

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

ARTICLE	TITLE	ISSUES/POSITIONS/VOTE	SUBSTANTIVE (S) /NON-SUBSTANTIVE CHANGES (N/S)	FISCAL IMPACT
		<p>Changes to be made universally throughout the charter:</p> <ul style="list-style-type: none"> • Add table of contents and page numbers • Replace masculine pronouns with gender neutral • Replace “Councilman/Councilmen” with “Councilperson/Councilpersons” • Any references to “at least three (3) affirmative votes” will now state “a majority vote” • Any references to “at least four (4) affirmative votes” will now state, “a supermajority of votes.” • References to publication consistent with amendments to Section 609 		
I	<i>Name of City</i>	No proposed changes		

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

II	<i>Boundaries</i>	No proposed changes		
III	<i>Succession</i>	<p>Issue: Should the City require by charter a review of the charter by citizen advisory committee on a regular basis?</p> <p>Proposed change: add section 307: “At least every ten (10) years, the City Council shall appoint a citizen advisory committee of not less than eleven (11) members whose charge shall be to review the charter and present, or cause to be presented, to the City Council a written report recommending those amendments, if any which should be made to the charter. Appointees shall be subject to confirmation by a majority of the City Council.</p> <p>Recommendation: Add new section 307 to include language stated above.</p> <p>VOTE: 8-0</p>	S	
IV	<i>Powers of City</i>	No proposed changes		
V	<i>The Elective Officers</i>	<p>Edit:</p> <ul style="list-style-type: none"> • Section 500: <ul style="list-style-type: none"> ○ Strike language “nominated and elected from the City at large” from first and fifth paragraphs and replace with “elected from 		

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>residents of those respective districts.”</p> <ul style="list-style-type: none"> ○ Switch order of fifth and sixth paragraphs beginning with “Provided, however,” and “At any time,” respectively. ○ 9th paragraph beginning with “Within thirty (30) days,” add an “s” to “district” on the second line; 11th paragraph beginning with “When the Council,” add an “s” to “date” at the end of the paragraph. ○ last paragraph should be moved to begin after first existing paragraph beginning with “Notwithstanding the provisions of Section 502. ○ 2nd paragraph: Delete “July First” and replace with “first day of July” <ul style="list-style-type: none"> ● Section 501: replace references to Pacific Electric Railway with the names of the streets. ● Section 503: <ul style="list-style-type: none"> ○ Delete the word “other” before “elective office” on the first line; ○ Delete the word “next” before “preceding the date of his nomination” on the third line and the last line. ○ Add the following legal citation to the end of this section: “See, 		
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p><i>generally</i>, Thompson v. Mellon, (1973) 9 Cal.3d.96; 107 Cal.Rptr. 20”</p> <ul style="list-style-type: none"> • Section 504: <ul style="list-style-type: none"> ○ Replace the word “salary” with “compensation” ○ Strike the phrase “time a” on the second line of “Other Elective Officers” and replace with “times.” <p>Issue: Whether there should be term limits for members of City Council</p> <p>Position:</p> <ul style="list-style-type: none"> • Add the following language: “No person shall serve more than two four-year terms of office as a member of the City Council. A partial term shall count as a full term unless the period is less than two full years, which period would not count as a term.” <p>Recommendation: Limit term to two four-year terms.</p> <p>VOTE: 8-0</p>	S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Recommendation: increase number of days from 30 to 60.</p> <p>VOTE: 8-0</p>		
VI	<i>The City Council</i>	<p>Edits:</p> <ul style="list-style-type: none"> • Section 604: Change “three members” to “a majority.” • Section 605: Change “of state law” to “or state law” • Section 606: <ul style="list-style-type: none"> ○ Strike “Three members” and replace with “A majority” ○ Change “but a less number” to: <ul style="list-style-type: none"> ▪ “but a lesser number” ▪ “but in the absence of a quorum,” ○ Last sentence of first paragraph: add “other” before the phrase “violations of this Charter are punishable.” • Section 611(a): edit phrase “other wise” to state “otherwise” • Section 614: <ul style="list-style-type: none"> ○ terms “contract” and “matter” as they appear in the third and fourth lines of the first paragraph should be plural 		

