



# CITY OF MERCED

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

## Minutes Citizens Advisory Charter Review Committee

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Thursday, August 15, 2019

6:00 PM

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### A. CALL TO ORDER

Chair SMITH called the meeting to order at 6:03 PM.

### B. PLEDGE OF ALLEGIANCE

Vice Chair HILL led the Pledge of Allegiance.

### C. ROLL CALL

**Clerk's Note:** Committee Member NAVA arrived at 6:08 PM and  
Committee Member SPENCE arrived at 6:18 PM.

Ex Officio Members in attendance: Mayor Mike MURPHY and Mayor Pro  
Tempore Anthony MARTINEZ.

**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 was no public comment.

### E. CONSENT CALENDAR

**SUBJECT:** Citizens Advisory Charter Review Minutes of July 25, 2019

#### REPORT IN BRIEF

Approval of previously held meeting minutes for filing.

#### RECOMMENDATION

**Citizens Advisory Charter Review Committee** - adopt a motion  
approving and filing the meeting minutes of July 25, 2019

A motion was made by Member Haden, seconded by Member O'Neill, that this  
agenda item be approved. The motion carried by the following vote:

**Aye:** 7 - Member Smith  
Member O'Neill  
Member Haden  
Member Heller  
Member Hill  
Member Boyle  
Member Buttici

**No:** 0

**Absent:** 2 - Member Prado Nava  
Member Spence

## F. BUSINESS

**SUBJECT:** Review of Draft Language Regarding Charter Section 402-Compensation of the Mayor and City Council for Citizens Advisory Charter Review Committee Discussion, Consideration and Potential Modification

### REPORT IN BRIEF

Considers proposed revisions to City Charter Section 402 regarding compensation for the Mayor and City Council Members.

### RECOMMENDATION

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

- A. Approving the language as submitted; or,
- B. Providing staff with direction on any suggested changes to the proposed language for Section 402; or,
- C. Take no action; or,
- D. Continue the matter to the next regular meeting.

The Committee discussed City Council compensation and were generally in favor of using a Compensation Committee to set the dollar amount and review it at set intervals. They agreed the Compensation Committee should be selected by district. The Committee addressed various typos and substituting the word stipend for salary.

**A motion was made by Member Haden, seconded by Member Hill, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Member Smith  
Member Haden  
Member Heller  
Member Hill  
Member Prado Nava  
Member Boyle  
Member Butticci

**No:** 1 - Member O'Neill

**Absent:** 1 - Member Spence

**SUBJECT:** Review of Draft Language Regarding Charter Section 400-Number and term of the Mayor and City Council for Citizens Advisory Charter Review Committee Discussion, Consideration and Potential Modification

**REPORT IN BRIEF**

Considers proposed revisions to City Charter Section 400 regarding number and term for the City Council and Mayor.

**RECOMMENDATION**

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

- A. Approving the language as submitted; or,
- B. Providing staff with direction on any suggested changes to proposed language for Section 400; or,
- C. Take no action; or,
- D. Continue the matter to the next regular meeting.

The Committee briefly discussed changing the Mayoral term to 4 years and were in general agreement.

**Clerk's Note:** Subsequent to the vote, the Committee discussed the idea of a provision that would allow more than 2 terms provided there were a certain number of years between terms. The Committee declined to make any changes.

**A motion was made by Member O'Neill, seconded by Member Prado Nava, to recommend a change to the Mayoral term from 2 to 4 years . The motion carried by the following vote:**

**Aye:** 7 - Member Smith  
Member O'Neill  
Member Heller  
Member Hill  
Member Prado Nava  
Member Boyle  
Member Butticci

**No:** 1 - Member Haden

**Absent:** 1 - Member Spence

**SUBJECT: Review of Draft Language Regarding New Charter Section  
- Tax Transparency Commission for Citizens Advisory Charter Review  
Committee Discussion, Consideration and Potential Modification**

**REPORT IN BRIEF**

Allows for Committee review and discussion of draft language for new Charter Section "Tax Transparency Commission" as requested by the Charter Review Committee

**RECOMMENDATION**

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

- A. Approving language as recommended by Staff;
- B. Providing staff direction on any suggested changes to proposed language for new Charter Section "Tax Transparency Commission"; or,
- C. Take no action; or,
- D. Continue to a future meeting.

