

EXHIBIT "A"

VOTE FOR ONE

Shall the Merced City Charter be amended to: • Impose a limit of two consecutive 4 year terms for Mayor • Establish a city wide citizens' stipend setting commission • Remove an outdated secondary financial reserve fund • Impose budget and reporting requirements on the Finance Officer • Impose by district appointments to the Planning Commission and Recreation and Parks Commission • Establish a citywide citizens' tax accountability committee	YES	(+)
	NO	(+)

EXHIBIT "A"

Proposed Charter Amendments

We, the People of the City of Merced do hereby repeal Section 1112, add Sections 713 and 714, and amend Sections 400, 402, 604, 707, 711, 1051 of the City Charter to read as follows:

Sec. 400. - Number and term.

A. The City Council shall consist of a Mayor elected from the City at large and six City Council Members elected by single-member district election at the times and in the manner provided in this Charter.

B. The Mayor shall serve a term of ~~two (2)~~ four (4) years and until his/her successor is elected and qualified. The Mayor shall be limited to no more than two, ~~two-year~~ four-year terms. For purposes of this subsection, a "term" shall be defined to include serving fifty percent plus one day of a term as Mayor, while service as Mayor for fifty percent or less of a term shall not constitute a term for purposes of term limits.

C. Individual City Council Members shall serve a term of four (4) years and until his/her successor is elected and qualified. Individual City Council Members shall be limited to no more than two, four-year terms. For purposes of this subsection, a "term" shall be defined to include serving fifty-percent plus one day of a term as a City Council Member, while service as a City Council Member for fifty percent or less of a term shall not constitute a term for purposes of term limits.

D. Once the Mayor or an individual City Council Member has served the maximum number of terms in that respective office, he/she shall be ineligible to be elected or appointed to that office again.

E. District boundaries shall be drawn by ordinance.

Sec. 402. – Compensation and Reimbursement.

A. The members of the City Council, including the Mayor, shall receive ~~no compensation~~ a monthly stipend for their services as such, ~~but shall receive reimbursement on order of the city council for~~

EXHIBIT "B"

~~council authorized traveling and other expenses when on official duty~~ and shall receive reimbursement for expenses incurred while performing official duties of their office. ~~In addition, each member shall receive the sum of twenty dollars per month, which amount shall be deemed to be reimbursement of other out-of-pocket expenditures and costs imposed upon him in serving as a city councilman.~~ Absence of a ~~councilman~~ council member, including the Mayor, from all regular and special meetings of the council during any calendar month shall render such ~~councilman~~ council member ineligible to receive such stipend for such calendar month.

B. There shall be established a Citizens' Stipend Setting Commission consisting of seven (7) members to be appointed by the City Council from the qualified electors of the City. Six (6) members will be appointed by district and one (1) member will be appointed at large.

1. The Commission shall hold two (2) public hearings between March 1st and June 30th of every even-numbered year and shall recommend, by majority vote and in writing, to the Council the amount of the monthly stipend which it deems appropriate for the members of the Council for the two (2) year period beginning January 1st of the next year. The amount recommended for each council member shall be the same.
2. The Commission shall hold two (2) public hearings between March 1st and June 30th of a Mayoral election year and shall recommend, by majority vote and in writing, to the Council the amount of the monthly stipend which it deems appropriate for the Mayor for his/her entire term beginning in January of the next year. The stipend recommended for the Mayor shall, at a minimum, be the same as the other council members; however, the Commission may recommend providing the Mayor with reasonable compensation beyond his/her stipend as a member of the City Council.

3. The Council shall, by resolution, adopt the stipends as recommended by the Commission, or in some lesser amount, but in no event may it increase the amount. Stipends of the council members and Mayor may be reduced at any time by two-thirds (2/3) vote of the Council. Stipends shall remain in effect until amended by a subsequent resolution adopted pursuant to the provisions of this section.

Sec. 604. - Finance officer—Powers and duties.

The Finance Officer shall have power and be required to:

- A. Have charge of the administration of the financial affairs of the City under the direction of the City Manager;
- B. Compile the budget expense and revenue estimates for the ~~City Manager~~ City Council, based upon the City Manager's proposed budget; and at the end of the fiscal year, prepare and submit a complete report on the finances of the City to the City Council in consultation with the City Manager;
- C. Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to insure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands or charges against the City government and, with the advice of the City Attorney, when necessary, determine the regularity, legality and correctness of such claims, demands or charges;
- D. Maintain a general accounting system for the City government and each of its offices, departments and agencies;
- E. Keep separate accounts for the items of appropriation contained in the City budget, each of which accounts shall show the amount of the appropriation, the amounts paid therefrom, the unpaid obligations against it and the unencumbered balance; require reports of the receipts and disbursements from each receiving and expending agency of the City government to be made daily or at such intervals as he/she may deem expedient;

F. Submit to the City Council and the City Manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and as of the end of each fiscal year, submit a complete financial statement and report;

G. Collect all taxes, assessments, license fees and other revenues of the City, or for whose collection the City is responsible, and receive all money receivable by the City from the county, state or federal government, or from any court, or from any office, department or agency of the City;

