

**City of San Bernardino
Volunteer-Based Citizens Charter Committee**



Final Report to the Mayor and City Council

May 16, 2016

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Executive Summary

The Volunteer-Based Citizen Charter Committee (“Charter Committee”) was established in March 2014 to review San Bernardino’s Charter and make recommendations for improvement. The Charter Committee is comprised of nine residents appointed by the Mayor and City Council (“Council”). The Committee provided initial recommendations in May 2014, some of which were placed on the ballot for the November 2014 election.

The need for more substantive charter reform became evident after the City of San Bernardino filed bankruptcy. The bankruptcy Recovery Plan approved by the Council and submitted to the U.S. Bankruptcy Court made clear the City’s need to streamline governance and operations. It stated, “Until fundamental government and management issues are resolved, it will be difficult to operate in a modern and efficient manner.” The Charter Committee subsequently has continued its work to review and develop recommendations for a new or substantially revised charter that reflects the principles of good governance and meets the needs of the community.

This report summarizes the Charter Committee’s work and contains recommendations for consideration by the Mayor and Council. The most significant recommendation is that the Mayor and Council take action to place a new, streamlined, modern charter before the voters on November 8, 2016, consistent with the intent expressed in the adopted bankruptcy Recovery Plan. The Committee has prepared a proposed Charter, included in this report, which applies best practices for municipal governance applicable to San Bernardino, while maintaining several practices that seem to be supported by the community. The proposed Charter removes much of the administrative and procedural language in the existing City Charter, resulting in a shorter, 12-page document. Research indicates such administrative and procedural language is more appropriate for either the City’s Municipal Code or operational policies and procedures documents.

If adopted, the proposed Charter will support San Bernardino’s emergence from bankruptcy later this year with a clear and streamlined governance structure based on the council-manager form of government. This form of government (in which the council and mayor serve as the legislative policy-making authority and a professional city manager is responsible for managing daily operations and executing the policies of the council and mayor), is the most common form of government in the State of California and the nation as a whole. Because the roles and responsibilities of the Council, Mayor and City Manager will be clear, accountability for the effective leadership and management of the City should significantly improve.

Consistent with best practices, the proposed Charter establishes the City Attorney and City Clerk as positions appointed by the entire Council and Mayor instead of being directly elected.

The functions of the City Treasurer would be assigned to professional staff in the Finance Department.

Although the proposed Charter recommends changes to the overall governmental structure and contains the provisions necessary to implement them, a number of governance and operational elements are *not* proposed for change. These include maintaining the current ward system and number of wards, retaining four-year terms of office for Mayor and Council members, retaining the Mayor as a directly elected, full-time position with limited ability to vote on items of business, and retaining the current independence of the Water Board of Commissioners and Library Board of Directors to oversee and administer the Water Department and Library, respectively. The name of the Civil Service Board is proposed to change to the more commonly used "Personnel Commission." However, the proposed Charter maintains the Commission's independent authority to hear and decide appeals of employee disciplinary matters. A summary of the Charter elements and the Committee's rationale for its recommendations is provided later in this report.

The proposed Charter represents a true, two-year collaboration between the Charter Committee, the Mayor, Council, City Manager, City Attorney, and City Clerk; representatives from various boards and commissions, and members of the public. The Charter Committee appreciates the time and input all of these individuals have provided to help develop recommendations and a proposed Charter that will make San Bernardino strong, vibrant, efficient and effective well into the future.

The Charter Committee unanimously recommends that the proposed Charter contained in this report be presented to the voters for the statewide election of November 8, 2016.

The Charter Committee

Mission and Membership

The Mayor and Council established the Volunteer Citizen-Based Charter Committee (“Charter Committee”) in March 2014. The Charter Committee was originally asked to review all provisions of the Charter, report its findings, and provide initial recommendations in time for the November 2014 general election. The Committee made its report and initial recommendations in May 2014. The authorizing resolution contains no ending date for the Charter Committee.

The Charter Committee consists of nine members appointed by the Mayor and Council. The current members are listed below.

- Phil Savage, Ward 7 appointee (Committee Chair)
- Casey Dailey, Ward 1 appointee
- Dennis Baxter, Ward 2 appointee
- Gary Walbourne, Ward 3 appointee
- Hillel Cohn, Ward 4 appointee
- Michael Craft, Ward 5 appointee
- Vicki Lee, Ward 6 appointee
- Tom Pierce, Mayoral appointee
- Gloria Macías Harrison, Mayoral appointee

In May 2015, San Bernardino filed a bankruptcy Recovery Plan with the U.S. Bankruptcy Court in an effort to emerge from bankruptcy. The Recovery Plan identified the City’s Charter as a barrier to efficient, effective government because it is overly complex, hard to understand, and contains elements that are inconsistent with best practices for modern municipal government. Subsequently, the Charter Committee continued its work to develop recommendations for a new or substantially revised charter that reflects the principles of good governance and meets the needs of the community.

Although they have been appointed by the Mayor or individual Council members, Charter Committee members have worked diligently to represent the interests of the City as a whole, not the interests of a particular ward or geographic area. Members also believe their role is to be independent from whoever appointed them. In other words, the views and decisions of individual Committee members have been their own, not based on the influence of their appointing official. The views and recommendations contained in this report reflect the majority consensus of the entire Committee.

The Charter Committee has been meeting approximately twice a month since May 2015. All meetings have been open to the public and conducted in accordance with the Ralph M. Brown Act to ensure transparency. All work products of the Committee, including agendas, minutes, research studies, presentations and progress reports made to the Mayor and Council are available on the City's website and/or from the City Clerk's Office.

Why Charter Reform Is Needed

The Charter is the basic document that defines a city's organization, powers, functions and essential procedures. It is comparable to the U.S. or State Constitution.

The need for more comprehensive charter reform became evident after the City of San Bernardino sought bankruptcy protection. In fact, the bankruptcy Recovery Plan filed with the U.S. Bankruptcy Court made clear the City's need to streamline governance and operations, stating "until fundamental government and management issues are resolved, it will be difficult to operate in a modern and efficient manner." The Recovery Plan further states:

The Core Team and other constituencies, including outside experts, have concluded that decades of questionable management and inefficiency are very much the result of a convoluted City Charter that complicates daily management and generally neutralizes executive authority. The City's governance structure is highly complex and unique compared with any other city in California. Overlapping authority and ambiguities in the City's Charter create operational uncertainty and ineffectiveness because the role, responsibility and authority of the Common Council, City Manager, City Attorney and Mayor are unclear and, at times, contradict each other. No other city in California has followed this peculiar governmental approach. The Charter itself has grown and progressively become more unwieldy as a result of City initiated amendments in 1992, 1995 (twice), 1996, 2001, 2004, and 2014.

Well-known journalist James Fallows articulately described the consequences of the City's convoluted Charter in an article written for *The Atlantic* magazine:

San Bernardino has a uniquely dysfunctional city-governance system, sort of a metropolitan parallel to the current zero-sum gridlock of national politics. Some cities we've seen run on the "strong mayor" principle; others, "strong city manager." Because of San Bernardino's unique and flawed charter, it has in theory a "strong mayor" but in

reality a “strong nobody” system of government and an electoral system so discouraging that the turnout rates are extremely low even by U.S. and California Standards.¹

Based on its review of the City’s current charter, the Committee affirms the accuracy of these statements. Some of the provisions *are* confusing and contradictory. For example, the Charter indicates the Police and Fire Chiefs shall receive general supervision from the Mayor, but direct supervision from the City Manager, making reporting relationships unclear and potentially impeding accountability. Some provisions are so antiquated they have been superseded by changes in higher law. For example, the Charter contains requirements for the San Bernardino Unified School District, even though the City has no legal authority over the School District pursuant to State law.

The Charter Committee’s independent research also concluded many provisions of the current Charter are either highly unusual or inconsistent with best practices for the operation of a modern city government. For example, most modern-era charters provide flexibility to organize city departments and services to maximize efficiency and effectiveness. The City’s Charter, however, makes it unclear who is authorized to restructure the organization, and who is accountable for managing it. It is highly unusual for charters to include detailed personnel rules or mandate specific employee job titles and functions the way the City’s does. Instead, these rules are more commonly found in adopted personnel rules and regulations or in agreements negotiated with labor associations. Modern-era charters are clear, concise, and provide maximum flexibility to elected and appointed officials to operate the government efficiently and effectively. San Bernardino’s existing Charter lacks those modern-day characteristics.

Finally, the clear intention of the City when it adopted the bankruptcy Recovery Plan was to “draft a new Charter and place that new City Charter on the November 2016 ballot for consideration by voters, or sooner if possible” (Recovery Plan, p. 7). The amendments to the bankruptcy Recovery Plan filed in November 2015 and March 2016 have reiterated the City’s intent to place a charter ballot measure before its voters. This report and the proposed Charter fulfills the Charter Committee’s mission in helping the City meet that clear intention.

¹ “Generation Now – What People Do, When There Seems to Be Nothing to Do,” *The Atlantic*, April 28, 2015.

The Charter Development Process

The Charter Committee began its work by studying best practices for the contents of modern-day municipal charters. These best practices became the basis for a charter “skeleton,” an outline of the key elements, ideas and principles to be addressed in the City’s Charter. Once the “skeleton” was defined, the Committee began discussing and developing specific language. The Charter Committee considered the advantages and disadvantages of becoming a general law city, and determined that remaining a charter city is in the best interests of the community.

The Committee also discussed whether the Charter should be substantially modified or completely rewritten. In order for San Bernardino to have a charter that reflects best practices consistent with modern municipal governance, the Charter Committee recommends the adoption of a completely new charter instead of proposing numerous amendments to the existing Charter. The proposed Charter developed by the Committee is provided as Attachment A to this report.

Resources Guiding the Charter Committee’s Work

The Charter Committee used a variety of resources in developing recommendations for a new charter, including the following.

