

EXHIBIT D

**CHARTER REVIEW COMMITTEE
City of Riverside
August 14, 2003, 5 p.m.
Public Utilities Customer Service Center
Conference Room, 3460 Orange Street**

MINUTES

PRESENT: Chair Eric Haley and Members Damon Castillo, Marcia McQuern, Rose Mayes, Dorothy Bailey, Stan Stosel, Rusty Bailey, Ray Higgins, Connie Leach, Gar Brewton, Vice Chair Ben Johnson, Barry Johnson, Art Garcia, and Marjorie von Pohle

ABSENT: Members Dale McNair (excused), Mike Teer (excused), and William Turpin (excused)

STAFF PRESENT: Colleen Nicol, Gregory Priamos, Sharon Cooley, Tricia Ruiz, and Janis Lowry

ALSO PRESENT: Barbara Purvis representing the League of Women Voters and David Kessinger

Chair Eric Haley convened the Charter Review Committee at 5:05 p.m.

INFORMATION MATERIALS AND HISTORICAL PERSPECTIVE ON CHARTER

Chair Haley reported that he and Vice-Chair Johnson had met with staff the preceding Friday to discuss this week's agenda and requested preparation of the brief history of Riverside's Charter and a description of the issue items forwarded from the City Council and staff which are included with the agenda materials distributed. Also included in the packet are two articles from *Governing Magazine* forwarded from Mayor Loveridge.

City Clerk Colleen Nicol reviewed the Charter history and answered questions. The 1973 reference to Riverside Unified School District was clarified in that those provisions were later repealed.

COMMUNITY OUTREACH/PROMOTION

Communications Officer Sharon Cooley reviewed the Promotional/Campaign Timeline, Promotional Activity Budget, and the proposed community outreach program. City staff is preparing two or three logos for the Committee to review at the next meeting to begin the marketing campaign the first week of September. Information will also be available on the City's web page.

One member felt that advertising should be limited, as the members have been selected to represent the community. The consensus agreed that forums should be held throughout the community with the first conducted soon to receive general comments with later forums receiving input on specific issues. Vice-Chair Johnson will confirm the availability of the La Sierra High School Performing Arts Center for the first forum with Goeske Center as an

alternative location. The Committee further concurred that the process should be open and public possibly with strategic outreach to neighborhoods for the community forums. It was suggested that Committee members advertise the activities of the Committee through each Member's network of contacts and perhaps at Mayor's Night Out and Good Morning Riverside. The Communications Director will draft a script with the objectives, highlights, members, and meeting schedule, and have it available for members for two-minute presentations throughout the community.

The Committee discussed the importance of interviews with elected officials and key City staff occurring early in the review process.

Following discussion, motion was made by Member Garcia and seconded by Member McQuern to (1) hold a public forum on October 23, 2003, at the La Sierra High School Performing Arts Center, if available; (2) advertise the forum in the Press-Enterprise and invite Charter Communications to televise the public forum free of charge in order to gain maximum awareness of the Charter review process; and (3) conceptually approve the Promotional Campaign/Timeline presented by Communications Officer Cooley. Motion carried unanimously.

PRIORITIZATION OF KEY ISSUES

Member Castillo reviewed his prioritization of Charter review issues. City Attorney Priamos discussed the July 14, 2003, City of Long Beach court decision regarding prevailing wages and noted that the decision will not affect the work of this Committee.

Chair Haley noted that other issues will be added to the list of priorities as the Committee's work continues. One Member felt the Committee should consider adding open meeting provisions as the reimbursement for State mandates under the Brown Act have been suspended which affects the City's obligation to comply with the Act. He also favors videotaping of closed sessions reviewed by a Master Judge quarterly.

Members offered differing options for procedure including (1) defining a vision of what the Charter should be; (2) focus on only the areas that require review; (3) full review that will result in four or five major impact items; (4) line-by-line review setting aside issues that all agree require no amendment; (5) review the priorities given to the Committee grouping them together and creating a vision through that dialog; (6) interview major stakeholders; and (7) form working groups to review and make presentations to the full Committee.

Following discussion, motion was made by Vice-Chair Johnson and seconded by Member Higgins that each member review the Charter, identify issues of concern, and be prepared at the August 28, 2003, meeting to discuss the Charter line-by-line as a group. Motion carried unanimously.

Discussion was held relative to meetings/interviews with the City Manager, Mayor, and Councilmembers and three proposals were presented and a tally taken in support of each.

1. 30-minute interviews per person, two per night - 6 p.m. and 7 p.m. (7 ayes);
2. Review the Charter before receiving input from the City Manager, Mayor, and Councilmembers (2 ayes); and
3. Three interviews per meeting with each given 30 minutes (5 ayes).

Two interviews shall be conducted per evening beginning at the meeting of September 11, 2003.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no oral comments presented at this time.

ADJOURN

The meeting adjourned at 6:50 p.m.


ACCOMPLISHMENTS:

1. Marketing plan approved.
2. Charter review and interview process confirmed.
3. First community forum scheduled for October 23, 2003, at La Sierra High School Performing Arts Center, if available.

TO DO

1. Members to forward short biographical sketch to Communications Officer.
2. Members to review Charter in preparation for next meeting's discussion.
3. Communications Officer to proceed with marketing campaign.

Respectfully submitted,



JANIS LOWRY
Deputy City Clerk

INFORMATIONAL MATERIALS

INDEX

- Exhibit A Charter Review Committee meeting schedule and roster**
- Exhibit B City Council Minutes Creating Charter Review Committee**
- Exhibit C "Are City Councils a Relic of the Past?" article from Western Cities forwarded by Mayor Loveridge**
- Exhibit D Comments from Committee Member McQuern re priorities**
- Exhibit E City Council report from 1995 Charter Amendments**
- Exhibit F Charter History Brief**
- Exhibit G Charter amendment issues summary**
- Exhibit H Minutes from meeting of 8-05-03**

CHARTER REVIEW COMMITTEE MEETING SCHEDULE

August 2003 through July 2004

Exhibit A

DATE	TIME	LOCATION
August 14, 2003	5:00-6:30 p.m.	Purple Conf. Rm., P.U. Customer Service, 3460 Orange St.
August 28, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
September 11, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
September 25, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
October 9, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
October 23, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
November 13, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
November 27, 2003	NO MEETING	THANKSGIVING DAY
December 11, 2003	5:00-6:30 p.m.	Mayor's Ceremonial Room
December 25, 2003	NO MEETING	CHRISTMAS DAY
January 8, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
January 22, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
February 12, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
February 26, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
March 11, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
March 25, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
April 8, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
April 22, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
May 13, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
May 27, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
June 10, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
June 24, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
July 8, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room
July 22, 2004	5:00-6:30 p.m.	Mayor's Ceremonial Room

City of Riverside
Charter Review Committee
July, 2003

<u>Mayor</u>		
Damon Castillo	1	909-826-6677
Eric Haley Chairman	4	909-787-7141
Marcia McQuern	3	909-369-1376
<u>Ward 1</u>		
Rose Mayes	1	909-342-0260 (home) 909-682-6581 (bus)
Dale McNair	1	909-781-2979 (home) 909-683-2023 (bus)
<u>Ward 2</u>		
Dorothy Bailey	5	909-687-0831
Stan Stosel	2	909-786-9123
<u>Ward 3</u>		
Rusty Bailey	3	909-779-6243
William Turpin	1	909-496-3840
<u>Ward 4</u>		
Ray Higgins	4	909-217-4870
Connie Leach	4	City Clerk's Office 909-826-5557
<u>Ward 5</u>		
Gar Brewton	5	909-781-0811 909-359-5735 (home)
Mike Teer	2	909-682-9192 (home) 909-784-1342 (bus)
<u>Ward 6</u>		
Ben Johnson Vice Chairman	6	909-687-8128 (bus)
Barry Johnson	7	909-217-8207 (days, cell)
<u>Ward 7</u>		
Art Garcia	7	909-351-8409 Fax: 909-637-9225
Marjorie von Pohle	7	909-689-0962

