



## **AGENDA**

November 18, 2019

### **CHARTER REVIEW COMMISSION**

5:30 p.m.

Council Chambers  
311 Vernon Street  
Roseville, California  
[www.roseville.ca.us](http://www.roseville.ca.us)

#### **THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION**

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

**Public Comment** - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

**Consent Calendar** - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

**Agenda Items** - Speakers have five minutes to address items that are listed on the agenda.

**Americans with Disabilities Act** - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

**Audio/Visual Presentations** - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENTS**
5. **MINUTES**
  - 5.1. Minutes of Prior Meeting

Memo from Assistant City Clerk Audrey Byrnes and City Clerk Sonia Orozco recommending the Charter Review Commission members approve the minutes of the September 16, 2019 Charter Review meeting.

CONTACT: Audrey Byrnes 916-774-5268 abyrnes@roseville.ca.us

## **6. REQUESTS/PRESENTATIONS**

### **6.1. Outstanding Issues - Article/Section Status Matrix**

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco requesting the Charter Review Commission review the outstanding issues Article/Section Status Matrix and provide staff direction on listing of future agenda items or remove items from future consideration.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

M. Sheidenberger 916-774-5325 sheidenberger@roseville.ca.us

### **6.2. New Items for Consideration**

Memo from City Clerk Sonia Orozco requesting Charter Review Commission members identify any new items not previously considered.

## **7. ADJOURNMENT**



# CHARTER REVIEW COMMISSION COMMUNICATION

**Title:** Minutes of Prior Meeting  
**Contact:** Audrey Byrnes 916-774-5268 abyernes@roseville.ca.us  
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

**Meeting Date: 11/18/2019**  
**Item #: 5.1.**

## RECOMMENDATION

Recommend the Charter Review Commission approve the September 16, 2019 Charter Review Commission minutes.

## BACKGROUND

There is no background associated with this item. The request is to approve the minutes of the previous meeting. According to the Administrative Standards, the minutes may be approved by majority vote even if one or more of the voting members were not present at the meeting to which the minutes relate.

Respectfully Submitted,

Audrey Byrnes, Assistant City Clerk

Sonia Orozco, City Clerk

## **ATTACHMENTS:**

Description

September 16, 2019 Charter Review Commission Minutes



**MINUTES**  
September 16, 2019

**CHARTER REVIEW COMMISSION**

5:30 p.m.

311 Vernon Street  
Roseville, California  
[www.roseville.ca.us](http://www.roseville.ca.us)

**1. CALL TO ORDER**

Chair Susan Rohan called the September 16, 2019 Charter Review Commission meeting to order at 5:30 p.m.

**2. ROLL CALL**

Present: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Robert Sanchez.

**4. PUBLIC COMMENTS**

No public comment received.

**5. MINUTES**

5.1. Minutes of Prior Meeting

Memo from Assistant City Clerk Audrey Byrnes and City Clerk Sonia Orozco recommending the Charter Review Commission members approve the minutes of the August 19, 2019 Charter Review meeting.

CONTACT: Audrey Byrnes 916-774-5268 [abyrnes@roseville.ca.us](mailto:abyrnes@roseville.ca.us)

No public comment received.

Motion by Samuel Cannon, seconded by Robert Sanchez, to approve the August 19, 2019 Charter Review Commission minutes. The Motion Passed.

Roll call vote: Ayes: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett

## **6. REQUESTS/PRESENTATIONS**

### **6.1. Section 10.02 - Rates; Collection of Utility Charges**

Memo from Electric Utility Director Michelle Bertolino and Assistant City Clerk Audrey Byrnes recommending the Charter Review Commission receive a presentation on amendments to Charter Section 10.02 regarding Rates; collection of utility charges.

CONTACT: Michelle Bertolino 916-774-5603 mbertolino@roseville.ca.us

City Clerk Sonia Orozco made the presentation to the Commission.

No public comment received.

Motion by Peter Constant, seconded by Rita Brohman, to approve revisions to Charter Section 10.02 regarding Rates: collection of utility charges by removing reference to the City Manager and place recommended revision on the consensus list. The Motion Passed.

Roll call vote: Ayes: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett

### **6.2. Transient Occupancy Tax**

Memo from Chief Information Officer Dennis Kauffman and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on analysis of placement of the Transient Occupancy Tax in the City Charter and the potential of recommending an additional revenue source.