- *A “Model Charter” prepared by the National Civic League (NCL).* The National Civic League is a non-partisan, non-profit organization founded by Theodore Roosevelt, Frederick Law Olmsted, Louis Brandeis and other leading municipal reformers in 1894 to make local governments more open, accountable and effective. The Model Charter was used as the basis for some of the language in the proposed Charter for San Bernardino.
- *Research on best practices for modern-era charters.* This research was conducted by the Charter Committee’s consultant, the Committee Chair, and individual Committee members.
- *Charters from 17 California charter cities with populations between 150,000 and 400,000.* The Committee and its consultant reviewed the charters for each of these cities to identify trends and best practices. Comparisons between San Bernardino’s Charter and the peer agencies helped illustrate elements where San Bernardino’s approach to governance is consistent with best practices, and where it is not. The peer agencies and their respective populations are shown in Table 1.

Table 1: Peer Agencies by Population

City	Population ¹
200,000 to 299,000 Population	
San Bernardino	212,584
Chula Vista	257,989
Irvine	250,384
Modesto	209,186
Stockton ²	306,999
300,000 to 399,000 Population	
Anaheim	351,433
Bakersfield	369,505
Riverside	317,307
Santa Ana	335,264
150,000 to 199,000 Population	
Glendale	199,182
Hayward	152,889
Lancaster	160,784
Oceanside	171,682
Palmdale	157,009
Pomona	152,419
Salinas	154,720
Santa Rosa	170,974
Torrance	148,427

¹California State Department of Finance, 2015

²Stockton's population was 299,878 in 2014 (California State Department of Finance)

- *San Bernardino's "Charter Reform Principles and Objectives," "Operating Practices for Good Government," and Strategic Plan.* Each of these documents were adopted by the Mayor and a majority of the Council and provided important guidance to the Charter Committee.
- *The City's current Charter.* The Committee used the current Charter as a reference during some deliberations.
- *Public input gathered at public forums and Charter Committee meetings.* The Committee sought and received public input throughout the Charter development process. Additional information about public input, education and outreach is provided later in this report.
- *Input from elected and appointed officials, department directors and board and commission representatives.* This input was received through individual interviews, meetings with board and commission members, and/or special presentations provided during regular Charter Committee meetings.

In addition to the above resources, the Charter Committee received technical support and guidance from the City Attorney, City Clerk, other City staff, and a professional consultant (Management Partners).

Research Studies

The Charter Committee received a variety of research memoranda and studies from its consultant and the Committee Chair. Some contain the results of peer agency research, while others provide aggregated input from elected and appointed officials or other stakeholders. These studies helped inform the Committee's discussions and decisions, and are available on the City's website or by contacting the City Clerk's Office. A list is provided below.

- Typical Powers and Roles for Mayor, Council and City Manager
- Interrelationship between Mayor, Council and City Manager as Described by the Operating Practices for Good Government
- Summary of Results from Interviews with Elected Officials
- Alternatives and Implications for Mayoral Voting Authority
- Process for Establishing or Modifying Voting Districts or Wards
- Elected vs. Appointed City Officials – City Attorney, City Clerk, City Treasurer
- Establishment of Departments and Appointment of Department Heads
- Summary of Interviews with Department Directors – Police, Fire, and Library
- Civil Service Boards and Systems
- Water and Wastewater Utility Functions and Boards
- Mayor and Council Employment Status and Compensation
- Preservation of Rights over Natural Resources
- General Law City vs. Charter City Characteristics and Authorities in California
- Public Forum Summary Results (November)
- Public Forum February-March and Aggregated Results
- Mayor Terms, Elected Official Term Limits, and Election Processes
- Voter Turnout Cost-Benefit Analysis and State Legislation

Public Education and Outreach Efforts

Public input has been a consistent area of emphasis and interest for the Charter Committee, which invited and welcomed public comments at each of its meetings. In addition, the Committee offered a variety of public education and outreach opportunities to gather additional input from the community. These efforts are described in more detail below.

Public Survey

The Charter Committee sought public input through a survey made available online and in print from July to September 2015. A total of 440 complete survey responses were submitted. Although the survey gauged public opinion, it was not a random sample of voters, and did not

contain any background or educational information about charter issues and concerns. The summary results of the survey are as follow.

- Of all respondents, 92% indicated the Charter should be revised (51%) or replaced (42%); only 8% indicated the Charter should remain unchanged.
- Over half of respondents (53%) indicated support for San Bernardino remaining a charter city.
- Slightly less than half of respondents (46%) indicated preference for a council-manager form of government where the Council sets policy and the policy is implemented by the City Manager as the chief executive officer. However, approximately 30% reported they were unsure.
- A majority of respondents favored retaining the City Attorney, City Clerk and City Treasurer as elected positions (62%, 58% and 57%, respectively).
- Almost eight out of ten respondents (79%) favored having the Mayor directly elected by voters instead of being selected by the Council.
- Sixty-five percent of respondents indicated the Mayor should be responsible for intergovernmental relationships and be recognized as the head of the City government for ceremonial and other purposes, but that the City Manager should be responsible for administrative functions of the City.
- Almost three-quarters (74%) of respondents favored consolidating City elections with those for state and federal offices.

Public Forums

In November 2015 the Charter Committee held three public forums in three different wards. Additional public forums were held in February and March 2016 in the remaining four wards. The purpose of the public forums was to provide education about San Bernardino's charter reform efforts and engage participants in sharing their opinions on the preliminary recommendations presented to the Mayor and Council related to governance. All of the forums followed a similar format.

A cumulative total of approximately 170 participants attended the seven forums, not counting Charter Committee members, staff, or School District personnel. Common themes aggregated from input received during the public forums include the following. Some of these contradict the results of the survey discussed above.

- The Mayor should be allowed to vote.
- The Mayor should continue to be elected at large.
- To avoid tie votes, changing the number of wards is preferable to adding a Council member elected at large.

- More participants favored reducing the number of wards over increasing them.
- The City Attorney, City Clerk and City Treasurer should be appointed, not elected.
- Charter reform is necessary.
- Proposing a new charter was preferable to amending the existing Charter.
- There was strong support for changing the election cycle to even-numbered years.

The public forums held in February and March generated similar responses to those received in November, although there was more disagreement expressed at two of them. In fact, opinions expressed during those two particular public forums were almost evenly split. Even with this disagreement, the aggregated themes for all seven forums did not change.

Committee Member Presentations

Members of the Charter Committee made presentations to a number of community groups and neighborhood associations. The purpose of the presentations was to provide information about the Committee and its work and obtain input. Since July, members of the Charter Committee have provided approximately 45 presentations, and they continue to respond to requests for information from the community.

Joint Mayor, Council and Charter Committee Workshop

A facilitated workshop was held on April 25, 2016 between the Mayor and Council and the Charter Committee. The purpose of the workshop was to gather Mayor and Council input on the key elements of the proposed Charter. The Charter Committee carefully considered each comment and suggestion provided at the workshop during its meetings of April 26 and May 3, 2016. Several changes were made to the proposed Charter based on the feedback provided, including the following:

- Extended the residency requirement to qualify for election to Mayor or Council member from 30 to 180 consecutive days immediately preceding the filing of nomination papers;
- Clarified that board, commission or committee appointments currently made by ward will not be changed by the proposed Charter;
- Clarified voting requirements for Council actions, as well as for voting involving both the Council and Mayor;
- Broadened the section regarding the provision of parks and recreation functions to include all essential municipal services currently being provided, and to allow for additional services if deemed necessary for the public's health, safety and welfare;
- Changed the deadline for the City Manager to propose a budget and capital improvement plan from 30 to 60 days prior to the start of a fiscal year; and
- Created a separate Article regarding initiatives, citizen referendums and recalls.

Charter Committee Timeline

The Charter Committee maintained a timeline to document its activities throughout the Charter development process. The complete timeline is presented as Attachment B.

Key Elements of the Proposed Charter

At 12 pages, the proposed Charter drafted by the Charter Committee is about one-fourth the length of the existing one. This is largely because detailed procedural matters have been removed. Based on the Charter Committee's research, such language is more appropriately contained in either the City's Municipal Code, adopted policies and procedures, labor association agreements or other operational documents. Table 2 summarizes the substantive elements of the proposed Charter and the Charter Committee's rationale for its recommendations.

Table 2: Key Elements of the Proposed Charter and their Rationale

Proposed Charter Element	Charter Committee Recommendations	Rationale
Form of Government	Council-manager Council and Mayor powers limited to legislative and policy making City Manager functions as chief executive officer, responsible for daily operations of the City	Most common form of city government in California and peer agencies. Form of government in 58% of cities with populations over 100,000 nationwide ² Helps the Mayor and Council function as one governing body, although respective powers are slightly different Consistent with NCL Model Charter Consistent with Operating Practices for Good Government (OPGG) and Charter Reform Principles
Council, Powers and Duties	Council is composed of seven Council members (i.e., excluding Mayor) Same election by ward Same four-year terms Entitled to vote on all matters coming before the Council In collaboration with Mayor, shall perform duties and exercise powers to serve best interests of entire City May override Mayor veto with a vote of five Council members	Consistent with current Charter Consistent with Operating Practices for Good Government (OPGG) and Charter Reform Principles Public input indicated lack of consensus for changing the number of Council members or wards

² "Council-Manager Form of Government: Frequently Asked Questions," International City/County Management Association, 2007. www.icma.org.