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>No person shall be denied the right, personally or through counsel, to address the City Council at any regular meeting, adjourned regular meeting or special meeting regarding any item within its subject matter jurisdiction and if such item is on the agenda, prior to such item being considered by the City Council. City Council may, by ordinance or resolution, establish time limitations for speaking and impose other reasonable regulations on the exercise of such right in order to preserve the orderly nature of its proceedings. The presiding officer may modify regular rules of procedure in a nondiscriminatory fashion where large audiences are present, and may make necessary orders to prevent disorderly conduct when the meeting is being disrupted. All boards and commissions of the City shall conduct their meetings in a similar fashion consistent with the City Council's procedures or with their own procedures established by resolution so long as such procedures are consistent with the City Council's rules."</p> <p>Recommendation: Committee withdrew this position as it appears to be a restatement of existing law. No recommendation is being made.</p>		
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Issue: Whether Section 609 of the Charter should specify an “official newspaper” when meeting publication requirements under the Charter.</p> <p>Positions:</p> <ul style="list-style-type: none"> • Delete “in the official newspaper” and replace with “in a local newspaper or newspaper of general circulation in the City, and posted on the City’s official website” • Delete “the official newspaper” and replace with “a newspaper of general circulation, printed and published in Los Angeles County and circulated in the City” • Add language: “The City Clerk may also use additional technological means available to disseminate information to the public.” <p>Recommendation: Choose first option and add additional language stating, “The City Clerk shall use additional technological means available to disseminate information to the public.”</p> <p>VOTE: 8-0</p>	N/S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

VII	Officers, Powers, & Duties	<p>Issue: Whether to change City Clerk, City Attorney and City Treasurer from elected to appointed positions.</p> <p>Positions:</p> <ul style="list-style-type: none"> • City Clerk to become a position appointed by City Council. • City Attorney to become a position appointed by the City Council • City Treasurer to become a position appointed by the City Council <p>Recommendation: Change the City Clerk and City Treasurer to appointed positions; keep City Attorney an elected position.</p> <p>VOTE: 4-4 (4 dissenting votes were as follows: 2 in favor of keeping all positions elected; 2 in favor of making all positions appointed)</p> <p>Issue: Whether City Clerk duties as described in Section 700(e) should specify that he/she is responsible for administering elections in which he/she is not a candidate.</p> <p>Position:</p> <ul style="list-style-type: none"> • Edit Section 700(e) as follows: “Have charge of all city elections in which he/she is not a candidate” 	S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Recommendation: Committee withdrew this issue from consideration and took no action.</p> <p>Issue: Whether the City Treasurer’s duties as stated in Section 701 should include a requirement that he/she attend all meetings of the City Council.</p> <p>Position:</p> <ul style="list-style-type: none"> • Add following language to Section 701(e)—"Attend all meetings of the City Council and provide information and/or input when called upon to do so by the City Council as it relates to matters within his/her area of responsibility." Change existing subsection (e) to new subsection (f). <p>Recommendation: Change City Treasurer’s duties to require him/her to attend all regular meetings of the City Council</p> <p>VOTE: 8-0</p> <p>Edit:</p> <ul style="list-style-type: none"> • Section 702 as follows: “To <i>become</i> eligible for City Attorney, the person...” <p>Issue: Whether to increase years of experience required to be eligible for City Attorney</p>	S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Position:</p> <ul style="list-style-type: none"> Minimum of 5 years' experience in the practice of law <p>Recommendation: Committee withdrew this issue from consideration and took no action.</p> <p>Issue: Whether to add the following to the City Attorney's duties:</p> <p>Position:</p> <ul style="list-style-type: none"> Add new subsection(h) to state: "To otherwise serve as the legal counselor to the City, and to perform other duties consistent with the Charter." Existing subsection (h) will become subsection (i) <p>Recommendation: Add the language stated above to the City Attorney's duties.</p> <p>VOTE: 8-0</p>	S	
VIII	<i>The City Court</i>	No proposed changes		
IX	<i>Board of Education</i>	No proposed changes		
X	<i>Council, Appointed Boards, & Commissions</i>	No proposed changes		

