

RESOLUTION NO. 2020-0244

Adopted by the Sacramento City Council

August 4, 2020

Calling and Giving Notice of the Submittal to the Voters a Measure to be Included in the General Municipal Election on November 3, 2020

BACKGROUND

- A. On June 30, 2020, the City Council adopted Resolution No. 2020-0188 calling for, giving notice of, and consolidating a General Municipal Election to be held on Tuesday, November 3, 2020 for the purpose of electing officers.
- B. On August 4, 2020, the City Council adopted Resolution No. 2020-0244 approving the text of the proposed measure to be submitted to the voters.
- C. The City Council desires to submit the measure to the voters at the November 3, 2020 General Municipal Election.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- SECTION 1: That the text of the proposed measure to be submitted to the voters are attached as Exhibits A.
- SECTION 2: The ballots to be used at the election shall be in the form and content as required by law.
- SECTION 3: The vote centers for the election shall open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in sections 4005 and 14401 of the California Elections Code.
- SECTION 4: In all particulars not recited in this resolution, the election shall be held and conducted as provided by the law for holding municipal elections.
- SECTION 5: Notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in the time, form, and manner required by law.

SECTION 6: The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

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Exhibit A - Sacramento Mayoral Accountability Community Equity Act of 2020

Adopted by the City of Sacramento City Council on August 4, 2020, by the following vote:

Ayes: Members Ashby, Guerra, Hansen, Jennings, Schenirer, and Mayor Steinberg

Noes: Members Carr, Harris, and Warren

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2020.08.07 14:08:10
-07'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

Attachment 2

Charter Changes (Text of Proposed Measure)

Section 1. Title.

These charter amendments are titled and may be cited as the "Sacramento Mayoral Accountability and Community Equity Act of 2020" (hereinafter, the "Act").

Section 2. Findings and Purpose.

A. Findings.

1. Voters consistently express a desire for more accountability and transparent checks and balances in city government.
2. Currently, voters have a limited ability to hold key decision-makers clearly, directly, and consistently accountable for how they spend taxpayer dollars, make major decisions of city management, and administer city programs and services.
3. Currently, all powers are concentrated exclusively in a single entity, the city council, which results in a system that blurs accountability for distinct executive and legislative powers and denies voters a system of basic checks and balances on power that is a hallmark of the American democratic system.
4. Voters expect and deserve high standards for ethical behavior, transparency, and citizen engagement in all aspects of city government, including but not limited to the oversight of city officials.
5. Voters will demonstrate greater trust and support for a city government that ensures the mayor, city council, and city departments are held accountable to the will of the voters through reforms that establish clear lines of accountability and adequate checks and balances between executive and legislative functions, including strong provisions for ethical and transparent behavior.

6. The city's current governance system was established 100 years ago for a far smaller, less diverse, and less complex city.
7. The community rightfully demands and deserves more voice in the budget decisions of the city.
8. The awakening that has occurred in our country requires our city to consider the racial and gender impacts of the city's major decisions.
9. Modernizing the City Charter is an essential step in the city's evolution to meet the challenges and opportunities of the 21st Century.
10. This Act, therefore, amends the Sacramento City Charter to include a series of reforms to create more accountability; create transparent checks and balances; afford the community a greater role in the city's budget decisions; ensure the community's economic-development and city-services priorities are respected; and require the city to evaluate potential council decisions for their effects on social equity, including racial equity and gender equity.

B. Purpose.

The purpose of this measure is to establish greater accountability and stronger checks and balances, to better ensure that the agenda, budget, leadership, and day-to-day management of the City of Sacramento are directly informed by, and aligned with, the will of the voters and effectively communicated to the residents of Sacramento by their elected representatives.

Section 3. Section 21 of the Sacramento City Charter is hereby amended to read as follows:

§ 21 Composition.

(a) Except as provided in subsection (c) below, the legislative body of the city shall be a city council of nine members. Each council member shall be nominated and elected by the electors

of the district in which such person resides as provided in Article X.

(b) At the first city council meeting of each calendar year, the city council shall elect one of its members to serve as council president, and another of its members to serve as council vice-president, during the ensuing calendar year.