Proposed Charter Element	Charter Committee Recommendations	Rationale
Mayor, Powers and Duties	<p>Mayor continues to be elected at large</p> <p>Continues to be presiding officer at meetings, and may fully participate in discussions</p> <p>May not vote except to break a tie, veto a matter or appoint or remove the City Manager, City Attorney, City Clerk, or members of boards, commissions and committees; and generally establishing their duties and responsibilities</p> <p>May veto any Council action approved by less than five Council members</p> <p>Continues to be the City's key face and chief spokesperson</p> <p>Continues to be full time</p> <p>Continues to represent the City in intergovernmental relations, establish and maintain partnerships and regional leadership roles, although may delegate such roles to other members of the Council</p> <p>No longer has independent administrative, appointment or removal powers</p>	<p>Somewhat consistent with current charter</p> <p>Consistent with NCL Model Charter</p> <p>Consistent with OPGG</p> <p>Mayor voting rights, election at large and full-time status supported by majority of public forum participants. However, giving the Mayor a vote created complexities for dealing with tie votes that generated public concerns</p>
Council and Mayor Collaboration	<p>Together, Council and Mayor:</p> <p>Shall ensure fundamental municipal services are provided to protect and promote public health, safety and welfare</p> <p>Shall jointly appoint the City Manager, City Attorney, City Clerk, and members to boards, commissions and committees</p> <p>Shall establish clear expectations for city manager and conduct performance evaluations at least annually to ensure accountability</p> <p>Shall develop and implement norms (or a Code of Conduct), including measures to hold each other accountable</p> <p>Shall not control or demand the appointment or removal of any City employee whom the City Manager is empowered to appoint</p> <p>Shall not interfere with the discretion of the City Manager in the exercise or performance of his or her duties</p> <p>May establish advisory or independent boards or commissions</p>	<p>Consistent with NCL Model Charter</p> <p>Consistent with best practices</p> <p>Consistent with practices of most peer agencies</p> <p>Allows both Mayor and Council to vote on appointments (or removals) of key officials. Such actions require at least five affirmative votes.</p>
Compensation for Mayor and Council Members	<p>Shall be set by Mayor and Council following a public hearing</p> <p>Shall be based on recommendations of an advisory commission charged with the periodic review of compensation for City</p>	<p>Most peer agencies do not specify a salary amount for elected official compensation in the charter, but either follow general law provisions or establish the amounts by</p>

Proposed Charter Element	Charter Committee Recommendations	Rationale
	<p>elected officials</p> <p>Mayor's compensation shall be commensurate with that for a full-time position</p> <p>Effective date of approved increases to be deferred to commence with the terms of council members elected in next regular election</p>	<p>ordinance following a public hearing</p> <p>Current Council compensation is significantly lower than the peer agencies studied</p> <p>Setting the Mayor's salary based on the salary of a superior court judge is an antiquated practice</p> <p>Some peer agencies appoint advisory commissions to provide independent review of compensation and justification for increases</p> <p>Deferring compensation increases reduces perception that such increases are self-serving</p>
City Manager, Powers and Duties	<p>Appointed (or removed) by five affirmative votes of the Council and Mayor</p> <p>Shall be sole authority for managing City operations and appointing, directing and removing City staff, unless otherwise specified by the charter</p> <p>Shall prepare and submit annual budget and capital improvement plan</p> <p>Shall assist Mayor and Council in developing long-term goals and strategies for City</p> <p>Shall be accountable for implementing Council goals and policies and the overall performance of the City</p> <p>Shall ensure the Mayor and Council are informed on all aspects of important issues, including City's financial condition and future needs</p> <p>Shall attend Council meetings and brief the Mayor and Council on the business matters before them.</p> <p>Shall make business and policy recommendations based on independent professional judgement and best practices in the interests of the City</p>	<p>Consistent with council-manager form of government</p> <p>Consistent with OPGG</p> <p>Consistent with best practices</p> <p>Consistent with practices of peer agencies</p> <p>Consistent with NCL Model Charter</p>
City Attorney	<p>Duly qualified City Attorney shall be appointed by five affirmative votes of the Council and Mayor, not elected</p> <p>City Attorney shall function as chief legal officer to provide legal advice to Mayor, Council, City Manager, and all City departments</p>	<p>Sixteen of 17 peer agencies have an appointed City Attorney.</p> <p>Appointed City Attorney is consistent with NCL Model Charter, although Model Charter recommends the appointment be made by City Manager or by the City Manager with confirmation by the Council.</p> <p>Appointment of the City Attorney by the Council as a whole is common practice in California</p> <p>Most public forum participants</p>

Proposed Charter Element	Charter Committee Recommendations	Rationale
		support appointed city attorney Current City Attorney supports the position being appointed instead of elected
City Clerk	Duly qualified City Clerk shall be appointed by five affirmative votes of the Council and Mayor, not elected	Fourteen of 17 peer agencies have an appointed City Clerk, appointed by Mayor and Council Consistent with NCL Model Charter, although Model Charter recommends appointment by City Manager Public forum participants support appointed City Clerk Current City Clerk supports the position being appointed instead of elected
City Treasurer	City Treasurer is not referenced in charter City's municipal code will either reference Treasurer as an appointed position or delegate treasury functions to professional staff in the Finance Department	Ten of 17 peer agency charters make no reference to City Treasurer; treasury functions are assigned to professional staff in the Finance Department Only three peer agencies have elected treasurers Public forum participants support appointed treasurer and/or delegation to professional staff Consistent with NCL Model Charter Current City Treasurer supports the position being appointed
City Departments, Generally	All departments, agencies, offices and services in existence shall continue in same manner as before, unless changed by ordinance. City Manager may establish departments and prescribe the functions of departments to meet the needs of the community in the most effective and efficient manner All departments except Library and Water shall be administered by an executive appointed and directed by the City Manager	Consistent with best practices Mostly consistent with peer agency practices Consistent with council-manager form of government Consistent with NCL Model Charter
Services	City shall provide for community development, finance, fire/EMS, information technology, library, parks and recreation, personnel, police, public works, water and wastewater and such other services as the Council deems appropriate for the public's health, safety and welfare.	Conveys intent to continue to provide essential municipal functions, based on Mayor and Council input
Personnel System	The City shall provide for a personnel system consistent with all applicable federal and state laws	Most peer agencies make reference to a personnel system in the charter. In some cases, the reference merely

Proposed Charter Element	Charter Committee Recommendations	Rationale
	<p>Core elements of a civil service system are described, however details to be adopted by ordinance.</p> <p>Appointments and promotions shall be made solely on the basis of merit and fitness demonstrated by examination or evidence of competence.</p> <p>Administration of employee matters delegated to a human resources or personnel department</p>	<p>authorizes the Council to establish such a system</p> <p>Most modern-era charters do not include specific personnel rules, policies or procedures. Instead, these are found in the municipal code, negotiated labor agreements and/or adopted personnel policies and procedures.</p> <p>Gives City flexibility to name the department responsible for such services as it sees fit</p>
Boards, Commissions and Committees, Generally	<p>Those established prior to adoption of the new Charter will continue to exist.</p> <p>Committee appointments by ward will continue to be within the Council's control.</p> <p>Appointment, removal, terms of office and other rules pertaining to boards, commissions and committees prescribed by five affirmative votes of Council and Mayor</p> <p>Members of boards, commissions and committees must be residents unless exempted by ordinance or state law</p>	<p>Consistent with council-manager form of government, best practices</p> <p>Authorizing the Council to determine advisory or independent authority of boards and commissions is consistent with NCL Model Charter</p>
Library Board of Trustees	<p>Appointed by five affirmative votes of Council and Mayor</p> <p>No compensation</p> <p>Shall be responsible for providing adequate library services</p> <p>Shall appoint and supervise the Library Director</p> <p>Shall administer the allocated Library budget, and make and enforce all rules and regulations applicable to library services</p>	<p>Of 11 peer agencies operating a city library, only 8 have a Library Commission or Board of Trustees</p> <p>However, the Charter Committee recognizes the importance of libraries as a community asset and the Library Board as advocates for that asset</p> <p>Reflects input from Library Board of Trustees</p>
Board of Water Commissioners	<p>Appointed by five affirmative votes of Council and Mayor</p> <p>Same six-year terms</p> <p>Responsible for water and wastewater treatment and collection (sewer), and recycled water functions</p> <p>Water Board shall continue to have the independent authority to establish rates, hire the General Manager and other employees necessary to operate the water and wastewater systems, and to incur debt on behalf of these systems</p> <p>Other provisions of current Charter are retained in the proposed draft (with the language modernized and streamlined)</p>	<p>Most peer agencies make no reference to a water department, board or commission in the charter.</p> <p>However, the Charter Committee recognizes the importance of water, recycled water, and wastewater (sewer) as essential City functions.</p> <p>The Water Department is highly effective and efficient, and there is concern that changing the authorities, independence and terms of office for the Water Board and Department may be harmful instead of helpful</p> <p>Reflects input from the Water Board of Commissioners</p>

Proposed Charter Element	Charter Committee Recommendations	Rationale
Personnel Commission (formerly Civil Service Commission)	Shall be appointed by five affirmative votes of the Council and Mayor to serve without compensation Continues to have sole responsibility to hear appeals of disciplinary action by City employees, subject to the provisions of adopted labor agreements	Retains the independent hearing authority of the Civil Service Commission, while assigning all other functions to a personnel or human resources department Reflects input from the Civil Service Board
Financial Management	Retains current fiscal year (July to June) Requires City Manager to submit proposed budget and message to Mayor and Council at least 60 days prior to start of each fiscal year Specifies budget and capital improvement plan requirements and standards, as well as Council action required Requires Council to provide for an independent audit of all City accounts at least annually	Consistent with best practices for municipal financial management Consistent with NCL Model Charter Independent audit requirements consistent with state law and best practices Reflects Mayor and Council input
Elections	Municipal elections shall be consolidated with the cycle for state and federal elections (i.e., November of even-numbered years) To facilitate this transition, proposes to extend terms of Mayor and Council members in office at the time of adoption for 1 year Mayor and Council members continue to be the elective officers, elected for four-year terms Retains seven wards City elections shall follow provisions and procedures of the State Elections Code (as applicable to general law cities), which calls for election by plurality vote, instead of a primary and runoff process Requires periodic adjustment of ward boundaries consistent with applicable state and federal laws	Consolidating elections with federal and state elections is less expensive due to greater economies of scale and has a positive impact on voter turnout ³ Majority of California cities hold elections in November of even-numbered years New State legislation will likely require San Bernardino to change elections to November of even numbered years due to low voter turnout. ⁴ Public forum participants expressed support for changing the timing of elections as a strategy for increasing voter turnout Consolidating municipal elections with federal and state elections has had a positive impact on voter turnout in other cities Most California cities follow State Elections code procedures for municipal elections, initiatives, referendums and recalls

³ "Odd-Year vs. Even-Year Consolidated Elections in California," Jose P. Hernandez, The Greenlining Institute, October 2013. See also "Municipal Elections in California: Turnout, Timing, and Competition," Public Policy Institute of California, 2002.

