



Staff Report

File Number:2020-7762

City Council

Agenda Date: 5/5/2020

File Type: Regular Agenda Item

Agenda Number: 6-D

Recommendation to Provide Direction on Potential Measures Amending the City Charter. (City Council Charter Subcommittee) [Not heard on March 17, 2020 or April 21, 2020]

To: Honorable Mayor and Members of the City Council

EXECUTIVE SUMMARY

The Charter Review Subcommittee is presenting its initial findings on potential measures amending the City Charter and requesting consideration from the City Council for potential measures to be placed on the November ballot.

BACKGROUND

Summary of the timeline and key events in the Charter Review Subcommittee activities

- December 2018, after the election, Mayor Marilyn Ezzy Ashcraft appointed a subcommittee to look at the City Charter and recommend potential items for the City Council to consider putting on the Ballot.
- In April 2019, the subcommittee returned to the City Council with [a list of proposed issues](https://alameda.legistar.com/LegislationDetail.aspx?ID=3880482&GUID=30CDB30B-83B9-4272-A6B1-) <https://alameda.legistar.com/LegislationDetail.aspx?ID=3880482&GUID=30CDB30B-83B9-4272-A6B1-> to return in time for consideration to place items on the November 2020 ballot. At this meeting, additional items were added.
- In late June 2019, the City Council subcommittee, in collaboration with the League of Women Voters, held two public workshops on the charter issues (not including Measure A and Charter Interference). Input from participants was collected via worksheets after hearing presentations from League members on each of the issues.
- In September 2019, an [on-line version of the worksheet](https://www.alamedaca.gov/RESIDENTS/City-Charter-Workshops) <https://www.alamedaca.gov/RESIDENTS/City-Charter-Workshops> was made available as well as videos of the presentations.
- The subcommittee is bringing issues related to governance, elections, etc. forward now. Recommendations related to Measure A and Charter Interference will be brought forward later.

DISCUSSION

Councilmembers Daysog and Knox White have attended multiple workshops, community meetings

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and one-on-one meetings in collecting input on proposed items for Council consideration on the ballot. Ultimately, the subcommittee is recommending the Council move forward with direction to City of Alameda (City) staff to draft two separate ballot initiatives and one community task force to further discussions. The subcommittee split on a second recommendation for a community task force, and the item is being presented below for full City Council consideration:

Measure 1

- Replace the current council language related to city council compensation.
 - Allow future City Council's the flexibility to determine
 - After January 1, 2023. The maximum salary for City Council at 30% of the median individual salary in the Bay Area (currently ~\$72,000)
 - Clarify that health benefits are for City Council only (remove family coverage)

Measure 2

- Clean up language in the Charter
 - Add language to allow City Prosecutor to prosecute crimes without prior District Attorney request and acceptance.
 - Clarify absence and remote meeting participation rules as they relate to parenting and family-care.
 - Allow staff to identify further clean up language to present to the council by the end of May for consideration

Consider after the COVID emergency pandemic:

Community Task Force on Campaign Finance and Ethics Reform

Mayor to appoint two Councilmembers to form a subcommittee to develop a process to develop proposals for an ad-hoc subcommittee to develop a proposal for a campaign finance/ethics reform ordinance to be considered for adoption by early 2021.

- Recommendation is for the subcommittee to return to the City Council in June with a proposed task force structure (led by the City Council subcommittee) and workplan for full City Council approval and that will identify how the task force will complete their work by early December 2020 or earlier.

Community Task Force on District Elections (recommended by Councilmember Daysog)

Councilmember Daysog has requested that the City Council consider appointing a subcommittee to increase community outreach on the issue of reorganizing the city around some form of district elections. Similar to the Community Task Force on Campaign Finance and Ethics Reform, if the City Council concurs, a subcommittee would be appointed and return to the City Council with a proposed structure and workplan, including a timeline, for City Council approval.

Feedback Received

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Through the workshops and online input, feedback was received from 47 people. While not nearly statistically significant, these voices represented many of the different active voices from across the political spectrum in Alameda. With this in mind and the need for many issues to engage the community in a deep discussion of the issues to support their making an informed decision, the subcommittee determined to move forward only with items that has support from a significant number of participants. A summary and detailed reporting of the feedback are attached.

The subcommittee recommended a task force for Campaign Finance and Ethics, despite the high support, as it is a complicated issue with many unintended consequences that need to be weighed. Rather than have two members of the City Council recommend a particular solution, the subcommittee determined that a broader process that includes organizations like the League of Women Voters, labor and community organizations from the many communities of Alameda would be more likely to identify a successful path forward.

FINANCIAL IMPACT

If the City Council recommends moving forward with the subcommittee's recommendations, staff will return with a financial analysis that provides the short and long-term impact of the proposed measures.

CLIMATE IMPACT

None of the proposed issues would directly impact the City's climate work, except that removing a month car stipend will move the City's elected officials into a greater leadership by example of holding elected officials to the same expectations that the City asks of businesses that are moving to or growing in Alameda.

RECOMMENDATION

Provide direction on potential measures amending the City Charter.

Respectfully submitted by,
Charter Review Subcommittee

Exhibit:

1. Feedback

cc: Eric Levitt, City Manager

Summary of Governance and Elected Issues Considered:

Recommend for NOT moving forward

- District Elections
 - 82% unfavorable response
 - Pro: better, more in-touch representation, lower the bar for participation
 - Con: Too small a city, divisive, pitting neighborhoods against each other
- Ranked-Choice Voting
 - 71% unfavorable response
 - Pro: increased representation, more effective
 - Con: too complicated,
- Campaign Ethic Rules
 - 66% in favor
 - Key: 25% say “not in charter” more than “not interested”
 - Pro: increase transparency, set financial limits, public finance
 - Con: Not in charter, Who sets rules
- Revise Elected Term Limits
 - 65% in favor
 - Pro: Establish for all elected, require a break from office
 - Con: current system works/no limits at all
- Eliminate Direct Election of Mayor
 - 75% Not in favor
 - Pro: broaden the base,
 - Con: Stronger mayor, better accountability
- Remove Elected Auditor and Elected Treasurer
 - 53% Not in favor
 - Pro: accountability,
 - Con: No longer relevant, waste of money
 - Add term limits to Auditor/Treasurer
 - This was mentioned multiple times under this item

Recommend for Moving Forward:

- Increase Council Pay
 - 85% in favor
 - Pro: attract more people to run
 - Con: more money won't impact pool of candidates
- Remove Pay from Charter
 - 71% in favor
 - Pro: Keep guidelines in charter
 - Con: residents should set the pay by vote
- Align Term limits for all elected

Not Surveyed but recommended for moving forward:

- Provide City Attorney's office with explicit prosecutorial authority
 - Council directed to look at after outreach
- Clean-up
 - 2-11 - add direct employees of electeds (regional)
 - Gender-neutral Charter
 - Bring remote meeting rules into 21st century to accommodate parents