1. September 09, 2015 Agenda

Documents:

SEPTEMBER 09, 2015 AGENDA.PDF

2. Previous Meeting Minutes

Documents:

SEPTEMBER 09, 2015 MINUTES.PDF

3. Item 2A

Documents:

SEPTEMBER 09, 2015 AGENDA ITEM NO. 2A.PDF

4. Item 2B

Documents:

SEPTEMBER 09, 2015 AGENDA ITEM NO. 2B.PDF

5. Item 3

Documents:

SEPTEMBER 09, 2015 AGENDA ITEM NO. 3.PDF

6. Item 4

Documents:

SEPTEMBER 09, 2015 AGENDA ITEM NO. 4.PDF
AGENDA

REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2015, 4:00 P.M.
CITY HALL, 501 POLI STREET, VENTURA
SANTA CRUZ CONFERENCE ROOM

ROLL CALL

INFORMATION ITEMS
None.

FORMAL ITEMS

1. Consideration of the Minutes of the July 8, 2015 Meeting of the Charter Review Committee

RECOMMENDATION
Approve the Minutes of July 8, 2015 as submitted by the City Clerk.


RECOMMENDATION
That the Charter Review Committee take action as it deems appropriate.
3. Consideration of Items Previously Discussed and Further Discussion and Consideration

A. City Council Compensation
   Tentative Decision: City Council $1,000 per month, Mayor $1,200 per month
   Revised Decision: City Council $1,200 per month; Mayor $1,500 per month

B. City Council Term and Term-Limits
   Tentative Decision: No change to 4 year term and no term-limits
   Revised Decision: Retain 4 year terms; Prohibit more than three consecutive terms; after three terms, can become eligible again if a four year period has passed since last served; prohibit serving three terms and moving to another district to become eligible again unless a four year period has passed since last service

C. Retention of the School District Within the Charter
   Tentative Decision: Remove school district from Charter

D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
   Tentative Decision: Retain current City Council selection of Mayor and Deputy Mayor; retain two-year term; and retain current non-consecutive term prohibition

E. Gender Neutral Language in the Charter
   Tentative Decision: Modify sections of the Charter that have gender specific language to gender neutral language

F. Durational Residency Requirement as a Condition of Holding Elective Office
   Tentative Decision: Reduce current durational residency requirement to 30 days consistent with California Supreme Court decisions

G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council
   Tentative Decision: Have City Council elected by geographic districts

H. Retaining Residency Requirement for the City Manager in Section 800 of the Charter
   Tentative Decision: Eliminate the legal requirement, but encourage residency

I. Appropriate Title for the Position of Deputy Mayor
   Tentative Decision: Change Title to Mayor Pro-Tern

J. Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor
   Tentative Decision: Fill Mayor vacancy by having Mayor Pro-Tern move up; Have City Council select a new Mayor Pro-Tern if a vacancy; If 50% plus 1 day of a Mayor’s two year is filled, it counts as
a full term, if less than 50% plus one day, it does not count for the no
consecutive terms for the Mayor

RECOMMENDATION

That the Charter Review Committee discuss and take action it deems
appropriate on the following items:

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding
   Elective Office
G. City Council Geographic Districts or Retaining At-Large Election for
   Members of the City Council
H. Retaining Residency Requirement for the City Manager in Section
   800 of the Charter
I. Appropriate Title for the Position of Deputy Mayor
J. Appropriate Process to Fill a Vacancy in the Office of the Mayor or
   Deputy Mayor and the Application of the Non-Consecutive Terms to
   Someone Filling a Vacancy in the Office of the Mayor

4. Consideration of Committee Calendar and Future Work-Schedule

RECOMMENDATION

That the Charter Review Committee consider the status of its work and
determine if the remaining meeting schedule and discussion items are
appropriate for the work plan to complete the tasks. It is requested that the
Committee provide direction to staff.

PUBLIC COMMUNICATIONS

COMMITTEE MEMBER COMMUNICATIONS

ADJOURNMENT

Administrative Reports relating to this agenda are available in the City Clerk’s Office, 501 Poli Street –
Room 204, Ventura, during normal business hours. Materials related to an agenda item submitted
after distribution of the agenda packet are available for public review in the City Clerk’s Office.
Copies of this and all Agendas of the Charter Commission are available on the City’s website at:

http://www.cityofventura.net/page/public-meetings

To be added to the interested persons list for future announcements and information regarding the Charter Review Committee. Please email charterreviewcommittee@ci.ventura.ca.us with your contact information and you will be added to the list.
City of San Buenaventura

CHARTER REVIEW COMMITTEE

John Baker, Member  Jerry Morris, Alternate
Cheryl Collart, Member  Ross R. Olney, Member
Barbara Evans, Member  Dennis Orrock, Chair
Peter A. Goldenring, Member  Andrew Prokopow, Member
Lynn Jacobs, Vice-Chair  Patrick Squires, Member
Suz Montgomery, Member  Chris Stephens, Member

MINUTES

JULY 8, 2015

The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 5:00 p.m.

ROLL CALL

Present: Members Baker, Evans, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Collart, Goldenring, and Stephens.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the June 10, 2015 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of June 10, 2015 as submitted by the City Clerk.

Vice Chair Jacobs moved to approve the minutes of June 10, 2015. Member Montgomery seconded. The vote was as follows:

AYES: Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, and Vice Chair Jacobs.

NOES: None.
ABSTAIN: Chair Orrock.

ABSENT: Members Collart, Goldenring, and Stephens.

Chair Orrock declared the motion carried.

2. **Consideration of Retaining Residency Requirement for the City Manager in Section 800 of the Charter**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

**SPEAKERS**

Staff: City Attorney Gregory G. Diaz.

Vice Chair Jacobs moved to recommend the removal of the residency requirement in Section 800 from the Charter. Member Olney seconded. The vote was as follows:

**AYES:** Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** Members Collart, Goldenring, and Stephens.

Chair Orrock declared the motion carried.

Member Baker stated that the recommendation to the City Council should include language stating it’s preferred the City Manager lives within the City’s boundaries.

3. **Consideration of the Appropriate Title for the Position of Deputy Mayor**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

Members Goldenring and Stephens arrived at 5:05 p.m. and 5:07 p.m., respectively.

**SPEAKERS**

Staff: City Attorney Gregory G. Diaz.
Member Olney moved to retain the Deputy Mayor title. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Evans, Montgomery, Olney, and Vice Chair Jacobs.

NOES: Members Baker, Goldenring, Prokopow, Squires, Stephens, and Chair Orrock.

ABSENT: Member Collart.

Chair Orrock declared the motion failed.

Member Baker moved to recommend the Mayor Pro Tem title. Member Squires seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Olney and Prokopow.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

4. Consideration of the Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

SPEAKERS

Staff: City Attorney Gregory G. Diaz.

Member Goldenring moved to take up the issue of whether the Mayor should be directly elected given the Committee's districting decision. Member Olney seconded. The vote was as follows:

AYES: Members Evans, Goldenring, Olney, Prokopow, Squires, Stephens, and Chair Orrock.

NOES: Members Baker, Montgomery, and Vice Chair Jacobs.
ABSENT: Member Collart.

Chair Orrock declared the motion carried.

5D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits

Member Goldenring moved to recommend a directly elected Mayor. Member Olney seconded. The vote was as follows:

AYES: Members Goldenring and Olney.

NOES: Members Baker, Evans, Montgomery, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

ABSENT: Member Collart.

Chair Orrock declared the motion failed.

4. Consideration of the Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor

Member Goldenring moved to recommend the Mayor Pro Tern fill the vacancy of the Mayor. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

Member Goldenring moved to recommend that 12 months and 1 day be considered 1 term as it relates to the Mayor’s successor. Member Stephens seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Member Prokopow.
Chair Orrock declared the motion carried.

Member Stephens moved to recommend that the Mayor Pro Tem be selected after the full City Council is seated. Member Squires seconded.

Members Stephens and Squires withdrew their motion.

Member Prokopow moved to recommend that the City Council appoint the Mayor Pro Tem the same day the new Mayor is appointed. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

5. Consideration of Items Previously Discussed and Further Discussion and Consideration

A. City Council Compensation *
   Tentative Decision: City Council $1,000 per month, Mayor $1,200 per month

B. City Council Term and Term-Limits
   Tentative Decision: No change to 4 year term and no term-limits

C. Retention of the School District Within the Charter *
   Tentative Decision: Remove school district from Charter

D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits *
   Tentative Decision: Retain current City Council selection of Mayor and Deputy Mayor; retain two-year term; and retain current non-consecutive term prohibition

E. Gender Neutral Language in the Charter
   Tentative Decision: Modify sections of the Charter that have gender specific language to gender neutral language

F. Durational Residency Requirement as a Condition of Holding Elective Office
Tentative Decision: Reduce current durational residency requirement to 30 days consistent with California Supreme Court decisions

G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council
Tentative Decision: Have City Council elected by geographic districts

* Items with new, supplemental Administrative Reports

RECOMMENDATION

That the Charter Review Committee discuss and take action it deems appropriate on the following items:

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding Elective Office
G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council

A. **City Council Compensation**

Vice Chair Jacobs moved to recommend to increase the Mayor’s compensation to $1,500 per month and Councilmembers’ compensation to $1,200 per month. Member Montgomery seconded. The vote was as follows:

**AYES:** Members Goldenring, Montgomery, Olney, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** Members Baker, Evans, Prokopow, and Squires.

**ABSENT:** Member Collart.

Chair Orrock declared the motion carried.

B. **City Council Term and Term-Limits**

Member Goldenring moved to recommend terms limits at 3 terms for a maximum of 12 years for any City Council seat in any district. Member Olney seconded. The vote was as follows:

July 8, 2015 Charter Review Committee Minutes  www.cityofventura.net DRAFT
AYES: Members Baker, Evans, Goldenring, Montgomery, Prokopow, Stephens, and Chair Orrock.

NOES: Members Olney, Squires, and Vice Chair Jacobs.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

6. Consideration of Committee Calendar and Future Work-Schedule

RECOMMENDATION

That the Charter Review Committee consider the status of its work and determine if the remaining meeting schedule and discussion items are appropriate for the work plan to complete the tasks. It is requested that the Committee provide direction to staff.

Member Stephens moved to cancel the August 12, 2015, Committee meeting and to meet at the next regularly scheduled Committee meeting set for September 9, 2015, to review and discuss the draft report to the City Council. Member Olney seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

ADJOURNMENT

Vice Chair Jacobs moved to adjourn the meeting at 6:20 p.m. Member Olney seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.
ABSENT: Member Collart.

Chair Orrock declared the motion carried.
CITY OF VENTURA
CHARTER REVIEW COMMITTEE

Agenda Item No.: 2-A
Meeting Date: 9/9/2015

DATE: August 28, 2015
TO: Charter Review Committee
FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of the Draft of the Charter Review Committee's Final Report

RECOMMENDATION:

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION:

At the Charter Review Committee’s July 8, 2015 meeting, the Committee held an extensive discussion regarding the remaining open items and reconsidered several issues on which the Committee had previously made tentative decisions. At the end of the meeting, Committee Members Baker and Collart volunteered to work on drafting the Final Report for the Committee’s consideration. The draft of the Final Report with the proposed Attachments was transmitted to the members electronically on August 18, 2015 and Committee Members were requested to provide any comments, revisions, or suggestions to staff by noon on September 1, 2015.

Attached to this Administrative Report is the draft Final Report prepared by Committee Members Baker and Collart. Administrative Report 2-B contains the comments that were provided by various Committee Members to staff prior to noon on September 1, 2015. Staff has split the reports so that the distribution and copying of the agenda materials can be accomplished over a few days—with only Administrative Report 2-B having to be copied at the last minute.

It is appropriate for the Committee to discuss, review, and revise the draft Final Report as it deems appropriate. Staff has listed in Agenda Item 3, all of the topics previously covered and included all tentative and revised decisions of the Committee. As such, any issue that has previously been discussed is open for discussion and potential revision at this time.
EXECUTIVE SUMMARY OF RECOMMENDATIONS

This report represents the outcome of monthly meetings of the Charter Review Committee (CRC) as formed by the Ventura City Council in October 2014. The CRC was formed for the purpose of reviewing the existing city charter and determining its timeliness to current trends and suggesting improvements for greater voter participation in local governance. The following are summary recommendations for consideration by the City Council.

1. Compensation should be increased to $1500 per month for the Mayor and $1200 per month for Council Members with an annual regional CPI adjustment.

2. Terms for Council Members should not exceed three terms (12 years) beginning with approval of a charter change.

3. The Board of Education should be removed from the charter.

4. No change should be made to the election of the Mayor from the Council.

5. Council Members should be individually elected from seven districts.

6. The City Charter should reflect gender neutrality.

7. The title of Deputy Mayor should be changed to Mayor Pro Tern.

8. Should the Mayor's position be vacated before the end of a two year term, the Mayor Pro Tem should automatically assume the position. If the remaining term of office is more than 12 months and one (1) day, it shall be considered as a full term for the purposes of succession in the office.

9. The residency requirement for running as a candidate for membership on the Council should be 30 days.

10. There should be no residency requirement for the position of City Manager.

More discussion of each of these recommendations is provided in the subsequent section of this report, entitled “Committee Discussion and Recommendations.”

It was the consensus of the committee that specific language for charter changes is the purview of the City Council itself and the City Attorney and, therefore, this report does not recommend specific language for charter changes.
INTRODUCTION AND BACKGROUND

Following the 2013 election, the City Council initiated discussions concerning voter turn-out and the effect of ‘off year’ city elections. The council took swift action to place a measure on the 2014 ballot to change the timing of city elections to coincide with even year national/state/county election cycles. Voters approved this charter change with the understanding that it was also cost effective in reducing ‘stand-alone’ election expenses.

The council determined there were specific charter updates that should be considered since the document was last updated in 1986. Therefore, the council formed a citizen review committee that would undertake in-depth discussion of the community election process and consider specific questions posed by council. This committee provides the City Council with a broader point of view on charter issues by utilizing the experience of informed citizens.

Charter Review Committee (CRC)

Formation of the CRC followed the city’s citizen appointment process in which interested members of the public are invited to submit applications to the City Council for consideration. In this case, each member of the City Council also had the opportunity to recruit members for the committee. The names and resumes of the applicants were submitted to the council. Committee appointments were made at the September 29, 2014 council meeting. The CRC held its first meeting November 19, 2014 to elect two officers and initiate its scope of work.

CRC Members

Dennis Orrock, Chair
Lynn Jacobs, Vice Chair
John Baker
Cheryl Collart
Barbara Evans
Peter A. Goldenring
Suz Montgomery
Ross R. Olney
Andrew Prokopow
Patrick Squires
Chris Stephens
Jerry Morris, Alternate

Staff Support

The City Attorney’s office was primary staff to the CRC, with additional support provided by the City Clerk’s office. Staff provided an initial work plan to guide committee discussion in a timely manner and prepared monthly agenda packets of background information to assist the CRC in making informed opinions. Staff worked with the committee chair to complete the monthly agenda and convene each meeting. Pertinent staff report, graphs and charts provided to the CRC are included in attachments to this report and may be useful to City Council for further review.
Specific City Council Directed Tasks for CRC

Per the direction of City Council, the CRC was initially tasked to discuss the following:

1. City Council Compensation
2. City Council Term Limits
3. Removal of the Board Education from the City Charter
4. Direct Election of the Mayor, term of the Mayor and the relationship of the Deputy Mayor
5. City Council election process, including at large election and district elections

In April 2015, the CRC sought clarification from the City Council on several issues that arose in the months of meetings. Based on City Council action taken April 20, 2015, the CRC report includes the following additional tasks:

6. Gender neutral language
7. Evaluating the term ‘Deputy Mayor’ as contrasted against other recognizable titles
8. Review of Section 503 residency requirement for City Council candidates
9. Review of Section 800 residency requirement for the City Manager
10. Filing of vacancies for Mayor and Deputy Mayor occurring during the term of office

The CRC began work using the work plan developed by staff, taking one topic each month for general discussion. The discussions yielded ‘straw votes’ and opened dialogue. As the discussion and review evolved, the committee determined that a criteria/framework could be useful in developing consensus and ultimately providing a final report.

The Council directed the CRC to focus on policy issues, making known its preference in the discussion as it may relate to any charter changes. While the committee recognized that simple yes/no responses are useful, it also felt it would be remiss in its efforts if additional commentary was not provided to the council and the community as background to the recommendations ultimately presented. CRC members have extensive local history and professional expertise, and as such, they felt a keen sensitivity to the community and recognize any change to the charter will have significant and long term consequences.

Each topic discussion was guided by a framework that included:

- Current conditions; historical view of what has transpired since 1975
- Necessity or value to change the charter
- Cost benefits and anticipated savings or expenses associated with changes
- Community benefits that might be expected by implementing changes
- Comparison of the Ventura city charter to selected peer cities for trends
• Charter consistency and true-up with current legislation including the California Voting Rights Act (CVRA)
• Consensus comments including recommendations for council consideration
• Comments of concerns and minority opinions, including topics for further consideration

Based on the discussion and consensus reached, the CRC would make recommendations with regard to each subject referred to the CRC by the City Council:

• Changes to the charter, with specific language to be prepared by the city attorney
• Retain the charter language as currently stated; no changes recommended
• Consider changes in city policy or practices resulting from the review and recommendations

The City Attorney provided a number of exhibits during the committee meetings relating to comparative data for other cities and studies/analysis that had been done on a number of the topics. He also provided information regarding state laws pertaining to the subjects under discussion.

Pertinent staff research, charts and graphs that factored into the decision-making of the CRC are provided in the report Attachments 1 through 9.

Attachment 10 to this report is a listing of information provided by the City Attorney and references to the agenda packets for the meetings that were begun in November 2014. This information is available for review in the City Attorney’s office.

Attachment 11 is a set of minutes for each of the CRC meetings from November 19, 2014 through September 9, 2015.
COMMITTEE DISCUSSION AND RECOMMENDATIONS

The process of the CRC was to make preliminary findings and recommendations on individual topics as was reported in monthly meeting minutes. At the July 2015 meeting, the CRC then revisited each of the preliminary recommendations in the context of all the recommendations to determine if any change should be made. The following are the final recommendations of the Committee along with discussion points related to each. In some cases it will reflect two votes regarding the task subject matter. At the conclusion of each of the meetings regarding a specific task, a vote was taken. It was recognized that there may be a change in the vote as discussion proceeded on subsequent tasks. If that proved to be the case and there was a second vote on a specific task, both votes are reflected following the conclusion section related to the task and are labeled “initial vote” and “final vote.” All the voting for each task as they were considered or reconsidered by the CRC is shown in the minutes of each meeting contained in Attachment 10.

1. CITY COUNCIL COMPENSATION

If is recommended changes be made to city charter Article VI, Section 601 to increase the Mayor’s compensation to $1,500 per month and Councilmembers’ compensation to $1,200 per month. The compensation is subject to adjustment every year to account for cost of living as measured by the All Urban Consumer Area Los Angeles-Riverside-Orange County Index with 2016 as the base year. The adjustment will take place in each January 1 following a calculation included in the fiscal year budget taking effect July 1 of the prior year. No other compensation or benefits should be included.