(c) The city council shall be an eight-member body until nine council districts are established pursuant to Article XII.

Section 4. Section 22 of the Sacramento City Charter is hereby amended to read as follows:

§ 22 Districts.

(a) Except as provided in subsection (b) below, the city shall be divided into nine council districts, designated Districts 1 through 9.

(b) The map establishing eight council districts that is in effect on the effective date of this Charter amendment shall continue to be in effect until a new map establishing nine council districts becomes effective as provided in Article XII.

(c) The title of the office of each member of the council shall bear the number accorded the district of such member.

Section 5. Section 26 of the Sacramento City Charter is hereby amended to read as follows:

§ 26 Terms of office.

The term of each member of the city council shall be four years and until a successor qualifies.

Section 6. Section 27 of the Sacramento City Charter is hereby amended to read as follows:

§ 27 Qualifications of members.

Each member of the council or candidate therefor, at the date of candidacy and election or appointment, shall be an elector and a resident in such member's district for not less than 30 days preceding the date of candidacy and election or appointment, as the case may be, and must continue to reside in such district during the term of office, except that no boundary change under Article XII shall disqualify a member from serving the remainder of the term. The term "elector" means a person who qualifies to vote at either a state election or federal election held in the State of California. "Date of candidacy" shall mean the date of filing nominating papers or equivalent declaration of candidacy.

Section 7. Section 28 of the Sacramento City Charter is hereby amended to read as follows:

§ 28 Vacancies.

(a) A vacancy on the city council shall be filled by special election to be called by the council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which such office would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the remaining members of the council. A person elected or appointed to fill a vacancy shall hold office for the unexpired term of the former incumbent.

(b) Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council, shall operate to vacate the seat of the council member so absent.

Section 8. Subsection (a) of Section 30 of the Sacramento City Charter is hereby amended to read as follows:

(a) The city council shall determine its rules of procedure according to rules which it shall adopt, and the city council shall have exclusive control over its meeting agendas.

Section 9. Subsection (b) of Section 32 of the Sacramento City Charter is hereby amended to read as follows:

(b) Subject to Section 47 of this Charter, and except as otherwise provided elsewhere in this Charter, and with the exception of ordinances which take effect immediately upon adoption, ordinances shall be adopted in compliance with either the procedure set forth in subsection (c) or subsection (d) of this section.

Section 10. Section 36 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 36 Social Equity Analysis.

(a) As provided in an ordinance or resolution adopted by the city council, the city shall analyze the social equity impacts of the city's budget and major policy decisions. The city council shall create a commission, a standing committee from among its members, or both, to evaluate potential council decisions for their effects on residents most negatively and disproportionately harmed and impacted by socio-economic, environmental, and historical factors, including taking into account racial, ethnic, gender, sexual-orientation, and sexual-identity equity; and propose proactive policies and initiatives to address social inequities. Any such commission's or committee's membership, scope, and process shall be established by council ordinance or resolution.

(b) The city auditor shall audit the city's progress on addressing social inequities, including city department policies

and actions. The city auditor shall also present a social equity analysis as part of the annual budget process.

Section 11. Section 37 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 37 Small Business Analysis.

As provided in an ordinance or resolution adopted by the city council, the city shall analyze the small business impacts of the city's budget and major policy decisions.

Section 12. Section 38 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 38 Ethics and Sunshine Ordinances.

To assure public confidence in the integrity of elected and appointed city officials and to provide greater transparency in local city government, the city council shall: (1) by ordinance, adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees, including provisions for the removal from office of any elected official who substantially violates the adopted Code of Ethics and Conduct; and (2) adopt a Sunshine Ordinance, which shall liberally provide for the public's access to city government meetings, documents, and records.

Section 13. Section 39 is hereby added to Article III of the Sacramento City Charter to read as follows:

§ 39 Responsiveness to Constituents.

The city council shall develop a means to ensure efficient and effective response to constituent concerns.

Section 14. Section 40 of the Sacramento City Charter is hereby amended to read as follows:

§ 40 Mayor—Functions.

