



City of Arts & Innovation

Charter Review Committee Memorandum

TO: CHARTER REVIEW COMMITTEE **DATE: MAY 19, 2021**

FROM: CITY ATTORNEY'S OFFICE **WARDS: ALL**

SUBJECT: DRAFT AMENDMENT TO CITY CHARTER REGARDING MAYOR'S POWERS

ISSUE:

On April 21, 2021, the Charter Review Committee directed City staff to draft and return to the next Committee meeting with proposed language amending the Mayor's powers in the City Charter.

RECOMMENDATION:

1. Review the proposed Charter amendment language, revise the language if necessary, and adopt the charter amendment language.
2. If the Committee adopts the charter amendment language, to direct staff to draft and return to the next Charter Review Committee meeting with a report recommending to the City Council the adopted charter amendment language.

BACKGROUND:

At the April 21, 2021 Charter Review Committee meeting, the Charter Review Committee ("Committee") approved a proposed amendment to the Mayor's powers in the City Charter and directed City staff to return with proposed City Charter amendment language for the Committee's review.

Staff incorporated most of the Committee's proposed Charter amendment language in a red-line draft so that the Committee may view the new language insertions and deletions compared to the current City Charter. The red-line version of the Charter amendment language is attached hereto as **Attachment 1**. For reference, Staff also included the Committee's proposed amendment language as **Attachment 2**.

Staff would note one change from the Committee's proposed amendment language. The Committee's proposed language would have stated that a "statement of decision must be delivered to the City Council, City Clerk and made available to the public simultaneously." To clarify and to be consistent with current City practices, Staff revised this language to require the City Clerk to publicize, immediately, the statement of decision.

Staff would also request a clarification from the Committee. The Committee's proposed language would have stated: "In the event that the Mayor is out of town, the time for the Mayoral veto shall be extended by twenty-four hours from the time the Mayor returns to the City." The phrase "out of town" is ambiguous. Furthermore, it was unclear to staff if the "twenty-four hour" extension was in addition to the fourteen days to timely veto, or separate from the fourteen day requirement and only for instances when the Mayor is "out of town" and "returns to the City".

FISCAL IMPACT:

None.

Prepared by: Elliot Min, Deputy City Attorney

Approved as to form: Kristi J. Smith, Interim City Attorney

Attachments:

1. Red-line Mayor's Power City Charter Amendment
2. Charter Review Committee's Proposed Mayor's Power City Charter Amendment
3. Additional Reference Materials as Requested by Charter Review Committee