



# CITY OF MERCED

Merced Civic Center  
678 W. 18th Street  
Merced, CA 95340

## Minutes Citizens Advisory Charter Review Committee

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Tuesday, July 9, 2019

6:00 PM

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### A. CALL TO ORDER

Committee Chair SMITH called the meeting to order at 6:01 PM.

### B. PLEDGE OF ALLEGIANCE

### C. ROLL CALL

**Clerk's Note:** Committee Member SPENCE arrived at 6:06 PM.

**Present:** 9 - Shane Smith, Tim O'Neill, Robert Haden, Ryan Heller, Sara Hill, Liliana Prado  
Nava, Loretta Spence, Sarah Boyle and Stephanie Butticci

**Absent:** 0

### D. PUBLIC COMMENT

There were no speakers.

### E. CONSENT CALENDAR

**SUBJECT:** Citizens Advisory Charter Review Committee Minutes of  
June 18, 2019

#### REPORT IN BRIEF

Considers the approval and filing of meeting minutes.

#### RECOMMENDATION

**Citizens Advisory Charter Review Committee** - Adopt a motion  
approving the meeting minutes of June 18, 2019.

This Consent Item was approved.

### F. REPORTS

**SUBJECT:** Update to the Charter Review Committee on the Public  
Survey Results for the Proposed Charter Amendment

#### REPORT IN BRIEF

City Staff will provide an update to the Charter Review Committee on the

results of a recent public option survey conducted to test the viability of a proposed Charter Amendment on the March 2020 ballot.

**RECOMMENDATION**

Provide staff direction on next steps for pursuing items to be included in the Charter Amendment.

City Manager Steve CARRIGAN gave the Committee a report on the recently conducted survey to test the viability of a ballot measure to change provisions in the Charter.

The Committee discussed the survey questions, demographics, and whether a second survey would be performed.

**Clerk's Note:** There was no public comment.

**G. BUSINESS**

**SUBJECT:** Review, Discussion, and Recommendation Regarding Potential Modifications, if any, to Charter Section 1112 Regarding the Cash Basis Fund

**REPORT IN BRIEF**

Review Charter Section 1112 Cash Basis Fund

**RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Adopt a motion:

A. Making a recommendation to the City Council to remove Charter Section 1112; or

B. Making no changes to Charter Section 1112.

Finance Officer Venus RODRIGUEZ gave a presentation on Section 1112 of the Charter regarding the Cash Basis Fund. She cited examples of other Charter Cities that have a similar provision with much smaller amounts required in the fund. She stated that the City now uses "pooled cash" to keep the City operating and does not use the fund at this time. She also stated that in an emergency, the City could use funds from the Local Agency Investment Fund.

The Committee briefly discussed the section and agreed that a repeal of the section was warranted.

A motion was made by Member Haden, seconded by Member Heller, to recommend repeal of Section 1112. The motion carried by the following vote:

**Aye:** 9 - Member Smith  
Member O'Neill  
Member Haden  
Member Heller  
Member Hill  
Member Prado Nava  
Member Spence  
Member Boyle  
Member Butticci

**No:** 0

**Absent:** 0

**SUBJECT:** Review, Discussion, and Recommendation Regarding Potential Modifications, if any, to Charter Section 1118 Independent Audit

**REPORT IN BRIEF**

Review Charter Section 1118 Independent Audit

**RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Adopt a motion:

A. Making a recommendation to the City Council to modify Charter Section 1118; or

B. Making no changes to Charter Section 1118.

**Clerk's Note:** This item was moved up in the agenda at the discretion of Chair SMITH.

The Committee briefly discussed the possibility of an audit committee before deciding to table it to the next meeting to allow input from Ex-Officio Committee Member Mayor MURPHY on the item.

**Clerk's Note:** This item was tabled until the July 25, 2019 meeting.

**SUBJECT:** Review, Discussion, and Recommendation Regarding Potential Modifications, if any, to Charter Section 402 Regarding City Council Compensation

**REPORT IN BRIEF**

Consider a potential amendment to Charter section 402 to increase City Council compensation

**RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Adopt a motion:

A. Recommending a change to Charter Section 402 regarding City Council Compensation (specify amount in motion) and directing staff to draft the appropriate language for final City Council Approval; or,

B. Recommending no change to Charter Section 402 or current City Council compensation amounts.

Assistant City Clerk John TRESIDDER gave a brief presentation on how the local municipalities compensate their councils.

The Committee discussed the need to add a stipend and discussed how much time Council Members spend each month at meetings and time spent outside of meetings. The committee also discussed various dollar amounts that would be appropriate for the Council to help improve access for more citizens.

The Committee discussed the use of the current Government Code language in the Charter in regards to compensation and the possibility of having a salary setting committee.

The Committee requested a legal opinion on inserting Government Code language into the Charter section and the overall impact to the budget.

Casey STEED, Merced resident - spoke about the need for a reasonable Council salary with the possibility of raising it in the future.

**Clerk's Note:** This item was tabled until the next regular meeting.

**SUBJECT:** Review, Discussion, and Recommendation Regarding Potential Modifications, if any, to Charter Section 400 which May Include a Change to the Mayoral Term From 2 to 4 Years

**REPORT IN BRIEF**

Considers changing the current Mayoral term from 2 to 4 years.

**RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Adopt a motion:

A. Recommending a change to Charter Section 400 to increase the

Mayoral term from 2 to 4 years and directing staff to draft the appropriate language for final approval by City Council; or,

B Recommending no changes to Charter Section 400 regarding the Mayor's term.

Assistant City Clerk John TRESIDDER explained the different Mayoral term lengths for neighboring municipalities.

The Committee discussed the office of the Mayor as being ceremonial as written in the Charter.

The Committee discussed the differences between a two and four year Mayoral term. They discussed different options which included multiple two year terms, multiple four year terms, a single four year term, and the possibility of a cumulative total of years that could be either as Mayor or Council Member.

Casey STEED, Merced resident - spoke in favor of two four year terms.

**Clerk's Note:** This item was tabled to the next regular meeting.

**SUBJECT:** Citizens Advisory Charter Review Committee Initiated Request to Review Charter Sections

#### **REPORT IN BRIEF**

Allows for review requests to be initiated by individual committee members.

#### **RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Adopt a motion directing staff to add a Charter Section (specify section in motion) for full committee discussion and review at the next regular meeting.

Committee Member BOYLE - no additions.

Committee Member HELLER - requested review of Charter Section 600 regarding Charter Officers. Member HELLER agreed to provide a memo to Committee for clarification.

Committee Member NAVA - no additions.

Committee Member SPENCE - no additions.

Committee Member ONEILL - requested review of Charter Section 1111 regarding local preference for businesses.

Committee Member HAYDEN - requested legal clarification on the local preference policy.

Committee Vice Chair HILL - no additions.

Committee Member BUTTICCI - no additions.

Assistan City Manager DIETZ - requested review of the method of appointment for the Planning Commission and Recreation and Parks Committee to consider districts. She also requested the Committee consider a Tax Transparency Committee to consolidate current tax revenue oversight.

Committee Chair SMITH - suggested a conversation on accountability for Council compensation in Charter Section 402 and 400D regarding the Mayoral term the possible compensation of Board and Commission compensation.

## H. ADJOURNMENT

**Clerk's Note:** The meeting adjourned at 8:23 PM.

**A motion was made by Member Haden, seconded by Member Prado Nava, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 8 - Member Smith  
Member O'Neill  
Member Haden  
Member Hill  
Member Prado Nava  
Member Spence  
Member Boyle  
Member Butticci

**No:** 1 - Member Heller

**Absent:** 0