City Officials and Staff		
Colleen J. Nicol	City Clerk colleen@ci.riverside.ca.us	909-826-5818
Gregory P. Priamos	City Attorney gpriamos@ci.riverside.ca.us	909-826-5567
George Carvalho	City Manager gcarvalho@ci.riverside.ca.us	909-826-5553
Penny Culbreth-Graft	Assistant City Manager pgraft@ci.riverside.ca.us	909-826-5552
Sharon Cooley	Communications Officer scooley@ci.riverside.ca.us	909-826-5997
Jan Lowry	Deputy City Clerk janis@ci.riverside.ca.us	909-826-5557
Tricia Ruiz	Legal Assistant pruiz@ci.riverside.ca.us	909-826-5240



CITY OF RIVERSIDE CITY COUNCIL

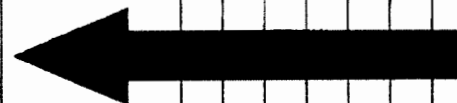
COUNCILMEMBERS

Exhibit B

May 6, 2003

WARDS

	BEA TY	MOO RE	DEF EN BAU GH	SCH IAV ONE	ADK ISON	HAR T	PEA RSON
	1	2	3	4	5	6	7
the Mayor's Commission on Aging From Eleven to Nine; An Ordinance of the City of Riverside, California, Amending Section 2.64.020 of the Riverside Municipal Code to Provide That Members of the Mayor's Commission on Aging Shall Be at Least Fifty-Five Years of Age; and An Ordinance of the City of Riverside, California, Amending Section 2.36.030 of the Riverside Municipal Code Regarding the Personnel Board; were presented and introduced.							
Motion Second All Ayes		X					X
USE OF FORCE PANEL ACTIVITY REPORT Following discussion, the City Council received and ordered filed the Mayor's Use of Force Panel activity report.							X
Motion Second All Ayes	X						
CALIFORNIA ATTORNEY GENERAL'S STIPULATED JUDGMENT - STATUS REPORT Following discussion, the City Council received and ordered filed the California Attorney General's Stipulated Judgment status report.							
Motion Second All Ayes	X	X					
CHARTER REVIEW COMMITTEE Following discussion, motion was made and seconded that the City Council concur with the recommendations of the Governmental Affairs Committee that (1) a 17-member Charter Review Committee shall be formed with each Councilmember appointing two members with at least one representative from their respective Ward and the other from within the Ward or from the City at-large, and with the Mayor appointing three members; (2) the Charter Review Committee Chair shall be selected by a majority of its members; (3) Charter Review Committee members shall be qualified electors of the City; (4) the Committee shall conduct a full review of the Charter; (5) all proposed changes in the current Charter shall be approved by a two-thirds vote of the Charter Review Committee; (6) five affirmative votes of the City Council shall be required to amend the recommendations of the Charter Review Committee; (7) by simple majority of the City Council, the Charter amendments proposed shall be placed on the ballot; and (8) approve the attached charge and scope of work consistent with the City Charter and Governmental Affairs Committee discussion.							
Motion Second	X		X				
Motion Second				X	X		





CITY OF RIVERSIDE CITY COUNCIL

COUNCILMEMBERS

May 6, 2003

WARDS

	BEATY	MOORE	DEFENBAUGH	SCHIAVONE	ADKISON	HART	PEARSON
	1	2	3	4	5	6	7
Following further discussion, a second substitute motion was made and seconded that the Mayor appoint the Charter Review Committee Chair.		X					X
Following further discussion, the second substitute motion failed for lack of a majority vote.	X	X	X	X	X	X	X
Following further discussion, the first substitute motion failed for lack of a majority vote.	X	X	X	X	X	X	X
Following further discussion, the original motion carried by a majority vote.	X	X	X	X	X	X	X
LEGISLATIVE REPORT The City Manager had nothing further to report on the League of California Cities.							
STATUS REPORT ON REGIONAL ORGANIZATIONS Councilman Moore reported on recent activities of the Riverside County Community Action Commission and Riverside Transit Agency. Mayor Loveridge reported on recent activities of the Western Riverside Council of Governments (WRCOG).							
SALE OF .24-ACRE PARCEL – CENTRAL AND STREETER - REFERRED TO COMMITTEE IN PART Following discussion regarding the request of Councilmember Adkison to schedule a public hearing to consider granting Bill Allen, the former property owner, the opportunity at first right-of-refusal to purchase the .24-acre parcel located along Central Avenue between Streeter Avenue and Capistrano Way from the City of Riverside at fair market value, the City Council (1) denied the request to schedule a public hearing; (2) requested the City Manager to direct the Real Property Services Division of the Administrative Services Department to continue negotiations with the development team for the parcel; (3) directed the City Attorney's Office return to the City Council within two weeks with the appropriate resolution waiving Administrative Manual provisions; and (4) referred discussion and policy development related to the City's purchase of land, including those that could involve eminent domain, to the City Council Finance Committee.			X		X		
HOMELESS AND COLD WEATHER SHELTERS - 3315 PARK/ 2530 THIRD/2501 FAIRMOUNT Following discussion, the City Council (1) approved the 2002-2003 Agreements for the use of Emergency Shelter Grant funding with the Riverside County Department of Public Social Services for operation and maintenance of homeless and cold weather shelters located at 3315 Park Avenue, 2530 Third Street, and 2501 Fairmount Boulevard; and							

Are City Councils a Relic of the Past?

One of America's oldest political institutions isn't adapting very well to 21st-century urban life.

BY ROB GURWITT

You notice two things right off about the 19th Ward in St. Louis. The first is that pretty much everywhere there's construction, there's also a large sign reading, "Assistance for the project provided by Michael McMillan, Alderman." The second is just how limited Alderman McMillan's domain happens to be. Walk a few minutes in any direction, and you're out of his ward. You don't see the signs anymore. You also don't see as much construction.

Within the friendly confines of the 19th, St. Louis looks like a city busily reviving. There are new high schools being built, scattered apartments and loft projects underway, efforts to rejuvenate the historic arts and entertainment district, and a HOPE VI retrofit of an enormous public housing facility. While all this activity has some powerful people behind it, just one person has had a hand in all of it, and that is McMillan himself. Only 31, he has been on the St. Louis Board of Aldermen for six

years, and in that time has made it clear that his ambitions for his ward—and by extension, himself—are high. "I don't have other obligations," he says. "I'm not married, I have no kids, I have no other job. It's one of my competitive edges."

Cross the ward boundary, and you find out what "competitive edge" means in St. Louis politics. North of the 19th, and for some distance to the east, stretch a series of neglected, depopulated neighborhoods that do not in any way suggest urban revival. This is, in part, a consequence of private market decisions: These neighborhoods don't have much clout within the corporate suites where such decisions are made. But equally important, they don't have much clout in local government, either—at least not when it comes to large-scale development projects.

That's because in St. Louis, each of the 28 ward aldermen is the gatekeeper of development in his or her little slice of the city. If they're shrewd and well connected, like Michael McMillan, the ward does fine. If they're inattentive, or maladroit at cutting deals, or on the outs with local developers, or just plain picky, which is

COVER STORY

Exhibit C

the case in more than a few wards, hardly anything gets done. "You don't see a Mike McMillan coming out of some of these devastated wards," says one City Hall insider. "They have a voice, but if it's weak, what do they really get?"


