



# Proposed Charter Amendments

June 21, 2022

# Overview



- January 16, 2018 – Adopted Ordinance No. 2352
  - *Redondo Beach Decision*
- March 3, 2021 – Study Session
  - Keep November Election
  - Update City Charter
- July 6, 2021 – Adopted Resolution No. 7356
- October 14, 2021 – First Charter Review Committee Meeting
- February 18, 2022 – CRC Recommends Charter Amendments



# Overview



- March 18, 2022 – Special Joint Meeting
  - Charter Review Committee Presentation
- May 3, 2022 – Study Session
  - Follow-up on various items
- May 17, 2022 – First Public Hearing
  - Two public hearings required by Government Code
- June 21, 2022 – Second Public Hearing





# Research & Background

## → Charter City Comparisons

- Alhambra, Big Bear Lake, Cypress, Indian Wells, Irvine, Mountain View, Newport Beach, Pasadena, Santa Monica, and Temple City
- Population, Charter Update, Election, SB 415 Compliant

## → National Civic League Model Charter – 9<sup>th</sup> Edition

## → City Council Compensation

## → Public Works Contract Authority





# Charter Amendments

- Gender Pronouns and General Language Clean-up
  - Male pronouns changed to they/their/chairperson, etc.
  - Position title updates
  - Spelling and punctuation
- Section 400. City Council
  - Change City Council composition from at-large to by district





# Charter Amendments

## →Section 401. Eligibility

→Council Members must reside in the district which they seek election or appointment

## →Term Limits

→Current – Two consecutive term, no lifetime term limit

→Option A – Three term maximum limit, may be served consecutively

→Option B – Three term maximum limit, two term consecutively and third term available after sitting out for a cycle

→Lifetime maximum applies to all appointed or elected Council Members





# Charter Amendments

## →Section 402. Compensation

- Charter refers to Government Code for City Council compensation
- Government Code § 36516 (d)
  - In cities over 50,000 to 75,000 in population, salary is \$500 per month
- Staff amendment to set fixed amount indexed to inflation
- Committee recommended Charter language and amount remain unchanged





# Charter Amendments

## →Section 403. Vacancies, Forfeiture of Office. Filling of Vacancies

- Increase time to fill vacancy from 30 days to 60 days

- Appointment or Special Election

- Creates mechanism for City Clerk to call for Special Election after 60 days





# Charter Amendments

- Section 404. Mayor – Mayor Pro Tempore
  - Creates automatic rotation for 9.5 months
  - Allows each Council Member to serve as Mayor/Mayor Pro Tem
  - Rotation
    - Current – City Council selects by majority vote
    - Language as proposed in the amended Charter to be set rotation by ordinance or resolution





# Charter Amendments

## →Section 413. Proceedings

- Allows for the electronic casting ayes and noes in lieu of a roll call vote

## →Section 415. Adoption of Ordinances and Resolutions

- Eliminates the need for motion to read ordinances and resolution by title only

- Majority of present members can still request it





# Charter Amendments

## →Section 416. Ordinances. Publication.

- Allows for the publication of ordinances in three public places and on the City website in lieu of posting in newspaper
- City Hall, Community Center, Library

## →Section 417. Adoption of Codes by Reference

- Eliminates the need for three volumes of Code for inspection
- Code will still be available in City Clerk's Office and on website





# Charter Amendments

## →Section 420. Publishing of Legal Notices

- Like Section 416, allows for the publication of ordinances in three public places and on the City website
- City Hall, Community Center, Library





# Charter Amendments

- Article V. City Clerk
  - Eliminates elected City Clerk position
    - Upon expiration of current term
    - Upon vacancy
  - Position is largely ceremonial
  - City Manager to designate City Clerk
  - Cost savings over time





# Charter Amendments

## →Section 807. General Plan

- Adds language asserting City's right to home rule as it relates to land use policies
- City Attorney recommended

## →Section 808. Human Resources Commission.

- Changes scope of HR Commission
- No long review job specifications and personnel rules
- Will help speed up hiring process
- Commission redefined to address employee discipline/grievance process





# Charter Amendments

## →Section 809. Library Board of Trustees

- Time to time, Library receives monetary gifts in excess of \$1,000
- Charter requires the City Council accept donation
- Creates additional staff work
- Proposed amendment to move this requirement to new section (1218)
- Proposed amendment would allow City Council set threshold amount by ordinance or resolution



# Charter Amendments



- Section 1100. General Municipal Elections.
- Transitions election from April to November
- Complies with SB 415 and Ordinance No. 2352





# Charter Amendments

## →Section 1203. Capital Program

- Charter defines capital expenditure as \$30,000
- Cost of public improvements have increased significantly over time
- Arbitrary figure creates additional administrative hurdles
- Slows down procurement and lengthens project timelines
- Recommendation is to define capital expenditure by ordinance or resolution





# Charter Amendments

## →Section 1212. Contracts on Public Works Projects

- Charter defines public bidding requirement for projects in excess of \$30,000
- California Uniform Public Construction Cost Accounting Act increases for account limits to \$60,000
- City has its own procurement requirements
- Recommendation is to define contract threshold by ordinance or resolution





# Charter Amendments

## →Section 1218: Donations

→ *“The Council may accept money, personal property, or real estate donated, devised, or bequeathed to the City and authorize the City Manager to carry out the terms and conditions of the donation, devise, or bequeathment. If no terms or conditions are attached to the donation, devise, or bequeathment, the Council may designate its use for any municipal purpose. The Council may establish procedures for the administrative acceptance of donations, devises, and bequeathments by ordinance or resolution.”*





# Sports Wagering Tax

- Statewide Ballot Measure to allow sports wagering
  - Native American Casinos
  - Horse-racing Tracks (e.g. Santa Anita Park)
  - Imposes 10% tax on daily wagers less winnings
  - No revenue to cities for impacts
- City Sports Wagering Tax
  - 3% tax on all wagers placed, win or lose
  - Offset impacts to City infrastructure and services
  - Committee recommended 4-1-1





# Transient Occupancy Tax

- Current rate is 10%
- Committee reviewed TOT rates for LA County Cities
- An increase in TOT rate to 12 % = \$730,000 annual revenue
  - Alhambra, Monrovia, Monterey Park, Pasadena, San Dimas, San Gabriel
- Committee recommended 4-2



# Ballot Measures & Community Outreach



- Charter Amendment – November 2022
  - Requires two public hearings
- Sports Wagering Tax – November 2022
- Transient Occupancy Tax – TBD
- Public affairs consultant
  - Community education assistance



# Fiscal Impact



- November 2022 City Council elections – \$100,000
- Ballot Measure Costs:
  - One Measure – \$119,600
  - Two Measures – \$136,000
  - Three Measures – \$144,000
- Public Affairs Consultant – \$40,000 plus materials (TBD)





# Timeline

- **March 18, 2022** – City Council Study Session (Completed)
- **May 3, 2022** – City Council Study Session (Completed)
- **May 17, 2022** – First Public Hearing (Completed)
- **June 21, 2022** – Second Public Hearing (In Progress)
- **July 19, 2022** – Resolution for Placement



# Recommendation



→It is recommended that the City Council conduct a public hearing to receive public input regarding the proposed amendments to the Arcadia City Charter for community ratification at the November 8, 2022, General Municipal Election.