

We, the people of the City of Costa Mesa, State of California believe fiscal responsibility, transparency, and the prudent stewardship of public funds is essential for confidence in government, that ethics and integrity are the foundation of public trust and that just governance is built upon these values. Through enactment of this Charter as the fundamental law of the City under the Constitution of the State of California, we do hereby exercise the privilege of retaining for the citizens, the benefits of local government, by enacting the laws, rules, regulations and procedures set forth herein pertaining to the governance and operation of the City.

It is incumbent upon those who govern and make decisions for and on behalf of the City to legally, as well as morally, abide by the provisions of this Charter, in its strictest sense, in order to ensure the continued success and well-being of our fair City.

The City recognizes that without fiscal responsibility and prudent stewardship of public funds, including the maintenance of substantial reserves, it cannot serve and protect the interests of its Citizens. As such the City will hold these principles as its primary function and obligation.

CHARTER
OF THE
CITY OF COSTA MESA

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**ARTICLE I.
INCORPORATION AND POWERS**

Section 100. Name of City.

The City of Costa Mesa shall be known as the City of Costa Mesa.

Section 102. Boundaries.

The City of Costa Mesa's boundaries shall include the area within its existing boundaries and any portion hereinafter annexed.

Section 104. Powers.

The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter or in the Constitution of the State of California.

**ARTICLE II.
FORM OF GOVERNMENT**

Section 200. Form of Government and Powers.

The municipal government established by this Charter shall be known as the Council-Manager form of government. The City Council will establish the policy of the City, and the Chief Executive Officer will carry out that policy.

**ARTICLE III.
ELECTIVE OFFICES**

Section 300. Terms.

The elective officers of the City shall consist of a City Council of five (5) Members elected at large. The term of office shall be four (4) years. The Council Members terms shall be staggered in the manner existing exiting at the time of the adoption of this Charter.

Section 302. Presiding Officer.

On the date of any meeting of the City Council at which time the Council receives the certification of the results of any general or special municipal election at which any member of Council is elected, the City Council, after swearing in and qualifying any and newly elected member, shall elect one of its members as presiding officer, who shall have the title of Mayor. The City Council, at the same time as of electing the Mayor, shall elect one of its members as Mayor Pro Tempore. The term of service for both the Mayor and Mayor Pro Tempore shall be for 2 years. Both the Mayor and Mayor Pro Tempore shall serve in such capacity at the pleasure of the City Council.

Section 304. Council Member Salary.

Each Council Member shall receive a monthly stipend of \$2,100.00 ~~per month~~ **for** each month or portion thereof that he or she serves in office. Optional benefits shall be deducted from this amount.

Section 306. Incompatible offices.

The members of the City Council shall not be eligible to hold any other office or employment with the city during the period of their terms of service. The members of the City Council shall not be eligible to hold any employment with the City for a period of two years following the **last date of service as an elected official** ~~end of their elected position~~ on the City Council.

**ARTICLE IV.
FINANCE**

Section 400. Budget Reserves.

The City shall maintain cash reserves for the purpose of funding significant or unexpected events or opportunities. Such events could include a major economic downturn, natural disaster or purchase of real property of importance to the community, as determined by a supermajority of the City Council. The City Council shall review the appropriate amount of cash reserves for such purposes at least every five (5) years.

**ARTICLE V.
PERSONNEL**

Section 500. Retirement Benefits.

On or after the effective date of this Charter, except for any increase previously authorized in a valid and binding memorandum of understanding or contract, no employee or officer of the City shall receive an increase in employee retirement benefits, other post-employment benefits, employer contributions for post-retirement benefits, including post-retirement health benefits, to be paid for by the City or for which the City is liable ~~for~~ without approval by a majority of the voters at a general election.

Section 502. Civic Openness In Negotiations.

Civic openness during labor negotiations being essential to good government, Title 2, Chapter VI, Articles 1 and 2 of the Costa Mesa Municipal Code governing labor negotiations and any amendments, modifications, or deletions are hereby adopted by reference. The City Council shall comply with Title 2, Chapter VI, Articles 1 and 2 of the Costa Mesa Municipal Code when engaging in the meet and confer process pursuant to the Meyers-Milias-Brown Act. In the event that Title 2, Chapter VI, Articles 1 and 2 of the Costa Mesa Municipal Code shall hereafter be repealed, the terms of those provisions as they exist at the adoption of this Charter, except as **same** ~~some~~ may be modified by

court order, shall continue to be followed by the City Council when engaging in the meet and confer process pursuant to the Meyers-Milias-Brown Act.

ARTICLE VI. PUBLIC CONTRACTING

Section 600. Public Contracting.

The Public Services Department is authorized to utilize the informal bidding procedures and cost thresholds set forth in the Uniform Construction Cost Accounting Act, as the procedures and cost thresholds may be modified every five (5) years by the Uniform Construction Cost Accounting Commission. Notwithstanding the foregoing, the City shall not be obligated to comply with any provision of the Uniform Construction Cost Accounting Act, including but not limited to future changes which relate to matters other than solicitation of bids and thresholds for informal bidding.

Section 602. Prevailing Wages.

The City shall not require the payment of prevailing wages in public works contracts paid for solely with the City's local funds and which are not a matter of statewide concern, unless payment of prevailing wages is compelled by the terms of the funding source.

ARTICLE VII. MISCELLANEOUS

Section 700. Charter Review.

Every ten (10) years, the City Council shall form a Charter Review Committee to review the existing City Charter and determine whether any amendments, modifications or repeal of its provisions are necessary. The City Council may, at its discretion, appoint a Charter Review Committee at any time. A Charter Review process can also be initiated by a petition signed by 2500 registered voters of the City.

Section 702. Outsourcing.

The City may enter into a contract for any services unless limited by the Constitution of the State of California or other applicable law. The City shall periodically review its existing operations and services to consider whether said operations and/or services may be performed as or more efficiently and effectively by a third party. Any contract entered into, pursuant to this provision, shall be ratified in accordance with the procedure set by the City Council.