To be sure, even the weak aldermen in St. Louis have their uses. They get potholes filled and streetlights fixed, offer advice on how to handle code violations or deal with housing court, and see that garbage gets picked up in alleyways where contractors dump it illegally. This hands-on attention is hardly a bad thing. In the words of Jim Shrewsbury, who as president of the Board of Aldermen runs at large and is its 29th member, the city's deeply entrenched system of political micro-management "protects neighborhoods and gives people a sense of influence." As members of a democratic institution, that's what city councilmen are supposed to do. But when that's about *all* many of them do, in a city that is struggling to emerge from years of economic debility, even Shrewsbury agrees that something is wrong. The system, he says, "creates a sense of parochialism and feudalism. We become the Balkans."

FEUDING AND HOT AIR

The concept of balkanization could be applied these days to councils and boards of aldermen in many of America's biggest cities—perhaps most of them. Look around the country and you can quickly compile a dossier of dysfunction.

Sometimes it is a case of pursuing tangents, as the Baltimore City Council likes to do. In a recent commentary about what it called "the hot-air council," the *Baltimore Sun* suggested that frequent resolutions on foreign affairs, hearings on the differences between telephone exchanges, and debate about counteracting "the negative images of Baltimore, as portrayed in 'real-crime' fiction, TV dramas and movies" suggested that the members didn't have enough real work to do.

Other councils become so embroiled in internal maneuvering that they lose their



relevance. In Philadelphia, where a former mayor once referred to the city council as "the worst legislative body in the free world," there was a brief period of council influence in the mid-1990s, when John Street was council president and worked closely with Mayor Ed Rendell. Now, however, Street is mayor and finds himself in regular tangles with various council factions. "It's like an opera where everybody has a different libretto," says Mark Alan Hughes, an urban affairs professor at the University of Pennsylvania and columnist for the *Philadelphia Daily News*. "The melodrama is clear, it's just the meaning that's completely obscure."

There are councils where bickering and infighting are so intense that the entire body acquires an image of irresponsible flakiness. In Detroit recently, one member charged that supporters of the city's mayor had sabotaged the electric massager in her desk chair to give her a jolt when she used it. Not surprisingly, the public's response was disdainful—what most people saw was a group of elected officials engaged in sabotaging its own reputation.

There are places where, if you want to find the future of the city being pondered, the council chamber is the last place you'd look. "What you have," says a close watcher of civic affairs in Pittsburgh, "is a group of people who primarily deal with very mundane, house-keeping things in their districts. That's what they do, it's what they're interested in, and it's the way they see their power." The real power lies in the mayor's office and with the city's still-strong civic and corporate leadership.

Finally, there are councils whose problem has not been an absence of energy but a hyperactive compulsion to argue over everyday management decisions and prevent important decisions from being made. In Hartford, Connecticut, the city charter for years gave most of the political power to

the council, but the council had a long history of intervening in the day-to-day administration of city services and tying itself up in petty squabbles corrosive to the morale of residents, as well as city employees. In the 1990s, the council essentially torpedoed the program of Mayor Mike Peters, who appeared to have broad voter support for his economic reform and revival ideas. Small surprise that when they were finally given a straightforward chance last November to change things, the city's voters opted to create a new form of government that strengthened the mayor at the council's expense.

None of this is to say that councils in large cities never tackle important issues or play a key role in crafting policy. Council members in Los Angeles, for instance, have a great deal to say about basic infrastructure issues, in their districts and across the city. And for all its infighting, the Philadelphia City Council did help to re-shape Street's ambitious urban renewal program, the Neighborhood Transformation Initiative, to be more responsive to neighborhood concerns.

But in all too many large cities these days, the power of councils is, at most, the power to stop things. The wellsprings of citywide innovation and progress lie elsewhere. It is telling that until this past year, neither of the two major national organizations speaking for cities addressed the specific concerns of big-city councils. The National League of Cities is dominated by small- and medium-sized jurisdictions; the U.S. Conference of Mayors, which focuses on larger cities, doesn't address council members at all. "We're literally locked out of the one national group that deals with big cities," observes Nick Licata, a Seattle council member.

Licata, who was struck by the dearth of representation from places like his when he first attended a League of Cities meeting, has put together a new "Central Cities Council" at the League, for council members in the 100 or so largest cities to share information and strategies on common issues. "We're not communicating on a regular basis, we're not exchanging information on local programs we can learn from, and on the national level, when we should be lobbying, we don't have our act together," he says. "This should help us link up."

Still, the sense of floundering one often gets watching big-city councils isn't really a surprise. Over the years, as mayors have



St. Louis Alderman Michael McMillan knows how to work the system. Many of his colleagues don't.

moved to get a handle on crime, economic development and even school management, and as semi-private institutions—redevelopment authorities, stadium authorities, transit authorities, convention center authorities, tax increment finance districts—have proliferated, the role of councils in the most critical issues of urban governance has atrophied. Individual council members, the Michael McMillans of the country, may still have a share of power and influence, but the bodies on which many of them serve have lost their identity. "I think city councils have been neutered in most cases," says Dennis Judd, an urban affairs specialist at the University of Illinois-Chicago. "They are engaging in the most trivial aspects of urban government, rather than the most important aspects."

Under these circumstances, it is hard not to wonder whether city councils are becoming relics of the political past, poorly adapted to making the decisions of 21st-century urban life. In all too many cases, they seem in danger of becoming the dinosaurs of American local government.

OUT OF THE LOOP

There was a moment not long ago when the St. Louis Board of Aldermen managed to command national attention, but it's one local politicians would rather forget. In the midst of a tense and racially charged ward redistricting debate in 2001, Alderman Irene Smith was conducting a fili-

buster when she asked whether she could go to the bathroom. Told by Board President Shrewsbury that the rules required her to yield the floor to do so, she summoned her supporters, who brought in a trash can and surrounded her with improvised drapes while she appeared to urinate into the can. "I was mortified," says a St. Louis politician who happened to be watching on cable television at the time. "If you've been in the aldermanic chambers, they call to mind a time when the city was a powerful city, a grand place. To think of her staging that in there! The stock of the entire board of aldermen went down." Smith was later indicted on charges of public indecency but was acquitted in January on the reasoning that no one could know for sure whether she was actually urinating or simply pretending to do so.

To those who spend their time in City Hall, the incident was puzzling, because Smith, a lawyer and former judge, is generally seen as one of the more careful and thoughtful members of the board. "She's bright, she knows how to read the law, she asks tough questions in committee hearings," says one aldermanic insider. But to many in the city at large, there was little question about how to interpret her outburst: Not even its own members accord the board much respect any longer.

The fact is, for all the opportunities that ambitious aldermen have to promote development within their own neighborhoods, it's been a while since the board has played a significant role in shaping matters of vital interest to St. Louis as a whole. One of the biggest issues on the plate of Mayor Francis Slay—himself a former board president—is a new stadium for the St. Louis Cardinals baseball team, and while pieces of the complex deal he has put together will require aldermanic approval, the board itself has had very little role in constructing it.

"When I was in City Hall," says a former aide to one of Slay's recent predecessors, "I only went to the board if I absolutely had to. The truth is, I never felt the need to involve people there on the front end in order to get something passed on the back end. In the 1970s or '80s, if a mayor had a stadium project, he'd have had to line up five or six people on the board before he even went public with it." Because that didn't happen in the current situation, the aide argues, this stadium deal is just a stadium deal—it is not part of any broader city commitment to, say, refurbishing public sports facilities or community centers in the neighborhoods.

