

Agenda Report



MEETING DATE: Tuesday, June 25, 2024

TO: City Council

FROM: CITY CLERK ORTIZ

SUBJECT: RESOLUTIONS PLACING CHARTER AMENDMENTS ON THE
NOVEMBER 5, 2024, BALLOT

STATEMENT OF ISSUES:

The City is proposing amendments to the City Charter for submittal to the voters at the November 5, 2024, General Municipal Election. To do so, the Council must adopt a resolution placing each proposed charter amendment measure on the ballot and requesting that the County administer the election.

RECOMMENDED ACTION:

Adopt the following resolutions:

1. Resolution of the City Council of the City of Watsonville submitting a ballot measure to the voters to amend the City of Watsonville Charter to clarify staff positions and references to City regulations, clarify requirements regarding ordinance publication and hiring attorneys, update qualifications and duties of city manager, modify Council meeting requirements, allow the Council to set compensation for Planning Commissions, make the Board of Library Trustees a commission, allow Council Members to receive employment benefits, adjust the Mayor's salary, and remove or revisions provisions to be consistent with current law; Ordering an election; Requesting the Santa Cruz County Elections Department conduct the election and consolidate it with the general statewide election to be held on November 5, 2024.
2. Resolution of the City Council of the City of Watsonville submitting a ballot measure to the voters to amend the City of Watsonville Charter to remove voter registration requirements for service on the Library Board of Trustees and the Parks and Recreation Commission; Ordering an election; Requesting the Santa Cruz County Elections Department conduct the election and consolidate it with the general statewide election to be held on November 5, 2024.

DISCUSSION:

The City of Watsonville Charter was adopted by the voters in 1960. Since that time, it has been amended several times, with the most recent revision in 2014. In 2023, then-Mayor Montesino requested that staff explore options for updating the City's Charter to modernize outdated language. On June 27, 2023, the City Council appointed a

subcommittee to conduct the charter review. This Charter Review Subcommittee, composed of Council Members Dutra, Orozco, and Salcido, was tasked with proposing Charter amendments to the full Council, focusing on inclusivity, removing gender specific language, improving options for public participation, and addressing compensation challenges for the City Council and Commissioners.

The Charter Review Subcommittee met throughout 2023 and into 2024 and, ultimately, proposed multiple amendments to the full City Council. The Council considered the Subcommittee’s proposed amendments at public meetings on February 13, March 26, and April 23, 2024. On April 23, 2024, the Council approved the following proposed ballot measures:

Measure #1: Shall the measure amending the Charter of the City of Watsonville to clarify staff positions and references to City regulations, clarify requirements regarding ordinance publication and hiring attorneys, update qualifications and duties of City Manager, modify Council meeting requirements, allow the Council to set compensation for Planning Commissioners, make the Library Board a Commission, allow Councilmembers to receive employment benefits, adjust the Mayor’s salary, and remove or revise provisions to be consistent with current law be adopted?

Measure # 2: Shall the measure amending the Charter of the City of Watsonville to modify the eligibility requirement for appointment to the Parks and Recreation Commission and the Board of Library Trustees from registered voter to resident of the City of Watsonville be adopted?

Each Measure requires a simple majority of affirmative votes to pass.

Measure 1 – Charter Update Measure

The chart below, which was also included in the April 23, 2024, staff report, highlights the substantive revisions to the Charter. After the April 23 meeting, the Public Works Department presented an additional amendment to Charter Section 1117 to clarify the publication requirement for bids. A summary of that proposed amendment is included in the chart below.

Other amendments not included in the chart are non-substantive and update the language to use gender neutral language, clarify otherwise vague language, and update references to applicable law.

Charter Section	Summary of Changes
Section 405 - Compensation	Allow Councilmembers to receive employment benefits in addition to salary.
Section 408 – Meetings of the Council	Allow Council to hold 1 regular or special meeting per month, rather than requiring council to hold 1 regular meeting each month.

