

EXHIBIT P

CHARTER REVIEW COMMITTEE
City of Riverside
March 11, 2004, 5 p.m.
County Board of Supervisor's Chamber
4080 Lemon Street

MINUTES

PRESENT: Chair Eric Haley and Members Barry Johnson, Marjorie von Pohle, Gar Brewton, Damon Castillo, Dale McNair, Ray Higgins, Rusty Bailey, Marcia McQuern, Ben Johnson, Rose Mayes, Art Garcia, and Sharon Tyrrell

ABSENT: Stan Stosel, Dorothy Bailey (excused), Connie Leach (excused), and Mike Teer (excused)

STAFF PRESENT: Colleen Nicol, Susan Wilson, Tricia Ruiz, and Sherry Morton

ALSO PRESENT: Ruth Wilson, Sylvia Martin-James, Grace Slocum, Sue Mitchell, B. Earl Daniels, and others

Chair Haley convened the Charter Review Committee meeting at 5:15 p.m.

The Pledge of Allegiance was given to the Flag.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no comments presented at this time.

MINUTES

Motion was made by Member von Pohle and seconded by Vice Chair Johnson to approve the Minutes of January 22, February 12, and February 24, 2004, as presented.

Chair Haley announced that Members Dorothy Bailey, Connie Leach, and Mike Teer were excused from the meeting.

HISTORICAL PERSPECTIVE

Ruth Wilson presented an historical overview of the City of Riverside Charter beginning with the original Freeholders and two failed recalls. At one time, each had oversight of two City Departments. She cited incidents of dishonesty in contracting and embezzlement. Following a 1934 Charter Amendment, there was a movement in the State for cities to convert to the Council/Manager form of government which was strongly supported by the League of California Cities and the Riverside Press Enterprise. At one time the Ward system was abolished, but later reinstated in the second Charter amendment. The citizens ultimately approved the Council/Manager form of government feeling that their government was not honest or accountable. It was determined that the Mayor would be elected at large, and later the position was given the opportunity to break a tie and veto. A proposal to nominate Councilmembers by Ward with election at large was not supported by the Freeholders.

Ms. Wilson personally does not support giving the Mayor additional powers but feels the position should have a greater voice in appointments to City boards and commissions. Councilmembers need only be part-time as they have staff support. She supports mail-in ballot elections and commented on the former Spring election cycle which conflicted with Budget adoption. Following questions by the Committee, Chair Haley thanked Mrs. Wilson for her presentation. No formal action was taken.

DISCUSSION AND DELIBERATION – FORM OF GOVERNMENT: POWERS AND DUTIES OF MAYOR, CITY COUNCIL, AND CITY MANAGER

Chair Haley opened the floor for deliberation and provisional positions on issues. Vice Chair Johnson proposed June 24, 2004, for final deliberation on all issues and suggested a straw poll on the issues listed on the agenda regarding the City's form of government and powers and duties of the Mayor, City Council, and City Manager. Member McQuern requested discussion prior to final voting on issues. Member Higgins requested discussion only this evening, as he was not prepared to vote at this time. Chair Haley indicated that issues can be identified and the vote delayed to a future meeting where additional information is needed.

Council-Manager form of government

Chair Haley indicated he has not heard any clear statement from the Committee to change from the Council/Manager form of government. Member Garcia supported the Council/Manager form of government and asked for information on other options. Chair Haley described the Council/Manager, Strong Mayor, and Commission forms of government.

Following discussion, it was moved by Member Brewton and seconded by Vice Chair Johnson that votes be taken this evening on issues where additional information and/or discussion is not required. Motion carried with Member Higgins voting no.

Motion was made by Vice-Chair Johnson and seconded by Member McQuern to retain the Council-Manager form of government. Motion carried with Member Higgins abstaining.

Nomination and election by Ward

Following discussion, motion was made by Member Brewton and seconded by Vice Chair Johnson to continue the current practice of nomination and election of Councilmembers by Ward. Motion carried with Member Higgins abstaining.

Election of Mayor in even-numbered years

Chair Haley sees a structural unfairness in that seated Councilmembers from Wards 1, 3, 5, and 7 may run for Mayor without forfeiting their seat on the City Council.

Member McQuern supports equal opportunity for all to run for the Mayor's seat. Member Brewton feels it is a choice candidates must make while Vice-Chair Johnson does not feel the current election system for Mayor is equitable. Member McNair favors retaining the current Charter provisions. Member Bailey feels moving the Mayor's race to an even-numbered year will support the Mayor's role of representing the entire City, will result in increased voter turnout, and is more equitable. Member Garcia favors changing the Mayor's race to Presidential years as it supports fairness and will offer greater voter turnout.

Answering questions from the Committee, City Clerk Nicol will obtain financial impact information on moving the Mayoral race to even-numbered years.

Following discussion, and without formal motion, discussion on this matter was continued to May 27, 2004.