(a) The chief executive officer of the city shall be the mayor, who shall have the executive and administrative authorities, powers, and responsibilities of the city as provided herein, including but not limited to the power and duty to execute and enforce all laws, ordinances, and policies of the city.

(b) The mayor:

(1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council, or by other laws;

(2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of communicating the policies, programs, and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program;

(3) Shall appear before the public to deliver a general address on the State of the City, recommend the adoption of such measures as the mayor may deem expedient and proper, and be reasonably available to the public. At the invitation of the council president the mayor shall address and update the council once per quarter;

(4) Shall have the right, but not the exclusive power, to make recommendations to the city council on matters of policy and programs that require council decisions;

(5) Shall have the right, but not the obligation, to attend and be heard at any regular or special open session or closed session meeting of the city council, but not the right to vote at such meetings;

- (6) May propose ordinances and resolutions, which may be considered by the city council in accordance with the council's rules;
- (7) Shall propose a budget to the city council not later than 90 days before the commencement of each fiscal year, and shall have the power to veto the budget resolution adopted by the city council pursuant to Section 111 of this Charter;
- (8) May approve or veto ordinances passed by the city council pursuant to Section 47 of this Charter;
- (9) Shall appoint the city manager subject to confirmation by a majority vote of the city council, and may remove the city manager pursuant to Section 60 of this Charter; and
- (10) Shall have and exercise such other powers and duties as delegated to the mayor by the city council and as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

Section 15. Section 43 of the Sacramento City Charter is amended to read as follows:

§43 Mayor—Term.

The term of office of mayor shall be four years and until a successor qualifies. No person may serve more than two full terms as mayor. Terms as a member of the city council shall not be counted towards the term limit as mayor. A partial term is equal to or less than two years. A partial term shall not be counted as a full term for purposes of the term limit.

Section 16. Section 45 of the Sacramento City Charter is hereby amended to read as follows:

§ 45 Acting Mayor.

(a) During any absence of the mayor from the city, the council president shall be the acting mayor until the mayor returns. In addition, if the mayor becomes incapable of acting as mayor and incapable of delegating duties, the council president shall become the acting mayor.

(b) In the event of the absence, vacancy in office, or inability of both the mayor and council president to perform their duties, the council vice-president shall serve as acting mayor. Any person serving as an acting mayor under this section shall continue to hold office as a member of the city council.

(c) Any person serving as acting mayor under this section shall be vested with the authority to supervise the staff remaining employed in the office of the mayor, to direct and exercise control over the city manager in managing the affairs of the city under the purview of the mayor and to exercise other power and authority vested in the office of the mayor when the exercise of such power and authority is required by law. This limited authority includes circumstances where the expeditious action is necessary to meet a legal requirement imposed by a court or another governmental agency. Such limited authority does not include the exercise of the power of any veto or any other discretionary privilege that is enjoyed by a person appointed or elected to the office of mayor.

Section 17. Section 46 of the Sacramento City Charter is hereby amended to read as follows:

§ 46 Mayor—Vacancy.

(a) The office of mayor shall be declared vacant by the city council when the person elected or appointed thereto fails to qualify within 10 days after his or her term is to begin, dies, resigns, ceases to be a resident of the city, is continuously absent from the city for a period of more than 30 days without permission from the city council, is convicted of a felony, is judicially determined to be incompetent, is permanently so disabled as to be unable to perform the duties of the office of

mayor, forfeits the office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the city council after considering competent medical evidence bearing on the physical or mental capability of the mayor.

(b) A vacancy in the office of the mayor shall be filled by special election to be called by the city council as provided in Section 154 of this Charter, unless such vacancy occurs within one year of the next general election at which the office of mayor would normally be filled, in which case the vacancy shall be filled by appointment by a majority of the members of the city council then in office. A person elected or appointed to fill a vacancy in the office of mayor shall hold office for the unexpired term of the former incumbent.

(c) During the period when an appointment or election is pending to fill a vacancy in the office of mayor, the provisions in Section 45 shall control.