Current Charter Conditions

City Council compensation is governed by charter

Members are paid $600 monthly

Mayor is paid $700 monthly

Staff Reports Pertinent to Informed Opinions

Peer city compensation report/graph attached; see Attachments 1 and 2.
Discussion Points

a) Defined the meaning of “compensation” as cash only.

b) Defined “benefits” as non-cash and recognizing that the city provides an option for council members if the council member pays all costs associated with the benefit, i.e. health care or retirement benefit.

c) Per city policy, the city covers the additional and/or specific costs of council members to attend conferences and meetings that have been approved by the full council; council members may be reimbursed for expenses based on existing city policies.

d) Council members may receive additional compensation for participation on some boards and commissions, i.e. Ventura County Transportation Commission. This not a significant source of income and rotates among the council members as assigned to the boards.

e) Current compensation is too small to recruit candidates that do not have another source of income (i.e. retirement, spouse, independent incomes, etc.).

f) The small amount of compensation keeps the position of City Council member from becoming a ‘full-time’ job equivalent.

g) Compensation helps the council member recover personal expenses (i.e. phones, car, computer, dry cleaning, etc.) associated with undertaking the duties of public office. A survey of current council members indicated that there are costs attributed to being a member of the Council that are not reimbursed by the City.

h) Automatic increases based on the consumer price index (CPI) would provide for periodic and controlled increases that can be included in the annual budget process rather than require charter changes.

i) Some increase is warranted because the position of City Council should not ‘cost’ the council member to participate.

j) The last increase in council compensation was 30 years ago.

k) Compensation for City Councils across the state is governed and guided by state legislation and disclosure requirements to avoid excesses or abuse.

l) Compensation should be regularly adjusted by a CPI factor to avoid having to amend the city charter to accomplish the task.

Conclusion

CRC determined that City Council members are under compensated.

CRC opinion confirms that City Council position is not intended to be paid as a ‘full-time’ professional position.

CRC discussion suggests that a regular increase pegged to the regional CPI should be an adopted policy that can be handled through normal budget process rather than require a charter.
amendment. The compensation change should take place on January 1 each year with the change being based on the CPI for the preceding June and included in the adopted budget.

The initial monthly compensation for each council member was recommended to be $1,000; upon further discussion during the final review process taking into account the non-reimbursed costs of being a Council Member, the compensation was increased to $1,200.

The initial monthly compensation for the mayor was recommended to be $1,200; upon further discussion during the final review process taking into account the non-reimbursed costs of being a Mayor, the compensation was increased to $1,500.


2. CITY COUNCIL TERM LIMITS

It is recommended there be a change city charter Article V, Section 507 to limit terms at 3 terms for a maximum of 12 years for any City Council seat in any district.

Current Charter Conditions

Council members serve unlimited terms.

Staff Reports Pertinent to Informed Opinion

Ventura City Council terms average 7.9 years from 1975 – 2013. See Attachments 3 and 4.

Discussion Points

a) If there is a change to district elections, there could be likelihood that a sitting Council Member could develop a voting base that squeezes out other qualified candidates for a long period of time thereby precluding fresh new ideas and needs of the district.
b) Based on the average term, Ventura City Council members have generally limited their own terms of office.
c) Current council reflects the most individual members serving more than 3 terms at any prior time.

d) Competition has been part of every election; the average number of candidates has been 12 per election cycle from 1975 - 2013.

e) The City has not experienced any ‘uncontested’ City Council races.

f) Voters have rejected siting council members from 1975 to present.

g) Longer terms have supported regional connections to advance local initiatives and interests.

h) Voters have the ultimate right to retain or remove an elected official every four year term.

i) Trends to limit terms of office have resulted in some adverse effects by removing good candidates that still have desire to serve.

j) Lack of term limits has not been detrimental in providing good government.

k) The city has a multitude of boards, committees and commissions that provide an avenue to public leadership and help build a pool of potential candidates for City Council.

l) Community councils could be used to educate the public on the operation of city government as a means of fostering a pool of qualified potential candidates.

Conclusion

If there is a change to district elections, it is best to ensure that a rotation of qualified people occur at least every 12 years.


3. REMOVAL OF THE BOARD OF EDUCATION FROM THE CITY CHARTER

It is recommended the Board of Education be removed from the city charter Article XI

Current Charter Condition.

Specific reference is made to the school district, Article XI.

Staff Reports Pertinent to Informed Opinion

Representatives of the Ventura Unified School Board of Trustees and Staff joined the discussion.

Minutes of Ventura Unified School District April 14, 2015 Board meeting are Attachment 5.
Discussion Points

a) The school district is not governed by the city.
b) The school district has a separately elected board of trustees.
c) The elected officials of the city and school district occasionally hold public meetings for mutual benefit.
d) The City Council has a policy to appoint one member as liaison with a school trustee.
e) The school district is not contiguous to the city boundaries; the school district is larger than the city.
f) The charter connects to the two public bodies in a manner that could have detrimental effects in terms of potential litigation.
g) The school district had shared off year election costs; however, the district has a history of uncontested elections and therefore does not consistently share election expenses with the city.
h) The school board took action similar to the City Council to place a measure on the 2014 public ballot to change their charter and voting cycle to even-year; the measure was approved by the voters.
i) The school district Board of Trustees discussed the item at their board meeting of April 14, 2015 and voted to support the removal of the school district from the city charter.

Conclusion

All charter references to the school district (Ventura Unified School District) should be removed.

It should be matter of policy and practice that the city and school district should continue work toward common projects because most of the constituents are the same.

CRC Vote – March 11, 2015: Ayes: 11, Noes: 0.

4. DIRECT ELECTION OF THE MAYOR

It is recommended city charter Article VII, Section 703 be retained.

Current Charter Conditions

The mayor and deputy mayor are elected by the City Council members every two years.

The terms of office are two years.

Mayor may not succeed the term without at least one additional two-year term having lapsed.
Staff Report Pertinent to Informed Opinion

Survey of peer cities mayoral selection process, including term and term limit.

See Attachments 6 and 7.

Discussion Points

a) A directly elected Mayor would provide better leadership for the Council than a Mayor who is elected from within the Council.
b) Directly electing a Mayor at large would provide a voice that would take the interests of the entire city into account if the city were to go to election of the remainder of the Council by geographic districts.
c) Direct election of a Mayor who would only vote in the case of a tie vote among the remaining Council Members elected by geographic districts would provide for a better chance of promoting the best interests of the city.
d) The mayor has the duty of presiding over the City Council and is the ‘face of the city’ for regular and special council meetings, as well as special occasions/meetings such as the annual state of the city.
e) The mayor’s position requires an individual with good communication skills and collegial demeanor.
f) City Council members, including the mayor have equal standing in their votes on city issues.
g) City Council members have a sense and feel for who among them can provide the best leadership in a given term.
h) Each two year term provides an opportunity to select a new mayor based on his/her ability to be the policy leader of the Council.
i) Selection as deputy mayor does not insure a council member will rise to mayor in the subsequent term.
j) Mayors cannot commit the city to actions not approved by the full City Council.
k) Direct election can have the result of the incumbent feeling he/she has greater status than ultimately being part of a policy making body of seven.

Conclusion

The majority voted to retain the current charter language allowing the City Council to select the mayor to ensure the Mayor’s position continues to be part of a seven (7) member policy making body.
The minority vote reflected a possibility for a separately and at large elected mayor may be appropriate if district elections were to be instituted in order to preserve a city-wide view on the Council.

CRC Initial – April 8, 2015 (no change in election process): Ayes: 8, Noes: 2, Absent: 1.

CRC conducted a vote on a motion at its July 8 meeting to change to a directly elected Mayor who would vote only in case of a tie vote. The result of that vote was: Ayes: 2, Noes: 8, Absent: 1.

The initial vote on April 8th to retain election of Mayor from the City Council was affirmed.

5. CITY COUNCIL ELECTIONS – AT LARGE OR DISTRICT ELECTIONS

It is recommended the City move to a district election system for City Council.

Current Charter Conditions

City Council elections are held ‘at large’.

Staff Report Pertinent to Informed Opinion

Materials provided by staff. See Attachment 8.

Discussion Points

a) Elections under a district format would likely cost candidates less due to not having to gain votes on a city-wide basis.

b) At large has historically worked for city with the current process drawing 9-18 candidates to compete.

c) At large candidates have reflected changes in the city’s population; at minimum the candidates have included men and women; high/low economic standing, and minimum racial diversity.

d) Changes in voting rights act (federal and state) may push the city to district elections.

e) The California Voting Rights Act (CVRA) law may push cities to districts out of fear of costs to defend at large election processes. The track record for cities that have been taken to court to force district elections has been largely negative and very costly. If a court decision goes against the city, it must pay the entirety of the plaintiff’s legal cost.
f) The ability to defend ‘at large’ voting for the city is unknown; but the cost of legal defense of the at large system would have negative impacts on city budget.
g) There has not been an economic or programmatic analysis to show that any specific district or community of the city has been negatively affected by at large election and the manner in which City Council currently appropriates resources.
h) District elections require strong candidates/leadership in all sections of the city; the city lacks a city-wide neighborhood governance program of officially elected ‘neighborhood councils/wards’ that would be a ‘feeder’ to district candidates.
i) The city appoints its current boards and commissions in an ‘at large’ manner to garner best candidates with subject expertise; these appointees could be part of ‘at large’ or ‘district’ candidates.
j) Districts may promote loyalty to a small community over the ‘greater good’ of the city at large.
k) District elections will require city budget commitment to re-balance each 10 years with census and population shifts.
l) Potentially the city many have increased costs to manage and respond to ‘district projects/programs’.
m) Potential district candidates may be limited by resources to finance and manage separate district elections; the cost of district campaigns and public education are unknown.
n) In many cities, district elections have played into strengthening special interest groups in controlling the outcome of elections due to the ability focus resources.

Conclusion

The presence of the CRVA and its implications for the future of the city’s finances resulted in a decision by the Committee to recommend going to district elections.

It is felt that district elections would promote greater participation in election. There is no data, however to validate this feeling.

A minority view concerned the legal cost to defend ‘at large’ voting process should be further researched in relation to the city’s exposure in a plaintiff lawsuit.

Election finance was not discussed but should be part of additional research.

Consider programs to develop community leadership throughout the city regardless of district or at large voting process.

6. GENDER NEUTRAL LANGUAGE

It is recommended there be replacement language throughout the city charter that is gender neutral.

Current Charter Conditions

Charter language is not ‘gender neutral’.

Staff Report Pertinent to Informed Opinion

Staff advised this was a City Council request.

Discussion Points

a) The charter should reflect current societal conditions and inclusive language.
b) The recommendations are considered and administrative change.
c) The change will not affect the substance of the charter.

Consensus and Minority Opinion

Staff should make the changes through a ‘red-line’ version of the document using appropriate ‘gender neutral’ language.


7. EVALUATING THE TERM “DEPUTY MAYOR”

It is recommended that the title of Deputy Mayor be changed to Mayor Pro Tem

Current Conditions

The charter refers to ‘Deputy Mayor’ as the second council officer, selected by the City Councilmembers after the Mayor, with duties to preside in the absence or disability of the Mayor.

Staff Report Pertinent to Informed Opinions

Material provided by staff. See Attachment 9.
Discussion Points

a) The term needs to be updated to compare with other recognizable titles used among City Councils.
b) The term has been confused by other agencies as an employee rather than ‘elected official’.
c) Among various suggested titles and in comparison with peer cities, the term ‘mayor pro tem’ seems most appropriate.
d) The term Deputy Mayor has served the city well until now and there is no need to change it.

Conclusion

The charter should be updated to remove confusion that could exist due to the fact Deputy Mayor in some other jurisdictions is an appointed employee position.

It is an administrative task to update the document for necessary changes.

CRC Final Vote – July 8, 2105: Ayes: 8, Noes: 2, Absent: 1.

9. REVIEW OF SECTION 503 RESIDENCY REQUIREMENT FOR CITY COUNCIL CANDIDATES

It is recommended revisions to Article V, Section 503 that candidates for elective office with the city be residents for a period not to exceed 30 days consistent with decisions of the California Supreme Court.

Current Conditions

Candidates must have lived in the city for at least one year preceding the election or appointment.

Staff Report Pertinent to Informed Opinions

See Attachment No. 9.

Discussion Points

a) Residency requirements for elected officials have been changed based on California state law, making charter language invalid.
b) It is desirable to have candidates with longer term residency.
Conclusion

The charter should be updated.

The City Attorney should provide the necessary language for the changes.


9. REVIEW OF SECTION 800 RESIDENCY REQUIREMENT FOR THE CITY MANAGER

It is recommended removal of the residency requirement Article VII, Section 800 from the city charter in order to be consistent with the California State Constitution.

Current Charter Conditions

Candidates for city manager employment must become a resident of the city and remain in the city through their incumbency.

Staff Report Pertinent to Informed Opinions

The City Attorney’s research resulted in the determination that the city cannot require residency for the City Manager due to a state voter initiative approved by the voters and now part of state law.

Discussion Points

a) Residency requirements have been changed based on California state law, making charter language invalid.

b) It is preferable for the City Manager to live within the city limits in order to have close proximity to city hall and maintain public contact. The City Council should emphasize this when recruiting for a City Manager.

Conclusion

The charter should be updated.

CRC Final Vote – July 8, 2015: Ayes:8, Noes:0, Absent:3.

It is recommended the Deputy Mayor (Mayor Pro Tem) automatically fill the vacancy of the Mayor. For the purposes of determining the ability to fill a successive term, 12 months and one (1) day should constitute a term of office. The position of Deputy Mayor should be filled by a vote of the City Council at the same time as the transition to Mayor is accomplished.

Current Charter Conditions

Article VII, Section 705 is not clear concerning the terms of office when vacancies occur.

Staff Report Pertinent to Informed Opinions

The City Attorney provided options for defining a term of office in the event a Deputy Mayor fulfills the office of a vacated Mayor.

The City Attorney provided options for charter language to allow for ‘true-up’ of terms for all councilmembers. It was recognized that this action must take place within the language of the current City Charter.

Discussion Points

a) There should be a clear policy of transition from the Mayor to the Deputy Mayor in the event that the Mayor’s office becomes vacant at any point in the 2 year term.

b) A decision must be made as to whether the transition of the Deputy Mayor to Mayor constitutes a term of office for the former in terms of not being able to serve as Mayor after the next election cycle.

c) There should be a defined amount of time served by the transitioning Deputy Mayor to Mayor to constitute a term.

d) The options discussed for a defined term were 1) any time served, 2) 12 months and one (1) day, and 3) any period of time between 12 and 24 months.

e) In light of the 2014 ballot measure to move the date of City Council elections to even years, it will be necessary to adjust and ‘true-up’ the term for all council members for the one year
transition. As this will only occur for the election of Mayor and Deputy Mayor to be conducted following the election in November 2015, it must be determined prior to the election of 2016 when even year elections are instituted consistent with the current City Charter.

**Conclusion**

The Deputy Mayor should move automatically to fill a vacation of the Mayor’s position.

A Deputy Mayor should be selected by the City Council at the time the Mayor’s position is occupied.

For the purposes of determining the ability to fill a successive term, 12 months and one (1) day should constitute a term of office. The position of Deputy Mayor should be filled by a vote of the City Council at the same time as the transition to Mayor is accomplished.

The process for election of Mayor and Deputy Mayor for a one year period (between the 2015 election and the 2016 election) should be referred to the City Attorney for a recommendation to the City Council.

ATTACHMENT 1 TO COMMITTEE FINAL REPORT
## Ventura County Cities

### Compensation and Benefits

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Salary</th>
<th>Medical/Dental/Vision</th>
<th>Life Insurance</th>
<th>Retirement</th>
<th>Deferred Compensation</th>
<th>Employee Assistance Program (EAP)</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Camarillo</td>
<td>66,752</td>
<td>$1,329.00/month</td>
<td>Medical - family coverage up to $1,402.00/month.</td>
<td>Life, accidental death and dismemberment (AD&amp;D) insurance - $50,000.00 coverage.</td>
<td>1) Classic Members: City pays into PERS (2% @ 55) and 7% into 401a Plan; 2) New Members: Councilmember pays 50% of normal cost into PERS (2% @ 62) and City pays 7% into 401a Plan; or 3) Defined Annuity: 7% City contribution and 1/2% Councilmember contribution.</td>
<td>Deferred comp is optional.</td>
<td>Reimbursement for actual and necessary expenses incurred in the performance of City business.</td>
<td></td>
</tr>
</tbody>
</table>

Vehicle allowance - $200.00/month. |

| Fillmore   | 15,339     | $75.00/month            | Dental/vision - family coverage up to $124.00/month. | Dependent life - $2,000.00 coverage per dependent. | - | - | - | Travel reimbursement is $2,000.00/year. |

No fringe benefits. |

### Medical Claims

- Family coverage for 6 sessions per incident per year.

### Reimbursement

Reimbursement for actual and necessary expenses incurred in the performance of City business.

Vehicle allowance - $200.00/month.

EXHIBIT "3"
# Ventura County Cities Compensation and Benefits

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Salary</th>
<th>Medical/Dental/Vision</th>
<th>Life Insurance</th>
<th>Retirement</th>
<th>Deferred Compensation</th>
<th>Employee Assistance Program (EAP)</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moorpark</td>
<td>35,172</td>
<td>$600.00</td>
<td>Medical insurance. Councilmembers are not eligible for cash-back payment in lieu of health insurance.</td>
<td>Life insurance</td>
<td>Retirement - CalPERS. If not eligible, then receive a contribution to city's alternate retirement system plan and shall not include the CalPERS employer contribution.</td>
<td>-</td>
<td>-</td>
<td>Cell phone - monthly reimbursement of monthly cell phone contract amount up to $70.00. Reimbursement up to $125.00 every two years for a new cell phone. Laptop - provided upon request.</td>
</tr>
<tr>
<td>Ojai</td>
<td>7,594</td>
<td>$475.00/month</td>
<td>Medical, dental, and vision insurance for Councilmembers and eligible dependents. 80% of the cost. If first elected on or after Nov. 1, 2012, City will pay medical, dental and vision insurance for Council only. Dependents may participate at expense of member.</td>
<td>$30,000.00 policy</td>
<td>Eligibility to join PERS after 5 consecutive years and receive pension upon retirement. If first elected on or after Nov. 1, 2012: when retire, after 5 yrs., consecutive, will receive Public Employees' Medical and Hospital Care Act (PEMHCA) min. contribution for $112.00 (2012), adjusted annually.</td>
<td>-</td>
<td>-</td>
<td>City will match contributions into Deferred Comp 457 Plan, up to 3% of monthly salary (max $14.25/month).</td>
</tr>
</tbody>
</table>
# Ventura County Cities
## Compensation and Benefits

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Salary</th>
<th>Medical/ Dental/ Vision</th>
<th>Life Insurance</th>
<th>Retirement</th>
<th>Deferred Compensation</th>
<th>Employee Assistance Program (EAP)</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oxnard</td>
<td>203,645</td>
<td>$1701.01/month</td>
<td>$525.00/month cafeteria dollars towards medical premiums. $66.80/month for dental premiums.</td>
<td>Basic life executive insurance.</td>
<td>PERS and PARS.</td>
<td>-</td>
<td>-</td>
<td>Cell phone and ipad upon request. Monthly expense allowance: $400.00 for Mayor/$300.00 for Councilmembers.</td>
</tr>
<tr>
<td>Port Hueneme</td>
<td>22,399</td>
<td>$751.38/month</td>
<td>Health insurance for Councilmember and their spouse/1 dependent, up to $1,141.70/month</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>ICMA-457 - City matches contribution up to $100.00/pay period.</td>
<td>Expense and travel reimbursements.</td>
</tr>
</tbody>
</table>
# Ventura County Cities
## Compensation and Benefits

