Action Item

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Agenda Item No.

Report to the Auburn City Council

City Manager's Approval

To: Mayor and City Council

From: Councilman Kevin Hanley

Date: April 11, 2011

Subject: Proposed Schedule for Charter City Hearings

The Issue

Shall the City Council hold a minimum of three public hearings to decide on whether the City of Auburn should convert from a general law city to a Charter City by placing a Charter on the March or June 2012 election ballot?

Conclusion and Recommendation

That the City Council directs the City Manager to include on the council agenda for the June 13, July 11 and August 8 meetings a discussion item as to whether the City of Auburn should place a Charter on the March or June 2012 election ballot.

Background

Section 3(a) of Article 11 of the California Constitution grants to a Charter City supreme authority over its "municipal affairs" subject to constitutional limitations and various court decisions related to what areas of law are of "statewide concern" over which the California Legislature has authority. Given the long track record of negative actions taken by the California Legislature and the Central Valley Regional Water Quality Board against cities, there has been increased interest in Auburn as to whether converting from a general law city to a Charter City could enhance and maximize the ability of city officials to provide high quality services to city residents at the least cost possible. There are 120 charter cities in California and this number grows each election cycle.

At the March 13, 2011 meeting, the City Council decided that the City Council would schedule and hold a series of public hearings to examine potential City Charter status for Auburn. Consistent with actions taken by the City Council at this meeting, the City Manager will also be putting on the council agenda, starting in May, an item that looks more in-depth at what services are provided on a department-by-department basis.

The City Council has held two previous discussions of the Charter City option on March 8, 2010 and July 12, 2010 and has in turn received various materials produced by the League of California Cities, a staff report, and samples of Charters that have been

adopted by other cities. These previously provided materials and new materials, including a draft *Home Rule for Auburn Charter*, will be provided to city council members at the June 13th meeting to ensure a productive discussion.

It is still unclear whether the California Legislature will pass legislation to create a separate Presidential Primary Election for March 2012, a consolidated primary election for March 2012 or stick with the regularly scheduled primary election for June 2012. According to the Placer County Election Department, if the City of Auburn wishes to place a Charter on the ballot for the March 2012 election it must act no later than November 2, 2010. If the City of Auburn wishes to place a Charter on the June 2012 ballot it must act by February 1, 2012.

Alternatives

(1) Hold no meetings on the Charter City option and remain a general law city.
(2) City Council appoint a Charter City Commission to draft a Charter by a due date.

Fiscal Impact

None.