Section 18. Section 47 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 47 Mayor—Approval or Veto of Council Ordinances.

(a) The mayor shall have veto power over all ordinances passed by the city council except ordinances described in Section 32(g), ordinances required by state law, or ordinances that, pursuant to this Charter, are within the exclusive purview of the city council.

(b) Except as otherwise provided in this Charter, each ordinance adopted by the city council shall become effective at the expiration of 30 days after adoption and approval by the mayor, or deemed approval, or the override of a mayoral veto pursuant to this Charter, or at any later date specified therein.

(c) Except as otherwise provided in this Charter:

(1) The mayor shall have 10 business days from the date of adoption to approve or veto the ordinance and inform the City Clerk in writing of the action taken. If the mayor fails to act within such period, the ordinance shall be deemed approved.

(2) If the mayor vetoes the ordinance, the mayor shall state the reasons for such veto in writing and shall transmit the writing to the city council within 48 hours. The city council shall have 30 days from the date of transmittal to reconsider the ordinance. If after such reconsideration, at least six council members vote in favor of adopting the ordinance, that ordinance shall become effective notwithstanding the mayor's veto. If the vetoed ordinance does not receive the affirmative votes of at least six council members after reconsideration, the ordinance shall not be adopted and shall have no legal effect.

Section 19. Section 48 is hereby added to Article IV of the Sacramento City Charter to read as follows:

§ 48 Limitation on future employment.

No mayor, during the term for which such person shall have been elected or appointed or for one year after such person ceases to hold office, shall be eligible for any appointive office or position in the city, carrying compensation, and created by this Charter, by ordinance, or by resolution. An elective office which has been filled by appointment by reason of a vacancy in that office shall not be considered an appointive office under this section.

Section 20. Section 49 is hereby added to Article IV the Sacramento City Charter to read as follows:

§ 49 Certain limitations on mayoral participation.

(a) Unless otherwise expressly stated in this Charter, or as provided by state law, the mayor shall have no official role regarding the following:

(1) The acts of the city council sitting as a different legal entity, including but not limited to the housing authority; and

(2) Land-use decisions of the city council, except for ordinances.

(b) The mayor shall not facilitate the city council's violation of any open meeting laws or the city's Sunshine Ordinance.

Section 21. Section 60 of the Sacramento City Charter is hereby amended to read as follows:

§ 60 City Manager—Appointment, qualifications, and removal.

There shall be a city manager who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. If the city council fails to confirm or reject an appointment within 30 days of the appointment being made by the mayor, the appointment of the city manager shall be deemed denied by the city council. The city manager shall be selected solely based on executive and administrative qualifications. The mayor can remove the city manager from office for cause. The mayor can remove the city manager from office without cause, subject to a six-vote council override within 15 business days.

Section 22. Section 61 of the Sacramento City Charter is hereby amended to read as follows:

§ 61 Functions.

The city manager shall be the chief administrative officer of the city and shall be responsible for the effective administration of

the city government. Acting on the mayor's behalf and in furtherance of the mayor's powers, the city manager shall have the power and it shall be the city manager's duty:

- (a) To assist the mayor in seeing that all laws and ordinances are enforced;
- (b) To administer and exercise supervision and control over all offices, departments, and services of the city government under the jurisdiction and control of the city manager;
- (c) To the extent requested by the city council, to act in an advisory capacity to the city council with respect to officials not under the jurisdiction and control of the city manager or mayor;
- (d) Except as otherwise provided in this Charter, to appoint all heads or directors of departments of the city and all subordinate officers and employees with power to discipline and remove any officer or employee so appointed, subject to the civil service provisions of this Charter; provided, further, that all officers and employees of the city appointed by the city manager who are exempt from the rules and regulations of the civil service board pursuant to Charter Section 83 may be suspended or removed at the pleasure of the city manager;
- (e) To make such recommendations to the mayor and city council as the city manager shall deem appropriate concerning the operation, affairs, and future needs of the city;
- (f) Under the direction of the mayor, attend all regular and special public meetings of the city council with the right to participate in the discussion of matters pending before the council but without the right to vote on such matters. . Provided, however, the city manager has the authority to place routine, non-controversial items on the agenda as conferred by the adopted council rules of procedure;
- (g) To see that all terms or conditions imposed in favor of the city or the people of the city in any contract, franchise, lease, or permit are faithfully kept and performed; and upon knowledge of any violation thereof to notify the city council of such violation;