⁴ Chapter 1.7 "Voter Participation," California State Elections Code as amended by SB 415. Signed into law by Governor on September 1, 2015; takes effect January 1, 2018.

Proposed Charter Element	Charter Committee Recommendations	Rationale
		Most California cities elect officers by plurality vote, not a primary/runoff process, consistent with the State Elections Code
Initiative, Citizen Referendum and Recall	Shall follow the procedures of the State Elections Code, as applicable to general law cities.	Most common practice Will address ambiguities in current Charter experienced during the last recall
Charter Amendments	Shall follow procedures specified in State Elections Code as applicable to charter cities Council shall establish a process to ensure the periodic review of the Charter to identify potential amendments to enhance clarity, efficiency and the principles of the Council-manager form of government	Consistent with current practice for Charter amendments Periodic review of governance documents is a best practice
Rights and Succession	The City shall continue to own, possess and control all rights and property of every kind a nature, owned, possessed or controlled by it at the time the new charter is approved, and shall be subject to all its debts, obligations and liabilities All ordinances, codes, resolutions, rules and regulations in place remain in place as long as they are consistent with the proposed charter All present officers and employees shall continue to perform their duties under the same conditions until the election or appointment of their successors	Ensures succession of the City's rights and controls assuming a new charter is adopted

Significant Proposed Changes

The proposed Charter includes elements that would be significant changes for San Bernardino. However, the Charter Committee would not be recommending these changes if it did not believe each to be necessary for the City to improve its governance, operations and efficiency. As shown in the above table, the most significant changes fall into several categories.

Form of Government. As has been highlighted by the bankruptcy Recovery Plan, San Bernardino's current form of government is neither "strong mayor" nor "council-manager," but a confusing hybrid between the two that impedes accountability and effectiveness. Perhaps the most important element in the proposed Charter is the recommendation that San Bernardino adopt the council-manager form of government. Many of the proposed Charter elements provide the mechanism for implementing this form of government.

Interrelationships between the Mayor, Council and City Manager. The proposed Charter contains specific language regarding the powers and duties of the City's elected and appointed leaders. The intent is to provide clarity about who is responsible for what, consistent with best practices and the council-manager form of government. To implement this form, some of the Mayor's current powers would be transferred to the Council, while others would be transferred to the City Manager. The Council would continue to be the primary legislative body, and the Mayor would continue to have veto powers when Council action is approved by fewer than five Council members. The Mayor also would retain the power to cast a vote to break a tie.

However, the proposed Charter gives the Mayor voting authority, along with the entire Council, for the City's most important appointments (or removals), such as the City Manager and members of boards, commissions and committees. Giving the Mayor limited ability to vote on these critical matters provides an incentive for the Council and Mayor to function as one governing body, consistent with the principles of good governance.

Elected vs. Appointed Officials. The proposed Charter converts the elected City Attorney and City Clerk into positions appointed by the Mayor and Council, and does not reference a City Treasurer. This allows the functions of the City Treasurer to be assigned to professional staff in the Finance Department, the more common practice. Although they would no longer be elected, the City Clerk's role and responsibilities would not change under the proposed Charter. The City Attorney's role as legal advisor to the City's elected and appointed officials and departments also would not change.

Elections. The proposed Charter recommends transitioning the election cycle from November of odd-numbered years to November of even-numbered years, i.e., to coincide with state and federal elections. Research indicates this will reduce election costs to the City and should improve voter turnout. Because of low voter turnout during the past three municipal elections as compared to the local turnout experienced for statewide elections, new State law (SB 415) is likely to force the City to change its elections to November of even-numbered years. The proposed Charter, if adopted as presented, would facilitate the transition of elections to even-numbered years by extending the terms of the Mayor and Council members in office at the time of adoption by one year. The next regular municipal election would then be held in November 2018. The sequencing of elections for Council members and the Mayor would continue in the same pattern they currently follow.

To remedy past problems the City has encountered with certain elections procedures, the proposed Charter recommends following the provisions of the State Elections Code. Doing so will not significantly change many of the City's current procedures, but will improve clarity. However, one consequence of following the State Elections Code is that the Mayor and Council

would be elected by plurality (i.e., the highest vote getter), instead of through a primary and runoff process.

Finally, the proposed Charter also recommends that any initiative, citizen referendum or recall follow the procedures set forth in the State Elections Code.

Focus on Policy, Not Procedures. The proposed Charter omits administrative and procedural matters that are more appropriately found in the Municipal Code, adopted personnel rules and regulations, agreements negotiated with labor associations, or other operational documents. Assuming the proposed Charter is put before the voters and approved in November, the City Attorney's Office will need to conduct a review of the existing Charter to determine what, if any, provisions should be adopted by ordinance to effect this transition.

What Will Not Change

Although the above changes are significant, there are a number of elements found in the current Charter that are *not* proposed for change. Specifically, no change is proposed to the number of Council members, the wards they represent, or who elects them (i.e., Council members will continue to be elected by ward). The current four-year terms for the Mayor and Council members will remain the same. The Mayor will continue to be a full-time position, elected at large, and serve as the presiding officer at meetings, and the City's key face and spokesperson. The Mayor's responsibility to represent the City in intergovernmental relations and provide regional leadership also will not change.

The functions and essential municipal services currently provided by San Bernardino will remain the same, although the City's elected and appointed leaders will have more flexibility in how they are organized and provided. Detailed reference to most of these functions, as well as specific departments will transition to the City's Municipal Code. In fact, some language in the current Charter is redundant with that found in the Municipal Code.

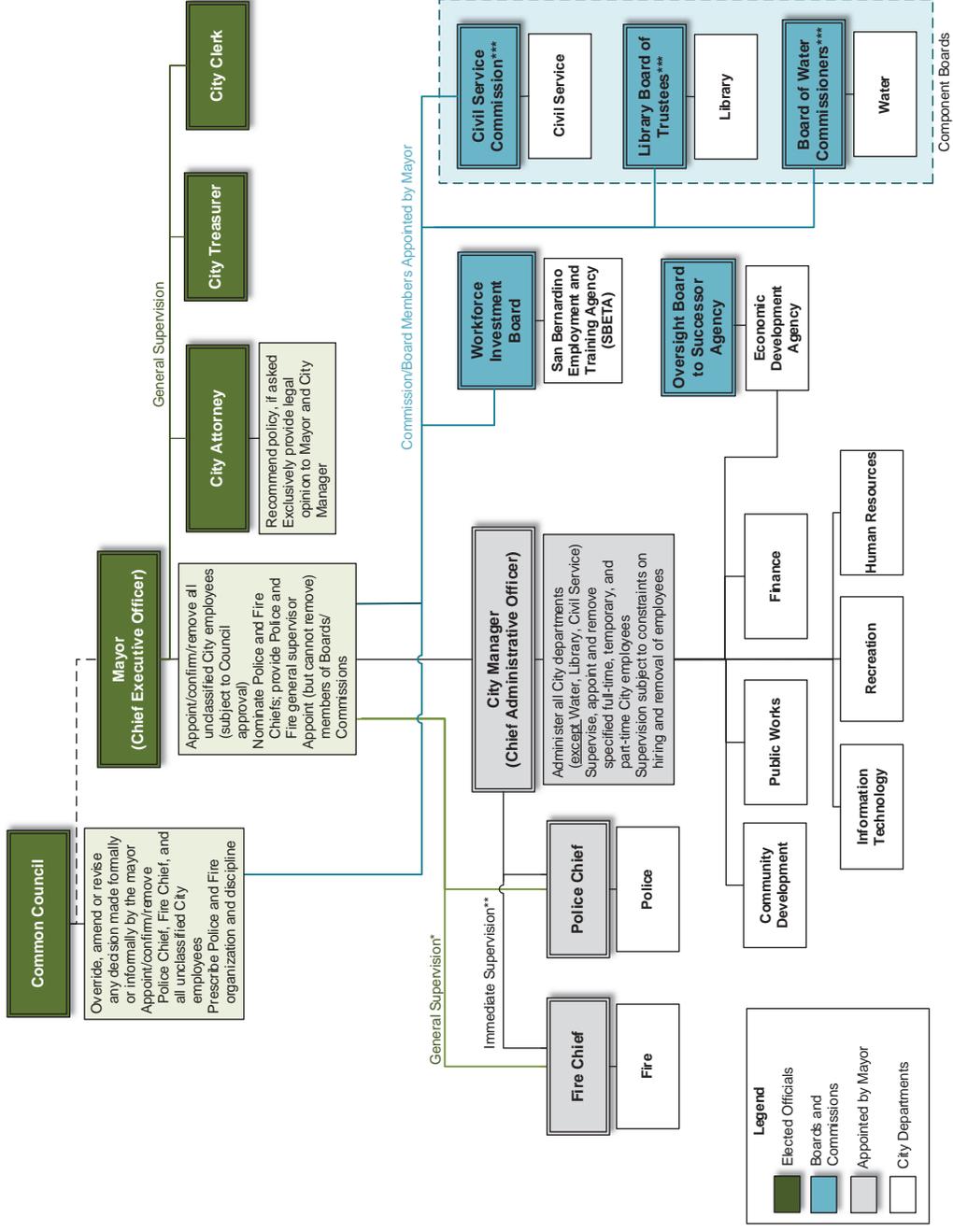
The independence of the Water Board of Commissioners to operate the Water Department and establish rates remains intact in the proposed Charter. The six-year terms for Water Commissioners are not proposed for change, recognizing the time it takes to develop technical knowledge and experience for such functions, and to protect the Board's independence from political influence. However, the proposed Charter would expand the responsibilities of the Water Board and Water Department to include wastewater (sewer) collection. The Water Board and Water Department have a superior track record for providing quality service and effective maintenance of the City's water and wastewater treatment infrastructure, but do not have authority for wastewater collection, infrastructure or rates. The Charter Committee believes they should.

The proposed Charter also maintains the independence of the Library Board of Trustees over the City's libraries and their operation. The Civil Service Board would continue to have independent authority over appeals related to employee discipline, but would be called the Personnel Commission, consistent with common practice. All other boards, commissions and committees, and their manner of appointment, would be unchanged by the proposed Charter.