CONTACT: Dennis Kauffman 916-774-5313 dkauffman@roseville.ca.us

Chief Financial Officer Dennis Kauffman made the presentation to the Commission.

No public comment received.

Motion by Peter Constant, seconded by Rita Brohman, to remove the topic of Transient Occupancy from future consideration and leave Transient Occupancy Tax provisions in Roseville Municipal Code Chapter 4.24. The Motion Passed.

Roll call vote: Ayes: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett

### **6.3. District Elections and the California Voting Rights Act**

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a video

presentation on the California Voting Rights Act by Kara Ueda of Best, Best and Krieger, LLP.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

City Attorney Michelle Sheidenberger made the presentation to the Commission.

Video presentation from Kara Ueda of Best, Best and Krieger was shown to the Commission regarding provisions of the California Voting Rights Act

Steve Cho - Spoke to opportunities to engage the public via public forums, supports 7 Councilmembers, and supports at-large Mayor.

Item for information only; no action required.

Consensus of the Commission for staff to return with information on formation of a citizen districting/redistricting committee.

#### 6.4. District Election Roles and Purview

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on roles and purview regarding transitioning to by-district elections.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

City Clerk Sonia Orozco made the presentation to the Commission and outlined the following:

##### City Council Purview:

There are separate and distinct actions that are required of the City Council. These include:

- Changing the City's election system from at-large to by-district by adopting districts and map;
- Selection of the Mayor (should the mayor be elected at large or not). If not elected at-large, Council must choose another method for selecting the mayor and vice-mayor and may choose to use a rotational by district system, or the City Council may choose to select the mayor and vice-mayor among its own membership;
- Sequencing of elections (which districts) and timing of elections (when for each district);
- Vacancies: The Charter currently allows Council to fill vacancies within 30 days and if it fails to do so within that time frame, a special election shall be held. The City Council will need to stipulate that vacancies should be filled from persons residing in the same district as the Councilmember who is vacating office. The City Council will also need to set forth a procedure for what occurs if no person from the applicable district applies to fill the vacancy.

##### Charter Review Commission Purview:

There are also separate and distinct actions that are required by the Charter

Review Commission in order to make recommendations to the City Council. Charter amendments will be required in order to revise the following interrelated areas of the Charter. The reason these interrelated items require action is because Government Code §34886 does not authorize an ordinance for these areas, and the City cannot adopt an ordinance in violation of its Charter. Items for consideration are as follows:

- Number of Council seats
- Term lengths
- Term limits
- Duties of Mayor
- Council compensation
- Section 2.02 Enabling language

Richard Roccucci - Spoke in support of 7 districts, and in opposition of at-large Mayor.

Consensus of Commission to authorize Chair Susan Rohan and Vice Chair Pete Constant to work with staff to prioritize Commission purview items and to recess the October Charter Review Commission meeting.

#### 6.5. Elections

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation regarding amendments to Section 2.02 of Article 2 regarding elections.

CONTACT: M. Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

Assistant City Attorney Michelle Sheidenberger made the presentation to the Commission.

Recommendation was to amend Charter Section 2.02 or Article 2 of the Charter regarding elections with four different options provided for consideration.

#### **Option 1**

“The electors of the City shall elect a council of five (5) members, ~~at large,~~ for a four (4) year term of office.”

Option 1 merely strikes the “at large” language from the Charter but doesn’t replace it with alternative language. Although Option 1 removes the conflicting “at large” language from the Charter, it leaves the Charter, the City’s overarching policy document, silent as to how the five councilmembers are selected. It is implied that the details explaining how the councilmembers are selected are specified in some other manner, such as by an ordinance. However, this option does not explicitly require the adoption of an ordinance.

#### **Option 2**

“The electors of the City shall elect a council of five (5) members, at

large in a manner prescribed by ordinance, for a four (4) year term of office.”

Unlike Option 1, Option 2 specifies that how councilmembers are selected shall be set forth in an ordinance.

### **Option 3**

“The electors of the City shall elect a council of five (5) members, at large or as otherwise prescribed by ordinance, for a four (4) year term of office.”

Option 3 retains the at large election option but also gives the City Council the additional option of adopting an ordinance setting forth an alternative election system, such as by-district elections. It maintains flexibility in the event the California Voting Rights Act is ever overturned or repealed. In which case, the Council can simply repeal the alternative ordinance and revert back to at large elections. The disadvantage is that it leaves the term “at large” in the Charter.

