



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Sylvia Arenas

SUBJECT: SEE BELOW

DATE: August 10, 2018

APPROVE:

DATE:

August 10, 2018

SUBJECT: CHARTER AMENDMENT ON SALARY SETTING AND COMPETING
BALLOT MEASURES.

RECOMMENDATION

1. Place a charter amendment on the November ballot to update the rules for salary setting and competing measures
2. Include in the resolution of the charter amendment changes to City Charter Section 1603 as detailed in the attachment.

SECTION 1603. Initiative, Referendum and Recall.

The powers of initiative, referendum and the recall of elected municipal officers are hereby

reserved to the electors of the City. The provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, governing the initiative and referendum and the recall of municipal officers in cities shall be applicable insofar as the same are not in conflict with this Charter; provided, however, that the number of signatures required shall be as follows:

(a) INITIATIVE. To initiate proceedings for the exercise of the power of initiative, either of the following provisions shall apply as is applicable:

- (1) If the petition is signed by duly qualified electors of the City equal in number to at least eight percent (8%) of the number of persons eligible to vote according to the last report of registration filed by the County Registrar of Voters with the Secretary of State, which is in effect at the time the notice of intent to circulate the petition is published, and contains a request that the proposed ordinance be submitted immediately to a vote of the people at a Special Municipal Election, the Council shall either pass the proposed ordinance for publication, without alteration, at the regular meeting at which it is presented by the City Clerk and adopt said ordinance within ten (10) days after it is presented, or immediately call a Special Municipal Election at which the ordinance, without alteration, shall be submitted to a vote of the voters of the City.
- (2) If the petition is signed by duly qualified electors of the City equal in number to at least five percent (5%) of the number of persons eligible to vote according to the last report of registration filed by the County Registrar of Voters with the Secretary of State, which is in effect at the time the notice of intent to circulate the petition is published, and the ordinance petitioned for is not required to be, or for any reason is not, submitted to the voters at a Special Municipal Election, and is not adopted without alteration by the Council, then the proposed ordinance, without alteration, shall be submitted by the Council to the voters at the next General Election.
- (3) In the event that a petition is submitted in accordance with the provisions of either subparagraphs (1) or (2) of subsection (a), and the Council submits said proposed ordinance to a vote of the voters of the City, the Council may ~~not~~ at the same time election submit an any alternative ordinance. If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control.
 - a. Before the Council may submit any alternative ordinance to a vote of the voters of the City, the Council shall refer the petition submitted in accordance with the provisions of either subparagraphs (1) or (2) of subsection (a) for a report on all of the following:
 - (i) The accuracy of the information provided in the petition.
 - (ii) The economic impact of the petition on the public, as well as the proponents and major donors to the petition if known.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Indent: Left: 1", Hanging: 0.5"

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 1.5", Hanging: 0.5"

(iii) Whether the petition would create a benefit or entitlement that would be difficult or impossible to reverse.

b. The report must be prepared by a person or entity that is independent from the City. The report may not include arguments in support or opposition to the petition, rationales for any alternative ordinance, or value judgments from the findings.

Formatted: Indent: Left: 1", Hanging: 0.5"

c. The report must be presented to the Council within the time prescribed by the Council and accepted by a two-thirds vote of the Council.

d. The report may be in addition to any other report the Council is authorized to request under State law and may be requested during the circulation of the petition.