- (h) When authorized to do so by the provisions of this Charter or by ordinance or resolution, to execute, on behalf of the city all contracts, franchises, leases, permits, or any other document requiring the execution of which is required by an officer of the city;
- (i) To keep the mayor and the city council fully advised as to the operations, financial conditions, and needs of the city;
- (j) To assist the mayor in preparing the annual budget in accordance with Charter Section 111;
- (k) To perform such other duties consistent with this Charter as may be prescribed by the mayor; and
- (l) To be responsive to the council's requests to address constituent concerns.

Section 23. Section 62 of the Sacramento City Charter is hereby amended to read as follows:

§ 62 Non-interference with City Manager.

- (a) Neither the mayor nor any member of the city council shall directly or indirectly coerce or attempt to coerce the city manager relative to the appointment or removal of any city officer or employee which is made by the city manager.
- (b) The mayor shall not interfere with the city manager's obligations under Section 61(l).
- (c) The city council and its members may deal directly with the city manager with respect to the part of city government under the direction and supervision of the city manager.
- (d) Nothing herein shall limit the power of the city council, or members thereof, to do the following:
 - (1) to conduct investigations as provided in Section 34 of this Charter, or

(2) to contact officers and employees of the city for the purpose of inquiry or obtaining information that is a public record, or

(3) to contact officers and employees designated by the city manager for the purpose of advising said officers and employees of citizen complaints relating to the operation of city government.

Section 24. Section 63 of the Sacramento City Charter is hereby deleted.

Section 25. Section 73 of the Sacramento City Charter is hereby amended to read as follows:

§ 73 City Treasurer.

The city treasurer shall be responsible for the deposit and investment of all funds of the city treasury not made subject to the control of others pursuant to this Charter. The city treasurer shall keep the city council and the mayor fully advised as to the deposit and investment of funds subject to his control. The city council shall prescribe the qualifications, additional duties, and compensation of the city treasurer. The city treasurer shall appoint, subject to the civil service provisions of this Charter, such deputies and employees as the council may by resolution prescribe.

Section 26. Section 76 of the Sacramento City Charter is hereby amended to read as follows:

§ 76 Duty to inform council and mayor.

Each appointive officer specified in Section 70 shall have the duty to promptly and fully inform the city council and the mayor of any act of misfeasance or malfeasance known to said

appointive officer to have been committed by any officer or employee of the city if such act might significantly and adversely affect the finances or operations of the city. The city council, by ordinance or resolution, may further define the procedures and provisions determined to be necessary to implement and operate under this section.

Section 27. Section 111 of the Sacramento City Charter is hereby amended to read as follows:

§ 111 Budget.

(a) All budgets shall be adopted pursuant to the following process:

(1) Each department, office, and agency of the city shall provide, in the form and at the time directed by the city manager, all information required by the city manager to assist the mayor to develop a budget conforming to modern budget practices and procedures, as well as specific information which may be prescribed by the council. Not later than 90 days before the commencement of each fiscal year or such greater period as the council may prescribe, the mayor, with the assistance of the city manager, shall present a proposed budget for the ensuing fiscal year to the city council, in such form and manner as the council may prescribe. The city council shall hold a minimum of two public hearings on the mayor's proposed budget, the first of which shall occur no later than 15 days after the proposed budget is presented to the city council. No later than 30 days before the commencement of the fiscal year and following at least two public hearings on the proposed budget, the city council shall adopt by resolution a budget of expenditures and appropriations for the ensuing year. Upon the request of the city council, the city auditor shall provide to the city council an independent analysis of the proposed budget.