Definition of position of Councilmember as full- or part-time

Member McQuern feels the Charter should be silent with respect to defining City Council positions as full or part-time. The voters in each Ward will determine the appropriate role for their respective Councilmembers. Member Castillo and Chair Haley concurred with Member McQuern. Member Brewton feels the current system offers the greatest opportunity for the most qualified people to run for office. Members McNair and Mayes agreed there should be no change in the Charter. Vice-Chair Johnson noted staff support that handles the day-to-day needs and that salary is the bigger issue. Member von Pohle feels letting constituents in each Ward decide will cause confusion and salary differentials. Chair Haley clarified that all Councilmembers would receive the same salary and that officeholders will determine the number of hours devoted to the job. Member von Pohle supported leaving the Charter unchanged in this regard. Member Garcia noted the growing population and the 40 to 60 hours per week that Councilmembers already devote. Vice-Chair Johnson noted that additional staff can alleviate the long hours and Member Tyrell confirmed hearing that suggestion from current Councilmembers.

Following discussion, motion was made by Member Brewton and seconded by Member McQuern to retain the existing language in the City Charter. Motion carried unanimously.

Increase number of Wards

Chair Haley indicated there has been little support for increasing the number of Wards. Member Brewton feels the current number of Wards is appropriate. Motion was made by Member Brewton and seconded by Vice Chair Johnson to retain the existing language in the City Charter. Motion carried unanimously.

Change "Ward" to "District"

Following discussion, motion was made by Member Brewton and seconded by Vice Chair Johnson to retain the label "Ward". Members Garcia, Johnson, and McQuern favor "District". Motion carried with Members Garcia and McQuern voting no.

Voting power of Mayor

Chair Haley summarized the proposal to grant the Mayor a vote and surrender of current veto powers. Vice-Chair Johnson feels the change would give the Mayor greater accountability. Member Garcia sees the threat of veto as the greater tool and supports retaining the tie-breaking vote and veto power. Member Brewton also favors the current Charter language. Chair Haley noted that Mayor Loveridge does not invoke the veto power as former Mayors have. Several members preferred continuance of this discussion to a future meeting.

Following discussion, motion was made by Member Higgins and seconded by Member von Pohle to retain the current language in the City Charter. Motion failed for lack of eleven affirmative votes with Members McQuern, Johnson, Haley, and Castillo voting no. Subsequently and without formal motion, this matter was continued to the May 27, 2004, Charter Review Committee meeting. Deputy City Attorney Wilson reported that Member Leach's written comments indicate support for revoking the Mayor's veto power.

Mayor's appointive authority for Council standing committees

Chair Haley noted that Councilmembers did not support Mayoral appointment of standing committee chairs. Motion was made by Member Higgins and seconded by Member McQuern to make no change in the City Charter regarding appointments to City Council standing committees. Motion carried unanimously.

Mayor's veto power

The Committee unanimously, and without formal motion, continued the discussion regarding the Mayor's veto power to the May 27, 2004, Charter Review Committee meeting.

Appointment of members of boards and commissions

The Committee unanimously, and without formal motion, continued the discussion of appointments to boards and commissions to the May 27, 2004, Charter Review Committee meeting.

Ward representation on each board/commission

Chair Haley noted that the Board of Public Utilities and other boards and commissions seek highly specialized appointments with particular professional background. Member McNair suggested adding language that if possible, but not mandatory, equal Ward representation be considered. Member Garcia noted that Wards 6 and 7 are less represented on City boards/commissions than other Wards. Further, he suggested that City Councilmembers could nominate candidates from their Wards, but that system may not be the best for the Board of Public Utilities. Member von Pohle strongly feels that members to boards/commissions should not be appointed by individual Councilmembers which may create a sense of obligation to vote in support of that Councilmember's position on an issue. Vice-Chair Johnson supports the current system of appointment by the full Mayor and City Council but supports language that boards/commissions be more representative of all Wards. Motion was made by Member Brewton and seconded by Vice Chair Johnson to continue the discussion of Ward representation on each board and/or commission to the May 27, 2004, Charter Review Committee meeting. The motion carried unanimously.

PROPOSED CHARTER AMENDMENTS MATRIX

City Clerk Nicol announced that an updated Charter Amendments Matrix will be included in every Charter Review Committee agenda packet.

At the request of Member Higgins a proposed change to the Preamble to reflect the diversity of Riverside will be added to the matrix and agendized for March 25, 2004. Open government issues will be heard at the March 25, 2004, meeting, if possible. At the request of Member Garcia, granting of greater responsibility to boards and commissions will be added to the matrix as well as specifically citing additional existing boards/commissions in the Charter. Member Garcia supports the Parking, Traffic, and Streets Commission having final authority on granting of speed humps, for example, with appeal to the City Council.

The Committee adjourned at 6:45 p.m.

Respectfully submitted,

Sherry Morton
SHERRY MORTON
Senior Deputy City Clerk

ACCOMPLISHMENTS

1. Began policy deliberations and formulate positions
2. Reviewed the proposed Charter amendment matrix

TO DO:

1. Continue discussion regarding the Board of Public Utilities' recommendation for local preference to Riverside-based companies for construction contracts
2. Continue discussion regarding Charter Amendments with the Public Utilities' Director regarding (1) Board of Public Utilities customer-requested work; and (2) Board of Utilities authority to enter into long-term contracts
3. Continue deliberations and take positions on remaining matrix issues