There are any number of theories about what has led the board of aldermen to its diminished citywide import, and many of them focus on its size. The 28 wards were created in 1914, when St. Louis had 680,000 people. They remained in place when the city reached its peak of 850,000 in 1950. And they're still there, half a century later, when it's down to 340,000. This means that each alderman represents about 12,500 people. Chicago's 50-member city council, which is one of the largest in the country, would have to grow to 200 members if its wards were the same size as those in St. Louis.

If all you expect of an alderman is close attention to garbage pickup and street repairs, of course, small wards are just fine. But they have a cost, as well. For one thing, they form a low barrier to political entry. In some wards, a politician needs as few as 800 votes to get elected. When the city was larger, says former Mayor Freeman Bosley Jr., "you had to be a real leader to get on the board, someone who could put together thousands and thousands of votes. That plays into your ability to...put people together and pull them in a direction. So as the years have gone by, the number of go-to people has diminished."

To be sure, it's possible to oversate the

case. "Just because we were once a city of 800,000 people doesn't mean we had rocket scientists serving on the board of aldermen," notes Jim Shrewsbury. "I don't think someone makes a decision between running a corporation and being an alderman." But it's equally true that city councils are, in essence, a political proving ground—former U.S. House Minority Leader Richard Gephardt, for instance, got his start on the St. Louis Board of Aldermen. The less skill and vision they demand of their members, the poorer a city's civic life is likely to be.

"If you can make the council a place where young people who are interested in public policy think they ought to be, then it serves as a farm system to create people who understand how local government works and who have sympathy for it," says Mike Jones, a former alderman who now runs the regional Empowerment Zone. "Because the real question is, Where do you get local leadership from? On a city council where you've got to work hard to get elected, it takes good political instincts and hones them into political and policy-making skills."

IRONCLAD PRIVILEGE

Over time, the small size of the constituencies and the rules of the institution itself have combined to make the lure of parochialism more and more irresistible. In the 1950s, following passage of the federal Urban Renewal Act of 1949, aldermen in St. Louis suddenly found themselves with real power in their neighborhoods as the arbiters of develop-

ment. That law, says Lana Stein, a University of Missouri-St. Louis historian, "brought a huge pot of money, and the aldermen had to pass bills authorizing urban renewal projects and highway projects. They were courted by Civic Progress [the group of corporate movers and shakers at the time] and by the mayor. Even though there were working-class people and saloon keepers elected to the board, they became a much bigger deal because of what they were voting on."

But if the urban renewal money brought the board instant influence, it also led inexorably to parochialism. As requests grew for new housing or redevelopment in the wards, they ran into the ironclad principle of aldermanic privilege—the notion that no member of the board would interfere in matters affecting another member's ward.

Fifty years later, developers still need help from the city, and that usually means a vote from the aldermen, supporting a "blighting" provision or providing a tax abatement or creating a tax-increment financing district. If you happen to live in a ward with an active, responsive alderman who knows how to put together development deals, you're fortunate. But there's scarcely anyone left on the board looking at what makes sense for the city as a whole. Aldermen rarely feel any right or responsibility to look closely at deals being made in others' wards.

When a group of downtown residents recently challenged plans backed by their alderman to demolish a historic, marble-fronted building to make way for a parking garage, the board deferred to the alder-

Seattle's Nick Licata
Councils have been ignored
by the League of Cities.



Bodies Large and Small

Size of selected city councils

CITY	NUMBER OF DISTRICTS	AVERAGE SIZE OF DISTRICT
Los Angeles	15	246,000
New York	51	157,000
Memphis*	9	72,000
Milwaukee	17	35,000
Richmond	9	22,000

* Two districts have three members each, the others each have one, for a total of 13 members

** City/county supervisors

Source: Governing research

man's wishes by essentially ignoring the protest. The demolition plans were backed by the mayor and by his allies, and the developers insisted that the garage was vital to their plans, even though there are under-used garages within a block's walk.

The local residents, part of a small but growing group of loft dwellers who form one of the few tangible signs of hope for St. Louis' downtown, attended the one aldermanic hearing on the matter and found no one to talk to. "It was a farce," says Margie Newman, one of their leaders. "There was no opportunity to make our case. Literally, there was an alderman with the Sunday comics held up in front of his face, and of the six on the committee, three were wandering in and out. Remember, this was at our one opportunity to bring our case."

Indeed, confirms Matt Villa, a young alderman who represents the city's far southeast, there is little incentive on the board to pay attention to what others are doing when you don't have to. "In our neighborhood," he says, "there's a neighborhood association and a housing corporation, and we sit down to plan the next five years and never take into consideration what other wards are doing. I don't even know how a citywide plan would be embraced by 28 aldermen."

And because the board itself doesn't have an independent capacity to look carefully at measures that come before it—it has very few staff members, and those who want help, such as Michael McMillan, raise funds on the side to pay for an assistant—it often approves important decisions with scarcely any scrutiny at all. "We give pay raises and pension raises and things like that," Villa says, "without really knowing the fiscal impact. The alderman who's sponsored it explains, we pass it, and years later it turns out it wasn't a \$5 million impact, it was a \$50 million impact."

CHARTER CHANGES

If there's anyone unhappy with this state of affairs, it's Jim Shrewsbury, who as president would like the board to become more independent and active. "The truth is, most legislation and ideas originate with the administration," he says. "The vast majority of bills are administration-sponsored bills; they have the resources and the interest and the concentration. Sometimes, I wish we were more careful and would scru-

tinize them more carefully. And I wish there were more innovation, that more legislation originated here." But he is also quick to point out that in the calculus of the 28 politicians who serve alongside him, that may be more of a risk than they want to take. "I know that on Election Day, the one thousand people who hate me will be there," he explains. "I don't know how many of the thousands who like me will be. I'm prepared to lose my office for something that was in *Profiles in Courage*. If it's not, you start to wonder whether it's worth getting involved."

Yet it's possible that change will come to the St. Louis Board of Aldermen anyway. Although St. Louis is technically a "strong mayor" city, the political reality is that the mayor is constitutionally among the weakest in the country for a city this size. Power has to be shared with a half-dozen other elected officials; the state controls the police through a board on which the mayor has only his own seat; budget decisions and city contracts have to be approved by two of the three members of the Board of Estimate and Apportionment, which is made up of the mayor, comptroller and aldermanic president. "St. Louis is probably the nation's best case of an unreformed government," says the University of Illinois' Dennis Judd, referring to the nationwide movement early in the last century to give mayors enhanced authority. "It's as if it never was touched by the reformers."

Like the board's awkward size, all of this is a result of the 1914 city charter, which is still in effect. But last November, voters

statewide approved a home-rule provision for St. Louis that will allow it to take up charter change. Although most of the attention is likely to go to placing more power in the hands of the mayor, there is plenty of sentiment among civic leaders for shrinking the size of the board of aldermen.

This is happening in other big cities with similar problems. Contraction is on the docket in Milwaukee, where some aldermen themselves have proposed shrinking the Common Council from 17 to 15 members, and in Baltimore, where voters last November approved trimming the city council from 19 to 15. Baltimore's initiative, backed by a coalition of labor unions and community organizations, was opposed

by most of the city's elected leadership, but it passed overwhelmingly.

It's unclear how much impact tinkering with council size will really have, in St. Louis or anywhere else. But it's clear that some fundamental changes will have to take place for city councils such as these to maintain any real relevance at all in coming years.

By any standard, there is still important work for these bodies to do. Cities need robust political institutions, and by all rights, city councils ought to be among them—they are, after all, the one institution designed to serve as the collective voice of residents and communities, whether their members are elected in districts or at large. But when little is expected of them, because a city's most important decisions are made elsewhere, it's no surprise that over time the ambitions of their members shrink to take in smaller and smaller patches of turf.