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Salary</th>
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<th>Deferred Compensation</th>
<th>Employee Assistance Program (EAP)</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santa Paula</td>
<td>30,448</td>
<td>$300.00/month</td>
<td>$978.11/month</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$2,000.00/fiscal year for cell/travel/training/meeting expenses.</td>
</tr>
<tr>
<td>Simi Valley</td>
<td>126,305</td>
<td>1,202.76/month</td>
<td>Medical - max City contribution of $1,500.00 (8 HMO plans and 3 PPO). SimiFlex without medical - $593.98. Dental and Vision Insurance - City pays a portion. Annual executive physical ($300.00).</td>
<td>Life Insurance - $151,000.00 and AD&amp;D-EE. City pays $24.92. $5,000.00 for dependent; City pays $.36.</td>
<td>CalPERS Minimum Employer Contribution - $119.00. Retirement - 1) Hired prior to 1/1/13: ER pays 16.99% and ER pays 7.00% of Employee Contribution = 23.99%; or 2) Hired on or after 1/1/13: not eligible for PERS. Social Security - City pays 6.2% and EE pays 4.2%. Medicare - City pays 1.45% and EE pays 1.45%. Deferred Compensation - 1) City matched 401k of $75.83/month; or 2) Contribution 401k of $55.00/month. Annual maximum of $17,500.00.</td>
<td>-</td>
<td>Disability - STD $0.51 per $100.00. LTD $0.40 per $100.00 up to $14,250.00 per month. Worker's Compensation - 5.92%. Mileage reimbursement: $400.00; tuition reimbursement: $1,600.00; retirement Health Savings Plan: $200.00/month.</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Population</td>
<td>Salary</td>
<td>Medical/ Dental/ Vision</td>
<td>Life Insurance</td>
<td>Retirement</td>
<td>Deferred Compensation</td>
<td>Employee Assistance Program (EAP)</td>
<td>Other</td>
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</tr>
<tr>
<td>Thousand Oaks</td>
<td>129,039</td>
<td>$1,750.00/month</td>
<td>Medical insurance - City pays minimum mandated under PEMHCA for members and dependents; 2014 minimum employer contribution is $119.00/month (8 HMO and 3 PPO). They also have Retiree Medical benefits and Survivor Continuance benefits.</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dental insurance - City pays full cost for members and eligible dependents.</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Vision Care - City pays full cost for members and eligible dependents.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Physical Exams - City reimburses for Councilmembers in amount of $300/year.</td>
<td></td>
<td>-</td>
<td>-</td>
<td>Travel expenses incurred for City activities are reimbursed. Travel accident policy. Tuition reimbursement. PC loan.</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Population</td>
<td>Salary</td>
<td>Medical/ Dental/ Vision</td>
<td>Life Insurance</td>
<td>Retirement</td>
<td>Deferred Compensation</td>
<td>Employee Assistance Program (EAP)</td>
<td>Other</td>
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</tr>
<tr>
<td>Ventura</td>
<td>108,961</td>
<td>Mayor: $700.00/month Council: $600.00/month</td>
<td>Plus stipend for board meetings: Animal Regulation Commission: $50/mtg. (quarterly); Gold Coast Transit: $100/mtg. (monthly); LAFCO: $50/mtg.; SCAG: $120/mtg. (monthly); VCTC: $100/mtg. (monthly); VRSD: $186/mtg. (twice a month)</td>
<td>Each member of City Council is eligible to participate in the City's group health, dental, and vision insurance plans at member's own expense.</td>
<td>Eligible to participate in either CalPERS or Social Security with member paying the full contribution and City paying required employer contribution.</td>
<td>Eligible. The City will not provide matching contribution.</td>
<td>Travel expenses of $200.00 per year/$300.00 per year for Mayor.</td>
<td></td>
</tr>
</tbody>
</table>

ATTACHMENT 2 TO COMMITTEE FINAL REPORT
<table>
<thead>
<tr>
<th>Charter Cities Population and Council Compensation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Carlsbad</td>
<td>110,169</td>
</tr>
<tr>
<td></td>
<td>Mayor: $1,489.00/monthly</td>
</tr>
<tr>
<td></td>
<td>City Council: $1,389.00/monthly</td>
</tr>
<tr>
<td></td>
<td>SANDBAG Executive Board: $150.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td></td>
<td>SANDBAG Board of Directors: $150.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td></td>
<td>Borders Committee: $100 per meeting (estimated annual: 41,001-$2,000)</td>
</tr>
<tr>
<td></td>
<td>North County Transit District: $75.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td></td>
<td>San Diego County Water Authority Board of Directors: $150.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td></td>
<td>Encina Wastewater Authority Policy and Finance/Capital Improvement Committee/Real Estate Committee: $182.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td></td>
<td>North Coastal: $100.00 per meeting (estimated annual: $1,001-$2,000)</td>
</tr>
<tr>
<td></td>
<td>Wastewater Board of Directors: $100 per meeting (estimated annual: $1,001-$2,000)</td>
</tr>
<tr>
<td></td>
<td>Development Commission: $75.00 per meeting (max $150/month)</td>
</tr>
<tr>
<td></td>
<td>(estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td>Berkeley</td>
<td>117,372</td>
</tr>
<tr>
<td></td>
<td>Mayor: $2,850.00/month</td>
</tr>
<tr>
<td></td>
<td>Council: $1,800.00/month</td>
</tr>
<tr>
<td></td>
<td>Adjusted upward by cost of living</td>
</tr>
<tr>
<td></td>
<td>Joint Powers Authority Lead Abatement: $100.00 per meeting (estimated annual: $3,600)</td>
</tr>
<tr>
<td></td>
<td>Alameda County Waste Management Authority: $150.00 per meeting (estimated annual: $3,150)</td>
</tr>
<tr>
<td></td>
<td>Alameda County Transportation Commission: $225.00 per meeting (estimated annual: $4,500)</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>121,229</td>
</tr>
<tr>
<td></td>
<td>Mayor: $1,387.99/monthly</td>
</tr>
<tr>
<td></td>
<td>City Council Member: $382.78/monthly</td>
</tr>
<tr>
<td></td>
<td>Sports and Open Space Authority, Housing Authority, Stadium Authority: $30.00 per meeting (estimated annual: $0-$1,000)</td>
</tr>
<tr>
<td></td>
<td>Santa Clara Valley Transportation Authority/Board of Directors Small Cities Group: $50.00 per meeting (estimated annual: $0-$1,000)</td>
</tr>
<tr>
<td></td>
<td>Bay Area Water Supply &amp; Conservation Agency: $100.00 per meeting (estimated annual: $0-$1,000)</td>
</tr>
<tr>
<td>Visalia</td>
<td>129,582</td>
</tr>
<tr>
<td></td>
<td>Mayor and Vice Mayor: $890.25/monthly</td>
</tr>
<tr>
<td></td>
<td>Councilmember: $768.00/monthly</td>
</tr>
<tr>
<td></td>
<td>Councilmember: $858.00/monthly</td>
</tr>
<tr>
<td></td>
<td>No other special pay</td>
</tr>
<tr>
<td>Pasadena</td>
<td>140,879</td>
</tr>
<tr>
<td></td>
<td>Mayor: $2,112.83/monthly</td>
</tr>
<tr>
<td></td>
<td>Councilmembers: $1,408.59/monthly</td>
</tr>
<tr>
<td></td>
<td>No other special pay</td>
</tr>
<tr>
<td>Modesto</td>
<td>206,785</td>
</tr>
<tr>
<td></td>
<td>Mayor: $3,600.00/monthly</td>
</tr>
<tr>
<td></td>
<td>Councilmembers: $2,000.00/monthly</td>
</tr>
<tr>
<td></td>
<td>No other special pay</td>
</tr>
<tr>
<td>Population information from 2014 CA Dept. of Finance Population Estimates</td>
<td></td>
</tr>
</tbody>
</table>

EXHIBIT "4"
### Charter Cities Population and Council Compensation

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Mayor and Councilmembers Compensation</th>
<th>Mayor Supp Allowance</th>
<th>Mayor Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merced</td>
<td>81,130</td>
<td>$20.00/monthly</td>
<td>$527.92/monthly</td>
<td>$50.00/monthly</td>
</tr>
<tr>
<td>Newport Beach</td>
<td>86,874</td>
<td>$212.50 per meeting (estimated annual: $3,001+)</td>
<td>$120.00 per meeting (estimated annual: $1,001-$2,000)</td>
<td>$50.00/monthly</td>
</tr>
<tr>
<td>Santa Barbara</td>
<td>90,385</td>
<td>Mayor: $4,141.67/monthly</td>
<td>$313.33/monthly</td>
<td>$100.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td>Santa Monica</td>
<td>92,185</td>
<td>Mayor: $1,389.66/monthly</td>
<td>$1,158.04/monthly</td>
<td>No other special pay</td>
</tr>
<tr>
<td>Santa Maria</td>
<td>101,103</td>
<td>Mayor and Councilmembers: $1,050.00/monthly</td>
<td>$250.00/monthly</td>
<td>Santa Barbara County Association of Governments: $100.00 per meeting (estimated annual: $2,001-$3,000)</td>
</tr>
<tr>
<td>Ventura</td>
<td>108,961</td>
<td>Mayor and Councilmembers: $600.00/monthly</td>
<td>$50.00 per meeting (estimated annual: $0-$1,000)</td>
<td>Animal Regulation Commission: $100.00 per meeting (estimated annual: $1,001-$2,000)</td>
</tr>
</tbody>
</table>

**Note:** Mayor and Councilmembers compensation includes regular meeting allowances. Mayor Supp Allowance is a special compensation only granted to the Mayor.
ATTACHMENT 3 TO COMMITTEE FINAL REPORT
Election = every 2 years  
Terms = 4 year

<table>
<thead>
<tr>
<th>Year</th>
<th>Term start</th>
<th>Term end</th>
<th>Mayor</th>
<th>Council Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975</td>
<td>Jan-76</td>
<td>Jan-79</td>
<td>Harriet Kosmo</td>
<td>John McWherter</td>
</tr>
<tr>
<td>1979</td>
<td>Jan-80</td>
<td>Jan-83</td>
<td>Harriet Kosmo</td>
<td>John McWherter</td>
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<tr>
<td>1983</td>
<td>Jan-84</td>
<td>Jan-87</td>
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<td>John McWherter</td>
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<td>1987</td>
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<td>Richard Francis</td>
<td>John McWherter</td>
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<td>1991</td>
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<td>Gregory Carson</td>
<td>Jack Tingstrom</td>
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<tr>
<td>1995</td>
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<td>Dec-99</td>
<td>Ray Di Giulio</td>
<td>Jack Tingstrom</td>
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<td>1999</td>
<td>Dec-99</td>
<td>Dec-03</td>
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LEGEND

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<th>No. of CC membs</th>
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<td>Four</td>
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<td>Ten</td>
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*Note: Harrington: 1.5

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<th>Mayor</th>
<th>Council Members</th>
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<tr>
<td>Nov 1976</td>
<td>12-6-76 Appointed</td>
<td>Ron Harrington</td>
<td>(Bozung resigned)</td>
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<tr>
<td>1977</td>
<td>Jan-78</td>
<td>Jan-82</td>
<td>Ron Harrington</td>
<td>John Chaudier</td>
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<tr>
<td>1981</td>
<td>Jan-82</td>
<td>Jan-86</td>
<td>John Sullard</td>
<td>John Chaudier</td>
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<td>William Crew</td>
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<td>Dec-93</td>
<td>Dec-97</td>
<td>Stephen Bennett</td>
<td>Rosa Lee Measures</td>
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<td>Brian Brennan</td>
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<tr>
<td>2001</td>
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<td>Dec-05</td>
<td>Sandy Smith</td>
<td>Brian Brennan</td>
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<td>2005</td>
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<td>Dec-09</td>
<td>Ed Summers</td>
<td>Brian Brennan</td>
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<td>2009</td>
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<td>Mike Tracy</td>
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<tr>
<td>2013</td>
<td>Dec-13</td>
<td>Dec-17</td>
<td>Mike Tracy</td>
<td>Erik Nasarenko</td>
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</table>

F:\A-Users\Greg\Charter Review Committee\2.11.2015 3rd Mtg - CC Term Limits\Copy of CC Term Limits Information 1976-2015.xlsx
8/14/2015
Resolution No. 75-162 - November 4, 1975 Election Results (14 Candidates)
City Council Candidates:
Elected:
Harriet Kosmo, John McWherter, and Joseph Garrett

Resolution No. 77-203 - November 8, 1977 Election Results (17 Candidates)
City Council Candidates:
Elected:
Pat Ellison, Ron Harrington, John A Chaudier, and James L. Monahan.

Resolution No. 79-163 - November 6, 1979 Election Results (11 Candidates)
City Council Candidates:
Elected:
Harriet Kosmo Henson, John A. McWherter, and R. Dennis Orrock.

Resolution No. 81-157 - November 3, 1981 Election Results (9 Candidates)
City Council Candidates:
Elected:
Jim Monahan, Pati Longo, John M. Sullard, and John Albert Chaudier.

Resolution No. 83-171 November 8, 1983 Election Results (7 Candidates)
City Council Candidates:
Andrew Prokopow, R. Dennis Orrock, Russ Burns, Howard R. Davis, Nan Drake, Elliott Waxman, and John A. McWherter.
Resolution No. 83-171 November 8, 1983 Election Results (Cont'd)
Elected:
John A. McWherter, R. Dennis Orrock, and Russ Burns.

Resolution No. 85-134 November 5, 1985 Election Results (14 Candidates)
City Council Candidates:
Elected:
John Sullard, James L. Monahan, William "Bill" Crew, and Nan Drake.

Resolution No. 87-139 November 3, 1987 Election Results (14 Candidates / Incumbent Russ Burns not re-elected)
City Council Candidates:
Elected:
Donald A. Villeneuve, Richard Francis, and John A. McWherter.

Resolution No. 89-126 November 7, 1989 Election Results (16 Candidates / Incumbent Nan Drake not re-elected)
City Council Candidates:
Cathy Bean, Thomas Catterson, Todd Collart, Nan Drake, Julie Helm-Van Maanen, Andrew Hicks, Frederick Hoff, Rolf Kraus, Marvin Kwit, Bill Locey, James Monahan, Gary Nasalroad, Andrew Prokopow, Berta Steele, Gary Tuttle, and Carroll D. Williams.
Elected:
Todd Collart, Gary Tuttle, Cathy Bean, and James Monahan.

Resolution No. 91-109 November 5, 1991 Election Results (17 Candidates / Incumbent Don Villeneuve not re-elected)
City Council Candidates:
Greg Carson, Jack Tingstrom, Tom Buford, Don Villeneuve, Jamie Stewart-Bentley, S.R. Wyatt, Donald R. "Don" Boyd, Bob Van Der Valk, Andrew M. Hicks, Keith Burns, Marcum Patrick, Kenneth Vernie Jordan, Carroll Dean Williams, John T. Sudak, Alan Berk, Louis J. Cunningham, and Brian Lee Rencher.
Elected:
Tom Buford, Greg Carson, and Jack Tingstrom.
Resolution No. 93-118 November 2, 1993 Election Results (14 Candidates / Incumbent Todd Collart not re-elected)

City Council Candidates:

Elected:
Rosa Lee Measures, Steve Bennett, Jim Monahan, and Gary Tuttle.

Resolution No. 95-101 November 7, 1995 Election Results (12 Candidates)

City Council Candidates:
Steve L. Hartmann, Craig Huntington, Carroll Dean Williams, Keith Burns, "Buster" Charles E. Davis, Ray Di Giulio, Donna De Paola-Peterson, John S. Jones, Christopher T. Staubach, Brian Lee Rencher, Jack Tingstrom, and Jim Friedman.

Elected:
Ray Di Giulio, Jack Tingstrom, and Jim Friedman.

Resolution No. 97-107 November 4, 1997 Election Results (10 Candidates)

City Council Candidates:
Brian Brennan, Donna De Paola, Doug Halter, Jim Monahan, Carl Morehouse, Mike Osborn, Brian Rencher, Sandy Smith, Paul W. Thompson, and Carroll Dean Williams.

Elected:
Brian Brennan, Donna De Paola, Jim Monahan, and Sandy Smith.

Resolution No. 99-66 November 2, 1999 Election Results (12 Candidates)

City Council Candidates:

Elected:
Jim Friedman, Ray Di Giulio, and Carl Morehouse.
Resolution No. 2001-94 November 6, 2001 Election Results (12 Candidates / Incumbent Donna De Paola not re-elected)
City Council Candidates:
Donna De Paola, Diane Underhill, Mike Osborn, Jim Monahan, Brian Brennan, Carroll Dean Williams, Jon Patton, David L. Norrdin, Sandy E. Smith, Neal Andrews, Howard "Rick" Rickard, and Brian Lee Rencher.
Elected:
Jim Monahan, Brian Brennan, Sandy Smith, and Neal Andrews.

Resolution No. 2003-079 November 4, 2003 Election Results (7 Candidates)
City Council Candidates:
Elected:
Carl Morehouse, Bill Fulton, and Christy Weir.

Resolution No. 2005-096 November 8, 2005 Election Results (10 Candidates)
City Council Candidates:
Elected:

Resolution No. 2007-070 November 6, 2007 Election Results (9 Candidates)
City Council Candidates:
Lou Cunningham, Bill Fulton, Mike Gibson, Doug Halter, Jerry D. Martin, Carl Morehouse, Brian Lee Rencher, Christy Weir, and Carroll Dean Williams.
Elected:
Christy Weir, Carl Morehouse, and Bill Fulton.
Resolution No. 2009-068 November 3, 2009 Election Results (15 Candidates / Incumbent Ed Summers not re-elected)
City Council Candidates:

Resolution No. 2009-068 November 3, 2009 Election Results (Cont'd)
Elected:
Mike Tracy, Neal Andrews, Jim Monahan, and Brian Brennan.

Resolution No. 2011-058 November 8, 2011 Election Results (11 Candidates)
City Council Candidates:
Elected:
Cheryl Heitmann, Carl E. Morehouse, and Christy A. Weir.

