



AGENDA

April 15, 2019

CHARTER REVIEW COMMISSION

5:30 p.m.

Council Chambers
311 Vernon Street
Roseville, California
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 members approve the minutes of the March 18, 2019 Charter Review meeting.

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

6. REQUESTS/PRESENTATIONS

6.1. Charter Measure Process

Oral presentation on process recommendations by Chair Susan Rohan to include correspondence, presentations by staff, amendments, formulation of priorities, decisions and final actions of the Commission.

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

6.2. Proposed Amendment to Charter Article 1 - Section 1.05

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Commission approve proposed amendment to Section 1.05 of Article 1 regarding Charter Review and Amendments.

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

6.3. Proposed Amendments to Charter Article 2 - Section 2.14

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Commission approve proposed amendment to Section 2.14 of Article 2 regarding boards and commissions.

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

6.4. City Council Term Limits - Article 2 - Section 2.02

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review members receive a presentation on Section 2.02 of Article 2 on the topic of councilmember term limits. The memo will consist of seven discussion points to include: Issue Summary, Current Practice, Pros of Term Limits, Cons of Term Limits, California City comparison, nationwide information and future options. The memo is for information only.

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

6.5. Items for Future Consideration as Requested by Charter Review Commission Members

Information submitted from Charter Review Commission members Paul Frank and Robert Sanchez for Commission consideration of future items and information requested.

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

7. COMMISSIONER / STAFF REPORT

8. 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: 4/15/2019
Item #: 5.1.

RECOMMENDATION

Recommend the Charter Review members approve the minutes of the March 18, 2019 Charter Review meeting.

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

Charter Review Commission March 18, 2019 Minutes



MINUTES

March 18, 2019

CHARTER REVIEW COMMISSION

5:30 p.m.

Council Chambers
311 Vernon Street
Roseville, California
www.roseville.ca.us

1. CALL TO ORDER

City Clerk Sonia Orozco called the March 18, 2019 Charter Review Commission meeting to order at 5:30 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Rita Brohman.

4. PUBLIC COMMENTS

No public comment received.

5. REQUESTS/PRESENTATIONS

5.1. Brown Act Presentation

Memo from Assistant City Attorney Michelle Sheidenberger recommending the Charter Review Commission receive a presentation on the Brown Act in regards to meeting conduct. This item is for information only and requires no action by the Charter Review Commission.

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

No public comment received.

Item for information only. No official action taken.

5.2. Past Charter Review Measures and Potential Current Topics

Memo from City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on the results of items submitted by the Charter Review Commission to the City Council for placement on the 2000 and 2010 ballot, and consider potential topics to be heard during scheduled Charter Review Commission meeting dates. Potential topics are in addition to reviewing the chapter articles as listed on the Charter Review Commission calendar, or on items brought forward by Charter Review Commission members or members of the public. This item is for information only and requires no official action of the Charter Review Commission.

City Clerk Sonia Orozco made the presentation to the Commission.

No public comment received.

Item for information only. No official action taken.

5.3. Selection of Charter Review Commission Chair and Vice Chair

Memo from City Clerk Sonia Orozco recommending the Charter Review Commission vote by ballot for Charter Review Commission Chair and Vice Chair. The highest vote getter shall be appointed as Chair and the second highest vote getter shall be appointed as Vice Chair. Per the City of Roseville City Council/Boards & Commission Administrative Standards, the Charter Review Commission Chair and Vice Chair shall be selected as soon as practicable.

City Clerk Sonia Orozco made the presentation to the Commission.

No public comment received.

Motion by Samuel Cannon, seconded by Kristine Dohner, to appoint Commissioner Susan Rohan as Chair and Commissioner Peter Constant as Vice Chair. The Motion Passed.

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

6. ADJOURNMENT

Motion by Samuel Cannon, seconded by Rita Brohman, to adjourn the meeting at 6:30 p.m. The Motion Passed.

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



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Proposed Amendment to Charter Article 1 - Section 1.05
Contact: Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 4/15/2019
Item #: 6.2.

RECOMMENDATION

Recommend the Charter Review members approve the proposed edit to Section 1.05 of Article 1 of the Charter changing the word "commission" with the word "committee."

BACKGROUND

The requested change is proposed for legal reasons. A charter may be drafted by a charter commission elected by the voters, a charter committee appointed by the City Council, or the City Council itself. A Charter Commission under law is one where the members are elected whereas a Charter Committee is one where the members are appointed by the Council. Roseville uses an appointed Charter Review Committee, not an elected Charter Review Commission. Due to the law, Section 1.05 needs to be amended to replace the word "commission" with the word "committee".

Sec. 1.05. Charter review and amendments.

At least every ten (10) years, the City council shall appoint a citizen ~~commission~~ committee 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. (Amended by General Municipal Election on November 2, 2010: amended by General Municipal Election on November 7, 2000.)

Respectfully Submitted,

Michelle Sheidenberger, Assistant City Attorney

Sonia Orozco, City Clerk



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Proposed Amendments to Charter Article 2 - Section 2.14
Contact: Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 4/15/2019
Item #: 6.3.