H. Have custody of all public funds belonging to or under the control of the City or any office, department, or agency of the City government, and deposit all funds coming into his/her hands in such depository as may be designated by Resolution of the City Council, or, if no such Resolution be adopted, by the City Manager, and in compliance with all of the provisions of the State Constitution and laws of the State, governing the handling, depositing and securing of public funds;

I. Supervise the keeping of current inventories of all property of the City by all City departments, offices and agencies;

J. Establish a centralized purchasing system for all City offices, departments and agencies; and,

K. Prepare rules and regulations governing the contracting for, purchasing, storing, distribution, or disposal of all supplies, materials and equipment required by any office, department or agency of the City government and recommend them to the City Manager and the City Council for adoption by Ordinance; and prepare administrative policies and procedures implementing this Section and recommend them for review and approval by the City Manager.

Sec. 707. - Planning commission.

There shall be a City Planning Commission consisting of seven members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. Six (6) members will be appointed from each of the six (6) districts and one (1) member will

be appointed at large. Should a district appointment remain vacant for more than ninety (90) days, the City Council has the authority and may elect to appoint an otherwise-qualified at large member to fill the district vacancy. The number of members to comprise the commission may be changed by Ordinance of the City Council to not less than five nor more than nine members.

The services of the City Engineer, City Attorney, Chief Building Official, Director of Development Services and other City staff shall be made available to such commission.

Sec. 711. - Recreation and parks commission.

There shall be a recreation and parks commission consisting of seven members to be appointed by the city council from the qualified electors of the city and no member of said commission shall hold any paid office or employment in the city government. Six (6) members will be appointed from each of the six (6) districts and one (1) member will be appointed at large. Should a district appointment remain vacant for more than ninety (90) days, the City Council has the authority and may elect to appoint an otherwise-qualified at large member to fill the district vacancy. The number of members to comprise the commission may be changed by ordinance of the city council to not less than five nor more than nine members. In the event the city council contracts with other agencies interested in recreation and parks for the joint exercise of any of such functions, such contract may provide for representation on the commission of otherwise qualified representatives of such agencies during the existence of such contract or extensions thereof.

Sec. 713. – Tax Transparency Commission.

There shall be a Tax Transparency Commission consisting of not less than seven (7) nor more than nine (9) members to be appointed by the City Council from the qualified electors of the City. Six (6) members will be appointed from each of the six (6) districts and the remaining member(s) will be appointed at large, and no member of said commission shall hold any paid office or employment in the city government. Should district appointments remain vacant for more than ninety (90) days, the City Council has the authority and may

elect to appoint an otherwise-qualified at large member to fill the vacancy. The Tax Transparency Commission shall meet quarterly.

Sec. 714. – Tax Transparency Commission—Powers and Duties.

The Tax Transparency Commission shall have authority to:

- A. Review the projected revenue and expenditures for the funds generated by each general or special tax measure.
- B. Make budget recommendations to the City Council in accordance with and to maintain compliance with each general or special tax measure.
- C. Review annual audits of each general or special tax measure and report any findings to the City Council.

Section 1051 – Definitions.

For purposes of this Part, the words, terms, and phrases set forth below shall have the meaning as set forth below:

"Candidate" means any person running for the office of Mayor or City Council.

"Contribution" means a cash or in-kind payment, or provision of goods and services which is made to the candidate or the candidate's agent for the purpose of promoting the candidate's campaign. A "contribution" includes a "loan" as defined herein.

"Entity" means a proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, and any other organization or group of persons acting in concert, other than a single person as defined in this Part.

"Election Cycle" means as follows:

1. For purposes of a candidate for the office of Mayor of the City, the term "election cycle" means any ~~two-year~~ **four-year period** commencing on January 1 following a City election for the office of Mayor, and concluding on December 31 following the next succeeding City election for the office of Mayor.
- 2.

2. For purposes of a candidate for the office of City Council, the term "election cycle" means any four-year period commencing on January 1 following a City election for the office of a City Council Member and concluding on December 31 following the next succeeding city election for that office.

"Loan" means the furnishing of cash, goods, or services to another party for temporary use with the agreement that it or its equivalent, with or without interest, will be returned. The term "loan" as used herein shall not include a candidate lending to his/her campaign from the candidate's personal resources—including obtaining a personal loan from a commercial lending institution, so long as the candidate is personally responsible for the repayment thereof.

"Person" means a single natural person.

~~Section 1112.—Cash basis fund.~~

~~The City Council shall maintain a revolving fund to be known as the "Cash Basis Fund," for the purpose of placing the payment of running expenses of the City on a cash basis. An operating reserve shall be built up in this Fund from any available sources in an amount that the City Council deems sufficient with which to meet all lawful demands against the City for the first five months, or other necessary period, of the succeeding fiscal year prior to the receipt of ad valorem tax revenues. Transfers may be made by the City Council from such Fund to any other fund or funds of such sum or sums as may be required for the purpose of placing such funds, as nearly as possible, on a cash basis.~~

~~All moneys so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.~~