Resolution No. 2013-045 November 5, 2013 Election Results (9 Candidates)
City Council Candidates:
Erik Nasarenko, Mike Tracy, Neal Andrews, Jim Monahan, Richard Francis, Lorrie Brown, Brian Lee Rencher, Paul D. Meehan, and David Kristian Swaffar.
Elected:
Neal Andrews, Jim Monahan, Erik Nasarenko, and Mike Tracy.
ATTACHMENT 4 TO COMMITTEE FINAL REPORT
TERM LIMITS FOR CITY COUNCIL

Charter Review Committee
February 11, 2015

TERM LIMITS

• CLEAR LEGAL AUTHORITY TO ESTABLISH
  —For Charter Cities, it is a “municipal affair” subject to the Charter (Cawdrey v. City of Redondo Beach, 15 Cal.App.4th 1212 (1993))
  —For General Law cities, it is subject to Government Code Section 36502
## Survey Charter Cities

<table>
<thead>
<tr>
<th>Charter City</th>
<th>City Council Term-Limit?</th>
<th>What is the Limit?</th>
<th>Life-Time Limit?</th>
<th>City Council Term Length?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berkeley</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
<tr>
<td>Carlsbad</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
<tr>
<td>Merced</td>
<td>Yes</td>
<td>2 Terms</td>
<td>Yes</td>
<td>4 Years</td>
</tr>
<tr>
<td>Modesto</td>
<td>Yes</td>
<td>2 Terms</td>
<td>No</td>
<td>4 Years</td>
</tr>
<tr>
<td>Newport Beach</td>
<td>Yes</td>
<td>2 Terms</td>
<td>No</td>
<td>4 Years</td>
</tr>
</tbody>
</table>

## Survey Charter Cities

<table>
<thead>
<tr>
<th>Charter City</th>
<th>City Council Term-Limit?</th>
<th>What is the Limit?</th>
<th>Life-Time Limit?</th>
<th>City Council Term Length?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pasadena</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
<tr>
<td>Santa Barbara</td>
<td>Yes</td>
<td>2 Terms</td>
<td>No</td>
<td>4 Years</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>Yes</td>
<td>2 Terms</td>
<td>No</td>
<td>4 Years</td>
</tr>
<tr>
<td>Santa Maria</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
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<tr>
<td>Santa Monica</td>
<td>No</td>
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<td></td>
<td>4 Years</td>
</tr>
</tbody>
</table>
Survey Charter Cities

<table>
<thead>
<tr>
<th>Charter City</th>
<th>City Council Term-Limit?</th>
<th>What is the Limit?</th>
<th>Life-Time Limit?</th>
<th>City Council Term Length?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ventura</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
<tr>
<td>Visalia</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
</tbody>
</table>

TERM LIMITS

- Ventura County Cities
  - Correction: Only Thousand Oaks has term limits
    - Does not apply to those in office at time established
    - Is a “waiting period” term-limit
    - Applies after three, four-year terms in office
      - Then can run again, after four years (Thousand Oaks Municipal Code Section 1-14.02)
TERM LIMITS

• Ventura County
  – Measure T – Limits County Supervisors to 12 consecutive years in office
  – Approved by the voters as an initiative in November of 2008
  – Waiting Period Term Limit
    • Four year Waiting Period before eligible to serve again

CITY OF VENTURA EXPERIENCE
1975-2015

# CC Terms
1 Term (19)
2 Terms (11)
3 Terms (1)
4 Terms (4)
10 Terms (1)

Average Length of Service is 7.8 Years
City Council Terms
1975-2015

<table>
<thead>
<tr>
<th>Election Year</th>
<th>Term start</th>
<th>Term end</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975</td>
<td>Jan-76</td>
<td>Dec-76</td>
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<tr>
<td>1977</td>
<td>Jan-78</td>
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City Council Terms
1975-2015

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No. of Terms

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</tr>
<tr>
<td>2011</td>
<td>Jan-112</td>
<td>Dec-111</td>
</tr>
</tbody>
</table>
Some Arguments Pro

- Promotes new ideas and new ways of doing things
- Brings new people and new “blood” into the decision-making process
- Broadens participation in the City Council experience by increasing the number of people who can serve as a City Councilmember over time
- Helps retain identity with the community rather than the institution of the city

Some Arguments Con

- Anti-democratic—if the voters are happy with an incumbent, why should the incumbent be prohibited from continuing to serve
- Leads to inexperienced City Councils that lack the ability to effectively challenge the institution
- Leads to short-term decision-making that neglects the long-term interests because those deciding the issue will be out of office before the real consequences of the decisions hit (Freshmen and Lame Ducks)
- Demands more time for training on basics (and repeating the basics again) rather than building on lessons learned
If Support, Some Direction Needed

1. What is the proper length of a term for a City Council Member? Is it two years, four years, six years, etc.?
2. How many terms should be allowed? 1, 2, 3 or more before limits apply?
3. Is the limit on the number of terms a lifetime ban or a waiting period?
4. If it is a waiting period, what should the waiting period be? 1 day, 1 year, 1 term, something else?
5. Filling a vacancy, when does the term limit apply?
   a. Should the standard be 50% plus one day = full term?
   b. Should one day in office count as a full term?
   c. Something else?
6. Do term limits apply to “election” or “holding office”? 

Questions
DATE: June 30, 2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Further Consideration of Retaining or Eliminating the Provisions of the City Charter that Pertain the School District

RECOMMENDATION:

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION:

At the Charter Review Committee's March 11, 2015 meeting, representatives of the Ventura Unified School District were in attendance during the Committee's discussion of whether or not to retain the provisions in the City's Charter that relate to the School District. The School District indicated that they had not yet had the opportunity to discuss the issue at the Board level but would do so in the future. With that in mind, the Charter Review Committee held their discussion and have determined to recommend the removal of the provisions of the Charter pertaining to the School District, subject to hearing further input from the School District.

At the Ventura Unified School District Board of Trustees meeting on March 24, 2015, district staff presented an item to the Board of Trustees indicating that the Charter Review Committee had made the request of the District. The minutes of this meeting indicate that the item would be brought back for consideration by the Board of Trustees at its April 14, 2015 meeting. At the Board of Trustees April 14th, 2015 meeting, the Board of Trustees approved directing staff to send a letter to the Ventura Charter Review Committee indicating the District's support for the removal of the provisions pertaining to the School District from the City Charter. A copy of the minutes of the Board of Trustees meeting of April 14, 2015 is attached as Attachment "1" hereto.
Consequently, while the City has not received a letter from the School District on this issue as of yet, a review of their minutes indicate that they are supportive of the Charter Review Committee’s recommendation.

Attachments

Attachment “1” – Relevant Portion of the Ventura Unified School District Board of Trustees Minutes of April 14, 2015
SUPERINTENDENT/BOARD
Discussion Regarding Superintendent’s Search Process:
Dr. Golden provided update on extensive search conducted by the Board of Education for new superintendent, six qualified applicants were interviewed. With information collected by all stakeholders and consideration to survey outcome, one applicant rose to the top. Therefore, the Board selected Dr. Michael Babb and his official hire contingent upon contract approval. Dr. Babb is the current superintendent of Mesa Union School District.

ACTION AGENDA

De Anza Academy of Technology and the Arts (DATA) Chris Prewitt Trailhead Sign
It was moved by Mrs. Haffner, seconded by Mrs. Lomax and carried unanimously to approve the De Anza Academy of Technology and the Arts; Chris Prewitt Trailhead Sign.

K-12 Single School Plans for Student Achievement (SPSA) for the 2014-15 School Year
It was moved by Mr. Walker, seconded by Ms. Fitzgerald and carried unanimously to approve the K-12 Single School Plans for Student Achievement for the 2014-15 School Year as presented at the March 24, 2015 meeting.

Administrative Recommendation to Waive Board Policy 6146.1
It was moved by Ms. Fitzgerald, seconded by Mrs. Lomax and carried unanimously to approve the waiver request and issuance of High School Diploma for students #’s: 450027927, 450035507, 450028744, 450029283, 450029168, 501802613, 450029363, and 450027018.

Approval to Remove from the City Charter Provisions Pertaining to the District per Recommendation by the Ventura Charter Review Committee
At its March 24, 2015 Board of Education meeting discussion was held regarding several articles in the City Charter that pertain to the Ventura Unified School District. The Board determined that it has no objections to the Ventura Charter Review Committee’s recommendation to remove the District from the Charter provisions pertaining to the City Charter.

It was moved by Mrs. Lomax, seconded by Mrs. Haffner and carried unanimously to give staff permission to send a letter to the Ventura Charter Review Committee regarding removal of Charter provisions pertaining to the District from the City Charter.

Permission to Solicit Bids for Various Food and Nutrition Services Items
It was moved by Mrs. Haffner, seconded by Ms. Fitzgerald and carried unanimously to approve permission to bid and solicit requests for proposals for a variety of products such as bread, dairy, grocery, produce and dry goods.

CONSENT CALENDAR

It was moved by Mr. Walker, seconded by Mrs. Lomax and carried unanimously to approve consent items number 1 – 15 as presented.

1. Overnight and Out of the Tri-County Fieldtrips
Foothill Technology High School requested permission to send students from their Speech team to travel overnight and out of the tri-county to the California State Speech Tournament to be held at Vista Murrieta High School in Murrietta, Riverside County, CA. The trip will take place on April 16 – 20, 2015. Board approved request to send three students and two chaperones to this fieldtrip. Transportation provided by a commercial vehicle.

Attachment "1"
ATTACHMENT 6 TO COMMITTEE FINAL REPORT
DATE: 3/31/2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration and Discussion of the Issue of Whether or Not to Recommend a Directly Elected Mayor or Retain a City Council Selected Mayor; the Term and Term-Limit (if any)

RECOMMENDATION:

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION

The issue for discussion and potential decision at this meeting is whether or not the City of San Buenaventura should retain its current method of selecting its Mayor, i.e., the City Council selects the Mayor from among its members and the mayor serves a two year term as Mayor, or should the City switch to a directly elected Mayor where the voters of the City determine who is the Mayor? As background, the San Buenaventura City Charter, Section 702, provides as follows:

"The Council shall elect from among its members, officers of the City who shall have the titles of Mayor and Deputy Mayor, each of whom shall serve a two-year term. In no event may a Councilmember elected Mayor for a two-year term, succeed himself as Mayor without at least one additional two-year term having lapsed.

The Mayor shall preside over the sessions of the Council, shall sign official documents when the signature of the Council or Mayor is required by law and shall act as the official head of the City on public and ceremonial occasions. He shall have the power to administer oaths and affirmations, but shall have no power of veto. He shall have authority to preserve order at all Council meetings and to
remove any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council and to determine the order of business under the rules of the Council. The Deputy Mayor shall act as Mayor in the absence or disability of the Mayor.

When the Mayor and the Deputy Mayor are absent from any meeting of the Council, the members of the Council may choose another member to act as Mayor pro tem, who shall, for the time being, have the powers of the Mayor.”

General Law Cities – Mayoral Selection; Powers and Duties

City Council Selection

In general law cities, the mayor can be selected in one of two ways. The first is by selection by the city council from among one of its members.1 The position of mayor pro tempore is also selected in the same manner and generally at the same time.

Powers and Duties of Mayor Selected by the City Council

Mayors of general law cities that are selected by their city councils serve as the presiding officer for all city council meetings2 but retain their rights and privileges as a member of the city council and specifically can make or second any motion and vote on any issue before the city council.3 The mayor of a general law city selected by their city council also shall sign all of the following:

- All warrants drawn on the city’s treasury;
- All written contracts and conveyances made or entered into by the city; and,
- All instruments requiring the city seal.4

The city council may enact an ordinance delegating this function to an officer other than the mayor. Furthermore, the mayor of a general law city selected by the city council is authorized to administer to oaths and affirmations, take affidavits, and certify them.5 Finally, the mayor of a general law city selected by the city council may also

1 Government Code Section 36801.
2 Government Code Section 36802.
3 Government Code Section 36803.
4 Government Code Section 40602.
5 Government Code Section 40603.
acknowledge the execution of all instruments executed by the city and required to be acknowledged. 6

Direct Election

The second way mayors can be selected in general law cities is to be directly elected by the voters. In order to change from a city council selected to a directly elected mayor, the city council needs to submit a measure to the voters. The issue before the voters is initially “shall the electors elect a mayor and four city council members?” 7 The questions before the voters also includes whether the mayor should serve a two or four year term, with the term length being determined by which option receives the highest number of votes. 8

Powers and Duties of Directly Elected Mayors

A directly elected mayor of a general law has the same powers and duties as a mayor of a general law city selected by the city council. In addition, a directly elected mayor of a general law city retains his/her position on the city council with all of the powers and duties associated with being a member of the city council. 9 A directly elected mayor of a general law city also has the authority, with the approval of the city council, to make all appointments to boards, commissions, and committees unless a statute provides otherwise. 10

Charter Cities-- Mayoral Selection; Powers and Duties

In charter cities, the selection of the mayor is determined by the provisions of the charter. In the absence of a specific provision in either the charter or municipal code on the selection of the mayor, the general laws would apply. Consequently, charter cities can have a variety of methods to determine who serves as the mayor and for how long. In the San Buenaventura Charter, the Mayor is selected from among the City Council by the City Council, similar to how a general law city that uses the council selection method. However, unlike a general law city, the San Buenaventura Charter provides that the Mayor’s term is two years. The term of the mayor selected by the city council of a general law city is usually one year. In addition, the San Buenaventura Charter also limits the Mayor from succeeding him/herself as Mayor until two years or more have elapsed. 11 A copy of the survey charter cities also attached at Exhibit “1” reflecting if the

7 Government Code Sections 34900 and 34901.
8 Government Code Section 34901.
9 Government Code Section 34903.
10 Government Code Section 40605.
11 San Buenaventura Charter, Section 702
mayors in those cities are selected by the city council or directly elected by the voters of that city. In addition, the Exhibit also shows the term and term-limit, if any, applicable to the mayor for each of the survey charter cities.

In addition to the two models for selection of the mayor applicable to general law cities, charter cities can utilize other options as well. For example, a charter city could have a charter provision that requires the direct election of the mayor by the voters, but requires that to be eligible to run for mayor, a candidate must be a current member of the city council. Similarly, a charter could also provide for a different term of office for the mayor, i.e., one year, three years, five years, etc. The only limitation on variations for how the mayor is selected would be the same ones applicable to process and eligibility to run for office generally under the constitution and laws of the state. For example, only allowing candidates from one part of the city to vote for mayor would not likely stand constitutional challenge nor would a requirement that a candidate for mayor be 30 years of age or more. This is not based on the charter power, but constitutional provisions pertaining to eligibility for public office.

Powers and Duties of Mayors in Charter Cities

The charter is both a grant of power and a limitation on power. It is also the document that clarifies who has the authority to exercise what powers. Consequently, a mayor of a charter city would have the same powers and duties of a mayor in a general law city, be it a mayor selected by the city council or one directly elected, unless the charter provided otherwise. For example, a charter could severely limit the power to execute city documents by specifying that the city manager is to take on this function. In cities with an elected treasurer, a charter could specify that the treasurer is to sign all warrants on behalf of the city.

On the opposite side, a charter could expand the role of the mayor. A charter provision could be drafted that gives the mayor veto power over legislative actions (generally city ordinances) enacted by the city council. A charter provision could make the appointment and removal of the city manager a right and power of the mayor alone. Charter cities, unlike general law cities, also have the authority to have a "strong mayor" form of government. This varies significantly from the council-manager form of government because the executive in charge of the day to day functions of the city is not a professional manager, but an elected official. This is the minority form of local government in California with only some of the largest and smallest cities utilizing it. To the extent the strong mayor form of government is used, it is used in varying degrees. Los Angeles and San Diego are frequently cited as examples of the strong mayor form of government. What differs in these cities is that the mayor is the chief

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12 The City of Fresno has such a provision in its charter and consequently, the tenure of a city manager in Fresno has historically been limited to the term of the mayor—if not less.
executive and not a member of the city council. They do not preside over the meetings and have no vote on the city council. They may have certain veto rights. They may submit the budget. Other cities with a less strong mayor, for example Fresno and Long Beach, have a hybrid system. For example, in Fresno, the Mayor is not part of the city council, does not conduct the meetings, and has no vote. Whereas in Long Beach, the Mayor is the presiding officer of the city council but does not have a vote on the city council. Both have limited veto powers. Consequently, there are a variety of ways to structure the powers and duties of the mayor. What matters most is what the community believes is the best form of government for it—with divisions of labor and divisions of power that best serve the public interest.

In deciding what powers and duties to assign to the mayor, care should be given to avoid over dispersion of power so that there is no accountability. This was cited as one of the primary factors causing the bankruptcy of the City of San Bernardino. The case study notes that the San Bernardino City Charter has a very unusual structure that diffused political and managerial accountability and authority. For example, the mayor nominates the city manager, police chief, and fire chiefs, but a majority of the city council must approve the nominations. The city manager reports to the mayor but can only be removed by a petition submitted by the mayor to the city council and a majority vote of the city council is required for the city manager to be removed. Department heads, including the police and fire chiefs report to the city manager but can only be removed by the city council. The city attorney is an elected position. The mayor has veto authority over any city council actions without a supermajority override. No one person or body has full authority to execute decisions. The case study found that, “[a]t best, this complex arrangement makes efficient governance difficult. As worst, the competing interests means the status quo—even when detrimental to the city as a whole—is very difficult to shift.”

To provide the Charter Review Committee with some idea of the powers and duties assigned to mayors in charter cities, I have attached as Exhibit “2” a copy of the pages setting forth the duties of the mayor in each of the survey charter cities that we have used in the past. Should a survey city be missing from the Exhibit, it is because that city’s charter does not provide for any additional duties or limitations on the power of the mayor other than general law.

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14 The discussion above is taken in large part from an as yet unpublished chapter of a publication undertaken by the City Attorneys’ Department of the League of California Cities on charter cities. This portion of the chapter was authored by Kathy Phelan then of the law firm of Alshire and Wynder. The City Attorney co-authored the other parts of the chapter called “Common Concerns.”
At the last Charter Review Committee meeting, a member requested that staff survey at least ten cities between 100,000 and 150,000 to determine if these cities selected their mayor by the city council from the city council or directly elected them. Because the number of cities in this category was not overly extensive and most of the information was readily available from their website, my office was able to survey all California cities within that population range. To assist the Charter Review Committee with understanding the data, staff has also included a column indicating if the city is a general law or a charter city. A copy of this survey can be found in Exhibit “3” hereto.

Some Reasons to Retain the City Council Selected Mayor

The following is a discussion of some of the reasons the Charter Review Committee may wish to retain the current process to select the Mayor. However, this discussion includes only some of the reasons and the Members of the Committee may have others that are not listed or discussed that are equally or more valid than those provided by staff. Some reasons to retain the current system:

- Having the City Council select the Mayor ensures that the City Council, at least at the time of selection, has confidence in their choice to serve in this office. The Mayor’s position has certain duties outlined in the Charter, Municipal Code, and those set forth in state law discussed earlier, but the difference between individuals serving as Mayor has a lot to do with their influence on the policy making process. Is the Mayor viewed by his/her colleagues as a leader? Is the Mayor someone the City Council as a whole trusts? The leadership ability of the Mayor (or the lack of it) will have a dramatic impact on the policy making process in the City. A City Council selected Mayor helps ensure that the person selected as the Mayor works well with his/her colleagues and reflects the majority opinion on the City Council.

- The legal power and duties of a Mayor in a council/manager city are compared and contrasted with the influence and situational authority of mayors are discussed in two excellent articles, “Mayoral Leadership in Council-Manager Cities: Preconditions verses Preconceptions,” published by the Cambridge University Press, Southern Political Science Association and “The Policy Making Role of the Mayor in Council-Manager Cities: Detracting and Enhancing Factors” a MPA Student Capstone from the University of Nebraska, Omaha, Summer of 2007, copies attached as Exhibits “4” and “5” hereto.

- Allows the City Council to ensure that the person occupying the office of Mayor has the experience necessary to do so. In contrast, a directly elected Mayor could have no governmental or municipal experience. This can make it challenging for the City Council to get its work accomplished and lack of experience at running public meetings can make them long, unruly, and unpleasant for the Council, staff, and public to attend.
• It is less expensive in terms of election-related costs than directly electing the Mayor. The City is charged by the Ventura County Registrar of Voters the City’s proportionate share of the election costs whenever a City office or measure is on the ballot. If the City is only electing “Council Members” then only one office is charged. If, however, the City is electing three Council Members and a Mayor, the City pays the cost to have two offices on the ballot. This will raise the City’s election related costs. Because the size of the ballot varies significantly in each election, it is difficult to estimate increase in election costs.

Some Reasons to Switch to a Directly Elected Mayor

Below are some of the reasons the Committee may wish to recommend switching to a directly elected Mayor. As indicated above, this is not intended to be an exhaustive list, but some key factors to consider. It is likely the Committee will have other reasons that are equally or more valid. Some of the reasons to switch to a directly elected Mayor include:

• It allows the voters in the City to decide who holds the most prominent and visible local government position in the City. In essence, this argument is that allowing the voters to decide who is the Mayor, the selection process is more democratic than having the City Council decide.
• In the event the Committee determines to go to City Council districts, having a Mayor elected at-large from the whole City will ensure that at least one of the elected officials is accountable for looking after the interests of the entire City and not just his/her district.
• A directly elected Mayor carries with him/her the mantle of voter support or approval when representing the City with state and national political leaders.

Appropriate Length of the Term for the Mayor

As a charter city, San Buenaventura has the ability to set the length of the term of the Mayor as it deems to be in the best interests of the City. General Law cities really have three options: a one year term when the mayor is selected by the city council, a two year term when selected by the voters, or a four year term when selected by the voters. For purposes of this Administrative Report, staff will discuss issues associated with two and four year terms.

