



To: Volunteer Citizen-Based Charter Committee

From: Cathy Standiford, Partner

Subject: Public Forum – Summary Results

Date: November 10, 2015

The Charter Committee is developing recommendations for a new or substantially modified Charter to be brought to the Mayor and Common Council for consideration. Three public forums were held to share information about the charter review effort and gather public input on the Committee's preliminary recommendations. The purpose of this memorandum is to transmit the common themes and ideas expressed during the public forums.

Forum Attendance and Format

The public forums were held on November 4 (Golden Valley Middle School), November 5 (Arroyo Valley High School) and November 9 (Indian Spring High School). Each forum began at 6:30 p.m. and ended by 8:00 p.m. The forums attracted a combined attendance of approximately 85 people, not including members of the Charter Committee or City staff. The number of participants ranged from 25 to 30 each.

Each forum followed the same basic agenda as follows.

- Welcome by a member of the Charter Committee
- Review of the agenda
- Overview of the role and responsibilities of the Charter Committee, what a charter is, why it is important, and why San Bernardino's charter is under review
- Review of the Committee's preliminary recommendations for a proposed governance structure (the charter "skeleton")
- Large group discussion and comments about whether the Mayor should be allowed to vote
- Small group breakouts to allow time for additional discussion on the question of Mayoral voting as well as the following topics
 - How to avoid tie votes if the Mayor is allowed to have a vote
 - Whether the City Attorney, City Clerk and City Treasurer should be elected or appointed
- Review of next steps and how to stay involved and informed

Common Themes

Results of the large group question and small group breakouts were captured by recorders. The following is a summary of the common themes aggregated for the three public forums.

The Mayor should be allowed to vote. There was overwhelming support for allowing the Mayor to vote on matters coming before the Common Council. This consensus was expressed during the large group discussion and was reinforced again during the breakout sessions. Comments expressed about allowing the Mayor to vote included the following:

- Because the Mayor is elected by the community as a whole, the Mayor should have a voice in representing the interests of the entire community.
- The Mayor has the most knowledge and is most informed about the City as a whole.
- Whether or not the Mayor should be allowed to vote depends on the roles and responsibilities expected, the roles and responsibilities of the Common Council and City Manager, and whether the Mayor continues to be a full-time position.

The Mayor should continue to be elected at large. When asked how to avoid the possibility of ties if the Mayor is allowed to vote, the majority participants indicated support for retaining the practice of electing the Mayor at large. There was less support for rotating the position of Mayor among the seven members of the Common Council, although some thought that doing so might help build or maintain relationships among Council members. Comments expressed about rotating the Mayor position included the following.

- The Mayor should be more than a mere figurehead, which seems to be the case when the position is rotated. The Mayor should serve in a larger capacity.
- Not all Council members are equally qualified or ready to serve as Mayor.
- Letting the Council select the Mayor would take the decision away from citizens.
- Rotating the position would be too much of a learning curve each year.
- The Mayor needs to be a leader and consensus builder. There is more credibility to the position if it is elected at large.

To avoid tie votes, changing the number of wards is preferable to adding a Council member elected at large. There was not much support for adding a Council member elected at large at any of the public forums. Comments expressed included the following.

- Electing an additional Council member could save redistricting costs.
- An at-large Council member would be focused specifically on representing the community as a whole, which could be a good thing.
- Having an at-large Council member essentially makes two Mayors.
- Having at-large Council members in addition to those elected by ward may not be legal under State law.
- The at-large Council member is likely to be elected from one of the three wards with the highest voter turnout, and may not truly represent the City as a whole.
- This would provide one ward with double representation, even though the Council member would be elected at large.



More participants favored reducing the number of wards over increasing them. Over the course of the three public forums there were a cumulative total of 10 breakout groups. Of these, five indicated stronger support for reducing the number of wards from 7 to 6, while three indicated stronger support for increasing the number of wards from 7 to 8. Two of the breakout groups could not reach consensus, and were evenly split between these and other options.

Comments related to increasing or decreasing the number of wards included the following:

- Having fewer Council members might make reaching consensus easier
- Having seven elected officials (including the Mayor) is less cumbersome than having nine of them.
- Having six Council members would be less costly than having eight of them
- It is easier to hold Council members accountable if there are less of them. Maybe they would be more engaged.
- Adding a ward would result in a smaller number of people represented per ward and would be easier Council members to manage.
- Adding a ward may be more acceptable to voters. (Decreasing the number may make voters feel something is being taken away from them.)
- The current ward boundaries deserve a fresh look because they are “gerrymandered.” Changing the number would provide an opportunity to reconfigure the ward boundaries to make representation more equal.
- Several concerns were expressed about the potential costs associated with redistricting.

The City Attorney, City Clerk and City Treasurer should be appointed, not elected. The overwhelming consensus at each of the public forums was that the City Attorney, City Clerk and City Treasurer positions should be appointed, although there were a few individuals at each forum who advocated for retaining them as elected officials. In the case of the City Treasurer, there was some agreement the functions should be delegated to professional staff. The following comments were captured on the topic of elected vs. appointed officials.

- Appointing the City Attorney would make it easier for them to be removed if necessary. It would be great if a bunch of people who were qualified apply.
- The City Attorney is like a department head and doesn’t do much litigation. There is no need for them to be specialized in municipal law.
- Elections don’t necessarily produce the best qualified person for the job. Appointing is better.
- The Treasurer is like the Chief Business Officer and should be elected.

There appears to be consensus that the Charter needs to be changed. There were few comments questioning the need to review the Charter, or disagreeing that it should be modernized. One breakout group at one public forum suggested that the Charter problems only emerged within the last 10 years, and the Charter should be changed back to what it was at that time. However, the relationship between the Charter’s confusing governance structure and the City’s bankruptcy seemed to resonate with some participants.



Additional Comments

In addition to the comments received about Mayoral voting, avoiding tie votes and elected vs. appointed officials, the public forums generated other comments about the Charter and the process of reviewing it. These are summarized below.

- The Charter needs to be easier for everyone to understand.
- Care should be taken to put forth a charter document that voters will actually approve. The question put before the voters should be simple (e.g., “Do you to change the City charter?”), not a menu of choices
- A few people expressed perceptions that the Charter recommendations “are a done deal,” and that coming to the public forums won’t make a difference.
- The Charter Committee has already decided on the skeleton. More input should have been requested from the public earlier. Why is the charter skeleton being determined before public forums have been held in each ward? Could the Committee have a public workshop once the skeleton is complete?
- Several participants expressed frustration with the low voter turnout and suggested the Charter Committee recommend consolidating City elections with state and federal elections (i.e., change to even number years) to help improve turnout.
- It also was suggested that invitations to future public forums be included on water bills.