(2) The mayor shall, within 10 days of the city council's adoption of the budget, either approve the entire council-adopted budget, veto the entire council-adopted budget, or veto

any part of the council-adopted budget by reducing or eliminating any line item while approving other portions of the council-adopted budget; provided, however, that the mayor cannot veto the line items of the council-adopted budget relating directly to the city council's internal expenditures. If the mayor vetoes any line item in the council-adopted budget, the mayor shall append to the council-adopted budget a statement identifying the line items and the reasons for the veto. The portions of the council-adopted budget approved or not vetoed by the mayor shall become effective. If the mayor vetoes all or any line item within the council-adopted budget, the vetoed portions shall not become effective, and the mayor shall transmit the vetoed council-adopted budget to the city council, together with the mayor's veto statement. The city council shall within 10 days of such transmittal reconsider the council-adopted budget and mayor's vetoes. If the council is in official recess at the time of the mayor's transmittal, the 10-day period shall begin immediately upon the end of the recess period. If the mayor vetoes the entire council-adopted budget, and at least six council members vote to override the mayor's veto, the budget as adopted by the city council shall become effective. Line items vetoed by the mayor shall be separately reconsidered and if at least six council members vote to override the mayor's veto of a line item, that line item as adopted by the city council shall become effective. If at least six council members do not vote to override the mayor's veto of a line item within the 10-day period, the elimination or reduction of the line item by the mayor shall become effective.

(3) If the budget process described in subsection (a)(2) is not completed before the start of the fiscal year, the appropriations for current operations of the last fiscal year shall be deemed effective until the new budget and appropriation measures are adopted.

(b) The budget may be amended, revised, or modified during the fiscal year pursuant to the process set forth above in subsection (a) on a timeline not to exceed 90 days, which timeline shall start on the date the mayor, either after a request

by the city council to do so or on the mayor's own initiative, transmits the proposed budget amendment, revision, or modification to the city council. For purposes of this subsection (b), the 30-day pre-fiscal year deadline in subsection (a)(1) shall instead be 30 days before the expiration of the 90-day timeline.

(c) The mayor shall have the right to veto any council-approved appropriation or expenditure of externally-sourced funds that are not part of the budget, subject to a six-vote council override, all on the same timeline for budget resolution actions as set forth in subsection (a).

(d) In accordance with a process adopted by the council, the approved budget must include one or more line items for expenditures consistent with the recommendations resulting from a citywide participatory budgeting process.

(e)

(1) The first budget adopted after the effective date of this subsection, and each budget thereafter, must include a specific amount – equal to or greater than \$40 million, which must be adjusted annually according to an objective measure of economic growth – for inclusive economic development and youth services.

(2) At least 25% of the amount so budgeted must be for youth services with a priority towards children and youth most impacted by poverty, violence, and trauma. In considering the allocation of money for youth services, the Council shall seek input from youth, including any existing youth commission.

(3) The city council may adopt ordinances and resolutions to implement this subsection (e), to the extent those are consistent with this subsection and effectuate its purpose.

Section 28. Subsection (a) of Section 152 of the Sacramento City Charter is hereby amended to read as follows:

(a)

(1) The primary city election shall be held on the same date in each election year as the California statewide direct primary election, and the general city election shall be held on the same date as the California statewide general election for that year. All other elections shall be known as special elections.

(2) Primary and general elections for council districts one, three, five, seven, and nine shall be held in the year 2022, and every fourth year thereafter; and the primary and general elections for council districts two, four, six, and eight, and for the office of mayor, shall be held in the year 2024, and every fourth year thereafter.

(3) The election schedule described in subsection (a)(2) accounts for the ninth council district to be created pursuant to this amendment, but is otherwise declarative of the existing election schedule, and does not affect the term of any incumbent on the effective date of this amendment.

Section 29. Subsection (h) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(h) Immediately after the subpool has been created, and at that same public meeting, the chair of the screening panel shall randomly select nine names – one from each existing council district – from the subpool. These nine individuals shall serve as commissioners on the commission.

