



MODESTO CITY COUNCIL

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MINUTES

City of Modesto

CHARTER REVIEW COMMITTEE/ SPECIAL COUNCIL WORKSHOP

Conference Room 6825, Sixth Floor
Tenth Street Place
1010 10th Street, Modesto, California

HELD VIA TELECONFERENCE

Wednesday, March 17, 2021, at 5:00 PM

Roll Call Present: Committee Members Chair Cecil Russell, Aaron Anguiano, Wendy Byrd, Janice Keating, Mike Moradian, Tim Ragsdale, Sandy Lucas, Chris Tyler, and Monica Valencia

Absent: Committee Members Sam Pierstorff and Jose Sabala; Ad Hoc Members George Petrulakis and John Walker

PUBLIC COMMENT PERIOD

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED – No Consent Items

NEW BUSINESS

1. Consider approving the Minutes from the March 3, 2021 meeting.

ACTION: Motion (Tyler/Lucas; 9/0; Pierstorff, Sabala absent) approving the Minutes from the March 3, 2021 meeting.

2. Continued review and discussion of City Manager's Office Draft Memo dated February 5, 2021, including additions/revisions/changes requested by Committee.

Committee Members were provided a Memo from the City Manager's Office dated March 10, 2021 incorporating the Committee's proposed changes to the Charter from the February 5, 2021 Draft Memo.

ACTION: Motion (Moradian/Lucas; 8/1; Keating no; Pierstorff, Sabala absent) approving changes to Section 300. Regular Municipal Elections. Language contained within 3/10/21 City Manager's Office memo.

ACTION: Motion (Moradian/Anguiano; 7/1; Keating no; Byrd abstain; Pierstorff, Sabala absent) approving the Council District elections to remain the same.

Committee members discussed the need to revise the language in **Section 600: Term of Office** to reflect the revisions to Section 300 concerning the election of Mayor. Committee members affirmed their common desire to have the Mayor take office or begin a new term alongside the City Council even though the Mayor might be elected outright earlier should there not be a need for a runoff.

ACTION: Motion (Tyler/Moradian; 9/0; Pierstorff, Sabala absent) approving revised qualification language for City Auditor Section 902.1 eliminating: "The City Auditor shall be certified according to standard comparable to a Certified Public Accountant or a Certified Internal Auditor at the time of appointment" and approving the revised language inserted into the City Attorney's presentation from the ALGA Model Legislation.

Committee members discussed the handout provided by Committee Member Byrd and Retired City Auditor Ann-Marie Hogan: "Comparison Modesto Draft vs. ALGA Model Legislation."

ACTION: Motion (Moradian/Byrd; 9/0; Pierstorff, Sabala absent) directing Chris Tyler, Sacramento City Auditor Jorge Osequera and/or Retired City Auditor Ann-Marie Hogan, and the City Attorney return to the Committee with red-line suggestions with current language, including the Comparison document suggestions, regarding City Auditor Section 902.1.

ACTION: Motion (Keating/Lucas; 9/0; Pierstorff, Sabala absent) approving the merging of Sections, 1108 and 1109 (with additional language regarding The Board of Personnel Appeals) as contained in the 3/10/21 City Manager's Office Memo

ACTION: Motion (Moradian/Keating; 9/0; Pierstorff, Sabala absent) approving Section 1100 – Culture Commission- language revisions contained in 3/10/21 City Manager's Office Memo.

The City Manager's Office will return to the next meeting with revisions regarding Section 1111 – Human Relations Commission.

ACTION: Motion (Tyler/Moradian; 9/0; Pierstorff, Sabala absent) approving revisions to Section 1313 – Purchase of Supplies and Equipment- language revisions contained in 3/10/21 City Manager's Office Memo.

ACTION: Motion (Lucas/Keating; 9/0; Pierstorff, Sabala absent) approving revisions to Sections 1302.1, 1302.2 and 1303.3 – Submission of Economic Forecasts; Mayor's Budget Message; Annual Budget; Mayor's Final Budget Modifications; Public Hearing on the Proposed Budget— language revisions contained in 3/10/21 City Manager's Office Memo.

ACTION: Motion (Keating/Anguiano; 9/0; Pierstorff, Sabala absent) approving revisions to Section 601(k) – Powers and Duties of Mayor-- language revisions contained in 3/10/21 City Manager's Office Memo.

ACTION: Motion (Lucas/Anguiano; 9/0; Pierstorff, Sabala absent) approving revisions to Section 501 – Method of Election, language revisions contained in 3/10/21 City Manager's Office Memo.

Committee Members discussed Sections 1104 (previously approved) and Section 1205 (additional revisions will be brought back to next meeting) and revisions to Section 1307.

ACTION: Motion (Keating/Anguiano; 9/0; Pierstorff, Sabala absent) approving changes to Section 1311 – Contracts for Official Advertising, language revisions contained in 3/10/21 City Manager's Office Memo.

3. Discussion and continued review of the City of Modesto Charter and any further additions/changes/revisions for the November 2022 election.

ACTION: No reportable action.

Matters to Return:

- (i) Follow-up with City Manager's Office regarding Charter Sections 1111 and 1205
- (ii) Staff to return to the Committee with red-line suggestions with current language, including the "Comparison document with ALGA" suggestions, regarding City Auditor Section 902.1.
- (iii) Staff to return with additional revisions to Section 1205-Hearing Officer
- (iv) Staff to return with language revisions for Section 600—Term of Office.
- (v) Discussion regarding Section 1500 – Board of Education.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

ACTION: Motion (Anguiano/Keating; 9/0; Pierstorff, Sabala absent) adjourning meeting at 7:10 p.m.

Attest: _____
Stephanie Lopez, City Clerk