Two Year Terms

The advantage of a two year term is that it is long enough for a Mayor to learn the ropes and get a handle on running difficult public meetings. Mayors can establish an agenda and even get a number of projects underway during a two year term. This is true without regards to whether or not the Mayor is directly elected or selected by the
City Council. The disadvantage of a two year term if the Mayor is directly elected is the increase in election costs to the City (i.e., there will always be at least two offices on the ballot rather than just one) and it could lead to political instability by always having a majority of the City Council up for election at every City Council election. It could be argued that it will force the City Council to take a short-term view of issues rather than a long-term view that may be in the City’s best interests. Others will argue that a two year term will hold the Mayor accountable to the voters. The current Charter provides for a two year term for the Mayor when selected by the City Council, but is silent on any removal authority should a Mayor selected by the City Council lose the confidence of the City Council.

Four Year Term

If directly elected, a Mayor with a four year term certainly has the time to learn the ropes and how to run difficult meetings. A longer term would also allow him/her to set a policy agenda that has a realistic opportunity to be enacted while he/she is still Mayor. A four year term has the advantage of not always having a majority of the City Council up for election thus providing the opportunity for political stability. Both job applicants and businesses look for communities to locate in where the political environment is stable as certainty or predictability is favored over uncertainty and instability. From a cost perspective, a four year for a directly elected mayor is less costly because the City would face half the number of elections; it is more costly than a city council selected mayor. A directly elected Mayor who is unpopular with the City Council can make for a long four years for the Mayor, City Council, staff, and community while the factions attempt to work out differences.

CONCLUSION

One thing that is clear from the discussion above, there are a lot of issues and options for the Committee to consider. There is not one right or correct approach, there is only an approach that you believe is in the community’s best interests. Staff looks forward to hearing your discussion and learning of your recommendations in this area.

EXHIBITS

Exhibit 1 – Survey Charter Cities: Directly Elected or City Council Selected Mayor, Term, and Term-Limit
Exhibit 2 – Survey Charter Cities: Copies of Charter Provisions Regarding Powers and Duties of the Mayor
Exhibit 3 -- California Cities with 100,000 to 150,000 Population and Directly Elected or City Council Selected Mayor
Exhibit 4 -- Article: “Mayoral Leadership in Council-Manager Cities”
Exhibit 5 -- Article: “Policy Making Role of the Mayor in Council-Manager Cities”
<table>
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<tr>
<th>Charter City</th>
<th>Mayor Direct Elect (D)</th>
<th>Mayor Term-Limit?</th>
<th>What is the Limit?</th>
<th>Life-Time Limit?</th>
<th>Mayor Term Length?</th>
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\(^1\) Requires 4 year period intervening between last term and new one once limit reached, Modesto Charter Section 503.
\(^2\) Requires break in Service – Charter is silent on length of time.
\(^3\) Requires 2 year period intervening between last term and new one once limit reached, Santa Clara Charter Section 701.
ATTACHMENT 7 TO COMMITTEE FINAL REPORT
<table>
<thead>
<tr>
<th>NAME OF CITY</th>
<th>GENERAL LAW OR CHARTER</th>
<th>IS MAYOR DIRECTLY ELECTED OR APPOINTED</th>
<th>COUNCIL: DISTRICTS OR AT-LARGE</th>
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1 By highest votes, then serves two years as Vice Mayor. Following two years as Mayor
ATTACHMENT 8 TO COMMITTEE FINAL REPORT
DATE: June 10, 2015
TO: Charter Review Committee
FROM: Gregory G. Diaz, City Attorney
SUBJECT: Consideration of City Council Geographic Districts or Retaining Current At-Large Election for Members of the City Council

RECOMMENDATION:

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION:

Currently, the San Buenaventura City Council is elected at-large in accordance with Charter Section 506. Section 506 provides as follows:

“The election of members of the Council shall be from the City at large. Candidates receiving the highest number of votes shall be declared elected until the number declared elected equals the number of Council offices to be filled at the election. All ties shall be decided by lot in the presence of the candidates concerned and under the direction of the election authorities.”

Charge to the Charter Review Committee and City Council Clarification

The original charge to the Charter Review Committee by the City Council in its Resolution establishing the Committee included the issue of City Council districts. Through discussions with various Committee Members and at the Committee’s meetings themselves, the scope of what the expectations of the City Council in the charge was interpreted differently by various Committee Members. This ranged from providing simple guidance on whether the City should amend the Charter to have City Council Members elected by geographic districts, to actually drawing district lines, as well as a host of options in between. It was also felt by many on the Committee that
issues under the California Voting Rights Act were determinative or at least very important for this issue.

In order to obtain some clarification as to the scope of the City Council’s expectations of the Committee on the districting issue, a request was made to the City Council for clarification and direction on this issue along with some other requests made by the Committee. This request was made at the City Council’s April 20, 2015 meeting. As a part of the Committee’s request, it was requested that funds be appropriated to retain an expert/consultant to help the Committee explore issues under the California Voting Rights Act, city council districts, and options other than districts and the legal consequences to each. The City Council’s motion did not include funding the supplemental appropriations and provided in relevant part:

“. . . direct the Charter Review Committee to recommend to the Council whether the existing at-large system should be retained or whether some form of geographic districts should be considered by the Council . . .”

Consequently, it appears that the City Council desires the Charter Review Committee’s recommendation on the districting issue be based primarily on the policy issue, i.e., is structuring the City’s government by geographic districts better for the City than the current at-large system of electing Members of the City Council? What would be particularly helpful to the City Council here is the reasons the Charter Review Committee feel one structure is better for the City than another.

Districts: What Are They?

City council districts in California generally come in two forms. While the literature generally refers to them as being elected “By” districts or “From” districts, this can get confusing quickly. Being elected “by” districts means that the candidate must be a resident of the geographic district and only voters in that district can vote for candidates from that district. This will be referred to as “districts.” The second method of electing City Council Members using districts is “from” districts where candidates must be a resident of the geographic district but all voters city-wide can vote for the candidates from that district. This will be referred to as “wards.”

In the first districting example, only voters from that district can vote for candidates in that district. Because district only elections will have a smaller number of voters and the possibility of multiple candidates, some cities using this method also use a primary and run-off election. Both Pasadena and Long Beach utilize this approach. It is also the method used by most counties in electing supervisors—including Ventura County. If a primary election is held, unless a candidate from that district receives

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1 Minutes of San Buenaventura City Council meeting of April 20, 2015, pg. 6.
50%+1 vote, then a run-off election is held between the top two vote getters. The purpose of this system is to ensure that a plurality candidate, receiving less than a majority of the votes, is not elected.

While the ward system has many advantages, i.e., to the extent that geography is an important factor to be represented on the City Council, it ensures that all areas of the City are represented. It also has the advantage of ensuring that both candidates and City Councilmembers will look to the best interests of the City as a whole as they will face the voters as a whole rather than just the district where they reside. Unfortunately, the ward system is not one of the methods specifically authorized by the California Voting Rights Act. Only geographic districts where candidates and the City Councilmember must both reside in and be voted on by only the voters in that district is recognized by the California Voting Rights Act. As such, caution is advised if the ward system is preferred over the district system.

A listing of a number of the pros and cons of city council districts is provided later in this Administrative Report.

At-Large Elections

The at-large system of electing members of local governing boards was the most common method of electing local officials until the California Voting Rights Act was adopted. Under the at-large system, all candidates for the City Council run against each other citywide for the number of seats on the City Council at any given election. The top vote getters are elected for the number of seats open. For example, if three seats are open and there are five candidates, the three highest vote getters are elected—even if they happen to all live next to each other. So long as they are the top vote getters, they are elected to the City Council.

A listing of a number of the pros and cons of at-large elections is provided later in this Administrative Report.

Where Have San Buenaventura’s City Council Candidates and Members Resided Since 1991?

To the extent that where candidates and City Councilmembers reside is an important issue, staff has prepared a map indicating where candidates since 1991 have resided (red dots) and where City Council Members have resided (green dots). City staff in our Geographic Information Systems Office (GIS) then put together a map reflecting where both the candidates and the City Councilmembers have resided, a copy of this map is attached at Exhibit “1” to this Administrative Report.² There was nothing

² A special thank you to Don Taylor, Systems Analyst – GIS, Information Technology Division, Finance and Technology Department for putting the map together for the Committee.
particularly special about the timeframe chosen other than this reflects the records that were retrievable by the City Clerk’s Office.¹

There are some interesting observations from the map, most staff will leave for the Charter Review Committee to discuss. The one important point is that while the Montalvo area has not had a City Councilmember as a resident, this area was only recently annexed to the City.

Survey Charter Cities

At the beginning of the Charter Review Committee process, staff has been preparing a survey where potentially relevant data from similar charter cities on issues that the Committee is discussing. We have done so in this case as well to indicate which of the survey charter cities currently have their City Councils elected at-large or by district. In addition, we have added some further information on the districting issue as it pertains to when districts were established and for those currently electing at-large, we have added information to indicate if those cities are transitioning to districts (likely as a result of a California Voting Rights Act challenge) or considering districts like this Committee is doing. A copy of the results of that survey is attached as Exhibit “2” to this Administrative Report.

Today, the survey charter cities reflect that sixty-six percent of the survey charter cities are using the at-large election method. However, three of the cities that currently have at-large elected city councils are transitioning to district based elections—almost exclusively as a result of either litigation or a serious threat of litigation under the California Voting Rights Act. With the addition of these three cities, the balance shifts to district based elections with fifty-eight percent utilizing or having district based elections authorized. Of the seven survey cities that are utilizing or have district based elections authorized, only three of them pre-date the California Voting Rights Act. As such, it is fair to say that the California Voting Rights Act has had a significant influence on the survey cities and their decision to change their electoral method to district based systems.

¹ A special thank you to Roxanne Fiorillo, Deputy City Clerk for her diligent efforts in retrieving the addresses for all of the candidates and City Councilmembers.
Arguments Pro and Con on Districts and At-Large

In this Section of the Administrative Report, staff is providing a somewhat long list of arguments in support of and in opposition to both the district based election system as well as the at-large based election system. Ironically, the transition to district based elections system in California predicated in large part upon the California Voting Rights Act has limited the discussion of the merits or lack of merit with these two systems by cities and other public agencies in their reports to citizen committees and elected bodies. Consequently, a number of the sources cited in this section of the Administrative Report are from out-of-state public entities or university presentations. In fact, one study is from the City of Vancouver in British Columbia, Canada. Having reviewed a large number of reports and studies, the ones cited appear to have the most complete listing of arguments in support and opposition to the two electoral systems at issue here.

In listing the various arguments, staff is not taking a position in support or opposition to either method. We are providing the information as discussion starters and ideas for the Charter Review Committee to consider. There may be arguments and reasons that individual Members of the Committee have that are not listed. If so, please bring this up at the meeting so that they may be considered by your colleagues in making a recommendation. The following sources are cited and attached to this Administrative Report:

- City of Scottsdale, AZ, Charter Committee Minutes of 12/17/1986, pgs. 9-14 and 1/14/1987, pgs. 1-9, Exhibit “3.”
- “A Closer Look at the Arguments for and Against District Plans,” Austin Statesman, 9/23/2012, Exhibit “5.”
- “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014, Exhibit “6.”
- Yes@Large Committee of the City of Naperville, IL, 2010, Exhibit “7.”
- Multi-California City Informal Survey on Directly Elected Mayors and City Council Districts, Exhibit “8.”

Districts: Arguments Pro

- Different geographic areas have different interests.  
- Minorities not adequately represented in at-large elections.

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• Better representation for some groups than in at-large system because potential pool of constituents is small.  

• May result in less costly campaigns for candidates because of smaller geographic area to be covered.  

• May allow officials to be more responsive to constituents.  

• May result in greater representation of racial and ethnic minorities.  

• Substitutes “particularistic” for “universalistic” interests of the city.  

• District representatives would have to understand and address the needs of outlying areas and overlooked constituencies and help ensure the City's resources are distributed fairly.  

• Candidates can run less expensive campaigns focused on grassroots efforts such as neighborhood meetings.  

• Each geographic area of the city is represented.  

• Viewpoints that might not be able to win citywide may have a better chance of being represented.  

• Each voter has a specific councilmember to go to for assistance.  

• May allow a piece of citywide infrastructure to be completed despite opposition from a politically powerful neighborhood.

Districts
Arguments Con

• “Balkanization” of city.  

• Vote trading and deal making between district representatives.  

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18 Staff has included an article from Western City, the publication of the League of California Cities on the issue of vote trading as it is one that is frequently raised in relation to geographic districts and thought should be given to how to avoid this problem if districts are recommended by the Committee, “Let’s Not Make a Deal: Vote-Trading and Similar Practices Raise Legal and Ethical Issues,” Western City, February 2007, Pgs. 24, Exhibit “9”.

F:\A-Users\Greg\Charter Review Committee\6.10.2015 -- 7th Meeting - Districts Or At-Large\Admin Report - Item 2 - City Council Geographic Districts Or At-Large Representation.Doc
• Narrowing of political interests. 19
• Creates conflict on city council. 20
• May make the city council more political and less responsive. 21
• May set up political fiefdoms. 22
• May give voters/taxpayers less say. 23
• Increase overall spending (to equalize spending among districts or to set up district special accounts). 24
• Increase special interest projects (pork spending). 25
• May lead to focus on smaller parochial issues, at the expense of broad, regional interests. 26
• May increase influence of moneyed special interests. 27
• Requires costs of districting and re-districting. 28
• Raises concern over gerrymandering. 29
• Constituencies that are not defined geographically may not be served. 30
• Voters can influence only one council member. 31
• May eliminate highly qualified candidates when more than one lives in the same district. 32
• Tendency towards cronyism. 33
• Residents at odds with district council member cannot effectively lobby balance of city council. 34

20 Yes@Large Committee of the City of Naperville, IL, 2010.
21 Yes@Large Committee of the City of Naperville, IL, 2010.
22 Yes@Large Committee of the City of Naperville, IL, 2010.
23 Yes@Large Committee of the City of Naperville, IL, 2010.
24 Yes@Large Committee of the City of Naperville, IL, 2010.
25 Yes@Large Committee of the City of Naperville, IL, 2010.
• Costs to apportion initially and then re-apportion after census, major annexation, etc. 35
• May have city council majority not really caring about what happens outside their district. 36
• Special interests can more easily capture city council seats because fewer voters they have to influence. 37
• A candidate may be elected with very few votes. 38
• Voters may be confused about which district they reside in—lines not always logical or easily understood. 39
• Neighborhoods may be split—one man, one vote dictates equality among district population. 40
• City councilmembers more likely to try to intervene/interfere in administrative matters impacting their district. 41
• A city councilmember, who moves within the city, but outside of the district, loses office. 42

At-Large
Arguments Pro

• Mayor and city council are all accessible to public. 43
• Councilmembers consider interests of whole city, not just their district in making decisions. 44
• Each voter can approach every city councilmember for support. 45
• Provides city council with broad perspective allowing citywide and regional prospective. 46
• May mute effects of parochial interests influencing elected officials. 47

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35 Multi-City Informal Survey on Directly Elected Mayors and City Council Districts.
36 Multi-City Informal Survey on Directly Elected Mayors and City Council Districts.
37 Multi-City Informal Survey on Directly Elected Mayors and City Council Districts.
38 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
40 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
41 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
45 City of Scottsdale, AZ, Charter Committee Minutes of 12/17/1986, pgs. 9-14 and 1/14/1987, pgs. 1-9; City of Vancouver, 2009 Charter Review Committee, “Ward or District System for Electing Councilmembers,” 5/26/2009, Agenda Item 3-A, Attachment B, Joe Levan; and Yes@Large Committee of the City of Naperville, IL, 2010.
• Provides largest pool to select candidates. 48
• Candidates may be more moderate to appeal to a wider range of voters. 49
• Each voter gets to vote for all council members. 50
• With the opportunity to vote for all seats, each voter is likely to have backed at least one winning candidate and thus feel represented by that council member. 51
• Candidates need substantial citywide support to win. 52
• Councilmembers can move within the city without losing their seats. 53

At-Large
Arguments Con

• May result in elected officials who pay less attention to and have less familiarity with some neighborhood interests. 54
• May unduly enhance the influence of downtown business interests and other special interests. 55
• Higher cost to run for office. 56
• May reduce accountability of elected officials by broadening the constituency served. 57
• May result in less representation of minority groups and/or views (for example, racial and ethnic groups, women, sexual minorities, and economic/political groups). 58
• More costly campaigns, higher cost to candidates to get elected. 59
• Advantages “name familiar” candidates. 60
• Campaigns are more expensive – limiting who may run. 61
• Media advertising more important in campaigns – less person-to-person contact. 62
• Several councilmembers could live close together, leaving other areas “unrepresented.” 63

50 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
52 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
60 City of Scottsdale, AZ, Charter Committee Minutes of 12/17/1986, pgs. 9-14 and 1/14/1987, pgs. 1-9.
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Page 10

- Councilmembers may be more likely to view election as stepping stone to another office.64
- A politically influential neighborhood can prevent an important piece of citywide infrastructure from being completed.

California Voting Rights Act

While the City Council in answering the Committee’s request for clarification on the scope of the charge to the Committee relative to the districting issue was clear that they were not looking for a legal analysis or a decision based on the what a court could require but was interested in the Committee’s recommendation of what you believe to be the best form of government for the City, this decision cannot be made in a vacuum. Consequently, staff has attached as Exhibit “10” a presentation from the 2014 Annual Conference of the League of California Cities entitled “The California Voting Rights Act – an Update.”65 The authors and presenters of this paper have been involved in a number of cases under the California Voting Rights Act representing cities and other public agencies and are among the recognized experts in this area. The material is factual, brief, and provides a basic understanding of the issues to assist the Committee in understanding how the policy issue the City Council has requested that you provide a recommendation on relates to the legal issues that are forefront in current litigation in this area.

ATTACHMENTS:
Exhibit “1” – Maps Reflecting General Location of Residence of City Council Members and Candidates from 1991 to 2015.
Exhibit “2” – Survey Charter Cities on At-Large or District Elections.
Exhibit “3” – City of Scottsdale Charter Review Committee Minutes, 12/17/86 & 1/14/87.
Exhibit “4” – City of Vancouver Report to Charter Review Committee.
Exhibit “5” – Austin Statesman Article.
Exhibit “6” – “Some Pros & Cons of Different Election Methods”
Exhibit “7” – “Yes@Large Committee of Naperville, Illinois.
Exhibit “8” – Multi-California City Informal Survey.
Exhibit “9” – Western City Article on Vote Trading.

63 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
64 “Some Pros and Cons of Different Election Methods,” Michael Crowell, UNC School of Government, 8/12/2014.
Addresses for Candidates from 12 City Council Elections 1991 through 2013

Candidates NOT Elected to Office (82)
Candidates Elected to Office (42)

Source: Lists of candidates and their addresses provided by the City Clerk's office, based on their election records.
### SURVEY CHARTER CITIES – AT-LARGE OR DISTRICTS?