Section 30. Subsection (i) of Section 174 of the Sacramento City Charter is hereby amended to read as follows:

(i) The commissioners selected pursuant to subsection (h) shall select four commissioners and two alternates from the remaining applicants in the subpool. Each selection requires six affirmative votes from among the nine commissioners, and the selection must be made at a publicly noticed meeting after the public has had the opportunity to provide written and oral comment. The commissioners shall make each selection on the

basis of the applicant's relevant analytical skills, familiarity with the city's neighborhoods and communities, ability to be impartial, and apparent ability to work cooperatively with other commissioners. The commission should reasonably reflect the city's diversity; provided that no quotas, formulas, or ratios may be applied for this purpose.

Section 31. Section 230 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Boards and Commissions—Creation and appointments.

(a) The city council shall provide by ordinance for such boards and commissions as may be required by law or deemed desirable, shall prescribe their functions, and may prescribe qualifications and conditions of service on such boards and commissions, including compensation and reimbursement for expenses, terms or office, method of appointment and removal.

(b) Unless otherwise provided in state law or the relevant governing documents, the mayor may appoint a representative to outside agencies, including but not limited to joint exercise of powers authorities, subject to council approval.

Section 32. Section 232 of the Sacramento City Charter is hereby amended to read as follows:

§ 230 Removal of members of boards and commissions.

For good cause, neglect of duty or misconduct in office, a member of a city board or commission who has been appointed for a specified term by the city council may be removed from office during such term by the city council. Such member may be removed only after such member has been given a copy of the charges against such member at least ten days prior to a hearing to be held on the charges. At the hearing the member shall have an opportunity to be heard in person or by counsel.

Section 33. Section 233 is hereby added to Article XV the Sacramento City Charter to read as follows:

§ 233 Ethics Commission.

There shall be established an ethics commission whose purpose is to review and consider complaints against elected and appointed city officials, as provided in an ordinance adopted by city council, to ensure those city officials are conforming their conduct to the city's laws and policies. The city shall provide the ethics commission with at least one staff person who reports directly to the commission and whose sole function is to serve the commission.

Section 34. Section 234 is hereby added to the Sacramento City Charter to read as follows:

§ 234 Fair Housing and Human Rights Commission.

There shall be established a fair housing and human rights commission whose purpose is to review and consider such policies and programs as provided in an ordinance adopted by council.

Section 35. Remainder of Charter Unaffected.

Except as specifically amended by this Act, all provisions of the Sacramento City Charter remain unchanged and in full effect.

Section 36. Effect of Amendments on Existing Commissions.

The amendments to Section 174 of the Charter, related to the composition of the Sacramento Independent Redistricting Commission, shall not affect the selection of commissioners or composition of that commission as it existed on the effective date of this Act. The addition of Section 233 to

this Charter shall not affect the Sacramento Ethics Commission as it existed on the effective date of this Act.

Section 37. Effective Date.

If this Act is approved by a majority of the voters voting on the issue, the Act shall become effective when it is filed and accepted by the Secretary of State in accordance with California Government Code section 34459.

Section 38. Implementation.

Upon the effective date of this Act, the City shall proceed as expeditiously as possible to implement this Act, including but not limited to promptly updating the Sacramento City Code, ordinances, and resolutions to conform to the Charter amendments set forth herein.

Section 39. Reauthorization.

To ensure the people have an opportunity to consider the effectiveness of the changes to City government effectuated by this Act, the city council shall place a measure on the ballot at an election no later than November 2030 to consider amendments to the Charter that, at a minimum, either returns the City to the council-manager form of government that existed before the effective date of this Act, re-approves the changes effectuated by this Act, or proposes some alternative government structure. However, the city council and the people expressly reserve the right to propose any other changes to the Charter at the November 2030 election or sooner, including without limitation, changes to extend, make permanent, shorten, or repeal the provisions of this Act.

Section 40. Severability.

If any portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act is held invalid or inapplicable by

a final judgment of a court of competent jurisdiction, such decision shall not affect the validity or applicability of any other part of this Act. Consistent with the foregoing, the provisions and applications of this Act shall be deemed severable, and each portion, section, subsection, paragraph, subparagraph, sentence, clause, or application of this Act would have been enacted irrespective of the fact that one or more other parts or applications is found to be invalid or inapplicable.