



Charter Review Committee

City of Arts & Innovation

TO: CHARTER REVIEW COMMITTEE MEMBERS DATE: February 10, 2020

FROM: CITY ATTORNEY'S OFFICE WARDS: ALL

SUBJECT: PROPOSED CITY CHARTER AMENDMENTS TO REFERENCE "TRANSPARENCY", CHANGE REFERENCES TO "CITIZEN"; ADD ADDITIONAL NEWSPAPERS AND REVISE CHARTER REVIEW COMMITTEE APPOINTMENT SCHEDULE

ISSUE:

To consider the following proposed City Charter amendments:

1. Amend the Charter Preamble to add a reference to "transparency";
2. Amend Charter Section 411 to replace the word "citizen" with "community member";
3. Amend Charter Section 414 to add a local newspaper resource such as "The Voice" and online and social media platforms; and
4. Amend Charter Section 1403 to require the City Council to appoint a Charter Review Committee every four years instead of eight, and to require a standing Charter Review Committee to meet on occasions when required.

RECOMMENDATION:

That the Committee consider the following proposed Charter amendments to be presented to City Council and, if approved, direct staff to prepare proposed ballot amendments:

1. Amend the Charter Preamble to add a reference to "transparency";
2. Amend Charter Section 411 to replace the word "citizen" with "community member";
3. Amend Charter Section 414 to add a local newspaper resource such as "The Voice" and online and social media platforms; and
4. Amend Charter Section 1403 to require the City Council to appoint a Charter Review Committee every four years instead of eight, and to require a standing Charter Review Committee to meet on occasions when required.

BACKGROUND:

At the March 11, 2019 Committee meeting, Member Beeman submitted a written list of proposed Charter amendments to the Charter Preamble as well as Charter Sections 411, 414. The written list is attached hereto.

At the January 13, 2020 Committee meeting, Member Beeman proposed an amendment to

Charter Section 1403 to require the City Council to appoint a Charter Review Committee every four years instead of eight, and to require a standing Charter Review Committee to meet on occasions when required. Member Beeman requested that the Committee consider her proposed Charter amendments at the next Committee meeting.

On January 17, 2020, Member Beeman submitted by e-mail further reasoning for her proposed amendments to Section 1403 shortening the period between Charter Review Committee review, and Section 411 replacing a potentially exclusionary term (“citizen”) with inclusionary language (“community member”). Member Beeman’s e-mail is attached hereto.

1. Proposed Amendment to Charter Preamble

Current Language:	Proposed Amendment:
We, the people of the City of Riverside believe in promoting an inclusive community with shared economic, environmental and cultural prosperity, equal civil and political rights, social harmony and cohesion, and opportunities for all governed by responsible and responsive public officials who promote citizen participation, as well as just and equitable tax and financial policies; and these beliefs are rooted in our desire to enhance the uniqueness of the City of Riverside.	We, the people of the City of Riverside believe in promoting an inclusive community with shared economic, environmental and cultural prosperity, equal civil and political rights, social harmony and cohesion, and opportunities for all governed by responsible and responsive public officials who promote citizen participation, as well as just, <u>transparent</u> and equitable tax and financial policies; and these beliefs are rooted in our desire to enhance the uniqueness of the City of Riverside.
We, the people of the City of Riverside, to obtain and retain for ourselves the benefits of local government, do hereby exercise the express right granted by the Constitution and the statutes of the State of California and enact this Charter for the City of Riverside.	We, the people of the City of Riverside, to obtain and retain for ourselves the benefits of local government, do hereby exercise the express right granted by the Constitution and the statutes of the State of California and enact this Charter for the City of Riverside.

2. Proposed Amendment to Charter Section 411

Current Language:	Proposed Amendment:
Sec. 411. Same—Citizen participation. Each citizen shall have the right, personally or through counsel, to present comments at any regular meeting of the Council, or a Council standing or ad hoc committee, or offer suggestions with respect to municipal affairs.	Sec. 411. Same—Citizen <u>Community Member</u> participation. Each citizen <u>community member</u> shall have the right, personally or through counsel, to present comments at any regular meeting of the Council, or a Council standing or ad hoc committee, or offer suggestions with respect to municipal affairs.

In earlier meetings, the Committee asked if staff would generally advise as to any legal problems with ballot language, as written. Staff suggests that the word “community” may be difficult to define and that Committee should consider using “resident” instead of “community member.”

3. Proposed Amendment to Charter Section 414

Current Language:	Proposed Amendment:
<p>Sec. 414. Publication of ordinances.</p> <p>The City Clerk shall cause to be published at least once in a newspaper of general circulation within fifteen days after its adoption the number, a title, a brief synopsis of the content of each ordinance and the Statement that a full copy of the ordinance is available in the office of the City Clerk.</p>	<p>Sec. 414. Publication of ordinances.</p> <p>The City Clerk shall cause to be published at least once in a newspaper of general circulation <u>as well as in local newspaper resources, the City web site, and other appropriate social media platforms on which the City regularly posts information</u>, within fifteen days after its adoption the number, a title, a brief synopsis of the content of each ordinance and the Statement that a full copy of the ordinance is available in the office of the City Clerk.</p>

4. Proposed Amendment to Charter Section 1403

Current Language:	Proposed Amendment:
<p>Sec. 1403. – Charter Review Committee.</p> <p>In February 2019, and in February every eight years thereafter, the City Council shall appoint and appropriate adequate funds for a Charter Review Committee. The Charter Review Committee shall have the power and duty to:</p> <ul style="list-style-type: none"> (a) Recommend to the City Council which, if any, Charter amendments should be placed on the ballot at the next regular municipal election for Mayor. (b) Hold public meetings to receive input on proposed Charter amendments. (c) Present a final report with its recommendations to the City Council by the last Tuesday in May preceding the next regular municipal election for Mayor. It may, in its discretion, make interim reports to the City Council. <p>The City Council shall act upon the recommendations of the Charter Review Committee prior to the last day to place</p>	<p>Sec. 1403. – Charter Review Committee.</p> <p>In February 2019 <u>2024</u>, and in February every eight <u>four</u> years thereafter, the City Council shall appoint and appropriate adequate funds for a Charter Review Committee. The Charter Review Committee shall have the power and duty to:</p> <ul style="list-style-type: none"> (a) Recommend to the City Council which, if any, Charter amendments should be placed on the ballot at the next regular municipal election for Mayor. (b) Hold public meetings to receive input on proposed Charter amendments. (c) Present a final report with its recommendations to the City Council by the last Tuesday in May preceding the next regular municipal election for Mayor. It may, in its discretion, make interim reports to the City Council. <p><u>(d) Meet on a periodic basis when required to review a Charter amendment proposed by the City Council and provide a report to</u></p>

<p>measures on the ballot for the next regular municipal election for Mayor.</p> <p>The City Council may appoint Charter Review Committees more often if it desires.</p>	<p><u>the City Council with its recommendation.</u></p> <p>The City Council shall act upon the recommendations of the Charter Review Committee prior to the last day to place measures on the ballot for the next regular municipal election for Mayor.</p> <p>The City Council may appoint Charter Review Committees more often if it desires.</p>
--	--

FISCAL IMPACT:

None.

Prepared by: Susan Wilson, Assistant City Attorney
Elliot Min, Deputy City Attorney

Approved as to form: Gary G. Geuss, City Attorney

Attachments:

Chani Beeman's List of possible Charter Amendments (March 11, 2019);
Chani Beeman's e-mail regarding proposed Charter Amendments (Jan. 17, 2020);