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<th>SURVEY CHARTER CITY</th>
<th>CITY COUNCIL ELECTED AT LARGE</th>
<th>CITY COUNCIL ELECTED TO GEOGRAPHIC</th>
<th>WHEN CHANGED TO DISTRICTS FROM CITY WIDE</th>
<th>TRANSITIONING</th>
<th>CONSIDERING AMENDMENT</th>
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| Total                |                           |                                   |                                          | 66.66%       | 33.33%                 | 58.33% |

**EXHIBIT "2"**
SOME PROS AND CONS
OF DIFFERENT ELECTION METHODS

Michael Crowell
UNC School of Government
August 12, 2014

District elections (only the voters in the district vote on the seat from that district)

Pro
- Each geographic area of the city is represented
- Candidates and council members are “closer” to voters
- Viewpoints that might not be able to win citywide can be represented
- Better opportunities for minority candidates (racial or political) to be elected
- More neighborhood grassroots campaigning required, less reliance on media advertising
- Campaigning should be less expensive than a citywide campaign
- Each voter has a specific council member to go to for assistance
- In a low profile election that will not get much attention, the voter’s choice is simplified, there are fewer candidates to learn about

Con
- Council members may represent only the interests of their districts, not the whole city
- A candidate may be elected with few votes
- Council members may have more divergent views, may have more conflict with each other
- Districts lines have to be reviewed and possibly redrawn after each census and each significant annexation
- Voters may not know district lines, be confused about candidates
- Because of one-person/one-vote requirement, districts may split neighborhoods
- Council members may be more likely to intervene in day-to-day administrative matters affecting their district
- Best qualified candidates may be concentrated in one district
- An elected member who moves out of the district is disqualified from office
- Depending on staggered terms, not all voters may be voting each election, reducing overall turnout

At-large elections (all voters vote on all candidates, regardless of where they live)

Pro
- Candidates, council members are more likely to consider interests of entire city
- Candidates may be more moderate to appeal to a wider range of voters
- There may be less conflict among council members as a result of moving toward consensus points of view for citywide support
- Elections are easy to administer, every voter gets the same ballot
- Elections are easy for voters to understand
- Each voter gets to vote for all council members

EXHIBIT "6"
With an opportunity to vote for all seats, each voter is likely to have backed at least one winning candidate and feel represented by that council member.

Someone who would be in a minority within a district may still be elected.

No redistricting is ever needed.

No candidate can be elected without substantial citywide support.

Council members may move within the city without losing their seats.

Con

- Campaigns are more expensive, limiting who may run.
- Media advertising is more important in campaigns; less person-to-person contact.
- Several council members could live close together, leaving other areas “unrepresented.”
- Racial and political minorities may have a more difficult time electing candidates.
- Council members may be more likely to view election as a stepping stone to another office.
- There is less direct link between voters and council members.
- More divergent viewpoints are less likely to be represented.
- In low profile elections that get little attention, voters may have too many candidates to choose from.

Residency districts (candidates must live in particular districts but are voted upon citywide)

Pro

- Each distinct community within the city is represented but council members must consider the interests of the entire city.
- Although elected citywide, council members will feel obligated to pay attention to the needs of their district.
- Elections are easy to administer, all voters get the same ballot.
- All voters get to vote in all elections.
- Districts do not have to be redrawn after the census.
- To be elected a candidate needs citywide support.
- Each citizen has a particular council member to look to for assistance with district issues.

Con

- Generally it is more difficult for racial minorities to elect candidates than with true election districts (in which at least one district may have a higher percentage of minority voters than in the city as a whole) or with at-large elections (in which single-shot voting can be used).
- Council members may tend to focus more on the needs of their districts than the city as a whole.
- Campaigns for citywide elections are more expensive, rely more on media, than district-only elections.
- Because voting is citywide, a candidate may be chosen to represent a district even though the candidate does not have the support of voters in the district.
- Although elected citywide, a council member who moves from the district may be disqualified from office (although there is a legal argument that moving out of the district does not disqualify a member).
- Because residency districts are unusual, the election method may confuse some voters, particularly those new to the area.
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The California Voting Rights Act - an Update
League of California Cities Annual Conference
Thursday, September 4, 2014, 1:00 - 2:15 p.m.
The California Voting Rights Act - an Update

• California Elections Code §§ 14026 – 14032

The CVRA prohibits at large electoral systems that impair the right of a protected class to elect, or influence the election of, its chosen candidates. It applies to:

- At-large elections
- “From-district” Elections
- Districts & Separate Mayor?
- Alternative Systems, e.g., Ranked Choice?
The California Voting Rights Act - an Update

• CVRA based on Section 2 of FVRA.
• Section 2 applies nation-wide.
• Section 2 forbids any “qualification or prerequisite to voting or standard, practice, or procedure ... which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color” or membership in a language minority group.
The California Voting Rights Act - an Update

• Under § 2, a plaintiff must first establish the three Gingles threshold preconditions:
  – “First, the minority group must be able to demonstrate that it is sufficiently large and geographically compact to constitute a majority in a single-member district. . . .
  – Second, the minority group must be able to show that it is politically cohesive. . . .
  – Third, the minority must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it . . . to defeat the minority’s preferred candidate.”
    Id. at 50-51 (internal citations and footnote omitted).
• Many cases have failed because plaintiffs failed to establish the first precondition.
• A violation must ultimately be proven based on the totality of the circumstances.
The California Voting Rights Act - an Update

• In the late 1990s and early 2000s, voting rights plaintiffs nationwide, but especially in California, were experiencing trouble bringing successful actions under Section 2 of the federal Voting Rights Act.

• Many of the most blatantly problematic voting structures had been remedied, and voting rights groups perceived the federal courts as less-than-entirely hospitable to their claims.
The California Voting Rights Act - an Update

• Solution: The CVRA
• Enacted in 2002 (S.B. 976).
• Took effect January 1, 2003.
• Elections Code 14025 to 14032
• As MALDEF (Mexican-American Legal Defense and Education Fund) put it, the “[b]ill makes it easier for California minorities to challenge ‘at-large’ elections.”
The California Voting Rights Act - an Update

• What is prohibited?
• The language is very unclear. The Court of Appeal in *Sanchez v. City of Modesto* remanded the case to the superior court to determine the elements of a claim. The case settled before that happened.
• The trial court in *Jauregui v. City of Palmdale* (currently on appeal) held that it was sufficient if plaintiffs proved that polarized voting occurred in the at-large electoral system.
The California Voting Rights Act - an Update

Plaintiffs at least need to show:

1. At-large election systems in which,
2. Voting patterns correlate with the race of the voter.

Trial Court in *Jauregui v. City of Palmdale* stopped here, and ruled in favor of Plaintiffs. Which other factors are required, and the exact elements, are part of the pending appeal from the trial court decision in *Jauregui v. City of Palmdale*.

3. Impairment of the ability of voters in the protected class to elect the candidate of their choice?
4. The minority-preferred candidate (who is also of the same protected class) loses?
5. Dilution demonstrated based on the totality of the circumstances?

The California Voting Rights Act - an Update

What are “Appropriate” Remedies:

• Court- and Plaintiff-Approved Single-Member Trustee Areas?
• “Influence districts”?
• Continuing Jurisdiction?
• “Remedial” Racial Gerrymandering?
• Removal from Office of council members elected at-large?
• Enjoining elections?
• Change of election date?

(All of the above was ordered in Jauregui v. City of Palmdale, and are challenged in the pending appeal.)

• Establishment of alternative electoral systems?
The California Voting Rights Act - an Update

Salient litigation to date: all cases that have settled, paid fees to plaintiffs’ attorneys:

- Hanford Joint Union High School District - settled
- Tulare Local Healthcare District - settled 1st day of trial
- Ceres Unified School District - settled
- City of Compton - settled
- San Mateo County - settled
- Compton Community College District - settled
- City of Tulare - settled
- Cerritos Community College District - settled
- City of Palmdale - judgment against City, on appeal on merits
- City of Anaheim - settled (Cont’d)
The California Voting Rights Act - an Update

Salient litigation to date: all cases that have settled, paid fees to plaintiffs’ attorneys:

- City of Escondido – settled
- City of Santa Clarita – settled
- City of Whittier – litigation pending
- City of Highland – complaint recently filed
- City of Visalia – settled
- City of Bellflower – complaint recently filed
- City of Fullerton – complaint recently filed
- City of Santa Barbara – complaint recently filed
- ABC Unified School District – settled
- Glendale Community College District (case dismissed; no fees)
- Santa Clarita Community College District – settled

Many continuing threats of litigation.
The California Voting Rights Act - an Update

• Most cities are without the ability to address the potential of CVRA liability except through the ballot box, which poses additional risks (compare the outcome in City of Compton and County of San Mateo, to that in City of Escondido and City of Visalia). Careful analysis of exposure and, if indicated, preparations for a political solution are essential.

• And then there is the extraordinary case of the City of Whittier: voters approved change to SMD, but litigation continues (San Mateo County too).
• Elusive Legislative “Fix”

AB 2330 (2009-2010 Reg. Sess.) (Arambula): if enacted, this bill would have imposed a claim-filing requirement and a 30-day response period before a lawsuit could be filed against a school district. It would have given districts a mechanism to avoid litigation and possible attorneys’ fees. The bill died in committee.

AB 684 (2011-2012 Reg. Sess.) (Block): enacted into law in late 2011, this bill streamlined the process by which community college districts are able to move from at-large elections to by-district elections. This bill permits CCDs to adopt district elections with only the concurrence of the California Community College Board of Governors.
The California Voting Rights Act - an Update

Experience of California Cities:

• 1 litigated to judgment, lost, $3.5 mil. fee award to plaintiffs’ attorneys, case on appeal (Palmdale)

• 4 new lawsuits filed (Bellflower, Fullerton, Highland [measure on Nov. 2014 ballot], Santa Barbara [CVRA study ongoing])

• 4 placed measures on November 2014 ballot after CVRA demand letter. To date, no lawsuits filed (Los Banos, Merced, Riverbank, Turlock)

• 1 placed measure on ballot after demand; measure failed; litigation filed and settled, including fees to plaintiffs’ attorneys (Visalia [court supervised process for SMD])
The California Voting Rights Act - an Update

- 1 placed measure on ballot after demand; measure successful; ongoing litigation filed between demand and vote (Whittier)

- 2 placed measures on ballot soon after CVRA litigation filed, one measure successful, the other not, litigation settled, including fees to plaintiffs’ attorneys (Tulare, Escondido [consent decree for SMC by commission])

- 4 settled at various later stages of litigation, settlement included fees to plaintiffs’ attorneys (Modesto [settlement involved fees only], Anaheim [ballot measures for SMD & to increase council size], Compton, [ballot measure for SMD successful], Santa Clarita [reschedule muni. elec. & initiate cum. voting subj. respectively, to county approval and court approval])
The California Voting Rights Act - an Update

- New Voting Rights Legislation

SB 1365 (Padilla)

This bill would provide parallel provisions to the existing CVRA that prohibit the use of a district-based election system in a political subdivision if it would impair the ability of a protected class, as defined, to elect candidates of its choice or otherwise influence the outcome of an election. The bill would require a court to implement specified remedies upon a finding that a district-based election was imposed or applied in a manner that impaired the ability of a protected class to elect candidates of its choice or otherwise influence the outcome of an election.
The California Voting Rights Act - an Update

AB 280 (Alejo)

This bill would establish a state preclearance system. Under this system, if a political subdivision enacts or seeks to administer a voting-related law, regulation, or policy, as specified, that is different from that in force or effect on the date this act is enacted, the governing body of the political subdivision would be required to submit the law, regulation, or policy to the Secretary of State for approval. The bill would require the Secretary of State to approve the law, regulation, or policy only if specified conditions are met. The bill would provide that the law, regulation, or policy shall not take effect or be administered in the political subdivision until the law, regulation, or policy is approved by the Secretary of State. The bill would allow the governing body of the political subdivision to seek review of the Secretary of State's decision by means of an action filed in the Superior Court of Sacramento. By requiring local governments to seek approval of the Secretary of State for changes to voting procedures, this bill would impose a state-mandated local program.
The California Voting Rights Act - an Update

AB 2715 (Hernandez)

This bill would permit the legislative body of a city to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district if the voters of the city previously rejected such an ordinance, as specified. This provision would be repealed on December 31, 2016.

The bill would, commencing January 1, 2017, require the legislative body of a city with a population of 100,000 or more, as determined by the most recent federal decennial census, to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district. The bill would, commencing January 1, 2017, permit the legislative body of any other city to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district.
ATTACHMENT 9 TO COMMITTEE FINAL REPORT
DATE: June 29, 2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of the Appropriate Title for the Office of the Deputy Mayor

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION

One of the tasks that the City Council has charged the Charter Review Committee with is determining the appropriate title for the Office of the Deputy Mayor, an elected official who will serve as the Mayor in the absence of the Mayor. For some time, this has been a somewhat unusual title for the position. It has been the title of the position throughout the period of the Charter.

It is noted, that a number of California’s largest cities have a position known as the “Deputy Mayor.” This is a function of the strong mayor form of government, generally where the Mayor appoints their own staff and uses the term of “Deputy Mayor” to reflect a staff position rather than an elected official’s position.

We are unaware of any other city in Ventura County that uses this title. It is common in three of California’s larger cities, Los Angeles, San Diego, and Fresno to have the position “Deputy Mayor.” In all three instances, it is a staff-level position. However, it appears that the term Deputy Mayor is also used in San Diego County and a number of their cities. In this respect, the title of “Deputy Mayor” refers to an elected official in Del Mar, Encinitas, Escondido, Oceanside, Poway, and Vista. This appears to be a local custom in this area without much differentiation between the position title of “Mayor Pro-tem,” “Vice-Mayor” or “Deputy Mayor.”

The City Attorney conducted a short survey of other City Attorney’s requesting an identification of those cities using the title of “Deputy Mayor” to reflect an elected official. The Chart below reflects the responses received.
<table>
<thead>
<tr>
<th>City</th>
<th>Elected Official</th>
<th>Appointed Staff Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Del Mar</td>
<td>X</td>
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<tr>
<td>Encinitas</td>
<td>X</td>
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<tr>
<td>Escondido</td>
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<td>Fresno</td>
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<tr>
<td>Los Angeles</td>
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<td>Oceanside</td>
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<td>Poway</td>
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<td>San Diego</td>
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<td>X</td>
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<tr>
<td>Ventura</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Vista</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

The vast majority of California cities were using either the term Mayor Pro-tem or Vice Mayor. It is recommended that the Charter Review Committee discuss this issue and make a recommendation to the City Council so that appropriate drafting can occur.
ATTACHMENT 10

This is a summary statement of materials provided to the CRC and available from the City Attorney’s Office but not attached in this report:

1. City Charter
2. Brown Act
3. Administrative Report to City Council, September 29, 2014 Re: CRC Appointments
4. Memorandum from Greg Diaz, February 11, 2015 Re: Background Information
5. CRC Agenda Packets:
   a. November 19, 2014
   b. January 14, 2015
   c. February 11, 2015
   d. March 11, 2015
   e. April 8, 2015
   f. May 13, 2015
   g. June 13, 2015
   h. July 9, 2015
   i. No meeting in August
   j. September 9, 2015
6. Memorandum from CRC and Greg Diaz, April 20, 2015 Re: City Council Clarification
ATTACHMENT 11 TO
COMMITTEE FINAL REPORT

COPIES OF APPROVED MINUTES OF EACH
COMMITTEE MEETING
City of San Buenaventura

CHARTER REVIEW COMMITTEE

John Baker, Member
Cheryl Collart, Member
Barbara Evans, Member
Peter A. Goldenring, Member
Lynn Jacobs, Member
Suz Montgomery, Member

Jerry Morris, Alternate
Ross Olney, Member
Dennis Orrock, Member
Andrew Prokopow, Member
Patrick Squires, Member
Chris Stephens, Member

MINUTES

NOVEMBER 19, 2014

The Charter Review Committee met in special session in the City Hall Community Meeting Room, 501 Poli Street, Ventura at 6:02 p.m.

ROLL CALL

Present: Committee Members Baker, Collart, Goldenring, Jacobs, Montgomery, Olney, Orrock, Prokopow, Squires, Stephens.

Absent: Committee Member Evans.

City Attorney Gregory G. Diaz presided.

Committee Member Evans arrived at 6:04 p.m.

INTRODUCTIONS

The Committee Members introduced themselves and spoke about their personal experience as it relates to the Committee.

WELCOME AND THANK YOU FOR SERVICE ON THE COMMITTEE

Mayor Cheryl Heitmann welcomed Members of the Committee on behalf of the City Council and reviewed the Committee’s Charge from the City Council.

PRESENTATION ON LEGAL SIGNIFICANCE OF THE CHARTER, CONSTITUTIONAL AND STATUTORY AUTHORITY TO AMEND THE CHARTER, AND THE STATE’S OPEN MEETING LAW OR “BROWN ACT”
City Attorney Gregory Diaz presented an overview on the Committee on the legal significance of the Charter, the process to amend the Charter, and the Committee’s obligations under the State’s open meeting law.

COMMITTEE MEMBER CONTACT INFORMATION

City Clerk Cynthia M. Rodriguez provided the Members with a copy of the Committee contact list and asked that each Member confirm their information was correct.

FORMAL ITEMS

1. **Selection of Chair and Vice-Chair**

   **RECOMMENDATION**

   It is recommended that the Charter Review Committee shall select a Chair and a Vice-Chair.

   **Chair:**

   Nominees:

   Dennis Orrock and Lynn Jacobs.

   **Vote:**

   - For Dennis Orrock: Members Baker, Collart, Evans, Goldenring, Olney, Orrock, Prokopow, Squires, and Stephens.
   - For Lynn Jacobs: Members Jacobs and Montgomery.

   **Appointment:**

   Dennis Orrock.

   **Vice-Chair:**

   Nominees:

   Lynn Jacobs and Chris Stephens.

   **Vote:**

   - For Lynn Jacobs: Members Baker, Collart, Evans, Jacobs, Montgomery, Olney, and Prokopow.
   - For Chris Stephens: Members Goldenring, Orrock, Squires, and Stephens.

   **Appointment:**

   November 19, 2014
2. Consideration of Rules of Procedure for the Committee

RECOMMENDATION

It is recommended that the Committee adopt Rosenberg’s Rules of Order, Revised 2011 as the rules of procedure for the Charter Review Committee.

By consensus, the Committee approved the recommendation.

3. Consideration of Committee Meeting Schedule

RECOMMENDATION

It is recommended that the Charter Review Committee adopt the meeting time, location, and dates as set forth in the Administrative Report.

By consensus, the Committee approved meeting on Wednesday evenings at 4:00 p.m. and directed staff to find a meeting location to hold the meetings other than the Community Meeting Room.

4. Consideration of Committee Work Plan

RECOMMENDATION

It is recommended that the Charter Review Committee adopt the draft work plan and schedule as set forth in the Administrative Report.

By consensus, the Committee approved the recommendation.

COMMITTEE MEMBER COMMUNICATIONS

Committee Member Goldenring moved to direct staff to calendar an item for the next meeting to discuss clarification, change or expansion of the Committee’s charge that the Committee would like to recommend to go back to the City Council for consideration along with potential funding resources. Committee Member Baker seconded. The vote was as follows:

AYES: Committee Members Baker, Collart, Evans, Goldenring, Orrock, Squires, and Stephens.

NOES: Committee Members Jacobs, Montgomery, Olney, and Prokopow.

ABSENT: None.

Chair Orrock declared the motion carried.
ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

Cynthia M. Rodriguez
City Clerk
City of San Buenaventura

CHARTER REVIEW COMMITTEE

John Baker, Member
Cheryl Collart, Member
Barbara Evans, Member
Peter A. Goldenring, Member
Lynn Jacobs, Vice-Chair
Suz Montgomery, Member

Jerry Morris, Alternate
Ross R. Olney, Member
Dennis Orrock, Chair
Andrew Prokopow, Member
Patrick Squires, Member
Chris Stephens, Member

MINUTES

JANUARY 14, 2015

The Charter Review Committee met in special session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:05 p.m.

ROLL CALL

Present: Members Baker, Evans, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Collart and Goldenring.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the November 19, 2014 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of November 19, 2014 as submitted by the City Clerk.