Recommended Governance Structure for San Bernardino

The proposed Charter, if adopted, results in a governance structure that looks fundamentally different than the current one. The existing governance structure as documented in the City's bankruptcy Recovery Plan is provided as Figure 1. The proposed governance structure is presented as Figure 2, and shows an organizational structure with greater clarity in roles, responsibilities and reporting relationships, with all Boards and Commissions appointed by and accountable to the Council, and all but two departments (Library and Water) accountable to the City Manager. This structure is consistent with best practices for council-manager forms of government, as well as the provisions of modern-era charters, while retaining practices that are important for San Bernardino to continue, such as the independent authority of the Water Board of Commissioners, and Library Board of Trustees.

Figure 1: Current San Bernardino Governance Structure

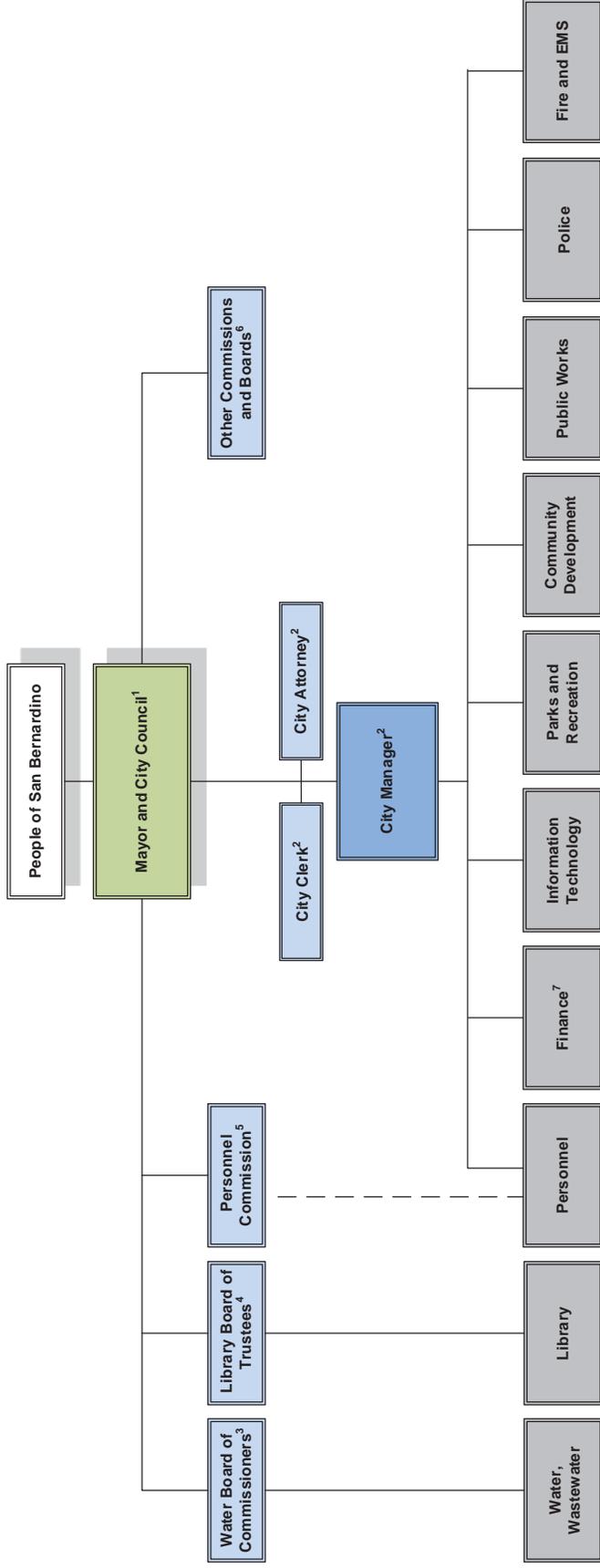


* General supervision in this instance is subject to constraints on hiring and removal (requires two-thirds Council vote)

** Immediate supervision has no power to appoint or dismiss Police Chief or Fire Chief

*** Board has authority to hire, terminate, promote, or demote, any salaried position within department

Figure 2: Proposed San Bernardino Governance Structure



¹ Shall ensure fundamental services are provided to protect and promote public health, safety and welfare; Mayor and Council elected by plurality

² Appointed by the Mayor and Council as a whole

³ Water and wastewater (sewer) services, including appointment of the Water Department General Manager and setting of rates, are the responsibility of the Water Board of Commissioners, which is appointed by the Mayor and Council

⁴ Library services, including appointment of the Library Director, are the responsibility of the Library Board of Trustees, which is appointed by the Mayor and Council

⁵ Responsible for hearing appeals of disciplinary actions by City employees (formerly Civil Service Commission); appointed by the Mayor and Council

⁶ Generally, all Commissions and Boards (e.g. Planning Commission, Fine Arts Commission, etc.) are appointed by, accountable to, and have powers assigned by the Mayor and Council

⁷ Treasury functions assigned to Finance Department

Next Steps

At its meeting of May 3, 2016, the Charter Committee took action to unanimously recommend the Council place the proposed Charter as presented in this report on the ballot for the November 8, 2016 election.

If the Council accepts the Committee's recommendation, the City Attorney should be directed to conduct a final review of the proposed Charter for consistency and technical legality, and to prepare the appropriate resolution and ballot measure language. The deadline for a governing body to submit a ballot measure for either the adoption of or amendment to a charter is 88 days prior to the date of the election. The ballot measure deadline for the November 8, 2016 election is Friday, August 12, 2016. Consequently, the last regular meeting date for the Council to take action on the resolution calling for the ballot measure(s) and the proposed ballot measure language is August 1, 2016.

The City may not expend funds to advocate for or against passage once the Council takes action to propose a ballot measure (or measures). However, this does not preclude the City and/or Charter Committee from providing educational information to the public about the measure. The Charter Committee has been deliberate in creating a significant body of work consisting of research studies and memoranda, presentations, progress reports and other public documents that would be appropriate for future public education efforts regarding Charter reform.

Once the ballot measure(s) have been filed with the County Registrar of Voters it would be appropriate for the City Attorney and legal staff to identify the need for and begin preparing any ordinances necessary to implement provisions of the proposed Charter. This may include transitioning some of the procedural language currently found in the Charter to either the Municipal Code or other City policy documents.

Assuming the voters approve the ballot measures in November, the adopted Charter will need to be filed with the California Secretary of State. Based on past experience in San Bernardino and other cities, it is most likely this would not occur until January 2017. The new Charter would go into effect upon certification by the Secretary of State. The proposed Charter as drafted is explicit in stating that all ordinances, codes, resolutions, rules, regulations, departments, officers, boards, commissions and committees remain in effect at the time of adoption will remain in place and continue in force until such time as they have been duly repealed, amended, changed, or superseded by proper authority as provided by the proposed Charter.

Conclusion

This report contains the collective and collaborative efforts of the Charter Committee over the last two years and represents their best work in drafting a governance document that will facilitate the City's emergence from bankruptcy and provide a path to a more effective, efficient government serving the needs of the San Bernardino community. However, the Charter Committee did not operate in a vacuum. Instead, it has relied on various individuals and groups who provided their time, expertise and insights. The Committee appreciates the dedication and commitment of all of these individuals in helping to design a proposed Charter and governance structure that will make San Bernardino a stronger, vibrant, effective, and efficient city for many years to come.

Attachment A: The Proposed Charter

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PROPOSED CHARTER
of the
CITY OF SAN BERNARDINO
STATE OF CALIFORNIA

PREAMBLE

We, the people of the City of San Bernardino, in order to secure the benefits of home rule and a council-manager form of government, hereby adopt this Charter.

**ARTICLE I: NAME, BOUNDARIES, POWERS, RIGHTS AND SUCCESSION,
INTERGOVERNMENTAL RELATIONS**

Section 100. Name and Boundaries

The City of San Bernardino, hereinafter termed the City, shall continue to be a municipal corporation under its present name of "City of San Bernardino." The boundaries of the City shall be as now established until changed in the manner authorized by law.

Section 101. Powers of the City

The City shall have all powers possible for a city to have under the constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter.

Section 102. Interpretation of Powers

The powers of the City under this Charter shall be construed in favor of the City, and the specific mention of particular powers in the Charter shall not be interpreted as limiting in any way the general power granted in this article.

Section 103. Rights and Succession

The City shall continue to own, possess and control all rights and property of every kind and nature, owned, possessed or controlled by it at the time this Charter takes effect and shall be subject to all of its debts, obligations and liabilities.

All ordinances, codes, resolutions, rules, regulations, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent with this Charter, shall continue in force until they shall have been duly repealed, amended, changed, or superseded by proper authority as provided by this Charter.

Subject to the provisions of this Charter, the present officers and employees of the City shall continue to perform the duties of their respective offices and employments under the same

conditions as those of the existing offices and positions until the election or appointment and qualification of their successors, subject to such removal and control as provided in this Charter.

No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or anything herein contained.

Section 104. Intergovernmental Relations

The City may participate by contract or otherwise with any governmental entity of this state or any other state or states in the United States in the performance of any activity, which one or more of such entities has the authority to undertake.

ARTICLE II: FORM OF GOVERNMENT

Section 200. Form of Government

The municipal government established by this Charter is the council-manager form of government.

ARTICLE III: CITY COUNCIL AND MAYOR

Section 300. General Powers and Duties

All powers of the City shall be vested in the City Council ("Council"), and to the extent provided in this Charter, the Mayor. The Council shall provide for the exercise and performance of all duties and obligations imposed on the City by State and Federal laws.

The role of the Council is legislative in character, which includes the power to set policy, approve contracts and agreements, and undertake other obligations consistent with this Charter and the City's Municipal Code, while deferring to the discretion of management to choose the appropriate means to achieve the Council's goals.

Section 301. Composition, Eligibility, and Terms

- (a) **Composition.** The Council shall be composed seven (7) Council members. The term "Council," "legislative body," or other similar terms as used in this Charter or any other provisions of law shall be deemed to refer to the collective body composed of the Council members.
- (b) **Eligibility.** Only registered voters of the City shall be eligible to hold the office of Council member or Mayor. Those elected shall have been qualified electors and residents of their respective wards for a period of at least one-hundred and eighty (180) consecutive days immediately preceding the date of filing their nomination papers for the office.

