



# **CITY COUNCIL SPECIAL MEETING AGENDA REPORT**

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**MEETING DATE: APRIL 22, 2014**

**ITEM NUMBER: 1**

**SUBJECT: FIRST PUBLIC HEARING ON PROPOSED CHARTER**

**DATE: APRIL 16, 2014**

**FROM: CITY ATTORNEY'S OFFICE**

**PRESENTATION BY: KIMBERLY HALL BARLOW**

**FOR FURTHER INFORMATION CONTACT: Brenda Green, City Clerk @ 714-754-5221**

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## **RECOMMENDATION:**

Staff recommends that the City Council:

1. Hold the first public hearing on the proposed charter to receive the public's input; and
2. Provide direction on public outreach.

## **BACKGROUND:**

At the March 18, 2014 meeting, Special Counsel presented a draft of the charter that was prepared by the Charter Committee. Going forward, the City Council is required to hold at least two (2) public hearings in order to receive the public's input regarding the proposed charter. This meeting is the first of those public hearings.

## **ANALYSIS:**

As mentioned in the March 18, 2014 staff report attached for your reference, the Facilitators, Special Counsel and staff worked with the thirteen (13) member Charter Committee to consider a charter governing municipal affairs. From those discussions and sharing of information, the draft charter attached hereto was created.

Now that the Charter Committee has completed that process, in order to consider placing a proposed charter on the ballot, the City Council must hold two (2) public hearings (at least thirty days apart) to receive the public's input regarding the proposed charter. This meeting is the first of those two (2) public hearings. Upon receiving the public and the City Council's input, staff will make the appropriate changes, if any, and/or obtain any additional information sought.

At least thirty (30) days following the first public hearing, the City Council must hold a second public hearing to receive additional input from the public, review any changes that were proposed and/or made, and discuss any other outstanding issues.

Following the two public hearings, the draft charter will be brought back to the City Council for its decision whether or not to place the measure on ballot. The City Council meeting to decide whether to place the draft charter on the ballot must be timed so that it takes place at least twenty-one (21) days after the second public hearing.

In anticipation of this first public hearing, the City Clerk's office published and posted notice of the meeting in three (3) different places in accordance with California Government Code Sections 6066 and 34458. In addition to the statutory noticing requirements, staff seeks the City Council's direction on any additional public outreach, i.e. mailers, to ensure transparency and full participation in the process.

**ALTERNATIVES CONSIDERED:**

The City Council can choose not to proceed with a proposed charter.

**FISCAL REVIEW:**

Whether or not a proposed charter is placed on the November ballot, in the normal course of business, the City would consolidate its scheduled city elections with the statewide election in November. If the proposed charter is placed on the November 2014 ballot, the estimated additional cost is \$12,880. The total estimated cost of a consolidated election including the charter is \$78,500 - \$97,500.

**LEGAL REVIEW:**

The City Attorney's office has reviewed this report and attachments.

**CONCLUSION:**

In conclusion, the purpose of the meeting is to hold the first public hearing on the proposed charter, review and discuss its provisions and propose any changes to be brought back to the second public hearing. Staff also seeks direction from the City Council regarding public outreach on the proposed charter.

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THOMAS P. DUARTE

CITY ATTORNEY

Attachments: [1\) March 18, 2014 Staff Report](#)  
[2\) Draft charter](#)