Member Prokopow moved to approve the minutes of November 19, 2014. Vice Chair Jacobs seconded. The vote was as follows:
AYES: Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Members Collart and Goldenring.

Chair Orrock declared the motion carried.

Member Goldenring was present at 4:10 p.m.

Member Collart was present at 4:27 p.m.

2. Presentation and Discussion of Issues Associated with City Council Compensation

RECOMMENDATION

Discuss the issues associated with City Council Compensation and provide direction to staff on how to proceed with any modifications or changes desired.

Vice Chair Jacobs moved to revisit City Council compensation after consideration of future policy discussion that includes districting and directly elected mayor, and to tentatively a) increase compensation to $1,200 for the Mayor and $1,000 for each Councilmember; and b) bi-annual salary adjustments based on CPI with no negative adjustment if CPI is negative. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: None.

Chair Orrock declared the motion carried.

3. Committee Requests for Information Relating to Term-Limits for City Council

RECOMMENDATION

Members of the Charter Review Committee may indicate the types of information that they would find useful and/or helpful in preparing for the February 11, 2015 Charter Review Committee Meeting where the topic is scheduled to be City Council Term Limits.

January 14, 2015 Charter Review Committee Minutes 2
The committee discussed types of information that would be useful in discussion of term limits for the City Council.

4. **Committee Discussion of Items and/or Issues the Committee Would Like to Request City Council Clarification, Change, or Expansion to the Committee’s Charge Along With Potential Funding Resources**

**RECOMMENDATION**

That the Charter Review Committee undertake the discussion set forth above.

Member Goldenring moved to direct staff to return with the following information and language:

1. Consulting/informational sources for governmental structure and costing
2. Gender neutral language
3. Mayor’s term (third year)

for the Committee’s consideration as to whether or not they would like to request professional input and the necessary funds on Item No.1, and as to whether or not they would like to request expanded authority from the City Council on Item Nos. 2 and 3. Member Baker seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Squires, Stephens, and Chair Orrock.

**NOES:** Members Montgomery, Olney, Prokopow, and Vice Chair Jacobs.

**ABSENT:** None.

Chair Orrock declared the motion carried.

Member Prokopow moved to add changing the City’s official name to Ventura to the list of items for staff to return with information.

The motion died due to lack of a second.

5. **Consideration of Moving the Issue of Removing References to the School District From the Charter to the February 11, 2015 Meeting From the March 11, 2015 Meeting**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

By consensus, consideration to remove references to the School District from the Charter was moved to the meeting of March 11, 2015.
6. **Speakers – Several Issues Regarding Speakers From the Public Should be Addressed**

A. Should speaker cards be used?

B. What time limit is appropriate for members of the public to speak?

C. Should members of the public be allowed to yield time to someone else and if so, how much time?

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

Member Baker moved to direct that a) speaker cards shall be used; b) time limit for members of the public to speak shall be three minutes; and c) members of the public shall not be allowed to yield time to another speaker. Member Stephens seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** Member Prokopaw.

**ABSENT:** None.

Chair Orrock declared the motion carried.

**ADJOURNMENT**

The meeting was adjourned at 5:27 p.m.

Cynthia M. Rodriguez
City Clerk
The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:10 p.m.

Due to the absence of the Chair and Vice-Chair, Member Baker nominated Cheryl Collart to serve as Chair. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, and Stephens.

**NOES:** None.

**ABSENT:** Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

**ROLL CALL**

**Present:** Members Baker, Collart, Evans, Goldenring, Alternate Morris, Olney, Prokopow, Squires, and Stephens.

**Absent:** Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart presided.
FORMAL ITEMS

1. Consideration of the Minutes of the January 14, 2015 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of January 14, 2015 as submitted by the City Clerk.

Member Prokopow moved to approve the minutes of January 14, 2015. Member Squires seconded. The vote was as follows:


NOES: None.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

2. Review Draft Charter Amendment Language on City Council Compensation

RECOMMENDATION

Discuss, revise, and approve subject to later review following the Charter Review Committee’s decisions on other issues.

Member Baker moved to direct staff to amend Section 601. – Compensation, Section (a) as follows:

1) Delete the word “biannual” and replace with every two years: “The compensation for the City Council and the Mayor set forth above is subject to adjustment on a biannual basis every two years to account for increases in the cost of living.”

2) Add the following language after Consumer Price Index or CPI: “The cost of living shall be measured by using the Consumer Price Index or CPI – All Urban Consumers. Area: Los Angeles-Riverside-Orange County – beginning with 2016 as the base year.”

3) Add the following language to the end of the paragraph: No other compensation or benefits should be included.

Member Stephens seconded. The vote was as follows:

NOES: None.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

Member Prokopow moved to direct staff to amend Section 601. – Compensation, Section (a) to include the following language:

The Finance Director shall bring an ordinance to the City Council to adjust the compensation for the Mayor and City Council in June of odd numbered years. Member Baker seconded. The vote was as follows:


NOES: Members Evans and Squires.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

3. Consideration and Discussion of the Issue of Term-Limits for City Council.

RECOMMENDATION

That the Charter Review Committee discuss and determine if it wishes to recommend that the Charter be amended to include term limits for the City Council. If the Charter Review Committee determines to recommend term limits for the City Council, staff recommends that direction be provided on the following issues:

1. What is the proper length of a term for a City Council Member? Is it two years, four years, six years, etc.?

2. Is the limit on the number of terms a lifetime ban or a waiting period? By this, if an elected official has served two terms and the term limit is two terms, are they prohibited again from serving on the City Council (lifetime ban) or are they prohibited from serving again after some period of time (waiting period)? If it is a waiting period, what should the waiting period be?

3. If someone is elected or appointed to the City Council to fill a vacancy, when does the term limit apply to service for less than a full term? Should the standard be 50% plus one day of a full term count as a full term?
Should one day in office count as a full term? Does it matter if the person was elected or appointed?

DOCUMENTS

PowerPoint.

Acting Chair Collart requested a straw vote to determine if there was a majority of support on this topic, which failed.

Member Goldenring moved to continue the discussion of term limits and the pros and cons of this topic. Member Evans seconded. The vote was as follows:


NOES: None.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

Member Baker moved that the Committee not recommend term limits, but the topic can be further evaluated at the time the Committee discusses District Elections. Member Olney seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Olney, Squires, and Stephens.

NOES: Members Goldenring and Prokopow.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

4. Consideration of Items Requested to be Researched on Consultants and Additions to the Charter Review Committee’s Scope

RECOMMENDATION

That the Charter Review Committee continue this item to your next regularly scheduled meeting so that a complete report can be prepared.

DOCUMENTS

Memorandum dated February 11, 2015, from City Attorney Gregory G. Diaz.
Member Goldenring moved to continue this item to the Committee's next regularly scheduled meeting so that a complete report can be prepared. Member Stephens seconded. The vote was as follows:


NOES: None.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

5. Committee Requests for Information Relating to Whether or Not the School District Provisions Should Remain in the Charter

RECOMMENDATION

Members of the Charter Review Committee may indicate the types of information that they would find useful and/or helpful in preparing for the March 11, 2015 Charter Review Committee Meeting where the topic is scheduled to be whether the Charter provisions relating to the school district should remain in the Charter.

Member Prokopow moved to discuss this item at the next Committee meeting scheduled for March 11, 2015. Member Goldenring seconded. The vote was as follows:


NOES: None.

ABSENT: Member Montgomery, Vice Chair Jacobs, and Chair Orrock.

Acting Chair Collart declared the motion carried.

ADJOURNMENT

The meeting was adjourned at 5:37 p.m.

Cynthia M. Rodriguez
City Clerk
The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:02 p.m.

ROLL CALL

Present: Members Baker, Evans, Goldenring, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Collart and Stephens.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the February 11, 2015 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of February 11, 2015 as submitted by the City Clerk.

Members Collart and Stephens arrived at 4:05 p.m.

Member Goldenring moved to amend and approve the minutes of February 11, 2015, to reflect a regular session. Member Squires seconded. The vote was as follows:

2. **Consideration and Discussion of the Issue of Retaining or Removing Provisions Relating to the School District from the Charter**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate. However, if the Charter Review Committee determines to recommend retaining the current Charter language pertaining to the School District, the City Attorney recommends removing the requirement that School Board members be elected at-large.

**SPEAKERS**

Members of the public: Debbie Golden, Board of Education Member and Joe Richards, Assistant Superintendent, Ventura Unified School District.

Vice Chair Jacobs moved to recommend that the Board of Education be removed from the City Charter subject to receiving feedback from the Board of Education members. Member Prokopow seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** None.

Chair Orrock declared the motion carried.

3. **Consideration of Items Requested to be Researched on Consultants and Additions to the Charter Review Committee’s Scope**

**RECOMMENDATION:**

That the Charter Review Committee review and discuss the information below and take action as the Committee deems appropriate.
Member Goldenring moved to direct the Chair to return to the City Council for clarification regarding the charge related to districts, requesting clarification as to whether the Committee is inclined to explore the issue of districts, and if the City Council is expecting recommendations on forms of implementation; and request authorization to hire a consultant for a not-to-exceed amount of $7,500 to assist the Committee on this issue. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Olney and Prokopow.

ABSENT: None.

Chair Orrock declared the motion carried.

Vice Chair Jacobs moved to recommend adding to the list of potential charter amendments the issue of residency for members of the City Council and the City Manager to conform with current state law. Member Montgomery seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: None.

Chair Orrock declared the motion carried.

4. Committee Requests for Information Relating to the Direct Election of the Mayor and Any Term-Limits Applicable Thereto

RECOMMENDATION

Members of the Charter Review Committee may indicate the types of information that they would find useful and/or helpful in preparing for the April 8, 2015 Charter Review Committee Meeting where the topic is scheduled to be whether or not the City should have a directly elected Mayor, the term, and term-limit (if any) for the Mayor. Also included will be consideration of the Deputy Mayor’s position, term, and term-limit (if any).

Member Prokopow moved to direct the City Attorney’s Office to survey 10 cities of population between 100,000 and 150,000 to see if they have directly elected Mayors,
succession related to the Deputy Mayor and Mayor seats, and information on Mayoral duties. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: None.

Chair Orrock declared the motion carried.

5. Committee Requests for Information Relating to the City Council Districts and Options

RECOMMENDATION

Members of the City Charter Review Committee may indicate the types of information that they would find useful and/or helpful in determining and preparing for the May 13 and June 10, 2015 Charter Review Committee Meetings where the topic is scheduled to be whether or not the City should change its current at-large method of electing Members of the City Council to City Council Districts where candidates run only in the district they live and are voted on only by voters in that District and what other options are available.

This item was discussed under Agenda Item No. 3.

PUBLIC COMMUNICATIONS

SPEAKERS

Member of the public: Mark Abbe.

ADJOURNMENT

Member Prokopow moved to adjourn the meeting at 5:06 p.m. Member Stephens seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.
ABSENT: None.

Chair Orrock declared the motion carried.

Cynthia M. Rodriguez
City Clerk
MINUTES

APRIL 8, 2015

The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:00 p.m.

ROLL CALL

Present: Members Baker, Collart, Evans, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Goldenring and Stephens.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the March 11, 2015 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of March 11, 2015 as submitted by the City Clerk.

Member Prokopow moved to approve the minutes of March 11, 2015. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Montgomery, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.
NOES: None.

ABSENT: Members Goldenring and Stephens.

Chair Orrock declared the motion carried.

Member Stephens arrived at 4:09 p.m.

2. Consideration and Discussion of the Issue of Whether or Not to Recommend a Directly Elected Mayor or Retain a City Council Selected Mayor; the Term and Term-Limit (if any)

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

SPEAKERS

Staff: City Attorney Gregory G. Diaz.

DOCUMENTS

PowerPoint.

Vice Chair Jacobs moved to recommend retaining the current arrangement in the Charter that the City retain a City Council selected Mayor. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Montgomery, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Olney and Prokopow.

ABSENT: Member Goldenring.

Chair Orrock declared the motion carried.

Member Stephens moved to recommend that the Mayor's term remain a two-year term. Member Squires seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Olney, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Montgomery and Prokopow.
ABSENT: Member Goldenring.

Chair Orrock declared the motion carried.

3. **Consideration of Charter Review Committee’s Calendar and Work Plan**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

**SPEAKERS**

Staff: City Attorney Gregory G. Diaz.

By consensus, the Committee directed staff to maintain the Committee’s regular meeting schedule and hold the May 13, 2015, Charter Review Committee meeting as scheduled.

4. **Committee Requests for Information Relating to the City Council Districts and Options**

**RECOMMENDATION**

Members of the City Charter Review Committee may indicate the types of information that they would find useful and/or helpful in determining and preparing for the May 13 and June 10, 2015 Charter Review Committee Meetings where the topic is scheduled to be whether or not the City should change its current at-large method of electing Members of the City Council to City Council Districts where candidates run only in the district they live and are voted on only by voters in that District and what other options are available.

**SPEAKERS**

Staff: City Attorney Gregory G. Diaz.

By consensus, the Committee clarified their direction to staff to ask the City Council for clarification on the charge as it relates to district elections and as to whether the charge is to recommend whether districts should be considered and if so, if the City Council intends that the Committee return with the formation of districts.
PUBLIC COMMUNICATIONS

SPEAKERS

Member of the public: Mark Abbe.

ADJOURNMENT

Member Prokopow moved to adjourn the meeting at 5:09 p.m. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Member Goldenring.

Chair Orrock declared the motion carried.

Cynthia M. Rodriguez
City Clerk
The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:03 p.m.

ROLL CALL

Present: Members Collart, Evans, Alternate Morris, Olney, Prokopow, Vice Chair Jacobs, and Chair Orrock.


Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the April 8, 2015 Meeting of the Charter Review Committee

   RECOMMENDATION

   Approve the Minutes of April 8, 2015 as submitted by the City Clerk.

   Member Stephens arrived at 4:04 p.m.

   Member Prokopow moved to approve the minutes of April 8, 2015. Vice Chair Jacobs seconded. The vote was as follows:
AYES: Members Collart, Evans, Olney, Prokopow, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Members Baker, Goldenring, Montgomery, and Squires.

Chair Orrock declared the motion carried.

Member Baker arrived at 4:05 p.m.

2. **Consideration of City Council Actions on Charter Review Committee Requests**

   **RECOMMENDATION**

   That the Charter Review Committee take action as it deems appropriate.

   **SPEAKERS**

   Staff: City Attorney Gregory G. Diaz.

Member Squires and Goldenring arrived at 4:08 p.m. and 4:11 p.m., respectively.

Member Olney moved to adopt the revised schedule as presented with the provision that all meetings will be held on an as-needed basis and all of the Committee's charge items be listed on the agenda. Vice Chair Jacobs seconded. The vote was as follows:

   AYES: Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

   NOES: None.

   ABSENT: Member Montgomery.

Chair Orrock declared the motion carried.

3. **Committee Discussion of Potential Form and Format of Final Report and Recommendations; Authors**

   **RECOMMENDATION**

   That the Charter Review Committee take action as it deems appropriate.
Chair Orrock moved to approve the format of the report as presented. Vice Chair Jacobs seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** Member Montgomery.

Chair Orrock declared the motion carried.

4. **Consideration of Modifying Gender-Specific to Gender Neutral Language in the Charter**

**RECOMMENDATION**

That the Charter Review Committee review the gender specific references in the Charter and direct staff to bring back at a future meeting suggestions for replacement language that is gender neutral.

SPEAKERS

Staff: City Attorney Gregory G. Diaz.

Member Goldenring moved to direct staff to return to the Committee with a red-line draft of the Charter. Vice Chair Jacobs seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** Member Montgomery.

Chair Orrock declared the motion carried.
5. **Consideration of Durational Residency for Candidates for City Council, Section 503 of the City Charter**

**RECOMMENDATION**

That the Charter Review Committee recommend revising Section 503, "Eligibility for Office," of the San Buenaventura City Charter to require that candidates for elective office with the City be residents for a period not to exceed 30 days consistent with decisions of the California Supreme Court.

Vice Chair Jacobs moved to approve the recommendation. Member Stephens seconded. The vote was as follows:

- **AYES:** Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
- **NOES:** None.
- **ABSENT:** Member Montgomery.

Chair Orrock declared the motion carried.

**PUBLIC COMMUNICATIONS**

- **SPEAKERS**
  - Member of the public: Mark Abbe.

**ADJOURNMENT**

Vice Chair Jacobs moved to adjourn the meeting at 4:47 p.m. Member Baker seconded. The vote was as follows:

- **AYES:** Members Baker, Collart, Evans, Goldenring, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
- **NOES:** None.
- **ABSENT:** Member Montgomery.
Chair Orrock declared the motion carried.

Cynthia M. Rodriguez
City Clerk
MINUTES

JUNE 10, 2015

The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:01 p.m.

ROLL CALL

Present: Members Baker, Collart, Evans, Montgomery, Alternate Morris, Olney, Prokopow, and Vice Chair Jacobs.

Absent: Members Goldenring, Squires, Stephens, and Chair Orrock.

Vice Chair Jacobs presided.

FORMAL ITEMS

1. **Consideration of the Minutes of the May 13, 2015 Meeting of the Charter Review Committee**

   **RECOMMENDATION**

   Approve the Minutes of May 13, 2015 as submitted by the City Clerk.

   Member Prokopow moved to approve the minutes of May 13, 2015. Member Olney seconded. The vote was as follows:

   **AYES:** Members Baker, Collart, Evans, Olney, Prokopow, and Vice Chair Jacobs.
NOES: None.

ABSTAIN: Member Montgomery.

ABSENT: Members Goldenring, Squires, Stephens, and Chair Orrock.

Vice Chair Jacobs declared the motion carried.

Member Squires arrived at 4:03 p.m.

2. **Consideration of City Council Geographic Districts or Retaining Current At-Large Election for Members of the City Council**

**RECOMMENDATION**

That the Charter Review Committee take action as it deems appropriate.

**SPEAKERS**

Staff: City Attorney Gregory G. Diaz.

Member of the public: Mark Abbe.

**DOCUMENTS**

Email: Dennis Orrock, Chair, Charter Review Committee.

PowerPoint.

Members Stephens and Goldenring arrived at 4:08 p.m.

Member Olney moved to recommend a district election system to the City Council. Member Goldenring seconded. The vote was as follows:

**AYES:** Members Baker, Goldenring, Montgomery, Olney, Prokopow, Stephens, and Vice Chair Jacobs.

**NOES:** Members Collart, Evans, and Squires.

**ABSENT:** Chair Orrock.

Vice Chair Jacobs declared the motion carried.
3. Consideration of Items Previously Discussed and Further Discussion and Consideration

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding Elective Office

RECOMMENDATION

That the Charter Review Committee discuss and take action it deems appropriate on the following items:

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding Elective Office

SPEAKERS

Staff: City Attorney Gregory G. Diaz.

No action was taken on this item.

4. Discussion of Committee Informational Requests for the Next Meeting – City Manager Residency Requirements and Filling Mayor or Deputy Mayor Vacancy, and Title for Deputy Mayor’s Position

RECOMMENDATION

That the Charter Review Committee indicate any information that the Committee would like to see included in the Administrative Reports on these items. Now is the opportunity to request specific information to ensure that it is included in the report.
SPEAKERS

Staff: City Attorney Gregory G. Diaz.

By consensus, the Committee requested the topic of the direct election of the Mayor be included on the next Committee meeting agenda.

5. **Consideration of Committee Calendar and Work-Plan**

**RECOMMENDATION**

That the Charter Review Committee consider the status of its work and determine if the remaining meeting schedule and discussion items are appropriate for the work plan to complete the tasks. It is requested that the Committee provide direction to staff.

No action was taken on this item.