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

XI	<i>Civil Service</i>	<p>Edit:</p> <ul style="list-style-type: none"> • Section 1100: delete the phrase “to qualify” in the second line of the second paragraph, as it is repetitive. • Section 1101(a)(4) should read: “One executive assistant to the City Manager.” • Section 1101(a)(6) should be edited as follows: <ul style="list-style-type: none"> ○ “appointing officer <u>or</u> board” ○ “by the affirmative votes of <u>a</u> <u>supermajority</u> of the members” • Add following language to beginning of Section 1104 (Recruitment): <ul style="list-style-type: none"> ○ “The Personnel Rules and Regulations, as established by City Council ordinances and resolutions, remain in force except as otherwise clarified or modified by this Charter.” • Section 1106: edit last word to state “Personnel Rules and Regulations” <p>Issue: Whether Department Directors should be included in list of positions in the unclassified service.</p>	S	City savings on costs of appeals of severe discipline
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Position:</p> <ul style="list-style-type: none"> • Add department directors to Section 1101(a)(6) of the existing list; renumber existing (a)(6) as (a)(7) <p>Recommendation: Remove department directors from classified service and include them in list of unclassified employees.</p> <p>VOTE: 8-0</p> <p>Issue: Whether the City should require non-elected persons employed by the City to reside “within a reasonable distance of his/her place of employment with the City”</p> <p>Position:</p> <ul style="list-style-type: none"> • Delete Section 1104.1 <p>Recommendation: Remove residency requirement from non-elected persons employed by the City.</p> <p>VOTE: 8-0</p>	S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>Issue: Whether Charter should expressly prohibit nepotism in hiring practices.</p> <p>Position:</p> <ul style="list-style-type: none"> • Add the following language as new Section 1111 entitled “Nepotism, Favoritism, and Corruption”: “It shall be the policy of the City to prohibit and ban nepotism, favoritism and corruption. For the purposes of this section, officer shall mean all public officials of the City, elected or appointed, and manager shall mean the City Manager, Assistant City Managers, and all department heads of the City. <p>An officer or manager of the City shall not themselves, and shall not direct any other person to, appoint, employ, promote, or advance for appointment to any committee, board of commission, employment, or promotion in or to any position in the City, any individual who is a relative of such manager or any officer of the City, by blood or marriage within the third degree, or a spouse/partner of such manager or any officer of the City.</p> <p>No individual shall be appointed to any committee, board or commission in the City if such appointment has been advocated by an officer or manager of</p>	S	
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

		<p>the City for the preferential treatment of such individual for reasons other than expertise or performance in such committee, board or commission. An officer or manager of the City, in the course of their duties, shall not accept or provide money or gifts to any individual or entity, except as permitted by State law, or by ordinance or resolution of the City Council.”</p> <p>Recommendation: Add language as stated above to create new Section 1111.</p> <p>VOTE: 8-0</p>		
XII	<i>General Provisions Relating to Officers & Employees</i>	<p>Issue: Whether Section 1111 (Contract for Performance of Administrative Functions) is inadvertently misplaced in Article 12.</p> <p>Position:</p> <ul style="list-style-type: none"> • Renumber current Section 1111 to Section 1112 <p>Recommendation: Section 1111 will now be numbered Section 1112</p> <p>VOTE: 8-0</p> <p>Edit:</p> <ul style="list-style-type: none"> • Section 1201: Change title to “Oath and Affirmation of Office” 	N/S	

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

XIII	<i>Elections</i>	<p>Issue: Whether to change timing of City elections to coincide with County elections</p> <p>Position:</p> <ul style="list-style-type: none"> • Institute an Approval Voting Method, which allows residents to choose as many candidates as they wish. • Strike sections 1300(a) and 1301 that require primary nominating elections. • Amend Section 1302 to state: “General municipal elections for the election of Mayor, Councilmembers, and other elected officials of the City, and for such other purposes as the City Council may prescribe, shall be held in the City on the same date in each election year as the California State primary elections.” <p>Recommendation: Dispense with primary elections and hold City general municipal elections in the even-numbered years</p> <p>VOTE: 8-0</p> <p>Edits:</p> <ul style="list-style-type: none"> • Strike “except the elections of members of Board of Education” from Section 1303 • Section 1304: remove capital “H” from word “with” 	S	<p>Generate a savings for the City in excess of \$500,000 in each election year as the cost of elections would be shared by other cities whose elections are in even-numbered years.</p>
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COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT

XIV	<i>Fiscal Administration</i>	Edit: <ul style="list-style-type: none"> • Section 1415: delete “City Manager or department heads” and replace with “city employees when approved by the City Manager and applicable department heads” 	N/S	
XV	<i>Public Utilities & Franchises</i>	Edit: <ul style="list-style-type: none"> • Section 1501: substitute “gas” for “heat”; “electricity” for light” • Section 1502: “designate using the most modern means available to disseminate information to the public” or “in the manner described in Section 609” 	N/S	
XVI	<i>Employees’ Retirement System</i>	No proposed changes		
XVII	<i>Miscellaneous</i>	Edit: Strike gender pronouns	N/S	

COMPTON CHARTER REVIEW COMMITTEE FINAL REPORT