

memo

Charter Review Sub-Committee on Mayoral Power

To: Ben Clymer, Jr. and Pete Benavidez
From: Legistar
CC:
Date: April 6, 2021
Re: Proposal to Full Committee

Comments:

Here is what I would like to propose to the full Committee regarding Mayoral Powers and request permission for the City to Attorney to draft the actual language.

Proposal:

1. Mayor to have veto power over all Council items:
 - a. New Ordinances
 - i. Modification of old ordinances
 - ii. Eliminating of old ordinances
 - b. City Contracts
 - i. Personnel
 - ii. Vendor
 - c. Budget
 - d. Resolutions that change City policy in any substantive way.
 - i. Resolutions that would direct any City Department to either enforce or not enforce any Ordinance, or State Law.
 - e. Legal Settlements

2. Line-Item veto
 - a. The Line-Item veto is limited to budget and spending items only.
 - b. The Mayor would have the power to initiate a line-item veto over the adoption of any new budget, whether that budget be the annual or emergency budget.
 - c. The line-item veto would extend to items that add to the budget or would change budget spending.
3. Any item vetoed by the Mayor (line-item or general veto), must include a statement of decision explaining the rationale for said veto. Said statement of decision must be delivered to the City Council, City Clerk and made available to the public simultaneously.
 - a. The Statement of Decision must be issued at the time the veto is exercised.
4. Timing for veto
 - a. The Mayor must veto any item within fourteen (14) days from the time of City Council approval
 - b. In the event that the Mayor is out of town, the time for the Mayoral veto is extended by twenty-four (24) hours from the time the Mayor returns to the City.
 - c. The failure of the Mayor to exercise the veto within the time specified above shall be deemed a waiver of said right.
5. Override of Veto
 - a. The City Council may override a Mayoral Veto by vote of all City Council Members in office, said vote to override must achieve three fourth approval.
 - b. Any vote by the City Council to override a veto may not occur any earlier than thirty (30) days and no more than forty-five (45) days after from the date of the veto.
 - i. Any override of a veto must occur at a regularly scheduled City Council meeting.