**ADJOURNMENT**

Member Montgomery moved to adjourn the meeting at 5:50 p.m. Member Olney seconded. The vote was as follows:

**AYES:** Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, and Vice Chair Jacobs.

**NOES:** None.

**ABSENT:** Chair Orrock.

Vice Chair Jacobs declared the motion carried.

Cynthia M. Rodriguez
City Clerk
MINUTES

JULY 8, 2015

The Charter Review Committee met in regular session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 5:00 p.m.

ROLL CALL

Present: Members Baker, Evans, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Collart, Goldenring, and Stephens.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the June 10, 2015 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of June 10, 2015 as submitted by the City Clerk.

Vice Chair Jacobs moved to approve the minutes of June 10, 2015. Member Montgomery seconded. The vote was as follows:

AYES: Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, and Vice Chair Jacobs.

NOES: None.

July 8, 2015
Charter Review Committee Minutes
www.cityofventura.net
DRAFT
ABSTAIN: Chair Orrock.

ABSENT: Members Collart, Goldenring, and Stephens.

Chair Orrock declared the motion carried.

2. **Consideration of Retaining Residency Requirement for the City Manager in Section 800 of the Charter**

**RECOMMENDATION**
That the Charter Review Committee take action as it deems appropriate.

**SPEAKERS**
Staff: City Attorney Gregory G. Diaz.

Vice Chair Jacobs moved to recommend the removal of the residency requirement in Section 800 from the Charter. Member Olney seconded. The vote was as follows:

**AYES:** Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** Members Collart, Goldenring, and Stephens.

Chair Orrock declared the motion carried.

Member Baker stated that the recommendation to the City Council should include language stating it’s preferred the City Manager lives within the City’s boundaries.

3. **Consideration of the Appropriate Title for the Position of Deputy Mayor**

**RECOMMENDATION**
That the Charter Review Committee take action as it deems appropriate.

Members Goldenring and Stephens arrived at 5:05 p.m. and 5:07 p.m., respectively.

**SPEAKERS**
Staff: City Attorney Gregory G. Diaz.
Member Olney moved to retain the Deputy Mayor title. Vice Chair Jacobs seconded. The vote was as follows:

AYES: Members Evans, Montgomery, Olney, and Vice Chair Jacobs.

NOES: Members Baker, Goldenring, Prokopow, Squires, Stephens, and Chair Orrock.

ABSENT: Member Collart.

Chair Orrock declared the motion failed.

Member Baker moved to recommend the Mayor Pro Tem title. Member Squires seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Olney and Prokopow.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

4. **Consideration of the Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor**

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

SPEAKERS

Staff: City Attorney Gregory G. Diaz.

Member Goldenring moved to take up the issue of whether the Mayor should be directly elected given the Committee’s districting decision. Member Olney seconded. The vote was as follows:

AYES: Members Evans, Goldenring, Olney, Prokopow, Squires, Stephens, and Chair Orrock.

NOES: Members Baker, Montgomery, and Vice Chair Jacobs.
ABSENT: Member Collart.

Chair Orrock declared the motion carried.

5D. **Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits**

Member Goldenring moved to recommend a directly elected Mayor. Member Olney seconded. The vote was as follows:

- **AYES:** Members Goldenring and Olney.
- **NOES:** Members Baker, Evans, Montgomery, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
- **ABSENT:** Member Collart.

Chair Orrock declared the motion failed.

4. **Consideration of the Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor**

Member Goldenring moved to recommend the Mayor Pro Tem fill the vacancy of the Mayor. Member Baker seconded. The vote was as follows:

- **AYES:** Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
- **NOES:** None.
- **ABSENT:** Member Collart.

Chair Orrock declared the motion carried.

Member Goldenring moved to recommend that 12 months and 1 day be considered 1 term as it relates to the Mayor’s successor. Member Stephens seconded. The vote was as follows:

- **AYES:** Members Baker, Evans, Goldenring, Montgomery, Olney, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
- **NOES:** Member Prokopow.
ABSENT: Member Collart.

Chair Orrock declared the motion carried.

Member Stephens moved to recommend that the Mayor Pro Tem be selected after the full City Council is seated. Member Squires seconded.

Members Stephens and Squires withdrew their motion.

Member Prokopow moved to recommend that the City Council appoint the Mayor Pro Tem the same day the new Mayor is appointed. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

5. Consideration of Items Previously Discussed and Further Discussion and Consideration

A. City Council Compensation *
   Tentative Decision: City Council $1,000 per month, Mayor $1,200 per month
B. City Council Term and Term-Limits
   Tentative Decision: No change to 4 year term and no term-limits
C. Retention of the School District Within the Charter *
   Tentative Decision: Remove school district from Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits *
   Tentative Decision: Retain current City Council selection of Mayor and Deputy Mayor; retain two-year term; and retain current non-consecutive term prohibition
E. Gender Neutral Language in the Charter
   Tentative Decision: Modify sections of the Charter that have gender specific language to gender neutral language
F. Durational Residency Requirement as a Condition of Holding Elective Office
Tentative Decision: Reduce current durational residency requirement to 30 days consistent with California Supreme Court decisions

G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council

Tentative Decision: Have City Council elected by geographic districts

* Items with new, supplemental Administrative Reports

RECOMMENDATION

That the Charter Review Committee discuss and take action it deems appropriate on the following items:

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding Elective Office
G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council

A. City Council Compensation

Vice Chair Jacobs moved to recommend to increase the Mayor’s compensation to $1,500 per month and Councilmembers’ compensation to $1,200 per month. Member Montgomery seconded. The vote was as follows:

AYES: Members Goldenring, Montgomery, Olney, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: Members Baker, Evans, Prokopow, and Squires.

ABSENT: Member Collart.

Chair Orrock declared the motion carried.

B. City Council Term and Term-Limits

Member Goldenring moved to recommend terms limits at 3 terms for a maximum of 12 years for any City Council seat in any district. Member Olney seconded. The vote was as follows:
6. **Consideration of Committee Calendar and Future Work-Schedule**

**RECOMMENDATION**

That the Charter Review Committee consider the status of its work and determine if the remaining meeting schedule and discussion items are appropriate for the work plan to complete the tasks. It is requested that the Committee provide direction to staff.

Member Stephens moved to cancel the August 12, 2015, Committee meeting and to meet at the next regularly scheduled Committee meeting set for September 9, 2015, to review and discuss the draft report to the City Council. Member Olney seconded. The vote was as follows:

**AYES:** Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.

**ABSENT:** Member Collart.

Chair Orrock declared the motion carried.

**ADJOURNMENT**

Vice Chair Jacobs moved to adjourn the meeting at 6:20 p.m. Member Olney seconded. The vote was as follows:

**AYES:** Members Baker, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

**NOES:** None.
ABSENT: Member Collart.

Chair Orrock declared the motion carried.
DATE: August 28, 2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of Comments and Revisions Submitted by Committee Members to the Draft of the Charter Review Committee’s Final Report

RECOMMENDATION:

That the Charter Review Committee take action as it deems appropriate.

DISCUSSION:

Administrative Report 2-A is the complete draft of the Charter Review Committee’s Final Report. It was agreed to leave open the comment period for Committee Members until noon on September 1st so that they could be included for your review and consideration at your September 9, 2015 meeting.

Attached to this Administrative Report are the written comments provided by the following Committee Members:

<table>
<thead>
<tr>
<th>Committee Member</th>
<th>Date of Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis Orrock</td>
<td>August 8, 2015</td>
</tr>
<tr>
<td>Lynn Jacobs</td>
<td>August 18, 2015</td>
</tr>
<tr>
<td>Suz Montgomery</td>
<td>August 22, 2015</td>
</tr>
<tr>
<td>Andrew Prokopow</td>
<td>August 24, 2015</td>
</tr>
<tr>
<td>Barbara Evans</td>
<td>August 30, 2015</td>
</tr>
<tr>
<td>Chris Stephens</td>
<td>August 31, 2015</td>
</tr>
</tbody>
</table>

It is appropriate for the Committee to discuss, review, and revise the draft Final Report and consider the comments received from your colleagues and any public
comments or testimony as the Committee deems appropriate. Staff has listed in Agenda Item 3, all of the topics previously covered and included all tentative and revised decisions of the Committee. As such, any issue that has previously been discussed is open for discussion and potential revision at this time.
Diaz, Gregory

From: Diaz, Gregory <gdiaz@ci.ventura.ca.us>
Sent: Friday, August 28, 2015 4:56 PM
To: Orrock, Rolland Dennis
Cc: Diaz, Gregory
Subject: Draft Agenda for 9/9/2015 Meeting of Charter Review Committee
Attachments: Scanned from a Xerox multifunction device.pdf

Dennis, Attached is the draft of the Charter Review Committee's September 9th meeting. I have a very short admin report for the final report--it essentially says that the Committee tasked Mr. Baker and Ms. Collart with the draft and the Committee was provided advance copies for review and comment. This is already scanned with the draft final report. I have a separate report which will transmit the comments received up to and including noon on September 1st. All comments received will be attached to that report. Both reports indicate that all previous issues and decisions are listed on the agenda and can be discussed and acted upon so that the Committee has the ability to act on September 9th if they are ready, if more discussion is needed, we still have time in the schedule.

Let me know if you have any issues or concerns. I will be out Monday, but back at my desk on Tuesday. Thanks again, Greg

Gregory G. Diaz
City Attorney
City of Ventura
501 Poli Street, P.O. Box 99
Ventura, California 93002-0099
(805) 654-7818
(805) 641-0253 (fax)
gdiaz@ci.ventura.ca.us

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-----Original Message-----
From: noreply@ci.ventura.ca.us [mailto:noreply@ci.ventura.ca.us]
Sent: Friday, August 28, 2015 5:20 PM
To: Greg Diaz
Subject: Scanned from a Xerox multifunction device

Please open the attached document. It was scanned and sent to you using a Xerox multifunction device.

Attachment File Type: pdf, Multi-Page

multifunction device Location: City Attorney Room 213
Device Name: lp66
Hello John

I have read the draft report and I might make a few suggestions

1. page 9  Perhaps there should be included a statement that a party cannot change districts and run after 3 terms for clarification.

2. page 15  Perhaps we should include a statement the the Deputy Mayor shall now be called Mayor Pro Temp

3. Where ever the name Deputy Mayor is used perhaps ( Mayor Pro Temp) should follow Deputy Mayor to be consistent with the new name

   Good job and thank you for taking the time

Dennis
From: Lynn jacobs <llj444@aol.com>
Sent: Tuesday, August 18, 2015 3:56 PM
To: Gregory Diaz
Cc: Orrock, Rolland Dennis
Subject: Re: Draft Charter Review Committee Final Report for Review and Comment

Greg and Dennis: In reading the summary, I don’t believe that we decided the number of districts. I am not copying anyone else on this.
thanks
Lynn

On Aug 18, 2015, at 3:35 PM, Diaz, Gregory <gdiaz@ci.ventura.ca.us> wrote:

Dear Charter Review Committee,

Attached is a draft of the Final Report of the Charter Review Committee for your review and comment. To assist you in this process, I have made separate files for the draft of the report and also broken the attachments into smaller files to assist with downloading what you find necessary to review. The work of Committee Members John Baker and Cheryl Collart in preparing the draft of the Final Report is sincerely appreciated.

The attachments selected by John and Cheryl are those that they found most useful and helpful in reflecting the Committee’s decision-making. In some instances, they have included only portions of a report or documents provided to the Committee. As such, if it looks like there are missing pages, this is based on the fact that those pages were not as helpful to support the decision-making process of the Committee or would increase the length of the report without adding significantly to the process.

The next Committee meeting is scheduled for September 9, 2015. The packet for the meeting is set to go out on Wednesday, September 2nd. In order to allow staff time to put the packet together, if you have comments that you want included in the packet so that your colleagues can consider them at the meeting, please email them to me by noon on September 1st. I will put together all comments received and have them copied into the agenda item so that the Committee can consider them. Feel free to use email to make comments or revisions or to write on pages of the report itself and attach to an email to me at the email address listed below.

Should you have any questions or wish to discuss further, please feel free to contact me.

Gregory G. Diaz
City Attorney
City of Ventura
501 Poli Street, P.O. Box 99
Ventura, California 93002-0099
(805) 654-7818
(805) 641-0253 (fax)
gdiaz@ci.ventura.ca.us

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same here, I was concerned we did and I missed that......hmmmmm asking Greg.....

I still harken back to my original research, 4 districts, three reps at large and an elected mayor.....

I don’t recall that we ever specified the number of districts

Sent from my iPhone

On Aug 21, 2015, at 7:15 AM, Suz Montgomery <suznoni@hotmail.com> wrote:

your comments Dear ?

XXOO
Dear Charter Review Committee,

Attached is a draft of the Final Report of the Charter Review Committee for your review and comment. To assist you in this process, I have made separate files for the draft of the report and also broken the attachments into smaller files to assist with downloading what you find necessary to review. The work of Committee Members John Baker and Cheryl Collart in preparing the draft of the Final Report is sincerely appreciated.

The attachments selected by John and Cheryl are those that they found most useful and helpful in reflecting the Committee’s decision-making. In some instances, they have included only portions of a report or documents provided to the Committee. As such, if it looks like there are missing pages, this is based on the fact that those pages were not as helpful to support the decision-making process of the Committee or would increase the length of the report without adding significantly to the process.

The next Committee meeting is scheduled for September 9, 2015. The packet for the meeting is set to go out on Wednesday, September 2nd. In order to allow staff time to put the packet together, if you have comments that you want included in the packet so that your colleagues can consider them at the meeting, please email them to me by noon on September 1st

Should you have any questions or wish to discuss further, please feel free to contact me.

Gregory G. Diaz
City Attorney
City of Ventura
501 Poli Street, P.O. Box 99
Ventura, California 93002-0099
(805) 641-0253 (fax)
gdiaz@ci.ventura.ca.us

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<Attachments 1 to 5 to Final Report.pdf>
<Attachments 6 to 10 to Final Report.pdf>
<Attachment 11 (Approved Minutes to Date) to the Final Report.pdf>
1. Title Page - Change "Ventura" to "San Buenaventura"

2. Page 2 - Change "Ventura" to "San Buenaventura (Ventura)"

3. Page 2, second line - Change "was form" to "was formed"

4. Page 2 - Change "CPI" To "Consumer Price Index"

5. Page 5 - Change "analysis" to "analyses"

6. Page 5 - Change "report Attachments" to "report as Attachments"

7. Page 9, f) - Change "siting" to "sitting"

8. Page 9 - Change "It is recommended ... XI" to "It is recommended that city charter Article XI be deleted in its entirety."

9. Page 13, n) - Change "ability focus" to "ability to focus"

10. Page 14, b) - Change "and administrative change" to "administrative changes"

11. Page 15 - Change "July 8, 2105" to "July 8, 2015"

12. Page 15 - Change "for a period not to exceed" to "continuously for at least"

13. Page 16 - Change "9." to "10."

14. Page 17 - Change "10." to "8."

15. Page 18 - Delete "As this ... City Charter."

16. Page 18 - Change "(between the 2015 election and the 2016 election)" to "prior to the 2016 election"

17. There should be a new Page 1 titled "Table of Contents"

Andy Prokopow
Diaz, Gregory

From: Barbara Evans <barbedolls@gmail.com>
Sent: Sunday, August 30, 2015 4:15 PM
To: Diaz, Gregory
Subject: Draft charter comments

page 6, typo under 1., It instead of If

page 8, typo, be a change to city

page 9, f., sitting to sitting

page 15, conclusion, I presume the "update the document for necessary changes" takes care of removing the existing pro-tem designation in the charter, and naming the person now called pro-tem something else?

--
Barbara Evans
124 Poli Street
Ventura, CA 93001
805 648-3860
Fax 805 643-5517
Greg,

Thanks for sending along the draft report. I saw a number of typos and grammatical errors and I have a few minor concerns regarding some of the “discussion points”, but given the format it is in I will probably bring along a marked-up hard copy to the meeting rather than try and share those comments electronically. The one substantive comment I would share is that I don’t recall the committee concluding, as is described at the end of the report, that we would let your office refer recommendations on the transition year(s). I think that is something the committee should look at, so I’d like to revisit that at our meeting. Thanks and see you next week.

Chris Stephens
DATE: September 1, 2015
TO: Charter Review Committee
FROM: Gregory G. Diaz, City Attorney
SUBJECT: Consideration of Items Previously Discussed and Further Discussion and Consideration

RECOMMENDATION

That the Charter Review Committee discuss and take action it deems appropriate on the following items:

A. City Council Compensation
B. City Council Term and Term-Limits
C. Retention of the School District Within the Charter
D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
E. Gender Neutral Language in the Charter
F. Durational Residency Requirement as a Condition of Holding Elective Office
G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council
H. Retaining Residency Requirement for the City Manager in Section 800 of the Charter
I. Appropriate Title for the Position of Deputy Mayor
J. Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor

DISCUSSION:

During the course of the Charter Review Committee's work, a number of tentative decisions were reached which formed the basis of the drafting of the Final Report. It was the express intent of the Committee to provide for further consideration of all tentative decisions pending a review of the Final Report to ensure that the individual issue decisions make sense when considered as an entire package. The Committee made the following tentative decisions:
A. City Council Compensation
   Tentative Decision: City Council $1,000 per month, Mayor $1,200 per month
   Revised Decision: City Council $1,200 per month; Mayor $1,500 per month

B. City Council Term and Term-Limits
   Tentative Decision: No change to 4 year term and no term-limits
   Revised Decision: Retain 4 year terms; Prohibit more than three consecutive terms; after three terms, can become eligible again if a four year period has passed since last served; prohibit serving three terms and moving to another district to become eligible again unless a four year period has passed since last service

C. Retention of the School District Within the Charter
   Tentative Decision: Remove school district from Charter

D. Direct Election of the Mayor, Deputy Mayor, Term and Term-Limits
   Tentative Decision: Retain current City Council selection of Mayor and Deputy Mayor; retain two-year term; and retain current non-consecutive term prohibition

E. Gender Neutral Language in the Charter
   Tentative Decision: Modify sections of the Charter that have gender specific language to gender neutral language

F. Durational Residency Requirement as a Condition of Holding Elective Office
   Tentative Decision: Reduce current durational residency requirement to 30 days consistent with California Supreme Court decisions

G. City Council Geographic Districts or Retaining At-Large Election for Members of the City Council
   Tentative Decision: Have City Council elected by geographic districts

H. Retaining Residency Requirement for the City Manager in Section 800 of the Charter
   Tentative Decision: Eliminate the legal requirement, but encourage residency

I. Appropriate Title for the Position of Deputy Mayor
   Tentative Decision: Change Title to Mayor Pro-Tem
J. Appropriate Process to Fill a Vacancy in the Office of the Mayor or Deputy Mayor and the Application of the Non-Consecutive Terms to Someone Filling a Vacancy in the Office of the Mayor

Tentative Decision: Fill Mayor vacancy by having Mayor Pro-Tern move up; Have City Council select a new Mayor Pro-Tern if a vacancy; If 50% plus 1 day of a Mayor’s two year is filled, it counts as a full term, if less than 50% plus one day, it does not count for the no consecutive terms for the Mayor

Staff has included all previous tentative decisions made by the Committee so that the Committee is free to discuss and change any of the decisions without having to have them put on a future agenda under the State’s open meeting law, the Ralph M. Brown Act.
DATE: September 1, 2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of Committee Calendar and Future Work-Schedule

RECOMMENDATION:

That the Charter Review Committee consider the status of its work and determine if the remaining meeting schedule and discussion items are appropriate for the work plan to complete the tasks. It is requested that the Committee provide direction to staff.

DISCUSSION:

Following the discussion and decisions reached at this meeting, it is appropriate for the Charter Review Committee to determine your progress and the need for further meetings. If determined necessary, the next regular meeting is scheduled for October 14, 2015.