There are undeniable benefits to this. Two decades ago, voters in St. Louis overwhelmingly turned down an initiative to cut the number of wards. They felt, says Shrewsbury, "that government had gotten so complicated and big, the only way their voice could be heard was having an alderman who paid close attention." It may be that all most people really want from their city council is the kind of personal stroking that is often hard to come by elsewhere in a big city. But it's also hard to escape the feeling that, as Judd puts it, "when citizens are consulted these days, it's about things that are less and less consequential. What we're seeing is the slow strangulation of local democracy." □

Nobody In

IN THE END, LARRY BROWN HAD little choice but to resign as city manager of Kansas City, Missouri. By late June, when he finally agreed to give up his office atop the city's oddly graceful, Depression-era skyscraper of a city hall, Brown was a man beset, openly mistrusted by the council and sniped at by employees. His imminent departure was a universal assumption within local political circles.

There are those in Kansas City who, in hindsight, trace Brown's downfall to his 1994 arrest for drunken driving, which they contend cost him the respect of city staff. Others point to his decisions last year to give his top aides large pay raises and to send them to California's Napa Valley for taxpayer-supported training sessions—steps that turned into public-relations nightmares. By April, when a city council majority lambasted his proposed budget and yanked funding from his efforts to transform city government, it was just a matter of time.

But the truth is that the seeds of Brown's departure were sown at the beginning, at the very moment he was hired. Never short on ambition, Brown wanted nothing less than to assert the authority of the city manager to run Kansas City government as he saw fit. Instead, encountering more and more resistance the harder he tried, Brown learned a painful and expensive lesson: Nobody runs Kansas City. And a complex array of political forces is organized to keep it that way.

Power rests everywhere within the community—in the corporate boardrooms, with neighborhood developers and community organizations, within city agencies, on appointed boards, with the city council, in the hands of the mayor and in the office of the city manager. Building consensus on any issue is a time-consuming, frustrating process, and it is made harder by a structure that deliberately impedes the clear-eyed exertion of political will. Yet, as Brown discovered, so many people have a vested interest in the status

When everyone seems to be running a city, there's a good chance it isn't being run at all.

ROB CURWITT



quo that—for a city manager, at least—trying to change this state of affairs may be impossible.

This is a schizophrenic moment in the political history of America's big cities. For many of them, even some that were once branded ungovernable, the 1990s have brought a restoration of managerial competence, symbolized by New York's attack on crime, Cleveland's downtown revival, Chicago's school reform crusade and Philadelphia's return from the brink of bankruptcy.

All of the surging cities of this decade have had leaders with the ability to articulate and then enforce their priorities. These may be, as in New York, Chicago and Philadelphia, strong mayors in both the structural and political sense. Or they may be, as in Phoenix, a dynamic and widely admired city manager working with an elected council. But, in every case, there is a palpable sense that someone is in charge, setting an agenda about what is needed to make them attractive places to live and work.

Meanwhile, however, another set of cities, symbolized by Kansas City, Cincinnati, Miami and Dallas, among others, is stuck at the opposite end of the scale—mired in bickering, divided responsibility and long-standing political confusion. Nobody is in charge in these places. And it seems to take forever for anything to get done.

For the most part, these cities never fell quite as far as the Philadelphias and Clevelands of America. As a result, they have not been forced to look as hard at remaking local government. But, in the end, they will have no alternative. In the coming years, the struggle for urban viability will be hard enough, even under the best of circumstances. The fragmented cities will be at a profound disadvantage.

And they may finally be realizing it. In Kansas City, in the wake of Brown's resignation, popular but constitutionally

Charge

weak Mayor Emanuel Cleaver has begun talking about the need to give more authority to his successors. In Cincinnati, there have been nine attempts during the past decade to give the mayor more control, and another—with the quiet backing of the current mayor, Roxane Qualls, and the city's business leadership—is in the works. Dallas, shocked by a decade of political incivility following generations of close-knit cooperation, is openly debating where it went wrong, and what sort of governmental structure it might need to set things right. The forces backing change in all of these cities seem to agree that, although there may be no one formula for success in urban government, there is a recipe for failure, and it is the absence of leadership.

At first glance, it might seem odd to include Kansas City anywhere near the top of the list of troubled American cities. The regional economy is doing just fine, with unemployment in the metropolitan area below 4 percent. The city itself has seen new employers—Gateway 2000 and Harley-Davidson among them—set up plants in town. According to U.S. Census Bureau estimates, Kansas City actually has grown in population since 1990—although pretty much all of that growth has been in the long-unreached rural and suburb-like reaches north of the Missouri River.

Mayor Cleaver has embarked on a revitalization effort that includes creating a jazz hall of fame and a Negro Leagues baseball museum. Several of the city's leading businessmen are hoping to launch a huge hotel and entertainment complex on a dormant parcel of downtown land. And a committee that draws from both sides of the Missouri-Kansas state line is overseeing the resurrection of Kansas City's famous beaux arts Union Station as a hands-on science center.

Still, beneath the glowing press releases, there is trouble. Kansas City faces the same disquieting trends as other depressed central cities. "Projections show an increase



Before the fall: Larry Brown as city manager in Kansas City

in the number of jobs in the core, but as a share of the region's jobs, Kansas City's will either not increase or will decline," says David Warm, of the Mid-America regional council. "Most of the jobs, wealth and people are locating at the edges of the region. So there is the same clear and continuing pattern of decline in the center, disinvestment in the inner-tier suburbs and rapid growth on the edges that you see elsewhere." In the competition with its suburbs, in other words, Kansas City is, at the moment, losing.

On the day he announced Larry

Brown's resignation, Emanuel Cleaver made it clear that there is another competition that weighs on him as well. Pressed by reporters about what he thought of a governmental structure that, in essence, makes him merely the most prominent member of the city council, Cleaver could not hold back his frustration. "Kansas City is now a big-league city," he said, "and when the mayor of the city sits around with the president and CEO of a major corporation trying to get them to relocate here, the mayor is at a disadvantage, because other mayors can cut the deal at the table.



Cincinnati Mayor Roxane Qualls: Will the city put some authority in her job?

We are at a disadvantage in many instances when we are out competing."

The fact is, running Kansas City is mostly a matter of indirection. Mayors and city managers have to deal not only with a set of department heads who historically have had great room to pursue their own priorities, but also with circumstances that couldn't be better designed to water down their authority. The police are funded by the city but controlled by a state board. Libraries are under a separate board. Economic development, which is much of what Cleaver has been about in recent years, is under the control of the Economic Development Corp., which has become a sort of independent deal-maker for the city. The schools have been answerable to a federal court for 20 years, foster care services are in court hands as well, and the housing authority is in receivership. No one who wants to get things done in Kansas City, in other words, can do it directly.

As you might expect, many Kansas

Citians have grown to like this state of affairs—it leaves each player within city government, along with those who try to affect it, with a fair degree of autonomy. It also means, though, that when their agendas differ, the city looks rudderless. "When communities have well-organized voices or a broad community ethic that's widely shared," says the head of one organization in Kansas City, "when there's a strong leader with clear ideas and directions, when there are well-organized plans and a well-organized and directed civic leadership that pursues those plans, that's when you get a healthy politics of ideas. Kansas City is not there at the moment.... The city is up for grabs."

In the year or so leading up to Brown's forced resignation, there were at least three distinct sets of priorities being laid out in city hall. Cleaver's had to do with bringing in new economic development, redeveloping Kansas City's historically black neighborhoods and tackling the issue of race relations head-on. The city

council was focusing on how to pay for the city's infrastructure needs and shoring up basic services to residents. With all this going on, Brown was maneuvering to redesign the entire process by which Kansas City government worked. In retrospect, there was no way he could have succeeded.

