



## CITY COUNCIL

For City Clerk's Use:

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Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 12**

**Date: April 9, 2014**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Jennifer K. McCain, Assistant City Attorney

**SUBJECT:** Public Hearing on Proposed City Charter

This staff report provides an updated draft charter city proposal for additional public review and discussion.

### RECOMMENDATION

Council is requested to hold a public hearing on the proposed city charter for the City of Escondido (attached) and listen to public comments and suggestions and provide direction on any changes to the proposed city charter.

### FISCAL ANALYSIS

If a proposed charter is placed on the November 2014 ballot, the City Clerk estimates a cost of \$20,000 in addition to approximately \$4,000 for informational mailers distributed with the City water bills.

### PREVIOUS ACTION

The City Council adopted a Work Program on November 6, 2013, which includes the goal of resubmitting a charter city proposal to the electorate. The strategy listed in the Work Program for this goal is to hold public hearings on a revised charter city proposal for possible inclusion in the 2014 election ballot. On January 15, 2014, the City Council directed staff to proceed with a workshop and to schedule two public hearings regarding a charter city proposal. Additionally, on March 19, 2014, the City Council held a workshop to receive input from the public. The staff report for the March 19, 2014 meeting, included a draft charter for comment and discussion. Both the draft charter and the workshop presentation are at <https://www.escondido.org/charter-city-proposal.aspx>

### Draft City Charter Proposal

The draft charter was placed on the City's website on March 16, 2014, and is at <https://www.escondido.org/charter-city-proposal.aspx>. This public hearing has been properly noticed and the second public hearing is scheduled for May 21, 2014 at 6:00 p.m. The draft charter presented to the Council on March 19, 2014, is attached for public comment and City Council consideration.

May 21, 2014 at 6:00 p.m. The draft charter presented to the Council on March 19, 2014, is attached for public comment and City Council consideration.

Consistent with other local charters, the draft charter which has been presented and discussed thus far includes: doctrine of municipal affairs (Article 1); council-manager form of government (Article 2); elected officers (Article 3); fiscal matters (Article 4); revenue retention/state mandates limited (Article 5); councilmember compensation governed by state law limits (Article 6); interpretation (Article 7); and amendments to charter by electors (Article 8). The draft proposal mirrors the 2012 proposed charter with three exceptions. Reference to district elections has been omitted due to the recent adoption of districts pursuant to the consent decree. Reference to prevailing wages has also been omitted due to the continuing uncertainty of the law. The timeframe to fill City Council vacancies by appointment was changed from 30 days to 60 days.

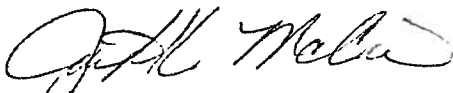
#### March 19, 2014 Charter Proposal Workshop

Four members of the public spoke at the March 19, 2014 workshop. Some members of the public questioned the need to become a charter city and suggested the use of a charter commission. Public and councilmember comments also included input on a number of topics, which included: more opportunities for public input; meaningful control on Mayor and Council salaries and benefits; term limits; limitations on the City's ability to change the current council/manager form of government to a strong mayor form of government; and Council vacancies of more than 480 days to be filled by special election only, not by Council appointment. Consistent with the workshop format, however, no motions or other action occurred to result in changes to the current draft.

#### CONCLUSION

Council is requested to hold a public hearing on the proposed city charter for the City of Escondido (attached) and listen to public comments and suggestions and either provide direction of any changes to the proposed city charter or leave the draft in its present form for the next public hearing, which is scheduled for May 21, 2014.

Respectfully submitted,



JENNIFER K. MCCAIN  
Assistant City Attorney

Attachment: Draft Charter City Proposal