

From: **Ben Clymer Jr.** <benjr@benclymers.com>
Date: Thu, Apr 22, 2021 at 17:03
Subject: City Council Agenda Item #24 - April 27th
To: Ben Clymer Jr. <benjr@benclymers.com>, 2mayor@riversideca.gov <2mayor@riversideca.gov>
CC: Malissa Mckeith <malissacurepres@gmail.com>

To our Mayor and Council,

On April 21, 2021, the Charter Review Committee voted to request that the City Council table and/or delay the above item.

First, we were surprised that no one at the City mentioned this item was calendared for council consideration as City Staff has been participating now for months in discussions concerning the proposed General Fund Amendment forwarded by the City Council on February 16, 2021. The proposed charter language was presented in a power point presentation and read by Mr. Zelinka at that meeting. And, importantly, it was in the CRC's February 17, 2021 packet and has served as the starting point for our discussions.

Resubmitting another proposal now is confusing, at best, and may lead to arguments that Council did something incorrectly last February. And, others may perceive Council holding a hearing about that language at this late date as staff tipping the scale regarding a matter of potential self interest before the CRC holds a full and vigorous public discussion about the GFT on May 5 and 19, 2021. Council members have already been invited to participate in those meeting.

Staff (and I believe council) are aware that the CRC is considering three options - all of which continue the GFT at levels in line with current funding including the specific proposal advanced by City Council on February 16, 2021. We are well aware of the significance that the *Parada* decision could have on the City's delivery of services, and therefore we would urge that Council allow Charter to complete its work expeditiously without complicating matters with the April 27, 2021 agenda item.

Further, we were also surprised and disappointed that staff wants to present a survey taken last January and unbeknownst to Charter or the public. We believe it is more appropriate that this survey be presented to the CRC at our May 5, 2021 meeting and considered with testimony and evidence from the public once they have a more complete picture of the issues. Surveys (depending upon the questions asked) can tend to skew favorably to whatever the surveyor wants to show and taken in isolation cannot possibly determine whether a proposed initiative would pass in November 2021. The GFT discussion is not about whether the public is satisfied with the level of services as much as whether they appreciate the cost and impacts of tying fund transfers to electricity and water rates. It is possible the surveyor did not provide the foundational perspective needed for people to truly understand the trade offs.

Lastly, we acknowledge and appreciate the very tight deadlines. Because Charter wants to ensure that Council has ample time to hold public meetings in July, we would ask now that Council agendize those two dates and that the final charter report be uploaded 12 days in advance in accordance with the Sunshine

Ordinance. The City Attorney previously acknowledged that there does not need to be a third meeting in June, to comply with the law.

As proposed, Charter would need to have complete language and a report no later than June 4, 2021. In previously discussions with the Interim City Clerk and Interim City Attorney, we calculated that a report would be due on June 24, 2021 (if the first meeting is July 6) or June 30, 2024, if the first meeting is July 13, 2021.

In this regard, our committee discussed on April 21, 2021, proposing that Council vote to extend the CRC's existence until 2022, and allow us to continue discussions on the scope of the mayors powers and an accountability position until after the November election so that we can devote all remaining time and meetings to the GFT. Those were the original items assigned to the committee last July, and deserve the full attention warranted. That cannot occur while prioritizing the GFT. As it is, just getting the GFT to the Council timely will be extremely challenging though our committee members are up for that challenge.

Please consider, at a minimum, continuing item 24 to May 11, 2021, to allow the survey to be reviewed on May 5, 2021 and, more importantly, to allow for a motion to extend the CRC until November 2022 and defer the items assigned as of July 2020.

In Liberty,

Ben