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MEMORANDUM

TO: Council President Jack Webb

FROM: Art Shad, Chair
Special Committee to Review Charter Revision Commission Recommendations

DATE: November 17, 2010

SUBJECT: Special Committee Final Report

On behalf of the entire Special Committee to Review Charter Revision Commission Recommendations, I want to thank you for the opportunity to be of assistance to the Council in this important matter. The Special Committee met four times in September and October to consider the following recommendations made by the Charter Revision Commission:

1. Amend the City Charter to reform the public school system by changing the governance structure of the School Board, and/or establishing City-sponsored charter schools or a charter school district, and/or pursuing legislative action to empower school principals.
2. Amend the City Charter to insert an Ethics Code and make provision for an Ethics Commission which would have jurisdiction over the officers and employees of the City, the constitutional officers and the independent authorities.
3. Amend the City Charter to enhance the mayor's veto power over line items in the budget ordinance and to clarify the timing of mayoral vetoes.
4. Amend the City Charter to add a requirement for the preparation of a 1, 5, 10, 20 and 30-year financial impact statement before the adoption of any new or revised pension benefits.
5. Amend the City Charter to move the City elections from spring to fall to coincide with the gubernatorial election and to have the winners take office on January 1st.
6. Amend the City Charter to require each mayor to prepare, within 6 months of being elected or re-elected, a strategic plan for the next four years in cooperation with the City Council, constitutional officers and independent authorities.

7. Amend the Ordinance Code to extend the term of future Charter Revision Commissions from 8 to 12 months and to require the commissions to begin their process with a workshop on the history and contents of the City Charter.
8. Consider implementing staggered terms for City Council members, using several scenarios suggested by the commission.

The Special Committee opened its first meeting with a public hearing at which a number of interested citizens, a representative of the Charter Revision Commission, Ethics Commission members and former members, and persons who had previously testified before the Charter Revision Commission all presented testimony in support of various proposals. The Special Committee also took public comment at each of its meetings.

At its first meeting the Special Committee determined that the City Council had already taken actions related to several of the recommendations, and therefore the topics were considered resolved, or that debate on such subject was best initiated by individual council members introducing legislation at a future date and no further action needed to be taken by the Special Committee. The following items were assigned to that category and were not discussed further:

1. Amend the City Charter to reform the public school system by changing the governance structure of the School Board, and/or establishing City-sponsored charter schools or a charter school district, and/or pursuing legislative action to empower school principals. (See Resolution 2010-207-A)
5. Amend the City Charter to move the City elections from spring to fall to coincide with the gubernatorial election and to have the winners take office on January 1st. (See Ordinance 2009-893-A)
8. Consider implementing staggered terms for City Council members, using several scenarios suggested by the commission. (See Ordinance 2009-893-A)

The Special Committee also determined that it would be expedient, given the timing of the legislative delegation's J-bill filing deadline, to introduce legislation where appropriate to the City Council on an issue-by-issue basis rather than waiting until the completion of the Special Committee's work to produce a package of legislation. That method may have been too late, for some subjects, to meet this year's deadline to propose J-bills where a J-bill was determined to be the appropriate vehicle for proposing the desired charter amendment.

The Special Committee took the following actions with regard to the other Charter Revision Commission's recommendations:

2. Amend the City Charter to insert an Ethics Code and make provision for an Ethics Commission which would have jurisdiction over the officers and employees of the City, the constitutional officers and the independent authorities: **The Special Committee proposed a substitute to the already-pending Ordinance 2010-616 consistent with a recommendation of the Ethics Commission and the Ethics Officer.**
3. Amend the City Charter to enhance the mayor's veto power over line items in the budget ordinance and to clarify the timing of mayoral vetoes: **The Special Committee introduced Resolution 2010-815 in support of proposed legislative bill J-5 to make the recommended changes.**
4. Amend the City Charter to add a requirement for the preparation of a 1, 5, 10, 20 and 30-year financial impact statement before the adoption of any new or revised pension

benefits. **The Special Committee recommended amending the Ordinance Code to incorporate pension transparency and disclosure requirements as discussed by the committee, and suggested that a drafting committee comprised of Council Member Joost and representatives of the Council Auditor's office, City administration, and Police and Fire Pension Fund work with the Office of General Counsel to develop a proposed ordinance.**

6. Amend the City Charter to require each mayor to prepare, within 6 months of being elected or re-elected, a strategic plan for the next four years in cooperation with the City Council, constitutional officers and independent authorities. **The Special Committee opposed this recommendation as being unnecessary.**
7. Amend the Ordinance Code to extend the term of future Charter Revision Commissions from 8 to 12 months and to require the commissions to begin their process with a workshop on the history and contents of the City Charter. **The Special Committee recommended amending Ordinance Code Chapter 17 to make the proposed changes, which will be forthcoming.**

AHS/jrc