart, Beeman, Miller, Riemer, Webb, Clymer, Irving, Zaragoza, and Alternates Mabon and McKeith (arrived at 5:07 p.m.)

ABSENT: Members Teichert, MacKinney, Angel, and Bristow

STAFF PRESENT: Colleen Nicol, Susan Wilson, Elliot Minn, Lorena Verdusco, and Liz Pinney-Muglia

Chair Clarke convened the meeting at 5 p.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE
There was no one present wishing to speak.

APPROVAL OF MINUTES

Following discussion, it was moved by Member Irving and seconded by Member Webb to approve the minutes of the meeting of May 13, 2019, as presented and amending "Excusal of Absences" to reflect Member MacKinney abstaining on the vote, rather than Member Zaragoza. Motion carried with Member Clymer abstaining.

EXCUSAL OF ABSENCES

Following discussion, it was moved by Member Beeman and seconded by Member Barnhart to excuse the absences of Ben Clymer, Tom Evans, and Art Angel from the meeting of May 13, 2019. Motion carried unanimously.

Member MacKeith arrived during the following item.

INTERVIEW WITH COUNCILMEMBER GARDNER

Councilmember Gardner supports clarification in the Charter of the Mayor's veto authority. He does not support the Mayor's veto authority over the Charter Officers due to the potential of the Mayor and a City Council minority overriding the will of a majority of the City Council with respect to the hiring, firing, or discipline of the City Manager, City Attorney, or City Clerk. The Mayor needs a good working relationship with the Charter Officers and historically participates in discussions relative to hiring and firing, but does not supervise the appointees.

Councilmember Gardner noted the current practice of Public Works Department management of street trees and infrastructure contrary to Charter Section 809. Member Evans noted that twice the voters rejected amending the Charter Section to transfer management of street trees and parkways from the Park and Recreation Commission to

the Public Works Department. The City Clerk will provide the ballot arguments from the two prior measures to the Committee.

Councilmember Gardner stated that if the Mayor is granted a vote, there should be an even number of Wards, however, he prefers the Charter remain as written. He did not support the Charter requirement that each board and commission have at least one member from each of the Wards when originally proposed as it is challenging to find voters to serve in some Wards. However, there is value in the Councilmembers having significant input in the Ward appointees. The Mayor recommends appointments to Citywide positions.

Councilmember Gardner noted the Charter is silent with respect to full or part-time elected officials. Investing over 50 hours per week is needed and a young head of household cannot support a family on the current councilmember salary.

Councilmember Gardner noted the City Council retains the flexibility of creating new boards/commissions by ordinance. Some boards/commissions are worthy of Charter protection. Councilmember Gardner prefers the Budget Engagement Commission remain focused on the budget itself rather than review of all major projects. Review of requests for proposals may be out of the Commission's original intended scope.

Councilmember Gardner does not support term limits.

INTERVIEW WITH MAYOR BAILEY - CONTINUED

The interview with Mayor Bailey was continued and will be scheduled for a future meeting.

INTERVIEW WITH COUNCILMEMBER ADAMS

Councilmember Adams feels that underpaying Councilmembers is exclusionary and discriminating as single parents and small young families do not have the opportunity to serve. He invests 65 hours per week. Serving on the City Council is a demanding job with a lot to learn and should receive the same pay as the Mayor. Councilmembers should not hold outside employment if the position is designated as full-time. Councilmember Adams opposes term limits. Boards and commissions should remain advisory only. He does not support the Mayor having a vote as the Councilmembers answer directly to the constituents of their Ward. Councilmember Adams supports a supermajority to appoint Charter Officers and that the Mayor should have veto authority over the appointments.

Councilmember Adams supports a supermajority vote for a long-term lease or transfer of water to outside agencies, a special election for vacancies of more than two years, and review of all proposed Charter measures by a Charter Review Committee. He does not support expansion of the Budget Engagement Commission scope of work.

INTERVIEW WITH COUNCILMEMBER SOUBIROUS

Councilmember Soubirus believes the Mayor's veto authority needs clarification, including with respect to the hiring and firing of Charter Officers. He cautioned the

Committee to be mindful of ramifications of changing the City's form of government. Riverside is a large complex city best served by a professional manager.

The position of Councilmember is a full-time job, although the Charter is silent. He sees no need to amend the Charter in this regard, although the support of the Council Assistants is critical. He suggested the Committee review the Charter sections setting forth authority of the Board of Public Utilities to approve large expenditures while the City Council's holds ultimate authority over spending.

The Mayor veto power is a good pause in the process yet should not be used as manipulation. He prefers that responsibility lines between the Mayor and Councilmembers remain clear.

Councilmember Soubrious feels requirement of a supermajority vote for large contracts, the sale, lease, or transfer of water, or the appointment of Charter Officers is worthy of discussion.

ENFORCEMENT OF CHARTER VIOLATIONS

Following discussion and a report by Assistant City Attorney Wilson on the various methods currently available for enforcing a Charter violation, it was moved by Member Evans and seconded by Member Beeman recommending that Charter Officers be subject to the City's Code of Ethics and Conduct.

Following further discussion, a substitute motion was moved by Member Barnhart and seconded by Member Webb requesting staff to prepare a report for discussion at a future meeting of the pros and cons of adding Charter Officers as being subject to the City's Code of Ethics and Conduct. The motion carried with Vice-Chair McQuern voting no.

CREATION OF NEW BOARDS AND COMMISSIONS - COMMITTEE DIRECTION ON PROPOSED CHARTER AMENDMENT IDEAS

Chair Clarke invited the members of the Committee to review the list of Charter amendment ideas presented by members of the public, elected officials, staff, and Committee members as summarized in the written materials and offer comment on those of sufficient gravity to be included in the Charter or that warrant further discussion.

Members Beeman, Zaragoza, Clymer, McQuern, and Alternate Mabon will serve as a subcommittee to develop a rubric guide for consideration of Charter amendment proposals.

Member McKeith requested that the Budget Engagement Commission Chair be invited to the September meeting.

Following further discussion, it was moved by Member Evans and seconded by Member Webb that Charter Section 404 regarding the filling of a vacancy in an elected office be agendaized for discussion at the next meeting. The motion carried unanimously.

Following further discussion, it was moved by Member Webb and seconded by Member Barnhart to discuss ranked choice voting at the next meeting. Motion carried unanimously.

Following further discussion, it was moved by Member Irving and seconded by Member Evans to discuss City Council salaries at the next meeting. Motion carried unanimously.

Councilmember McKeith will draft and forward language to the City Attorney to require a supermajority vote for water transfers.

INFORMATIONAL AND RESEARCH MATERIALS

There were no comments.

ORAL COMMUNICATIONS FROM THE AUDIENCE


There was no one wishing to speak.

ITEMS FOR FUTURE COMMITTEE CONSIDERATION AS REQUESTED BY CHARTER REVIEW COMMITTEE MEMBERS

There were no items requested for future meetings.

The meeting adjourned at 7:27 p.m.

Respectfully submitted,



COLLEEN J. NICOL
City Clerk