

EXHIBIT S

CHARTER REVIEW COMMITTEE

City of Riverside

May 13, 2004, 5 p.m.

Mayor's Ceremonial Room

3900 Main 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, Rose Mayes, Dorothy Bailey, Connie Leach, Stan Stosel, Sharon Tyrrell, and Ben Johnson

ABSENT: Art Garcia (excused), and Mike Teer (excused)

STAFF PRESENT: Colleen Nicol, Gregory Priamos, Tricia Ruiz, and Cheryl Balz

ALSO PRESENT: Phyllis Purcell, Barbara Purvis, Mike Mueting, Sylvia N. Martin-James, Alex Sinkhorn, Paul Kim, Ashley Jones, Larin Saucedo, Jonathan Wise, and others

Chair Haley convened the Charter Review Committee meeting at 5:04 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 Castillo and seconded by Member D. Bailey to approve the Minutes of April 22, 2004, as presented. Motion carried unanimously.

DISCUSSION AND DELIBERATION

Mayor and City Council Salaries

Members McNair and Leach, read their suggestions for determining Mayor and City Council salaries.

Member McNair proposed establishment of a salary committee that is picked by application consisting of twenty people who meet certain requirements. The goal would be to establish guidelines to make the determination of a salary, compensation, stipend, or wage using the current salaries as a base starting level. Member Leach proposed disbanding of the Salary Commission and compensation for Councilmembers at 50 percent of the Mayor's salary with a review occurring once every four years. The increase in compensation if approved would be effective for successful candidates at the next election. Member Higgins supported the proposal of Member Leach and added that it is customary for government officials to give themselves raises at 50 percent of the Mayor's salary which is set by City Council.

Member McNair felt that the commission should consist of diversified individuals. Member von Pohle pointed out that civic groups are not listed as professionals and the commission should not be limited to certain professions. Member Haley agreed stating that the naming of specific groups in the Charter is not a good idea.

Member Castillo asked about the number of commissioners that the commission should consist of. Member McNair added that the last group was too small and needed more members because the current commission is split and having a larger group would avoid that. Member Leach disagreed stating that it would be hard to get twenty people to agree on anything. She repeated her suggestion to disband the commission as it does not work. Member Castillo replied that diversity and numbers would help. Member D. Bailey questioned why Councilmembers working for the good of the City should not get paid.

Member Brewton stated that the downfall of government is that everything is done by committee. It is not the same in private industry. The dedication and knowledge will improve our City. The Mayor and Councilmembers are not employees and they are entitled to an increase occasionally. He supported Member Leach's proposal to set the limit and review the salary every four years. There is no need for a review commission.

Member Higgins mentioned that staff provided the commission with enough information for them to make a decision in four meetings yet the commission dragged it into thirteen meetings. He believes the commission has their own agenda and it is not necessarily good for the people. He stated once again that the commission should be sunsetted. Member Johnson thought the citizens seemed happy with the current salary as they did not show up to dispute it. He felt it should be left in the hands of the Councilmembers.

Chair Haley pointed out the commonalities of the proposals. There was no suggestion of an independent body and to maintain the current decision making process. A review of salary issues of the last thirty years showed that each change was controversial and he thought a rollback unlikely. He proposed increases to occur every two years using the Consumer Price Index with an aggregate number while maintaining elected official accountability for approval of those adjustments. He felt a new commission would have the same problems.

Vice Chair Johnson commented about addressing the whole issue. It should be determined if it is a salary or stipend. He felt it should be a stipend as the position is not a job, it is a public service and the current salary should be rolled back. Member Castillo supported Chair Haley's proposals and Vice Chair Johnson's comments. He stated that the role is a public service and is not to provide for families. If the Consumer Price Index was used, there may be times where there is a deficit and if using an external concept, a commission will be needed.

Member Leach cited several cities salaries to point out the difficulties in choosing a base figure, Oceanside a smaller city at \$37,000, Vista at \$24,000, and Escondido at \$10 per hour. Chair Haley mentioned there are factors that are not figured in current salaries such as per diems and management packages making for a generous package.

Member Brewton restated that the commission doesn't work and that the City Council rejected their recommendations. He pointed out that the recommendation of the Charter Review Committee would only be good for the next five years therefore they should support Member Leach's proposal and suggested setting a limit. Member Higgins added comments from Salary Commissioner Paul Fick who feels the Commission was ineffective. The compensation should

be enough so the average citizen can serve. People should not be penalized for serving.

Member Tyrrell does not believe it is a public service. She wants the best and brightest serving the City. Member von Pohle replied that the civic minded should not be eliminated by not being able to afford to serve. There has to be a balance, not just the wealthy candidates.