RECOMMENDATION

Recommend the Charter Review members approve edits to Section 2.14 of Article 2 regarding Boards and commissions.

BACKGROUND

The requested amendment is proposed to create consistency. All other city commissions, committees and boards are outlined in the municipal code. The proposed amendment would specifically delete reference to the planning commission and the personnel board. Amendments are as follows:

Sec. 2.14. Boards and commissions.

The council shall ~~may~~ by ordinance create ~~a planning commission and a personnel board, and may create or may abolish such other boards and commissions~~ 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 members of such boards and commissions 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 required by Section 8.01, the council shall provide for an appeal by any interested or aggrieved person from the decision of any board or commission to the council. The council's decision shall be final. All members of such boards and commissions shall be residents of the City at the time of their appointment and continuously during their term of office. Boards and commissions 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.

Respectfully Submitted,

Michelle Sheidenberger, Assistant City Attorney

Sonia Orozco, City Clerk



CHARTER REVIEW COMMISSION COMMUNICATION

Title: City Council Term Limits - Article 2 - Section 2.02
Contact: Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 4/15/2019
Item #: 6.4.

RECOMMENDATION

Recommend the Charter Review members receive a presentation on Section 2.02 of Article 2 on the topic of councilmember term limits. Points of information provided in the memo will consist of seven discussion points to include: Issue Summary, Current Practice, Pros of Term Limits, Cons of Term Limits, California City comparison, nationwide information and future options. The memo is for information only.

BACKGROUND

Issue Summary

Question: Should the Mayor and City councilmembers have a maximum number of terms they can serve? If so what is the optimum number of terms? Should Roseville's current practice of limiting terms to two (2) four (4) year terms be changed?

Proceed with the understanding that terms may be different if district elections are approved by the City Council prior to the November 2020 election.

Current Practice

Date subsequent to April 9, 1974 - Section 2.02 of Article 2

No councilmember shall serve more than two (2) consecutive four (4) year terms.

Pros of Increasing Term Limits to More Than Two (2) Consecutive Four Year Terms

1. Individual member implementation of long term goals and objectives;
2. Loss of experience and potential loss of committed community leaders;
3. Surrounding jurisdiction coordination with other longer-term elected officials;
4. Longer terms may lead to relative stability in governance;
5. Cost savings of onboarding new members if longer terms were approved.

Cons of Increasing Term Limits

1. Long term incumbents may be seen as having an unfair advantage in re-election cycles;
2. Longer terms may increase the funding needed by new candidates in elections;
3. Donors may be more inclined to contribute more per election due to perception of influence;
4. Longer terms may put a new candidate at a disadvantage against a long-term incumbent;
5. Turnover in political leadership allows for new ideas and less entrenchment;
6. Shorter terms may keep community focused and aware of city issues;
7. Awareness and constituent interaction may dissipate over long-term cycles.

Situational question - is there a problem in the City of Roseville that extending term limits would solve?

California City Comparison

According to the League of California Cities, approximately 99 cities in California have term limits for city council officials. Some of the northern California cities with term limits include Fremont, Livermore, Palo Alto, Pleasanton, Santa Rosa, and Stockton.

The most recent informational report available as to the number of cities across the state that have term limits was created in 2011, and was modified following the city of Thousand Oaks' adoption of term limits in 2012. As of 2012, a total of 383 (79%) of California's 482 cities did not have term limits for their governing body. A total of 99 (21%) of California's cities do have term limits of some form for their City Councils.

Term Limits	Charter Cities	General Law Cities	Total
Yes	52	47	99 (21%)
No	69	314	383 (79%)
Total	121	361	482 (100%)

Below is an example of Charter and General Law cities regarding term limits:

Fremont	Livermore	Palo Alto	Pleasanton	Santa Rosa	Stockton
Charter City	General Law	Charter City	General Law	Charter	Charter
Population: 233,136	Population: 89,648	Population: 67,024	Population: 75,916	Population: 80,628	Population: 320,554
Number of Members: 7	Number of Members: 5	Number of Members: 7	Number of Members: 5	Number of Members: 7	Number of Members: 7
Election Model: Districts – 6	Election Model: Districts – 4	Election Model: At-Large	Elections Model: At-Large	Elections Model: Districts - 7	Election Model: Districts: 6
Term Limits: Four- Year Terms with a two-term limit	Term Limits: Mayor limited to 8 consecutive terms with 2 year break in service Councilmembers 8 consecutive	Term Limits: Four-Year Terms with a two-term limit	Term Limits: Total of eight years of service	Term Limits: No limitation on the number of consecutive terms for Councilmember; but a Councilmember may not serve consecutive terms as Mayor	Term Limits: Four-year terms with a two-term limit However, service prior to 1/1/89 does not disqualify further service
Mayor Separately Elected At-Large Council elected by Districts	Mayor Separately Elected At-Large Council elected by Districts	Mayor/Vice-Mayor elected by majority vote of fellow Councilmembers	Councilmembers elected to 4 year terms with a limit of eight years Mayor is elected to a 2 year term with a limit of eight years	Councilmember select a Mayor – Mayor shall serve for a term of two years. Council also chooses Vice-Mayor	Mayor Separately Elected At-Large Council elected by Districts