### **Option 4**

Option 4 would be to repeal Section 2.02 in its entirety. Council would need to adopt ordinances to address the subject matters currently contained within Section 2.02 (election system, number of councilmembers, term lengths, term limits, partial terms, sequencing, etc.). A disadvantage to this option is that this leaves these subject matters solely at the discretion of three councilmembers, which is the number of votes needed to adopt/repeal ordinances, as opposed to the voters.

No public comment received.

Motion by Peter Constant, seconded by Paul Frank, to approve addition of Charter Section 2.02 regarding elections to outstanding items list to be prioritized with Commission purview list. The Motion Passed.

Roll call vote: Ayes: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett

## **7. ADJOURNMENT**

Motion by Rita Brohman, seconded by Peter Constant, to adjourn the meeting at 7:28 p.m. The Motion Passed.

Roll call vote: Ayes: Brohman, Cannon, Constant, Frank, Rohan, Sanchez, Viele

Absent: Dohner, Garrett



# CHARTER REVIEW COMMISSION COMMUNICATION

**Title:** Outstanding Issues - Article/Section Status Matrix  
**Contact:** Sonia Orozco 916-774-5269 sorozco@roseville.ca.us  
Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

**Meeting Date: 11/18/2019**  
**Item #: 6.1.**

## RECOMMENDATION

Recommend the Charter Review Commission review the outstanding issues Article/Section Status Matrix and provide direction to staff to:

1. Return with additional information and/or further language suggestions for placement of identified outstanding issues on future agendas;
2. Remove specific items from outstanding issues list; and
3. Prioritize items for placement on future agendas.

## BACKGROUND

The Article/Section Status Matrix list was developed in order to identify items categorized as follows:

- **Consensus Items** - aka Stand Alone - Items deemed by the Commission to be non-controversial to be placed on the consensus list after Commission consideration; and
- **Outstanding Items** - aka Inter-related - Items deemed by the Commission to be closely associated with one or more other item(s) to be inclusively considered at a future date; and to be prioritized with action to occur at a later date once all of the Charter sessions have been reviewed.

Articles/sections which include outstanding items:

Article 2 - Plan of Government:

- 2.02 - Elective Officers (term limits, method of election)
- 2.03 - Assumption of office by, meeting of council; and seating of mayor and vice mayor (seating of mayor)
- 2.04 - Powers and duties of mayor
- 2.06 - City attorney
- 2.07 - City manager

Article 3 - Provisions Regarding Officer and Employees:

- 3.05 - Compensation of council members and mayor
- 3.08 - Employee welfare benefits
- 3.09 - Councilmember vacancies

Article 4 - Procedures of the City Council:

- 4.04 - Quorum

The Article/Section Status Matrix list has been compiled since the initial meetings of the Charter Review Commission. The list may also require modifications based on the City Council considering adoption of a district boundary map and ordinance converting to by-district elections.

Other outstanding items not currently associated with a specific article or section include:

- Resign after elected (Council members must resign within an identified time frame following election to a conflicting board, organization, or form of government)

Once items are considered and prioritized, staff will bring staff reports to the Charter Review Commission for discussion and action.

Respectfully Submitted,

Sonia Orozco, City Clerk

Michelle Sheidenberger, Assistant City Attorney

**ATTACHMENTS:**

Description

Charter Review Matrix

**CHARTER REVIEW COMMISSION**  
**Article / Section Status Matrix**

**CONSENSUS ITEMS – AKA – stand-alone - C**

Items deemed by the Commission to be **non-controversial**, to be placed on the Consensus list after Commission consideration, and to be prioritized with action to occur at a later date once all of the Charter sections have been reviewed.

**OUTSTANDING ITEMS – AKA – inter-related - O**

Items deemed by the Commission to be **closely associated with one or more other item(s) to be inclusively considered at a future date**, and to be prioritized with action to occur at a later date once all of the Charter sections have been reviewed.