The Committee discussed the need for adding a new Tax Transparency Commission to review current and future tax measure funding. They suggested edits to the language regarding quarterly meetings and language to clarify filling vacant district seats with qualified electors at-large.

**A motion was made by Member Haden, seconded by Member O'Neill, that this agenda item be approved as amended. 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 of Draft Language Regarding Charter Sections 707 and Section 711 to Modify Planning Commission and Recreation and Parks Commission Appointments by District for Citizens Advisory Charter Review Committee Discussion, Consideration and Potential Modification**

**REPORT IN BRIEF**

Allows for Committee review and discussion of draft language for Charter Section 707 and 711 as requested by the Charter Review Committee

**RECOMMENDATION**

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

- A. Approving language as recommended by Staff;
- B. Providing staff direction on any suggested changes to proposed language for Charter Section 707 and 711; or,
- C. Take no action; or,
- D. Continue to a future meeting.

The Committee generally agreed that both the Planning Commission and Recreation and Parks Commission should be appointed by district. They added clarifying language giving Council flexibility in regards to appointing at-large members when district seats could not be filled in a timely manner.

**A motion was made by Member Boyle, seconded by Member Hill, that this agenda item be approved as amended. 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:** Continued Review, Discussion, and Recommendation on  
Charter Sections 501, 604 and 605 Regarding Officers and Employees  
Including, but not Limited to, Eliminating Certain Financial  
Responsibilities from the Powers and Duties of the City Manager and  
Vesting them in the Finance Officer and Limiting the Contract of  
Outside Firms as Charter Officers to a One-Year Term

**REPORT IN BRIEF**

Allows for Committee discussion on Charter Sections 501, 604, and 605 as requested by Committee Member Heller.

**RECOMMENDATION**

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

A. Providing staff direction on any suggested changes to Charter Sections 501, 604 and 605; or,

B. Take no action; or,

C. Continue to a future meeting.

The Committee discussed Member HELLER's suggested changes to Charter Sections 501, 604 and 605. They discussed the balance of power and the current structure of the City Manager and Finance Officer in how they report to Council.

A motion was made by Member HADEN to make no changes to Section 501, 604, and 605. The motion failed for lack of a second.

Kenra BRAGGONIER, Merced - spoke on the previous Charter Review Committee experience and discussed the original Charter Officers.

After further discussion, the Committee agreed that no changes were

needed in Section 501.

The Committee requested staff draft language for Section 604 and return to the next meeting.

After a continued discussion on contracting Charter Officers, Chair SMITH entertained a motion on the Section 605.

**A motion was made by Member O'Neill, seconded by Member Buttici, to make no changes to Charter Section 605. The motion carried by the following vote:**

**Aye:** 6 - Member O'Neill  
Member Haden  
Member Hill  
Member Prado Nava  
Member Boyle  
Member Buttici

**No:** 3 - Member Smith  
Member Heller  
Member Spence

**Absent:** 0

**SUBJECT:** Final 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.

There were no requests.

**SUBJECT:** Initial Discussion on the Form, Content and Other Matters Related to the Citizens Advisory Charter Review Committee Final Report to be Presented at the September 3, 2019 City Council Meeting

**REPORT IN BRIEF**

Allows for initial discussion on the form and content and other related matters for the final report that will be presented to the Merced City Council

**RECOMMENDATION**

**Citizens Advisory Charter Review Committee** - Provide staff direction as needed regarding the draft final report.

The Committee discussed the format of the final report to be given to Council. They directed staff to bring a draft document to the next regular meeting for review and discussion.

## G. ADJOURNMENT

**Clerk's Note:** The meeting adjourned at 7:20 PM.

**A motion was made by Member Heller, seconded by Member Haden, to adjourn the meeting. 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