Section 302. Powers and Duties of the Council

The Council, in collaboration with the Mayor, shall ensure fundamental municipal services are provided to protect and promote public health, safety, and welfare. The Council and Mayor shall operate as a single governing body to serve the best interests of the City.

The Council, in collaboration with the Mayor, will develop and implement a Code of Conduct to guide and direct their interactions and duties, including measures to hold one another accountable for deviations from the goals and principles set forth in this Charter and the City Code of Conduct.

The Council, in collaboration with the Mayor, shall create and implement a vision to maintain the City's fiscal integrity.

Each Council member shall be entitled to vote on all matters coming before the Council. The Council shall have the power to override any veto of the Mayor by a vote of five (5) or more Council members.

The Council shall select a Mayor Pro Tempore from one of its own members. In the event of a temporary absence from the City, illness, or any other cause that makes the Mayor temporarily unable to perform the duties of his or her office, the Mayor Pro Tempore shall have all powers and authority that the Mayor would have possessed if present to perform his or her duties. However, the Mayor Pro Tempore may not cast an additional vote in the event of a tie or exercise veto powers over Council action, but may continue to exercise his or her vote as a Council member.

Section 303. Powers and Duties of the Mayor

The Mayor shall have the powers and perform the following duties in addition to others as specified in this Charter:

- (a) Attend and preside at meetings of the Council and may participate fully in all discussions, but shall not be entitled to vote except in the event of a tie, to veto a matter, and as otherwise provided in this Charter;
- (b) Have the authority to veto any Council action approved by less than five (5) members of the Council;
- (c) Have the authority to vote (1) to appoint or remove the City Manager, City Attorney and City Clerk and fix their compensation and (2) to appoint or remove members of boards, commissions or committees;
- (d) Appoint the members and officers of Council committees, and perform other duties as specified by the Council;
- (e) Be recognized as the head of the City government for all ceremonial purposes and by the governor for purposes of military law;
- (f) Be the chief spokesperson for the City; and
- (g) Represent the City in intergovernmental relations and establish and maintain partnerships and regional leadership roles to advance the City's interest; and may delegate such roles to other members of the Council.

The Mayor shall have no administrative, appointment or removal powers except as otherwise provided in this Charter.

The office of Mayor shall be a full-time position and the incumbent shall not engage in any business, professional or occupational activities that interfere with the discharge of the duties of the office.

Section 304. Manners of Action

Actions of the Council require a simple majority vote of the quorum present for approval unless:

- (a) Otherwise specified by State or Federal law; or
- (b) Required by this Charter as requiring the vote of the Mayor and entire Council. In such cases, five (5) affirmative votes shall be required to take the action.

Section 305. Compensation; Expenses

Compensation for the Mayor and Council members shall be established by ordinance following a public hearing, giving due consideration to the recommendations of an advisory commission charged with the periodic review of compensation for City-elected officials. Compensation for the Mayor shall be commensurate with that for a full-time position.

No ordinance increasing such salaries shall become effective until the date of commencement of the terms of Council members elected at the next regular election. The Mayor and Council members shall receive reimbursement for actual and necessary expenses incurred in the performance of their duties of office.

Section 306. Prohibitions

- (a) **Holding Other Office.** No Mayor or Council member shall hold any other City office or City employment during the term for which he or she was elected. No former Mayor or Council member shall hold any compensated appointive office or employment with the City until one (1) year after the expiration of the term for which he or she was elected.
- (b) **Conflict of Interest.** Elected and appointed officials shall adhere to conflict of interest codes as established by State law and/or City ordinance.
- (c) **Appointments and Removals.** Neither the Mayor nor any Council member shall, in any manner, control or demand the appointment or removal of any City administrative officer or employee whom the City Manager is empowered to appoint. This does not preclude the Mayor or members of the Council from expressing their views and fully and freely discussing with the City Manager anything pertaining to the appointment and removal of such officers and employees.
- (d) **Interference with Administration.** Neither the Mayor nor any Council member shall interfere with the discretion of the City Manager in the exercise or performance of his or her powers or duties. The Mayor and Council members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely

through the City Manager, and shall not give orders to or attempt to direct the work of such officers and employees either publicly or privately. Inquiries may be made directly to officers and employees under the supervision of the City Manager with the knowledge and consent of the City Manager.

Section 307. Vacancies; Filling of Vacancies

- (a) **Vacancies.** If the Council determines any of the events enumerated in provisions of the Government Code pertaining to vacancies in public offices have occurred, the Council shall declare a vacancy for the office of Council member or for the office of Mayor.
- (b) **Filling of Vacancies.** The method of filling vacancies shall be as prescribed by ordinance in accordance with State law.

Section 308. Judge of Qualifications

The Council shall be the judge of the election and qualifications of its members and the grounds for forfeiture of their office.

Section 309. Council Organization, Meetings and Rules of Order

The Council shall establish by ordinance the time, place and the method of calling meetings, the rules of order for the conduct of proceedings by the Council, and the order of succession in the event of a vacancy in the office of Mayor.

Section 310. Ordinances

When an action is required by State law or this Charter to be made by ordinance, it shall be adopted in accordance with State law.

ARTICLE IV: CITY MANAGER

Section 400. City Manager Appointment, Qualifications and Compensation

The Mayor and Council, by a vote of the Mayor and entire Council, shall appoint a City Manager and fix the City Manager's compensation. The City Manager may be removed by the Mayor and entire Council in the same manner. The City Manager shall be appointed on the basis of education and experience in the accepted competencies and practices of local government management. The Mayor and Council shall establish and communicate clear expectations for the City Manager. An evaluation of the City Manager's performance shall be conducted at least annually.

Section 401. Powers and Duties

The City Manager shall be the chief executive officer of the City, responsible to the Council for the management of all City affairs placed in the City Manager's charge by or under this Charter. The City Manager will be the sole authority for managing City operations and appointing and directing City staff, except as otherwise provided in this Charter.

The City Manager shall:

- (a) Appoint and suspend or remove all City employees and appoint administrative officers, except as otherwise provided by law, this Charter, or established personnel rules. The City Manager may authorize any administrative officer subject to the City Manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- (b) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law;
- (c) Attend all Council meetings. The City Manager shall have the right to take part in the discussion but shall not vote;
- (d) Ensure the Mayor and Council are informed on all aspects of important emerging issues, including the City's financial condition and future needs, and as part of that responsibility, brief the Mayor and Council at their meetings on the business matters before them;
- (e) See that all laws, provisions of this Charter and acts of the Council, are faithfully executed;
- (f) Prepare and submit the annual budget and capital improvement program to the Mayor and Council and implement the final budget approved by the Council to achieve the goals of the City;
- (g) Submit to the Mayor and Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
- (h) Make such other reports as the Mayor or Council may request regarding operations;
- (i) Make recommendations to the Mayor and Council concerning the affairs of the City and facilitate the work of the Council in developing policy;
- (j) Provide staff support services for the Mayor and Council members;
- (k) Assist the Mayor and Council in developing long-term goals for the City and strategies to implement these goals;
- (l) Be accountable for the implementation of Council goals and policies and the overall performance of the City;
- (m) Encourage and provide staff support for regional and intergovernmental cooperation;
- (n) Promote partnerships among the Mayor, Council, staff, and citizens in developing public policy and building a sense of community;
- (o) Make business and policy recommendations based solely on his or her independent professional judgement and best practices in the interests of the City; and
- (p) Perform other such duties as are specified in this Charter or may be requested by the Council.

ARTICLE V: DEPARTMENTS, SERVICES, OFFICERS AND EMPLOYEES

Section 501. General Provisions

The City Manager may establish City departments, offices, or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices and agencies to meet the needs of the community in the most effective and efficient manner.

Section 502. Direction by City Manager

All departments, offices and agencies shall be administered by an executive appointed by and subject to the direction and supervision of the City Manager, except as otherwise provided in this Charter.

With the consent of the Council, the City Manager may serve as the executive of one or more such departments, offices or agencies.

The City Manager may appoint one person to serve as the executive of two or more departments.

Section 503. Continuation of Departments

All departments, agencies, offices, and services in existence at the time this Charter is adopted shall continue in the same manner as before the adoption of this Charter, unless and until changed by ordinance.

Section 504. City Attorney

A duly qualified person shall be appointed as City Attorney by a vote of the Mayor and entire Council. The City Attorney may be removed by the Mayor and entire Council in the same manner. The City Attorney shall serve as chief legal advisor to the Council, the City Manager and all City departments, offices and agencies; shall represent the City in all legal proceedings; and shall perform any other duties prescribed by State law, this Charter or by ordinance.

Section 505. City Clerk

A duly qualified person shall be appointed as City Clerk by a vote of the Mayor and entire Council. The City Clerk may be removed by the Mayor and entire Council in the same manner. The City Clerk shall give notice of Council meetings to its members and the public, keep the journal of its proceedings, and shall perform any other duties prescribed by State law, this Charter or by ordinance.

Section 506. Departmental Administrators; Appointive Powers

Each departmental executive shall have the power to appoint, supervise, suspend, or remove such assistants, deputies, subordinates and employees as are provided for the department, subject to the approval of the City Manager and subject to the provisions of the personnel rules and regulations adopted by the Council.

Section 507. Services

The City shall provide for community development, finance, fire and emergency medical services, information technology, library, parks and recreation, personnel, police, public works, water and wastewater, and such other services as the Council deems appropriate for the public's health, safety and welfare.

Section 508. Personnel System

All appointments and promotions of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or other evidence of competence. The administration of employee matters shall be delegated to a personnel or human resources department.

Consistent with all applicable Federal and State laws, the Council shall provide for the establishment, regulation and maintenance of a merit system and governing personnel rules and regulations necessary for the effective administration of the employees of the City's departments, offices and agencies. Such personnel rules and regulations may include but are not limited to classification and pay plans, examinations, force reduction, removals, working conditions, provisional and exempt appointments, in-service training, grievances and relationships with employee organizations.

Section 509. Official Bonds.