ARTICLE	SECTION	TITLE	NOTE
<b>I</b>		<b>Incorporation, Succession, and Powers</b>	
	<b>1.01</b>	<b>Corporate name; seal</b>	
	<b>1.02</b>	<b>Boundaries</b>	
	<b>1.03</b>	<b>Rights and liabilities</b>	
	<b>1.04</b>	<b>Continuance of ordinances</b>	
	<b>1.05</b>	<b>Charter review and amendments</b> At least every (10) years, the City council shall appoint a citizen <b>commission committee</b> of not less than nine (9) members whose charge shall be to review the charter and present, or cause to be presented, to the City council a written report recommending those amendments, if any, which should be made to the charter. Appointees shall be subject to confirmation by a majority of the City council. (Amending by General Municipal Election on November 2, 2010; amended by General Municipal Election on November 7, 2000.)	041519 - C
	<b>1.055</b>	<b>Reserved</b>	
	<b>1.06</b>	<b>Continuance of pending actions and proceedings</b>	
	<b>1.07</b>	<b>Powers of the City</b>	
<b>II</b>		<b>Plan of Government</b>	
	<b>2.01</b>	<b>Form of government</b>	
	<b>2.02</b>	<b>Elective officers</b>	041519 – O term limits method of election
	<b>2.03</b>	<b>Assumption of office by, meeting of council, and seating of mayor and vice mayor</b>	052019 – O seating of mayor
	<b>2.04</b>	<b>Powers and duties of mayor</b>	052019 - O
	<b>2.05</b>	<b>Vice mayor</b>	
	<b>2.06</b>	<b>City attorney</b>	052019 - O
	<b>2.07</b>	<b>City manager</b>	052019 - O
	<b>2.08</b>	<b>Temporary City manager or City attorney</b>	
	<b>2.09</b>	<b>Council-manager relationships</b>	
	<b>2.10</b>	<b>City manager's duties and authority</b>	
	<b>2.11</b>	<b>Powers of City manager as to administrative officers and employees</b>	
	<b>2.12</b>	<b>City treasurer</b> <b>No future consideration</b>	061719 Removed
	<b>2.13</b>	<b>City clerk</b>	
	<b>2.14</b>	<b>Boards and commissions</b> Sec. 2.14. Boards, <b>and</b> commissions <b>and committees</b> . The council <b>shall may</b> by ordinance create <b>a planning commission and a personnel board, and may create</b> or <b>may</b> abolish <b>such other</b> boards, <b>and</b> commissions <b>and committees</b> with respect to specific municipal functions as it may deem necessary. The council shall in each case prescribe the number, manner of appointment, length of term, and duties of embers of such boards, <b>and</b> commissions <b>and committees</b> who shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their official duties. In all cases, except that of the personnel board <b>required by Section 8.01</b> , the council shall provide for an appeal by any interested or aggrieved person from the decision of any board, <b>or</b> commission <b>or committee</b> to the council. The council's decision shall be final. All members of such boards, <b>and</b> commissions <b>or committees</b> shall be residents of the City at the time of their appointment and continuously during their term of office. Boards, <b>and</b> commissions <b>and committees</b> existing at the time this charter is approved by the legislature shall continue to serve until action is taken by the council as provided for in this charter.	041519 – C
	<b>2.15</b>	<b>Administrative organization</b>	
<b>III</b>		<b>Provisions Regarding Officers and Employees</b>	
	<b>3.01</b>	<b>Eligibility for office</b>	
	<b>3.02</b>	<b>Oath of office and bond</b>	

