
MEASURE J

PROPOSAL TO AMEND ROSEVILLE CITY CHARTER

Shall the City Charter be amended to: (1) bring Sections 1.05 and 7.19 into compliance with State law; (2) bring Sections 2.14 and 8.07 into compliance with the Roseville Municipal Code; (3) bring Sections 4.01 and 4.06 into compliance with the City's existing practices; (4) repeal Section 7.23; and (5) bring Sections 2.02 and 3.01 into compliance with Chapter 2.06 of the Roseville Municipal Code regarding district-based municipal elections?

YES _____

NO _____

IMPARTIAL ANALYSIS BY THE ROSEVILLE CITY ATTORNEY

The City Council has placed before the voters the question whether to amend the following Sections of the City Charter, which are essentially clean-up edits to conform the City Charter with State law and current practices: 1.05 (Charter review and amendments), 7.19 (Independent audit), 2.14 (Boards and commissions), 8.07 (Classified and unclassified services), 4.01 (Regular meetings), 4.06 (Council rules), 7.23 (Determination as to which public works to be performed by City forces or contracts), 2.02 (Elective officers), and 3.01 (Eligibility for office).

The proposal to Section 1.05, which establishes the Charter Review Commission, is to change the word "Commission" to "Committee." The changes to Section 7.19 are being proposed in response to changes in State law regarding audit reports prepared for local agencies. These Charter Amendments are required to bring these sections into compliance with State law.

Section 2.14 authorizes the Council to create boards and commissions and specifically refers to the planning commission and the personnel board. The proposal is to delete references to the planning commission and the personnel board and to add in the word "committee" so that it clarifies Council would have the authority to establish any board, commission and committee consistent with existing ordinances. The proposal to Section 8.07 would add in assistant department heads into the unclassified service category. This change would bring this section into compliance with an existing ordinance.

Section 4.01 is proposed to change the Council's regular meetings from the first Wednesday of each month to the first and third Wednesdays of each month, consistent with the City's existing practices. The proposal to Section 4.06 is to eliminate the requirement that a synopsis of Council's actions be posted on a bulletin board within seven days after any meeting. This Charter Amendment would also eliminate the requirement for the Mayor and the City Clerk to sign hard copies of the minutes. These changes would bring the Charter into compliance with the City's existing electronic practices.

Section 7.23 provides that the Council shall determine which public works projects shall be contracted for and which are to be performed by City employees. The proposal is to repeal this section and if approved, place language addressing this subject matter in the municipal code.

Finally, in December of 2019, the City Council adopted Chapter 2.06 of the Roseville Municipal Code establishing by-district elections. Changes to Sections 2.02, establishing at-large elections, and 3.01, regarding eligibility for office, are needed in order to bring the Charter into compliance with the municipal code.

A "Yes" vote is a vote in favor of this Charter Amendment. A "No" vote is a vote against this Charter Amendment. This Measure will be approved if it receives a simple majority of "Yes" votes.

Robert R. Schmitt
Roseville City Attorney

The above statement is an impartial analysis of Measure J. If you desire a copy of the measure, please call the Elections Official at 916-774-5263 and a copy will be mailed at no cost to you.

ARGUMENT IN FAVOR OF MEASURE J

The City Charter is the City's constitution and it is vitally important that it be periodically updated to be consistent with various laws, local codes and existing City practices. This clean-up measure is not considered to be substantive and has no fiscal impact.

The Charter Review Commission recommends a Yes vote on Measure J.

Susan Rohan, Charter Review Commission Chair

NO ARGUMENT AGAINST MEASURE J WAS SUBMITTED

PROPOSED CHARTER TEXT REVISION

Sec. 1.05. Charter review and amendments.

At least every ten (10) years, the City council shall appoint a citizen ~~commission~~ committee of not less than nine (9) members whose charge shall be to review the charter and present, or cause to be presented, to the City council a written report recommending those amendments, if any, which should be made to the charter. Appointees shall be subject to confirmation by a majority of the City council.

Sec. 2.02. Elective officers.

The electors of the City shall elect a council of five (5) members each of whom shall be elected, at large, by district by the voters in that district for a four (4) year term of office. Commencing with the General Municipal Election in November of 2020 and every four (4) years thereafter, the voters in the odd-numbered electoral districts shall elect a councilmember. Commencing with the General Municipal Election in November of 2022 and every four (4) years thereafter, the voters in the even-numbered electoral districts shall elect a councilmember. The council shall constitute the legislative and governing body of the City and shall have authority, except as otherwise provided in this charter, to exercise all powers of the City, and to adopt such ordinances and resolutions as may be proper in the exercise thereof. ~~Two (2) and three (3) councilmembers shall be elected alternately at the General Municipal Election each even-numbered year. No councilmember shall serve more than two (2) consecutive four (4) year terms, commencing as of a date subsequent to April 9, 1974. A partial term of less than two (2) years served due to appointment or election to a vacant council seat does not count as a term for purposes of this section. However, a combination of an appointment to a vacant council seat followed by a subsequent election to fill the remainder of the unexpired term of that same vacant seat shall count as a term for purposes of this section.~~