Member D. Bailey stated if the City Council works without salary, they would be working for themselves on their own agendas. They should be paid so they will work for the citizens. They will not do the right thing for free. Vice Chair Johnson agreed that they shouldn't serve for free but their job is to make policy and they should not receive a full-time salary. He added that people who do the right thing do so for integrity.

Members Leach and Brewton agreed it should be kept simple. Member Brewton pointed out that an opportunity exists because they just received a raise and are happy. Now is the time to set a platform and come up with a mechanism for the next raise.

A student commented on how he respects the view that an ideal public servant should work for nothing but asked what would be the incentive to run. Chair Haley answered that there are a variety of idealistic reasons to run. It gives an individual a chance to accomplish something, a learning experience, and possibly a political career.

Sue Mitchell agreed with Member Brewton to simplify the process but she does not endorse the 50 percent as it is flawed and will cause a lot of issues. She requested the committee put a stop to the commission bashing.

Larin Saucedo commented that public officials should get money but the incentive should be what can be done for your community. Phyllis Purcell pointed out that if the Mayor is considered full-time and the City Council is part-time then one-half of the Mayor's salary is fair. Member Higgins clarified that the 50 percent came out of the County Supervisor's pay which is based on one-half of what a judge makes. Member R. Bailey stated it is now two-thirds to three-fifths.

Member McQuern proposed that the commission have the final decision.

Chair Haley saw a problem with Member Leach's proposal if higher inflation should occur. Member Leach suggested putting a ten percent ceiling on any increase and Member Mayes suggested a benchmark and putting the limits in the Charter. She felt that the salary commission should be kept intact as a check and balance system.

Member Stosel asked to put the issue of the previous raise behind them and move forward from this point on. He liked the incrementalism, but not every four years. Vice Chair Johnson felt that a stipend should be used as a benchmark with increases given in the same manner as City employees or to pick a dollar amount and put a limit on the increases. Chair Haley proposed maintaining the current salary with adjustments in same manner as City employees and if they wanted more it would require voter approval. Vice Chair Johnson did not like the idea that council should receive greater increases than staff.

Member Brewton favors annualizing increases. If a Councilmember chooses not to take the increase, it would not accumulate. He then suggested an increase every two years not-to-exceed five percent. Vice Chair Johnson and Member Leach agreed.

It was moved by Member McQuern and seconded by Vice Chair Johnson to eliminate the salary commission. The motion carried with Member Mayes voting no.

It was moved by Vice Chair Johnson and seconded by Member Tyrell to set Mayoral and City Council base salaries at the current level with City Council option to increase the salary every two years not to exceed management employee increases. Following further discussion, the motion and second were withdrawn.

Subsequently, it was moved by Member Brewton and seconded by Member Leach (1) conceptually approving setting Mayor and City Council salaries at the current levels with City Council review in January every two years to consider raises not to exceed 5%; and (2) requesting the City Attorney to draft proposed language for Committee consideration at the next meeting. Motion carried unanimously with Member R. Bailey voting no.

Michael Morales commented on the use of salaries to gain public office and asked what would prevent bad politicians from using that platform.

Following further discussion, motion was made by Member McQuern and seconded by Member Higgins that the salary review would be conducted in odd-numbered years. Motion carried unanimously with Member Brewton voting no.

The Committee offered advertising suggestions to make the public more aware of upcoming Charter Review Committee meetings. The City Clerk will follow up.

Preamble

At the request of subcommittee member R. Bailey, consideration of Preamble language was continued.

The Committee adjourned at 6:50 p.m.

Respectfully submitted,



CHERYL BALZ
Deputy City Clerk

ACCOMPLISHMENTS

1. Continued policy deliberations and formulating positions

TO DO:

1. Continue deliberations and take positions on remaining matrix issues
2. Vote on final recommendations to be forwarded to the City Council

DRAFT

CITY PREAMBLE

We, the people of the City of Riverside believe in promoting [fostering] an inclusive community with shared economic, environmental and cultural prosperity, equal civil and political rights, social harmony and cohesion [mutual respect], and advanced education opportunities for all [residents]; governed by a responsible and responsive public ~~service~~ ^{servants} [and/or elected leaders] who promote [total] citizen participation, as well as just and equitable tax and financial policies; and rooted in our desire to enhance the uniqueness of area that is Riverside; therefore, adopt this Charter as a moral standard for our government and those that serve it, under the Constitution of the State of California.

POSSIBLE REPLACEMENT SENTENCES/PHRASES

By this action we expect to be governed by public servants who are responsive to the values of the community and who are committed to promoting citywide citizen participation.

It is our express desire to enhance the uniqueness that has made Riverside one of the most livable cities in the nation by assuring a moral standard for our government and those who serve in it and one that advances justice, inspires confidence, and respects the voice of each and every one of its residents.