In his defense, Brown was doing pretty much what the council had said it wanted when it hired him, back in 1993. Its members had asked for someone to bring Kansas City government in line with the movement toward cost containment and quality service that other cities had been pursuing. "We wanted someone to take charge and run the city wisely and economically and efficiently," says George Blackwood, the council's mayor pro tem. "We said, 'We're out of control. Get good people, get the job done, let's create a lean, mean fighting machine.'"

Brown's response was a process he called "transformation." Part of his goal was to introduce the notions of customer service and efficient, responsive bureaucracy that have taken hold elsewhere. But he also set out to break down the barriers that, over the decades, had grown up among departments that had become accustomed to being treated as sovereign entities. Most important, Brown wanted to reestablish the city manager's authority over the day-to-day running of the organization. Over the years, not only had department heads grown accustomed to following their own lead but city council members also had grown accustomed to making requests directly of department heads and even mid-level managers. The result was a city organization in which the right and left hands often didn't keep track of each other.

Brown made every effort to deal with this problem. As it turned out, though, few of his efforts sat well with others in city hall. Although some departments and lower-level managers responded to the service-oriented freedom Brown offered them—the city's fire department being, perhaps, the leading example—others resisted; they found sympathetic ears on a council that already saw Brown cutting off its direct pipeline to city departments.

The council was especially vulnerable on this point because there was no real leadership pushing it to embrace the principles that "transformation" was supposed to instill; indeed, there was no particular

The fragmented cities are entangled in r

leadership pushing it in any direction at all. A set of scandals during the past few years—four council members have been indicted on corruption charges—has created an ominous level of mistrust, turning the council into a set of 12 independent players who may come together around specific priorities—fixing the city's decaying infrastructure or backing neighborhood services—but otherwise prefer to be seen as individuals, not as a collective municipal leadership. "It is not an individual responsibility of each member to be responsible for the next," says Ken Bacchus, whose six-year tenure makes him one of the council's senior members.

Given those circumstances, council members' political legitimacy has rested, in large part, on their day-to-day involvement in city government; it was Brown's difficulty grasping the importance they placed on this that, more than anything else, undermined him. The budget he submitted to the city council this spring is a good example: It was essentially all text, a budget designed to get the council to think about policy without worrying about particular line-items. As a matter of theory, this should be all a council needs from a city manager in order to pass judgment on the general direction city government is headed. But as Cleaver points out, "Politics 101 is, Don't call the politicians stupid. His statement, as I interpreted it, was, 'You guys set policy, I'll worry about the rest.' Well, in 1997, politicians don't fade into the woodwork. That ain't going to happen anymore." When it became clear that Brown had no intention of setting aside his priorities in favor of the council's and the mayor's—that, indeed, there was no way to reconcile them—he left.

There are those in Cincinnati, too, who have become increasingly impatient with a political process that treats issues crucial to the city as though they were mice let loose among a swarm of cats. "I think that the city of Cincinnati is an essentially scandal-free, well-managed city with a work force of good, dedicated people," says Nick Vehr, a recently retired Republican councilman. "But...things get mired down in endless political debate and a kind of bureaucratic morass that pounds them to a pulp before they can be implemented."

Cincinnati, too, is a council-manager

city. Unlike Kansas City, however, its mayor isn't even elected separately. Instead, he or she is simply the council member who gets the most votes in the general election. Because no one actually runs for mayor, and because the mayor is no more powerful than any other member of the city council, there is very little political accountability in Cincinnati. The result, says Zane Miller, a political scientist at the University of Cincinnati, is an "absence of coherent leadership."

"The city bounces from problem to problem," agrees John Fox, editor of *City*

lish a handful of priorities with a few "action steps" attached to each, council members decided they had dozens of priorities. The "strategic plan" sank under its own weight.

Visiting Cincinnati, one does not get a sense of a city at loose ends. Its long-neglected riverfront is about to become a new focus for city life as two sports stadiums—one for the football Bengals, the other for the baseball Reds—are built there. Main Street, which was pretty much derelict 10 years ago, now has become a restaurant- and bar-filled



Ron Kirk in Dallas: Trying to build consensus without many tools

Beat, Cincinnati's local alternative weekly newspaper. "The bottom line is city government becomes a reactionary body rather than a proactive body that says, 'Here's our vision for where we're going in the next 10 years.'"

This is not necessarily for lack of trying. For two years, in fact, administrative staff worked with the council to develop a strategic planning process that was to produce a clear set of priorities on which the city manager could focus. In a series of sessions with the council, however, city hall's vision of the future became muddier, not clearer. Rather than estab-

entertainment zone at night. Parts of the neighborhood known as Over-the-Rhine, which was essentially a ghetto sitting on downtown's heels, are rapidly being gentrified. A new department store is going up on a prime downtown parking lot that many had despaired would never be replaced. "If you look ahead 10 years," says Al Tuchfarber, director of the Institute for Policy Research at the University of Cincinnati, "you're going to see a very revitalized downtown and riverfront."

Yet, the good things that are taking place in Cincinnati are taking place more in spite of city government than because of it. The revitalization of Over-the-Rhine might have materialized years ago had the

lry and personal politics.

city not set up barriers to redevelopment there. The new department store on Fountain Square West took a decade to materialize because the council spent most of that decade squabbling over just how the land ought to be used.

Perhaps the most troubling example of the city's problems, though, is the stadium deal. Given a deadline by the Bengals to come up with a plan that would keep the team in town, the city—after much hair-tearing—essentially punted. The financing deal was finally put together by surrounding Hamilton County, which, with

D.C., under Marion Barry would have fallen into the disrepair both cities now struggle against.

But for a much larger number of cities these days, it is fractured leadership—not abused personal power—that constitutes the main political problem. In Miami, for instance, the fiscal insolvency and corrupt practices of its former city manager and finance director flourished in no small part because each major player in city government was content to go his own way—the manager pursued his own political goals, each city commissioner was wrapped up

lishment expired, it set in motion a long period of chaos during which the newly enfranchised elements jostled for power without paying much attention to the interests of the community as a whole.

In 1991, under court pressure, Dallas switched from a council whose members were elected at-large to a district-by-district system. Ever since then, the council's deliberations have been one long bout of factionalism—ethnic, ideological and geographic. Presided over by a mayor with little formal power, the council has drifted from one crisis to another.

Recently, some of the tumult on the council has quieted down amid Mayor Ron Kirk's efforts to build a consensus around long-term plans for the city. At the same time, however, the school board threatens to explode under the pressure of racial feuding—for the most part between African-Americans and Hispanics—and much of the rest of the city's political leadership is finding it difficult to avoid being dragged into that battle.

It may be too much to say that all fragmented cities are alike these days, but all of them seem to be a little like Dallas, Cincinnati and Kansas City: so enmeshed in rivalries and personal politics that they are having trouble living up to their potential—or even seeing clearly just what that potential might be. If they are to remain competitive when it comes to attracting businesses, rebuilding the public schools and drawing middle-class residents back to their neighborhoods, they somehow need to rely upon leaders who can help them coalesce around coherent visions of where they're going. Such people clearly exist in all of these cities; the only question is whether they will be allowed to emerge.

"Leaders shackled by unreasonable restrictions are forced to engage in compromises and deal-making that slows forward movement and inhibits development of wide-ranging vision," the editor of the *Kansas City Star's* editorial page wrote not long ago, in a commentary that just as easily could have been applied to Cincinnati and any number of other places casting about for direction these days. "The way Kansas City's government now works," Rich Hood wrote, "there are so many safeguards built in to prevent dramatic leadership (or risky gambles that might not pay off) that we too frequently witness government by paralysis."