	3.03	Surety bonds	
	3.04	Financial interests prohibited	
	3.05	Compensation of council members and mayor	052019 - O
	3.06	Compensation of City manager, City attorney and other officers and employees	
	3.07	Reserved	
	3.08	Employee welfare benefits	052019 - O
	3.09	Councilmember vacancies	052019 - O
	3.10	Recall	
	3.11	Separations from office	
<b>IV</b>		<b>Procedure of the City Council</b>	
	4.01	<b>Regular meetings</b> The council shall hold regular meetings on the first <b>and third</b> Wednesday of each month; provided that, if a regular meeting date falls on a legal holiday, the meeting shall be held <del>the following day at the same hour, same day the following week or may be canceled.</del> <del>It shall</del> An agenda will provide <del>by resolution for</del> the time and place of <del>its</del> <u>the</u> meetings.	061719 - C
	4.02	<b>Special meetings</b> Special meetings may be called by the City clerk, <u>City manager, City attorney,</u> <del>on the</del> <u>or by</u> written request of the mayor or any three (3) councilmembers by providing each councilmember with <del>twenty-four (24) at least seventy-two (72)</del> hours' written notice, <u>except that for time sensitive business, only twenty-four (24) hours' written notice is required.</u> <u>Written notice shall be</u> served personally, <u>electronically,</u> or left at <del>their</del> <u>each councilmembers'</u> usual place of residence, <u>and shall be publicly posted in accordance with the timeframes set forth in this section.</u> Business transacted at any special meeting shall be limited to the subjects recited in the notice of such meeting.	061719 - C
	4.03	<b>Meetings to be public</b>	
	4.04	<b>Quorum</b>	052019 - O
	4.05	<b>Attendance and conduct at meetings</b>	
	4.06	<b>Council rules</b> The council shall determine its own rules and order of business subject to the following provisions. There shall be a journal of proceeding or minutes of all council meetings approved by the council <del>and signed by the mayor and City clerk</del> and to which the public shall have access at all reasonable times. Within seven (7) days after any regular or special council meeting, <del>a synopsis of</del> the actions taken by the council at the meeting shall <del>be posted available on a bulletin board in the City hall, on the City's website,</del> and within thirty (30) days after any regular or special council meeting, <u>action</u> minutes of the meeting shall be prepared by the council for its approval.	061719 - C
<b>V</b>		<b>Form of legislation</b>	
	5.02	Enactment, amendment and repeal of ordinances	
	5.03	When ordinances take effect	
	5.04	Publication of ordinances	
	5.05	Technical codes	
	5.06	Penalties	
	5.07	Reserved	
	5.08	Compilation and codification of ordinances	
	5.09	Initiative and referendum	
	5.10	Reserved	
	5.11	Rules of ordinance construction; severability	
<b>VI</b>		<b>Elections</b>	
	6.01	General and Special Municipal Elections	
	6.02	Procedure of holding elections	
<b>VII</b>		<b>Fiscal Administration</b>	
	7.01	Fiscal year	
	7.02	Budget procedure	
	7.03	Budget review; hearings and adoption	
	7.04	Interested citizens to be heard at budget hearing	
	7.05	Revision and final adoption of budget; copy for inspection	
	7.06	Appropriations; transfers	
	7.07	Reserved	
	7.075	Utility reserve fund	
	7.08	Capital outlay fund; taxation for public improvement	
	7.09	Tax system	
	7.095	Reserved	
	7.10	Limit of levy; purpose of levy; manner of making special assessments	
	7.11	Power to incur indebtedness	
	7.12	Advertisement and sale of bonds	