Nationwide Information

In a report written by the National League of Cities dated December 14, 2016, the most common (roughly 50 percent of localities) mayor and councilmember term length is four years. When adding municipalities that have mayor/councilmember terms of 2 years, that covers approximately 80 percent of cities and towns in the nation. The report states, in general, views on term limits tend to rely on the following lines of argument. First, term limits may reduce potential abuses of power by incumbents who stay too long in office. Also, term limits encourage political participation by newcomers. Conversely, the election process itself already serves as the antidote for long-serving officials who are no longer responsive to citizens.

Further information from D. Fagre, Former Research Director of the U.S. Term Limit Foundation states "A largely underestimated component of the term limits movement is local limits. At the municipal level, term limits have spread silently but steadily across the country. From Florida to Alaska, from New York to California, over 58 million Americans live in localities with limits of various sorts, and more than 17,000 politicians serve in 2,800 term limited cities, counties and towns. Virtually everywhere voters are given the chance, they pass measures to limit the terms of city officials."

Options for Future Consideration

(If Term Limits rank as a priority of the Charter Review members and community)

1. Retain current practice of two (2) four (4) year terms
2. Extend all terms to some other term length
3. Remove term limits

Respectfully Submitted,

Michelle Sheidenberger, Assisant City Attorney

Sonia Orozco, City Clerk



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Items for Future Consideration as Requested by Charter Review Commission Members

Contact: Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 4/15/2019
Item #: 6.5.

RECOMMENDATION

Information submitted from Charter Review Commission members Paul Frank and Robert Sanchez for Commission consideration of future items and information requested.

BACKGROUND

This section of the agenda is for consideration of items for future Commission consideration as requested by Charter Review Commission members. See attachments for further detail on potential future items for consideration.

Respectfully Submitted,

Michelle Sheidenberger, Assistant City Attorney

Sonia Orozco, City Clerk

ATTACHMENTS:

Description

Paul Frank Items for Consideration

Robert Sanchez Request for Research

From: Paul Frank [REDACTED]
Date: April 8, 2019 at 11:10:53 PM PDT
To: SOrozco@roseville.ca.us, susanrohan@gmail.com
Subject: Charter Review Commission April 15 meeting

[REDACTED]

[REDACTED]

After reading through the Charter, I do have some suggestions I'd like to bring to the Commission's attention for the April 15 meeting, or a subsequent meeting if more appropriate.

1. The current Charter does not clearly outline whether an appointed council member's term is considered a full term for purposes of term limits. I would suggest adding the following language to Sec 2.02 or Sec 3.09: **"No person who has held the office of Council member for more than two years of a term to which some other person was elected Council member shall be elected to the office of Council member more than once."** This language is consistent with the 22nd Amendment of the U.S. Constitution, and other state and local term limit laws. If not changed, then an appointed Council member could serve the equivalent of three consecutive terms. I understand Measure C of 2010 was meant to address Council appointments and term limits, however, the language of Measure C does not appear to be in the Charter either. Can staff clarify this?
2. Delete Sec 3.05, paragraph 1 regarding "... population between 50,000 and 75,000 persons ..."
3. Does Roseville have a City Treasurer as outlined in Sec 2.12? Should this section be revised to reflect the title of Chief Financial Officer?
4. Should the Charter require Roseville to have a rainy day fund?
5. Is a City advisory committee the same as a board or commission? If so, I do not believe section 2.14 of the Charter needs to be revised to combine City advisory committees.

I would also like to respectfully request that any votes planned for April 15 be tabled until the next scheduled Commission meeting so I might be able to participate in the voting.

Thank you both for your consideration of these items. Feel free to contact me if you have any questions, or email me before the meeting with your thoughts on these items. I really wish I could be there next Monday.

See you soon.

Paul

From: Robert Sanchez [REDACTED]
Sent: Thursday, March 28, 2019 5:00 PM
To: Orozco, Sonia <SOrozco@roseville.ca.us>; Sheidenberger, Michelle <MSheidenberger@roseville.ca.us>
Subject: Charter Review Commission

To: Sonia Orozco and Michelle Sheidenberger,

I would imagine the questions I have would be similar questions the other Commissioners would have. But instead of including the group, I'll ask you and you can share as appropriate.

In our March 18 meeting, the Commission was presented, with near certainty, the possibility of the City going to Districts versus Council elected At-Large within this review cycle. In our upcoming April 15 meeting, Article 2 – Plan of Government will be reviewed. Will we begin discussing Districts as we discuss Article 2, Section 2.02 – Elective Officers?

Research on Districts:

In 2000 voters failed Measure T by 61.88%. Will the Commission be given the analysis report given to the City Council at that time for review?

If the City has performed research on Districting, can they identify cities where the Commission can research examples of District models that would benefit the City of Roseville?

I look forward to your response.