The Council shall fix by resolution the amounts and terms of the official bonds of all officers or employees who are required by the Council to acquire such bonds. All bonds shall be executed by a responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his or her bond, for any wrongful act or omission of his or her subordinate, unless such superior officer was a part to, or conspired in, such wrongful act or omission.

ARTICLE VI: BOARDS, COMMISSIONS AND COMMITTEES**Section 600. General Provisions**

Each board, commission and committee established prior to the adoption of this Charter shall continue to exist, exercise the powers and perform the duties assigned to it upon adoption of this Charter. However, the Council may alter the structure, membership, powers and duties of boards, commissions and committees. The Council also may abolish or create particular boards, commissions and committees. The Council may grant powers and duties to boards, commissions and committees that are consistent with the provisions of this Charter.

Section 601. Appointment, Removal, Terms of Office and Procedural Rules

The appointment, removal, and terms of office of boards, commissions, committees and their members and the rules and regulations pertaining to the conduct of board, commission or

committee business shall be as prescribed by a vote of the Mayor and entire Council. Members of boards, commissions and committees shall be residents of the City, unless exempted by ordinance or State law.

Section 602. Library

A Library Board of Trustees consisting of five (5) members shall be appointed by a vote of the Mayor and entire Council to serve as an honorary trust without compensation. The Mayor and entire Council may remove Trustees in the same manner. The Board shall:

- a. Be responsible for providing adequate library services;
- b. Appoint a Library Director;
- c. Administer the Library budget allocated by the Council;
- d. Make and enforce all rules and regulations applicable to library services; and
- e. Administer such additional matters as may be determined by ordinance.

Section 603. Water and Wastewater

A Water Board of five (5) Commissioners shall be appointed by a vote of the Mayor and entire Council. They shall serve six (6) year terms of office, staggered as in the same manner as at the time of the adoption of this Charter. Any one or more of these Commissioners may be removed by a vote of the Mayor and entire Council. The Board shall have the following powers and responsibilities:

- a. Be responsible to oversee and manage the City's water supply, recycled water, wastewater collection and treatment ("Water and Wastewater Systems") functions in accordance with State law.
- b. Employ such persons, including a general manager, as may be needed for proper administration of the City's Water and Wastewater Systems.
- c. Set and collect all rates, fees and charges for operation of the Water and Wastewater Systems.
- d. Allocate all receipts and expenditures to separate, independent, Water and Sewer Funds in accordance with State law.
- e. Provide for an annual, independent audit of all water and wastewater accounts, and may provide for more frequent audits as it deems necessary. A copy of all auditors' reports shall be filed with the City Clerk and Council.
- f. Compensate members of the Water Board in accordance with actions of the Water Board following public hearing.
- g. Collaborate with the Council, Mayor and City Manager concerning the City's Water and Wastewater Systems. In this regard, the Council shall take such actions as may be appropriate to enforce rules and regulations of the Board.
- h. Establish and periodically review and revise such rules and regulations as may be appropriate for managing the City's Water and Wastewater Systems.

Section 604. Personnel Commission

A Personnel Commission consisting of five (5) members shall be appointed by a vote of the Mayor and entire Council to serve without compensation. The Mayor and entire Council may remove Commissioners in the same manner. The Commission's sole responsibility shall be to hear appeals of disciplinary action by City employees, subject to the provisions of adopted labor agreements. Decisions of the Commission shall be final without further review within the City.

ARTICLE VII: FINANCIAL MANAGEMENT**Section 700. Fiscal Year**

The fiscal year of the City shall begin on the first day of July of each year and end on the last day of June of the following year. The Council may change the fiscal year by ordinance.

Section 701. Submission of Budget and Budget Message

At least sixty (60) days prior to the beginning of each fiscal year, the City Manager shall prepare and submit to the Mayor and Council the proposed budget and an accompanying message. The City Manager's budget message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the City for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget and indicate any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes. It shall summarize the City's debt position, including factors affecting the ability to raise resources through debt issues, and include other such material as the City Manager deems desirable.

Section 702. Budget and Capital Improvement Program

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable or the Council or Mayor may request for effective management and understanding of the relationship between the budget and the City's strategic goals. In addition, the City Manager shall prepare and submit a multi-year capital improvement plan (CIP). The CIP shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

The City's budget and CIP should strive to achieve the best practice standards set by the Government Finance Officers Association (GFOA) for distinguished budget presentation.

Section 703. Council Action on the Budget and Capital Improvement Plan

The Council shall publish a general summary of the budget and CIP and hold one (1) or more public hearings. After the public hearing(s), the Budget and CIP shall be adopted by the Council before the beginning of each fiscal year.

Section 704. Independent Audit

The Council shall provide for an annual independent audit of all City accounts and may provide for more frequent audits as it deems necessary. An independent certified public accountant or firm of such accountants shall make such audits, which should be performed in accordance with General Accepted Auditing Standards (GAAS) and Generally Accepted Governmental Auditing Standards (GAGAS). Using competitive bidding, the Council shall designate such accountant or firm for a period not to exceed five (5) years.

As soon as practicable after the end of the fiscal year, a final certified audit and report shall be submitted by such accountant to the Mayor, each member of the Council, the City Manager, Finance Director and City Attorney. Three (3) additional copies shall be placed on file in the office of the City Clerk, where it shall be available for inspection by the general public, and published on the City's website.

Article VIII: ELECTIONS**Section 800. City Elections**

Beginning in November 2018, the regular City election shall be held at the time established by State law on the first Tuesday after the first Monday in November, and every two (2) years thereafter. City elections shall follow the provisions and procedures of the State Elections Code as applicable to general law cities. The Mayor and Council members shall be sworn in and begin their term of service upon certification of the election results, and shall serve until their successors qualify.

To facilitate the transition of elections from odd to even numbered years, consistent with the timing of elections for state and federal offices, the terms of the Mayor and each Council member in office at the time of the adoption of this Charter shall be extended for one (1) year.

Section 801. Elective Officers; Terms

The elective officers of the City shall consist of a Mayor and seven Council members. Council members shall continue to be elected for terms of four (4) years, with such terms staggered between the wards as established by ordinance. Each Council member shall be elected by ward by the voters within that ward. The Mayor shall continue to be elected at large for a term of four-years.

Section 802. Number of Wards

There shall be seven (7) wards.

Section 803. Adjustment of Ward Boundaries

Periodic adjustments to ward boundaries shall be made to maintain each in compact form and as nearly equal in population as possible, consistent with applicable State and Federal laws.

ARTICLE IX: INITIATIVE, CITIZEN REFERENDUM AND RECALL

Section 900. Initiative, Citizen Referendum and Recall

Initiatives, citizen referendums and recalls shall follow the procedures of the State Elections Code, as applicable to general law cities.

ARTICLE X: CHARTER AMENDMENTS

Section 1000. Charter Amendments

Amendments to this Charter shall follow the procedures of the State Elections Code, as applicable to charter cities.

Section 1001. Periodic Review of Charter

By December 2017, the Council shall establish a process to ensure the periodic review of this Charter to identify potential amendments that enhance clarity, efficiency, and the principles of the council-manager form of government.

ARTICLE XI: SEVERABILITY

Section 1100. Severability

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected. If the application of the Charter or any of its provisions to any persons or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected.

Attachment B: Charter Committee Working Timeline

Meeting Date	Task or Activity	Comments/Status
5/12/15	Developed Input Questionnaire (Survey)	Complete
5/26	Receive Input from Survey	Agreed to continue to receive input on survey
	Request Council approval for professional input	Complete; professional assistance provided effective 7/7/15
	Discuss plan to develop Timeline	Draft was available, but was not discussed
	Discuss plan to deal with Charter topics	Draft was available, but was not discussed
6/9	Discuss approach to Charter Review	Agreed upon approach, including focusing on Charter skeleton before specific topic details
	Received and reviewed information on professional and public input	Discussed
	Approve plan for disseminating survey	Complete
	Review working timeline	Complete. Timeline will be updated regularly as changes occur
	Consider form of Government for Charter skeleton	Preliminary Recommendation: Council – Manager Form of Government in Charter Skeleton
	Discuss skeleton Council structure and powers Council representation for Charter skeleton	Preliminary Recommendation: Maintain a Ward System
6/23	<i>Meeting Cancelled</i>	
7/7	Discuss professional advisors and scope of work	Complete
	Introduce new participants to Charter Committee	Welcomed Committee Member Vicki Lee
	Complete discussion of skeleton Council structure and powers ¹	Preliminary Recommendation: Council powers should be limited to legislative and policy making, not administrative and operational
	Discuss skeleton Mayor provisions	Preliminary Recommendation: Mayor should be elected at-large. Powers, voting privileges and impacts on ward system deferred to next meeting

Meeting		
Date	Task or Activity	Comments/Status
7/14	Continue discussion of skeleton Mayor provisions	<p>Preliminary Recommendation: Retain the current number of wards (7)</p> <p>Preliminary Recommendation: Mayor should have no administrative, appointment or removal powers except as otherwise provided in the Charter</p> <p>Deferred consideration of Mayor's voting rights until input is received from the Mayor and Council members</p> <p>Agreed to provide meeting summaries to Mayor and Council following each Committee meeting.</p> <p>Agreed to periodically provide progress reports to the Mayor and Council at their regularly scheduled meetings</p>
	Begin discussion of skeleton City Manager provisions	<p>Preliminary Recommendation: Majority vote of all members of the Council and Mayor required for appointment of City Manager</p>
7/28	Continue discussion of City Manager Charter Skeleton Discussions	Discussed. Recommendations deferred until August 11 meeting (to consider results from elected official interviews)
	Begin discussion of skeleton provisions for City Clerk, City Attorney, City Treasurer	Discussion regarding City Attorney begun; recommendations deferred until August 11
8/11	Review common themes from Elected Official Interviews	Reviewed
	Review applicability of Operating Guidelines for Good Governance to Charter Skeleton Complete discussion on Mayor, Council, City Manager interrelationship, roles and authorities	<p>Discussion continued, but not completed.</p> <p>Preliminary recommendation: The Mayor shall have the same voting privileges as Council members</p> <p>Preliminary recommendation: Incorporate the roles of Mayor as reflected in the Operating Practices for Good Government (OPGG) into the Charter skeleton</p>
	Complete Charter skeleton discussion regarding City Attorney, City Clerk, City Treasurer	Presentations by City Treasurer Kennedy and Mayor Davis
8/25	Complete discussion on Mayor, Council, City Manager interrelationship, roles and authorities	<p>Preliminary recommendations:</p> <ul style="list-style-type: none"> • Reduce number of wards from 7 to 6 • Incorporate recommended roles for City Manager, Council and Mayor and Council (combined) from OPGG into the Charter skeleton
	Complete Charter skeleton discussion regarding City Attorney, City Clerk, City Treasurer	Not discussed