	7.13	Preparation and record of bonds	
	7.14	Unissued bonds	
	7.15	Budget control	
	7.16	Depository	
	7.17	Repealed	
	7.18	Actions against the City	
	7.19	<p><b>Independent audit</b></p> <p>The Council shall provide for <del>a running an annual</del> audit of all <del>the City accounts and books of the City</del> by a firm of <del>independent</del> certified public accountants who are in no other way connected with the City government. <del>Such The accountant or accountants firm shall be retained subject to the restrictions and limitations prescribed by state law, employed at the beginning of the fiscal year for a minimum of two (2) years and a maximum of four (4) years. A comprehensive audit shall be made covering each fiscal year. The accountant or accountants so employed shall to assure that the City's financial transactions, accounts and records are maintained in accordance with the requirements of the City charter, state and federal laws and generally accepted accounting principles. ,examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and of such other officers, employees, departments and agencies of the City government as the council may require. A comprehensive audit shall be made covering each fiscal year; s</del>uch audit report shall be submitted to the council and shall be open to public inspection.</p>	071519 – C
	7.20	Purchasing and contracts	
	7.21	<p><b>Bids for contracts; certified checks for bid bonds; performance bonds</b></p> <p>Competitive prices or bids for all purchases and public works and improvements shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest responsible bidder; provided, that the council may waive the bidding requirements prescribed in this section in the purchase of noncompetitive items or in case of an emergency. Sealed bids shall be asked for in all transactions involving the expenditure of <del>nineteen thousand five hundred</del> seventy-five thousand dollars (<del>\$19,500.00 \$75,000.00</del>) or more, and in the case of public works, the transaction evidenced by a written contract submitted to and approved by the council. <del>Annually, at the same time the budget ordinance is adopted, the council may in that ordinance establish an inflation or deflation adjustment to the base of \$19,000.00 to take economic changes into account. Such adjustment shall be determined utilizing reliable indicators or indices of price increases or decreases. Once adopted, the adjustment shall be added to or subtracted from the base of \$19,000.00 so that sealed bids shall be asked for in all transactions involving the expenditure of the adjusted base.</del> The council may reject any and all bids. In all transactions where sealed bids are required, the council may demand a deposit by each bidder in the form of a certified check or bid bond in an amount which shall be specified in the call for bids. The council may require a faithful performance or surety bond of the successful bidder. Calls for sealed bids shall be published in a newspaper of general circulation of the City <del>and/or on the City's website</del>, not less than five (5) days before the deadline for submission of bids, unless the council declares by resolution that an emergency exists. Detailed purchasing and contract award procedures shall be prescribed by ordinance.</p>	071519 – C 081919 – C
	7.22	Contract with other public jurisdictions	
	7.23	<p><del>Determination as to which public works to be performed by City forces or contracts</del></p> <p><b>4.12.090 Public works and services – Formal bidding and contract procedure.</b></p> <p><b>I. Use of City Employees. In lieu of the bidding and contract procedures set forth in this section, public works and services may be performed by city employees at the discretion of the City Manager.</b></p>	071519 – C <del>Charter delete</del> 081919 – C RMC addition
	7.24	Approval of contract by City attorney	
<b>VIII</b>		<b>Personnel Administration</b>	
	8.01	Personnel board	
	8.02	Powers and duties of the personnel board	
	8.03	Human resources director	
	8.04	<p><b>Personnel rules</b></p> <p>It is the intention of this article to provide for a merit system of employment in City service. The council shall enact by ordinance a set of rules governing classified municipal employment which shall, among other things, provide:</p> <ol style="list-style-type: none"> <li>For the classification of all position in the classified service.</li> <li>For open, free and competitive examinations to test the relative fitness of applicants for such positions, and or reasonable publication and public advertisement of all examinations and for promotion based upon competitive examinations or records of efficiency, character, conduct and seniority, or upon examination and record.</li> <li>For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing on the examination, <del>except if waived or modified in the personnel rules</del>, and for the certifications of those on the appropriate list to the manager or department heads for appointment to fill vacancies and for the manner in which appointments shall be made from such list.</li> <li>For the period of time in which eligible lists shall continue in effect.</li> <li>For a period of probation not to exceed one (1) year, both on original and promotional appointments, before the appointment is made permanent, during which time, in the case of an original appointment, the probationer may be discharged or, in the case of a promotion, returned to a position of their former classification by the head of the department of office in which employed. Provided, however, that no period of absence from work, leave, or limited duty assignment shall be credited toward completion of the probationary period, nor shall any overtime or additional work beyond normal working hours be credited towards completion of the probationary period.</li> <li>For the rejection of candidates of eligibility who fail to comply with a bona fide occupational qualification in regard to age or sex or who fail to comply with a qualification standard which is job-related and consistent with business necessity; or who have been convicted of a crime which adversely affects their qualification for</li> </ol>	071519 - C