Section 409 – Participation	Strike the word “citizen” from provision regarding participation in Council meetings.
Section 502 - Salary	Mayor to receive 25% more in salary than remainder of Council.
Section 607 – Publication of Ordinances	Update language to allow publication in any newspaper or as permitted by Sate Law.
Section 700 – City Manager	<p>Modify qualifications for City Manager candidates.</p> <p>Candidates for City Manager shall have a minimum of one (1) year previous experience as a City Manager or two (2) years previous experience as an Assistant City Manager, or a minimum of five (5) years of senior level municipal management experience in a public service setting with extensive experience working with City Council or County Board of Supervisors.</p>
Section 703 – City Manager Powers and Duties	Include requirement to meet with Council Members and assign role of City Emergency Operations Center (EOC) Director.
Section 804 – City Attorney Powers and Duties	Clarify City’s abilities to hire additional attorneys.
Section 900 - Commissions	<p>Remove reference to Commissions and make Library Board a Commission. General cleanup of language.</p> <p>Separately, create a ballot question to allow residents not registered to vote to be appointed to Board of Library Trustees and Parks and Recreation Commission.</p>
Section 905 – Planning Commission Compensation	Grant Council the ability to consider compensation for Planning Commissioners.
Section 910 – Board of Library Trustees	Change Library Board to a Commission.
Section 1001 – Competitive and General Service	Clarify General Service staff positions.
Section 1002 – Personnel Rules and Regulations	Delete due to lack of relevance.

Section 1004 – Suspension, Demotion, and Dismissal	Add reference to City Rules and Regulations.
Section 1106 – Tax Levy	Delete due to lack of relevance.
Section 1113 – Funds: Capital Outlays Fund	Remove non-enforceable language.
Section 1117 – Public Bid Requirements.	Replace requirement that bids be published in the “official newspaper” with requirement that bids be published in “a newspaper of general circulation in the City or in accordance with State law when such a newspaper does not exist”.
Section 1118 – Contracts for Official Advertising	Remove entire section as it is unnecessary and impractical.
Section 1122 – Tax Limits	Remove Section 1122 (a) and Section 1122(b)(1) as not authorized post Proposition 13.
Section 1202 – Franchise Terms, Condition, and Procedures	Remove requirement to establish general terms and conditions for franchises through ordinance and instead consider franchises individually.
Section 1504 – Violations	Replace “shall” with “may” to allow flexibility in imposing violations.
Section 1506 – Publicity of Records	Include language to refer to State policy regarding public records requests.

Measure 2 – Commission Service Measure

Currently, Section 900 of the Charter limits service on City boards and commissions to registered voters in the City. The Charter Review Subcommittee proposed removing the voter registration requirement for service on the Board of Library Trustees and Parks and Recreation Commission. Consistent with Council direction at the April 23, 2024, meeting, the Commission Service Measure, as currently drafted, would remove the voter registration requirement for service on the City’s Library Board and Parks and Recreation Commission.¹ Any resident of the City could serve on either of these bodies. The voter registration qualification would still be imposed on candidates for the Planning Commission and Personnel Commission.

¹ The Commission Service Measure refers to the Board of Library Trustees, rather than the Library Board, as proposed by the Charter Update Measure. If the Commission Service Measure passes, but the Charter Update Measure does not, the name of the Board of Library Trustees would remain unchanged. Therefore, the Commission Service Measure retains the current name of the Library Board. However, if both measures pass, the Commission Service Measure includes a provision directing the City Clerk to change the name of the Library Board of Trustees in Section 900, as amended by the Commissioner Service Measure to “Library Commission.”

STRATEGIC PLAN:

The Election will allow voters to consider and adopt or reject amendments to the City Charter, supporting Strategic Priority 5-Community Engagement & Well-Being and ensuring Priority 7 - Efficient and High Performing Government.

FINANCIAL IMPACT:

The County of Santa Cruz Elections Department estimates the cost between \$2.50 to \$4.50 per voter. The City of Watsonville currently has approximately 23,000 registered voters. Therefore, the cost could range from \$57,500 to \$103,500.

ALTERNATIVE ACTION:

The City Council may revise or amend the measures. The deadline for submitting measures to the County is August 9, 2024.