Sec. 2.14. Boards, ~~and commissions, and committees.~~

The council shall may by ordinance create ~~a planning commission and a personnel board, and may create or may abolish such other~~ boards, ~~and commissions, and committees~~ with respect to specific municipal functions as it may deem necessary. The council shall in each

case prescribe the number, manner of appointment, length of term, and duties of members of such boards, ~~and commissions, and committees~~ who shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their official duties. In all cases, except that of the personnel board required by Section 8.01 and the board of appeals, the council shall provide for an appeal by any interested or aggrieved person from the decision of any boards, ~~or commission, or committee~~ to the council. The council's decision shall be final. All members of such boards, ~~and commissions, or committees~~ shall be residents of the City at the time of their appointment and continuously during their term of office. Boards, ~~and commissions, and committees~~ existing at the time this charter is approved by the legislature shall continue to serve until action is taken by the council as provided for in this charter.

Sec. 3.01. Eligibility for office.

Only United States citizens may be elected or appointed officers of the City. Furthermore, in order to be eligible for City office, any councilmember elected or appointed to represent an electoral district must reside in that district and be a registered voter in that district, and any candidate for city council must reside in, and be a registered voter in, the district in which the candidate seeks election at the time nomination papers are issued. Only registered qualified electors who have been residents of the City or any territory legally annexed thereto at the time nomination papers are issued to the candidate pursuant to the general election law, shall be eligible to an election City office.

Sec. 4.01. Regular meetings.

The council shall hold regular meetings on the first and third Wednesday of each month; provided that, if a regular meeting date falls on a legal holiday, the meeting shall be held the following day at the same hour, same day the following week or may be canceled. It shall An agenda will provide ~~by resolution~~ for the time and place of ~~its~~ the meetings.

Sec. 4.06. Council rules.

The council shall determine its own rules and order of business subject to the following provisions. There shall

be a journal of proceeding or minutes of all council meetings approved by the council ~~and signed by the mayor and City clerk~~ and to which the public shall have access at all reasonable times. Within seven (7) days after any regular or special council meeting, ~~a synopsis of the actions taken by the council at the meeting shall be posted available on a bulletin board in the City hall, or the City's website,~~ and within thirty (30) days after any regular or special council meeting, action minutes of the meeting shall be prepared by the council for its approval.

A vote upon all ordinances and resolutions shall be taken individually by an affirmative or negative vote and entered upon the journal, except that where the vote is unanimous it shall be necessary only to so state.

Sec. 7.19. Independent audit.

The Council shall provide for ~~a running an annual~~ an annual audit of all ~~the City accounts and books of the City~~ by a firm of independent certified public accountants who are in no other way connected with the City government. ~~Such The accountant or accountants firm shall be retained subject to the restrictions and limitations prescribed by state law, employed at the beginning of the fiscal year for a minimum of two (2) years and a maximum of four (4) years. A comprehensive audit shall be made covering each fiscal year. The accountant or accountants so employed shall to assure that the City's financial transactions, accounts and records are maintained in accordance with the requirements of the City charter, state and federal laws and generally accepted accounting principles. ,examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and of such other officers, employees, departments and agencies of the City government as the council may require. A comprehensive audit shall be made covering each fiscal year; Such audit report shall be submitted to the council and shall be open to public inspection.~~

Sec. 7.23. Determination as to which public works to be performed by City forces or contracts.

~~The council shall determine which public works or improvement projects are to be performed by City forces and which are to be let by contract in the manner prescribe in this article.~~

Sec. 8.07. Classified and unclassified services.

The employments in the City service are hereby divided into the classified and unclassified service. The unclassified service shall consist of (a) officers elected by the people and persons appointed to fill vacancies in elective offices; (b) the members of boards and commissions as provided by this charter; (c) the City manager, assistant City manager, City attorney, deputy, associate or assistant attorneys, ~~and~~ the heads of one or more departments, and all persons holding an assistant department head position who were hired or promoted to that position after March 5, 2014, as provided for in this charter; (d) persons employed in a professional or scientific capacity to conduct or complete a special inquiry, investigation, examination or project, not to

exceed thirty-six (36) months full-time employment or equivalent without a break of at least three (3) months; (e) persons employed for a temporary, seasonal or special purpose for a period not to exceed fifteen hundred (1,500) hours employment or the equivalent thereof in any twelve (12) month period; (f) reserve firefighters and reserve police officers; and (g) disaster service workers whether recruited or conscripted. The classified service shall comprise all positions not specifically included in the unclassified service.