		<p>the position applied for; or who have attempted any deception or fraud in connection with an examination for employment by the City.</p> <p>g. For the employment with examination of provisional employees, in cases of emergency pending appointment from an eligible list, but no such provisional employment shall continue for more than thirty (30) days after the establishment of an eligible list for the position held, and in no event for more than (90) days.</p> <p>h. For transfer from one (1) position to a similar position in the same class and grade, for reinstatement after resignation, layoff or reduction in class or grade.</p> <p>i. For the discipline of employees by suspension, demotion, discharge or other actions not inconsistent with the provisions of this article.</p> <p>j. For the certification to the chief finance officer of the City of names and classifications of all persons legally employed in the City service, without which certifications this officer shall not authorize the issuance of salary paychecks.</p>	
	<b>8.05</b>	<b>Special provisions relating to examinations</b>	
	<b>8.06</b>	<b>Special services</b>	
	<b>8.07</b>	<p><b>Classified and unclassified services</b></p> <p>The employments in the City service are hereby divided into the classified and unclassified service. The unclassified service shall consist of (a) officers elected by the people and persons appointed to fill vacancies in elective offices; (b) the members of boards and commissions as provided by this charter; (c) the City manager, assistant City manager, City attorney, deputy, associate or assistant attorneys, <del>and</del> the heads of one or more departments, <u>and all persons holding an assistant department head position who were hired or promoted to that position after March 5, 2014</u>, as provided for in this charter; (d) persons employed in a professional or scientific capacity to conduct or complete a special inquiry, investigation, examination or project, not to exceed thirty-six (36) months full-time employment or equivalent without a break of at least three(3) months; (e) persons employed for a temporary, seasonal or special purpose for a period not to exceed fifteen hundred (1,500) hours employment or the equivalent thereof in any twelve (12) month period; (f) reserve firefighters and reserve police officers and (g) disaster service workers whether recruited or conscripted. The classified service shall comprise all positions not specifically included in the unclassified service.</p>	071519 - C
	<b>8.08</b>	<b>Repealed</b>	
<b>IX</b>		<b>Franchises</b>	
	<b>9.01</b>	<p><b>When franchises are required</b></p> <p>No future consideration</p>	081919 – C Removed
	<b>9.02</b>	<b>Certain carriers and utilities exempt</b>	
	<b>9.03</b>	<b>Operation without franchise</b>	
	<b>9.04</b>	<b>Authority and procedure in granting franchises</b>	
	<b>9.05</b>	<b>Authorization by ordinance</b>	
	<b>9.06</b>	<b>Reservation of privilege; bids</b>	
	<b>9.07</b>	<b>Terms of franchises</b>	
	<b>9.08</b>	<b>Right of acquisition of property not affected</b>	
	<b>9.09</b>	<b>Provisions of franchise</b>	
	<b>9.10</b>	<b>Right of City to change grade, location or use of streets, etc</b>	
	<b>9.11</b>	<b>Lease, assignment or alienation</b>	
	<b>9.12</b>	<b>Right of revocation</b>	
	<b>9.13</b>	<b>Rates, fares and charges</b>	
<b>X</b>		<b>Municipally-Owned Utilities</b>	
	<b>10.01</b>	<p><b>General powers respecting utilities</b></p> <p>The City shall possess all powers granted to cities by state law to construct, condemn <del>and purchase</del>, purchase, acquire, add to, maintain, and operate, either within or outside its corporate limits, including, but not by way of limitation, public utilities for supplying water, light, heat, power, gas, transportation, sewage and refuse collections, treatment and disposal services., or any of them, to the municipality and the inhabitants thereof; and also to sell and deliver any of the utility services above mentioned outside its corporate limits, to the extent permitted by state law. <u>Notwithstanding the foregoing, after January 1, 2021 the City shall not provide retail potable water service to new service areas outside its corporate limits.</u> Each City-owned utility shall be financially self-sufficient, and shall fully compensate the City general fund for all goods, services, real property and rights to use or operate on or in City-owned real property.</p>	081919 – C
	<b>10.02</b>	<p><b>Rates; collection of utility charges</b></p> <p>The Council shall have the power to classify and to fix and, from time to time to revise such rates and charges as it may deem advisable for supplying the inhabitants of the City and others with such utility services as the City may provide. For nonresidential electric utility customers, the council may, by ordinance, <del>delegate the power to</del> fix such rates and charges <del>to the City Manager</del> upon such terms and conditions as the council deems advisable. The council shall, by ordinance, provide for the collection of all public utility charges made by the City, and the attendant exercise, on behalf of the city, of all actions or remedies permitted by law.</p>	091619 – C
	<b>10.03</b>	<b>Disposal of utility plants and property</b>	
<b>XI</b>		<b>Reserved</b>	
<b>XII</b>		<b>Miscellaneous</b>	
	<b>12.01</b>	<b>Construction of the charter</b>	

	12.02	Section headings	
	12.03	Violations	
	12.04	Effect of illegality of any part of charter	
	12.05	Effective date of charter	
	12.06	Reserved	

**No specific Charter Section for future consideration:**

1. Advanced replacement – 061719 - O
2. Sitting Councilmembers elected to other office – 061719 - O



# CHARTER REVIEW COMMISSION COMMUNICATION

**Title:** New Items for Consideration  
**Contact:** Sonia Orozco sorozco@roseville.ca.us 916-774--5269

**Meeting Date:** 11/18/2019  
**Item #:** 6.2.

## RECOMMENDATION

Charter Review Commission members may take this time to identify any new items for consideration not previously identified.

## BACKGROUND

Charter Review Commission members may take this time to identify any new items for consideration not previously identified.

Respectfully Submitted,

Sonia Orozco, City Clerk