Meeting		
Date	Task or Activity	Comments/Status
	Charter Skeleton Discussion on Establishment of City Departments, Commissions and Committees; City Officers and Fiscal Management	Not discussed
	Discuss plans for progress report to Mayor and Council on skeleton	Confirmed scheduling for September 21 MCC meeting
9/8	<i>Meeting Rescheduled to September 15</i>	
9/15	Charter skeleton discussion regarding City Attorney, City Clerk, City Treasurer	Preliminary recommendations: <ul style="list-style-type: none"> Duly qualified City Attorney to be appointed by Mayor and Council Incorporate OPGG language re: City Attorney into the Charter Skeleton Duly qualified City Clerk to be appointed by Mayor and Council Charter will contain no references to City Treasurer
	Discuss Charter skeleton provisions related to City departments and their establishment	Preliminary recommendation: Charter will not specifically mention departments except as otherwise provided or delineated
9/15	Review and Discuss survey results	Discussed
	Finalize plans for progress report to Mayor and Council on skeleton	Discussed
9/21	<i>Present Progress Report at Mayor/Council Meeting</i>	Presented
9/22	Discuss input from Mayor and Council from 9/21 Progress Report presentation, modify skeleton as desired	Discussed, no change in skeleton based on input from Mayor and Council at this time Discussion of whether to reconsider alternatives for ensuring odd number of voting members – Deferred to next meeting agenda
	Discuss specific departments referenced in the charter to determine whether language should be included in charter	Preliminary recommendations: <ul style="list-style-type: none"> No reference to School Districts in Charter Include reference to Library Board of Trustees, with specific powers and authority to be determined by the Council
	Discuss other department or agency language to include in charter	Discussion of whether services to be provided should be included in the Charter – Deferred to next meeting agenda

Meeting		
Date	Task or Activity	Comments/Status
	Identify other topics to be covered by the Charter skeleton, i.e., elections, fiscal matters, code of ethics, etc.	Not discussed
10/13	Discuss reconsideration of alternatives to ensure odd number of voting members	Discussed, but deferred to obtain input through public forums
	Discuss whether to add language on services to be provided without specifying departments	Discussed. Alternative options to be discussed at 10/27 meeting
	Discuss potential Police and Fire Department skeleton provisions, if any	Preliminary recommendation: No reference to Police or Fire Department in Charter
	Discuss potential civil service/personnel system skeleton provisions, if any	Not discussed
	Review plans and content for upcoming public forums	Discussed
10/27	Discuss potential civil service/personnel system skeleton provisions	Preliminary recommendation: No specific reference to Civil Service Board or Department in the Charter. Instead, include language that the City shall establish a personnel system.
	Discuss potential Water Department skeleton provisions, if any.	Not discussed – deferred to November 10 meeting
	Finalize plans for public forums	Discussed
	Review potential language (possibly in a Preamble) regarding fundamental services to be provided	Preliminary recommendations: <ul style="list-style-type: none"> • Add “The City shall ensure fundamental services are provided to protect and promote the public health, safety and welfare,” to the Charter Preamble. • Add “The Council may establish departments and assign departmental functions in order to meet the needs of the community in the most effective and efficient manner. The Council may also establish advisory or independent boards or commissions to provide guidance regarding the provision of City services. Any services, boards or commissions in existence at the time of the adoption of the Charter shall continue unless and until changed by the Council” to the skeleton section for Council
11/4	Public Forum, 6:30 p.m.	Golden Valley Middle School. Held
11/5	Public Forum, 6:30 p.m.	Arroyo Valley High School. Held
11/9	Public Forum, 6:30 p.m.	Indian Springs High School. Held

Meeting		
Date	Task or Activity	Comments/Status
11/10	Discuss potential Water Department skeleton provisions	Discussed. Action postponed to next meeting
	Review input received at public forums	Discussed
	Reconsider Mayoral voting and options for ensuring odd number of voting members	Discussed. Action postponed to next meeting
	Review and discuss how charter issues would be treated under general law	Not discussed
11/24	No Meeting	Meeting rescheduled to December 1, 2015
12/1	Discuss potential Water Department skeleton provisions	<p>Preliminary recommendations:</p> <ul style="list-style-type: none"> The Charter shall make reference to a department responsible for water, wastewater and sewer functions with an oversight Board of Commissioners; with their specific powers and authority to be determined by the Council; and with the Commissioners to be appointed by the Council (including the Mayor). The Board shall recommend rates for water, wastewater and sewer services to the Council. The City Manager shall have responsibility and supervision of the department. Include a section on Rights, Succession and Liabilities to read: The City of San Bernardino shall continue to own, possess, and control all rights and property of every kind and nature, owned, possessed or controlled by it at the time this Charter takes effect and shall be subject to all its debts, obligations and liabilities.
	Reconsider Mayoral voting and options for ensuring odd number of voting members	<p>Revised Recommendation:</p> Retain current charter skeleton provisions for Mayoral voting rights and a six-ward Council system.
	Compare and consider general law vs. charter options for San Bernardino	Not discussed.
	Review and discuss other elements to be considered in the skeleton	Discussed. Will discuss compensation and employment status of Mayor and Council (full-time vs. part-time) at next meeting. No other elements to be considered in the skeleton.

Meeting		
Date	Task or Activity	Comments/Status
12/8	Review compensation and employment status for Mayor and Council members	Preliminary Recommendations: <ul style="list-style-type: none"> Mayor shall serve essentially full time Compensation for Mayor and Council will be set periodically by the Mayor and Council following a public hearing, and based on the recommendations of an advisory Compensation Commission charged with the periodic review of elected official compensation. Mayor shall be compensated higher than Council members.
	Compare and consider general law vs. charter options for San Bernardino	Preliminary Recommendations: <ul style="list-style-type: none"> The Committee will propose a new charter (i.e., not recommend the City become general law) Follow general law with regards to prevailing wages (i.e., no charter exemption)
	Begin discussing specific charter language	Directed consultant to work with City Attorney in preparing a draft document for the Committee to review.
12/22	No meeting	Meeting rescheduled to December 29, 2015
12/29	Consider election skeleton provisions	Preliminary Recommendation: Consolidate municipal elections with the cycle for state and federal elections (i.e., November of even-numbered years)
	Discuss specific charter language	Discussed Preamble only
	Discuss potential public forum dates	School District has requested 4 weeks' notice
1/12	Continue work on specific language	Discussed Articles I, II, and portions of Article III.
	Discuss progress report to Mayor and Council and upcoming public forums	Progress report scheduled for Feb 1. Staff report due to City Clerk on 1/26/16.
1/26	Continue work on specific language	Discussed
2/1	Present progress report at Mayor/Council meeting	Continued to 2/29/16 special meeting
2/10	Public Forum, 6:30 p.m.	Middle College High School Multi-use Room (Ward 3) – Rescheduled due to low attendance at request of Councilmember Valdivia
2/16	Present progress report at Mayor/Council meeting	Continued to February 29 special meeting
2/22	Public Forum, 6:30 p.m.	Chavez Middle School Multi-use Room(Ward 5) – Held
2/23	Continue working on specific language	Meeting not held due to lack of quorum
2/24	Public Forum, 6:30 p.m.	San Bernardino High School, Choir Room (Ward 2) – Held
2/25	Public Forum, 6:30 p.m.	San Geronio High School Multi-use Room (Ward 7)—Held

Meeting		
Date	Task or Activity	Comments/Status
2/29	Present progress report at Mayor/Council meeting	Presented
3/3	Public Forum, 6:30 p.m.	Urbita Elementary School (rescheduled for Ward 3) -- Held
3/8	Continue working on specific language	Discussed
	Discuss future advocacy and education role and responsibilities of the Charter Committee once report has been presented	Discussed
	Review public forum results	Discussed
	Discuss Mayor and Council input from Progress Report	Discussed
3/8	Continue working on specific language	Discussed
	Discuss future advocacy and education role and responsibilities of the Charter Committee once report has been presented	Discussed
	Review public forum results	Discussed
	Discuss Mayor and Council input from Progress Report	Discussed
3/22	Continue working on specific language	Discussed. Completed first draft of preliminary charter
	Discuss workshop with Mayor and Council	Discussed
	Discuss Committee's final report and presentation to Mayor and Council	Not discussed
4/19	Review revised organizational structure under draft proposed new charter	Discussed
	Discuss workshop with Mayor and Council	Discussed
	Discuss Committee's Final Report and Presentation to Mayor and Council	Discussed
	Discuss Draft Proposed Charter	Discussed
4/25	Workshop with Mayor and Council to discuss preliminary Charter recommendations	5:30 p.m., EDA Board Room Workshop held

Meeting		
Date	Task or Activity	Comments/Status
4/26	Discuss revisions to the proposed Charter based on workshop with Mayor and Council	Discussed. Some language delegated to a subcommittee of three members to reach consensus.
5/3	Discuss revisions to the proposed Charter based on workshop with Mayor and Council	Discussed. Subcommittee changes affirmed by Committee. Recommendation: The Charter Committee recommends that the Council place the proposed Charter as drafted on the November 8, 2016 ballot for consideration by the City's voters.
	Review draft Committee final report to Mayor and Council	Discussed. Final report wordsmithing delegated to the Committee Chair.
	Review and discuss presentation of Committee report	Discussed
5/16	<i>Present Charter Committee Report to Mayor and Council</i>	Scheduled
	Future meetings of the Charter Committee to discuss education outreach efforts	To be determined