Insolvency and corruption flourished in Miami in part because each major player was allowed to pursue his own political goals. There was no one in charge who cared about Miami as a whole.

three county board members, can move much more quickly. In exchange, the county will own the stadiums. "It wasn't until we shifted authority to the county," Nick Vehr says, "that the sports franchises seriously began negotiating to stay in this town.... I think there's a general perception in this community that the ability to manage the future no longer resides, as it did in the past, in city hall."

There are, to be sure, plenty of people in both Kansas City and Cincinnati who believe that their cities are better off precisely because power is so fragmented. "The successful person negotiates coalitions and puts them together on a given issue," says one former Kansas City government staffer, "and that's not a bad thing. With coalition-building, there's some kind of consensus reached. Maybe it takes longer and demands more skill, but maybe the stuff that results is more durable."

It can also, of course, be argued that forceful leadership is hardly a panacea for American cities. If it were, neither Detroit under Coleman Young nor Washington,

in his own pursuits, the finance director was given a free hand, and the business community and many onlookers were convinced that the city itself did not matter. There was, simply put, no one in charge who cared about Miami as a whole.

Dallas, meanwhile, has been an exhibit of fragmentation for the entire decade of the 1990s. Once, it was a prime example of the opposite: a place where decisive mayors and city managers worked quietly and efficiently with a single-minded business establishment to set clear community priorities. Thirty years ago, when Mayor Erik Jonsson felt he needed a blueprint for long-term urban planning, he simply rounded up 80 civic leaders, spirited them off to a country club for a weekend and returned with a short list of major goals for the 1970s—most of which were implemented.

But that Dallas power structure eventually succumbed to its own weaknesses. It was so tightly controlled, so exclusive and so overwhelmingly affluent, male and white that it bred long-standing resentments among the groups in town that felt left out of its processes. When the estab-

Exhibit D

From: "Marcia McQuern" <mcquern@pe.net>
To: "Eric Haley" <ehaley@rctc.org>
Date: 8/7/2003 1:07:49 PM
Subject: charter review

Eric:

The only charter review subject areas I've thought about that are not on the staff list are:

1. Should there be greater protection for public access to city government? I know that some cities have gone beyond state law to assure that the public can find out what their representatives and employees are up to in their name.
2. Have our wards become so populous that we should increase their number so each council member has a more manageable job representing his/her constituents?

As for procedure, I suggest that before we prioritize subject areas, we hear from the council members, mayor, city manager, city attorney and hold a public hearing so we can hear from those who closely watch city government (i.e. Friday Group, Raincross Group, employees etc.) -- all with the goal of learning what areas of the charter these stakeholders would like to see changed. We don't want to take time for debates at this first hearing, just to get suggestions on the table. Then, we can decide how (working groups or committee of the whole) and in what order to tackle the issues. We may want some subjects sent to committees and others dealt with by the full committee. I think we should not take on the most contentious issues first. We'll want some issue-specific public hearings as we proceed so we surface all the pro and con arguments of any proposed changes before we act.

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CITY OF RIVERSIDE



CITY COUNCIL MEMORANDUM

Exhibit E

HONORABLE MAYOR AND CITY COUNCIL

DATE: July 25, 1995

ITEM NO.: 50

SUBJECT: RECOMMENDED CHARTER AMENDMENTS

BACKGROUND:

GENERAL

On June 4, 1995, the report of the Charter Review Committee was presented to the City Council with four recommendations as follows:

1. Receive the report of the Charter Review Committee, take it under submission, and schedule it for action at a future meeting.
2. After review and consideration of the report, adopt the recommendations of Charter Review Committee and direct the City Attorney and City Clerk to take such actions as are necessary to have the recommended Charter amendments placed on the ballot for the next regular municipal election.
3. Consider directing staff to review the Charter on a biennial basis for routine title and language changes that should be made. Any recommended changes could be put on the general municipal election ballot by the City Council without the necessity of establishing a Charter Review Committee. The Charter Review Committee process would be reserved for more substantive amendments.
4. Consider directing staff to prepare a citizen's guide to the Charter after the November vote on the amended Charter.

On July 10, 1995, the City Council held a workshop on the Charter Review Committee's report. At the workshop, questions of Councilmembers and the Mayor were answered and the Council received public comment on the proposed amendments. At the workshop, there was a consensus that amended Section 1104 should be further clarified. The proposed clarification of the amended

last sentence of the first paragraph of Section 1104 is as follows:

All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered, except for appropriations for capital projects which shall continue to the completion of the capital projects unless a different rule has been established by action of the city council.

At the July 10, 1995, workshop, the City Council agendized the proposed Charter amendments for action on July 25, 1995. In addition, the Council requested information on the costs of holding the special election on the Charter measures with the General Municipal Election on November 7, 1995, versus holding it with the Statewide Primary Election on March 26, 1996. It was noted none of the proposed Charter amendments would be adversely affected by delaying the vote until March 1996. The relative costs are covered in a separate report from the City Clerk.

Further legal review since the July 10, 1995, workshop indicates the proposed Charter amendments should be voted on as two separate measures since the proposed deletions of Section 1406 and 1407 relating to the Riverside Unified School District must be voted on separately by the qualified electors of the Riverside Unified School District.

RECOMMENDED CHARTER AMENDMENTS

As noted in the Charter Review Committee's report, none of the proposed amendments reflect policy changes or changes to the City of Riverside's governmental structure. The more significant amendments are as follows:

1. Addition of a Preamble to the Charter to introduce it and state its purpose..
2. Revision of Section 400 relative to the election and seating of the Mayor and Councilmembers to reflect the 28 days the County Registrar is permitted by law to count the vote. The proposed amendments change the date of seating from the first to the fifth Tuesday following the election, be it a regular or special election. They also change the date of the runoff election to a date certain, the tenth Tuesday following the General Municipal Election, which is the last day of the current range of dates, 45 to 70 days after the General Municipal Election.

3. Renumbering of Article X, Elections, as Article V so that it immediately follows Article IV, City Council and Mayor.
4. Revision of Section 1109 relative to public works contracts to increase the threshold when competitive bidding is required from the amount provided by state law (\$5,000) to \$25,000.
5. Revision of Section 1200 to provide that any future public utilities created by the City Council may be placed under the jurisdiction of the Board of Public Utilities.
6. Revision of Section 1202 relative to contracts that must go before the Board of Public Utilities to increase the threshold from the amount provided by state law (\$5,000) to \$25,000 with a mechanism for inflation adjustments. An emergency exemption provision was also added.
7. Revision of Section 1403 to provide for a Charter Review Committee to be appointed every eight years beginning in 2004 to review the Charter and make recommendations for its amendment. Charter amendment ballot measures would be scheduled to coincide with the regular general municipal elections for mayor.
8. Deletion of Sections 1406 and 1407 relating to the Riverside Unified School District because the transition language relative to terms is no longer needed. (As noted above these deletions need to be voted on separately by the qualified electors of the Riverside Unified School District.)

In addition to the major amendments described above, there are a number of other Charter amendments proposed to clarify language, to correct grammar and punctuation, to replace position titles that have become outdated, to eliminate single gender references, to delete sections which concern matters covered by state law, and to update language to reflect modernization of operational practices.

RECOMMENDATION:

That the City Council:

1. Adopt a resolution proposing that the Riverside City Charter be amended as shown in Attachment A and further proposing that Sections 1406 and 1407 of the Riverside City Charter pertaining to the Riverside Unified School District be deleted as shown in Attachment B.

2. Adopt a motion directing the City Manager, City Attorney and City Clerk to review the Charter on a biennial basis for routine title and language changes that should be made and bring any necessary or desirable changes to the City Council's attention for action.
4. Adopt a motion directing the City Manager to prepare a citizen's guide to the Charter after the vote on the amended Charter.

