



*City of Arts & Innovation*

# Charter Review Committee

TO: CHARTER REVIEW COMMITTEE MEMBERS DATE: FEBRUARY 3, 2021

FROM: CITY CLERK WARDS: ALL

SUBJECT: CHARTER REVIEW COMMITTEE PROCESS FOR INFORMATION  
GATHERING, DELIBERATION, AND RECOMMENDATIONS TO THE CITY  
COUNCIL

## **ISSUE:**

Receive information on the Charter Review Committee process and timeline for recommendations to the City Council on proposed Charter amendments and develop upcoming work plan elements.

## **RECOMMENDATIONS:**

That the Charter Review Committee:

1. Receive and file the report on the Charter review process;
2. Direct City Clerk to schedule interviews with Mayor, City Council, Charter Officers, and others, as desired; and
3. Determine community outreach efforts to be undertaken.

## **BACKGROUND:**

### Summary of 2019/2020 Charter Review Process

The 15-member 2019/2020 Charter Review Committee held its first meeting in January 2019 and met monthly thereafter. For five of those meetings, the Community met at geographically distributed City locations in an effort to reach the various communities in the City: Bobby Bonds Park, La Sierra Senior Center, Orange Terrace Community Center, Hunt Park, and the Riverside Municipal Airport. The Committee received public input at every meeting. Additionally, the Committee interviewed former Councilmembers Mac Arthur, Gardner, Adams, and Soubirous, and current Councilmembers Conder, Melendrez, Perry, Edwards, Fierro, Hemenway, and Plascencia. The Committee interviewed the Mayor, the City Clerk, the City Attorney, the City Manager, former Mayor Ron Loveridge, and the Board of Ethics Chairperson. The Committee received 52 charter amendment ideas from the public and 93 such ideas from Committee members, elected officials, and City staff.

On May 19, 2020, the City Council received the Charter Review Committee's Final Report recommending the following six proposed City Charter amendments:

1. Give the Mayor a vote on all matters requiring action before the City Council;
2. Require an election to fill an elected office vacancy with more than one year remaining on the term;
3. Consolidate Mayor and City Council election dates with statewide elections;
4. Require the City Council to submit all proposed City Charter amendments to a Charter Review Committee;
5. Require the City Council to publish an annual report specifying the nature of any material written complaints or whistle-blower complaints alleging fraud, waste, abuse, or criminal conduct; and
6. Clean-up items.

On July 21, 2020, the City Council placed four measures on the November 3, 2020, ballot including requiring an election to fill an elected office vacancy with more than one year remaining on term, consolidation of Mayor and City Council election dates with statewide elections, submittal of all proposed Charter amendments to a Charter Review Committee, and other clean-up matters.

The City Council referred granting the Mayor a vote and publication of an annual report on written complaints or whistle-blower complaints alleging fraud, waste, abuse, or criminal conduct to an ad hoc Charter Review Committee for further study and consideration for placement on the ballot in November 2, 2021. The latter subject may require the addition of a City Auditor or Inspector General salary position which would require placement on the ballot of a statewide general election.

#### City Charter and State Law Provisions

Charter Section 1403 reads:

*"Sec. 1403. Charter Review Committee.*

*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:*

*(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.*

*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.*

*The City Council may appoint Charter Review Committees more often if it desires. (Effective 10/23/2012 and 12/27/1995)"*

The City Charter and State law conflict on the timing of an election to consider Charter amendments. The City Charter is preempted by State law in this regard.

By State law, any Charter amendment that would “alter any procedural or substantive protection, right, benefit, or employment status of any local government employee or retiree or of any local government employee organization” must be submitted at a statewide general election, i.e., March or November of even-numbered years. Proposals that do not so alter can be held on alternative dates.

The Committee decides whether to recommend a charter amendment to the City Council by first voting conceptually on whether to make that recommendation; if a majority of the Committee votes in favor, then the Committee directs staff to draft language for the charter amendment and ballot measure. At a subsequent meeting the Committee reviews the draft language, discusses revisions, and votes to formally approve the draft charter amendment language and ballot measure.

As the Charter Review Committee meets the definition of “Local Body” pursuant to Chapter 4.05 of the Riverside Municipal Code (Sunshine Ordinance), meetings will be open and public, audio and video recorded, broadcast live, and agendas published twelve days in advance of meetings.

### **FISCAL IMPACT:**

Costs to convene and provide staff support to the Charter Review Committee will be absorbed by currently adopted Department budgets.

Prepared by: Colleen J. Nicol, City Clerk  
Approved as to form: Kristi J. Smith, Interim City Attorney

### **Attachments:**

1. Minutes of July 21, 2020
2. Riverside City Charter
3. Timeline
4. Ideas Log from Members of the Public
5. Ideas Log from Charter Review Committee