Approved by:

John E. Holmes
John E Holmes
City Manager

Prepared by:
Victor J. Kaleta, Esq.
Special Counsel to Charter Review Committee

CC: City Clerk

APPROVED AS TO FORM
Stan T. Yamamoto
Stan T. Yamamoto, City Attorney

CITY OF RIVERSIDE CHARTER HISTORY BRIEF

1948

- Mayor shall, with approval of City Council, appoint officers of the City

1951

- Established Board of Freeholders to propose new Charter

1952

- Comprehensive recodification

1955

- Planning Commission established

1956

- Required two-thirds vote of electorate to sell utility

1961

- Created seven Councilmanic Wards

1963

- Elected officials must be qualified elector for three years preceding election and resident of the ward

1964

- Established recall procedures for City Council
- Councilmembers shall be elected by qualified electors of their respective ward only
- Established run-off election provisions
- Procedure for adoption of ordinances and resolutions

1966

- Requires five affirmative votes (instead of four) to override Mayor's veto
- Mayor granted vote on appointments to Boards and Commissions

1967

- Restricts City Council contract approval to twenty-five years, with exceptions

1968

- Provides for issuance of water and electric revenue bonds

1969

- Granted Mayor power to break a tie vote of the City Council

1973

- Set third Tuesday in April of odd-numbered years as regular municipal election day
- Procedure to fill vacancies on Riverside Unified School District Board of Education; and powers and duties of President and Board members

1974

- Amended City Council contract approval restriction to comply with State law
- Set terms for members of City boards and commissions to expire on October 1st
- City Manager shall designate staff to record minutes for City boards and commissions
- Regulations regarding issuance of bonded indebtedness of the utility

1976

- Regulations regarding issuance of bonded indebtedness of the utility
- Set first Tuesday of November in odd-numbered years for regular municipal election

1977

- Set public utility General Fund transfer not to exceed 11.5% of gross operating revenues

1981

- Clarify roles of Mayor, City Council, and City Manager
- Established employee grievance procedure
- Method of setting City Council compensation
- Election, powers, and duties of Riverside Unified School District

1986

- Mayor shall deliver annual State of the City message in January or February at the location of his/her choosing
- Mayor shall vote on removal of members of boards and commissions; members may serve no more than two consecutive full terms
- Creates the Mayor and Council Members Salary Commission

1995

- Technical clean-up, renumbering, and recodification

2003

- Increased threshold limit for formal competitive bidding for public works contracts from \$25,000 to \$50,000
- Increased from \$25,000 to \$50,000 Board of Public Utilities' authorization for purchase of equipment, materials, or supplies

EXHIBIT G

SUMMARY OF ISSUES

**This will be distributed at the meeting on
Thursday, August 14, 2003.**

EXHIBIT G

CHARTER REVIEW COMMITTEE

Issues for Consideration

Several issues have been identified for possible review and consideration by the Charter Review Committee. These issues include:

1. Method of Setting Salary for Mayor and City Council Members - - the members of the most recent Mayor and Councilmembers Salary Commission expressed concern with the current process defined by Section 810 of the Charter and the limitation on compensation set forth in section 403 of the Charter. Section 403 prohibits the level of compensation, once established, to change automatically by linking such compensation to an external factor.
2. Identification of the Mayor and Members of the City Council as Full Time or Part-time Elected Officials - - this issue was identified by the Mayor and Council Members Salary Commission as significant in analyzing and determining the appropriate level of compensation for the Mayor and Members of the City Council commensurate with their duties and responsibilities as elected officials.
3. Powers and Duties of the Park and Recreation Commission - - the scope of the duties and responsibilities of the Park and Recreation Commission was also identified for review.
4. Run-off Elections vs. Instant Run-off Voting - - as with Riverside's run-off provisions, instant run-off voting provides that to be elected, candidates must receive a majority of the votes passed. However, IRV requires no run-off as candidates are ranked by the voter in order of preference. Upon tabulation of the votes, if no candidate receives a majority, the last place candidate is deemed defeated and the ballots are recounted. In the second round of counting, ballots cast for the last place candidates count for the next choice candidate and so on until one candidate receives a majority of the vote.
5. Election of Mayor in Even Numbered Years - - this issue was identified so as to permit an incumbent councilmember to run for election of mayor without forfeiting their council seat.
6. Primary Election of Councilmembers by Ward and Run-Off Election at Large - - this issue was identified in order to increase at large voting.
7. Responsibilities of the Mayor, Members of the City Council and the City Manager - - the City of Riverside currently operates under a Council - Manager form of government and the committee may wish to compare the current system with other forms of government.

**CHARTER REVIEW COMMITTEE
City of Riverside
August 5, 2003, 4:30 p.m.
Mayor's Ceremonial Room**

Exhibit H

MINUTES

PRESENT: Members Damon Castillo, Eric Haley, Marcia McQuern, Rose Mayes, Dale McNair, Dorothy Bailey, Stan Stosel, Rusty Bailey, Ray Higgins, Connie Leach, Gar Brewton, Mike Teer, Ben Johnson, Barry Johnson, Art Garcia, and Marjorie von Pohle

ABSENT: Member William Turpin

STAFF PRESENT: Colleen Nicol, Gregory Priamos, Penny Culbreth-Graft, Sharon Cooley, and Tricia Ruiz

ALSO PRESENT Barbara Purvis representing the League of Women Voters and Dan Hantman

City Clerk Colleen Nicol convened the Charter Review Committee at 4:30 p.m. Self-introductions followed.

ELECTION OF CHAIR AND VICE-CHAIR

Member McQuern nominated Eric Haley for the position of Chair. Member Haley accepted the nomination. Subsequently, nominations by Art Garcia for Member Castillo to serve as Vice-Chair and Member Garcia for Rusty Bailey and Member von Pohle for Marcia McQuern to serve as Chair were made and later withdrawn.

Following further discussion, the Committee unanimously appointed Eric Haley as Chair and Ben Johnson as Vice-Chair and directed that this matter be revisited in three meetings for a vote of confidence to confirm the appointments.

PURPOSE AND CHARGE OF COMMITTEE/CHARTER REVIEW PROCESS

City Attorney Priamos reviewed the purpose and scope of the Charter, the Charter Review Committee's power and duties, the Committee's charge, issues for consideration, and process for presentation of recommendations to the City Council for placement on a future ballot.

City Clerk Colleen Nicol outlined the 1994/95 review process and presented considerations for the upcoming process which may include interview of elected officials, the City Manager and Department Heads, working groups, a presentation on instant runoff voting, public meetings, periodic updates to the City Council, and a concluding City Council workshop.

The City Clerk was requested to provide the City Council's action in formation of the Charter Review Committee and research on the 1995 Committee recommendations to the City Council and language submitted to the voters.

Following discussion, the Committee, by consensus, concurred that (a) policy concerns of individual Committee members be recorded and forwarded to the Chair, Vice-Chair, and City staff; (b) the elected officials and key City staff be interviewed early in the process with written reports submitted in advance being preferred; (c) Committee meetings be held throughout the City; (d) appropriate Committee members attend Mayor's Night Out events; (e) the Communications Officer will prepare a proposed outreach campaign for consideration at the next meeting; and (e) the City Clerk will distribute the Committee roster to all members.

FUTURE MEETING SCHEDULE

Following discussion, and without formal motion, the Committee determined to conduct its meetings at 5 p.m. on the second and fourth Thursdays of each month from 5 to 6:30 p.m. The next meeting will be held on Thursday, August 14, 2003.

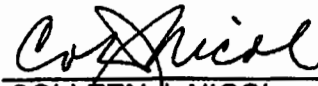
ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no oral comments presented at this time.

ADJOURN

The meeting adjourned at 6:05 p.m.

Respectfully submitted,



COLLEEN J. NICOL
City Clerk