FINAL RECOMMENDATIONS OF THE

CHARTER REFORM TASK FORCE

TO THE CITY COUNCIL

June 1998

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6/29/98
7.C.1.

Agenda Report

TO: CITY COUNCIL JUNE 29, 1998

FROM: CHARTER REFORM TASK FORCE

SUBJECT: FINAL RECOMMENDATIONS OF THE CHARTER REFORM TASK FORCE

I. EXECUTIVE SUMMARY

TASK FORCE MISSION

The Pasadena City Charter Reform Task Force was created by the Pasadena City Council on August 18, 1997. It was made up of 21 members with each Councilmember submitting three nominees who were confirmed by the full Council. The Task Force was directed to investigate three specific issues and make recommendations to the City Council, including any revisions to the City Charter that might be required to implement them. The three specific areas of inquiry were:

A. General form of City government

B. City Council compensation

C. The aspects of the Board of Education of the Pasadena Unified School District as they are defined in the Charter

INVESTIGATIONS AND DELIBERATIONS

Beginning in late September 1997, the Charter Reform Task Force held a series of twenty-one general meetings and four public forums. At those meetings and forums, the Task Force heard a variety of presentations on municipal government and deliberated on specific issues. Deliberations concluded with a special meeting on June 15, 1998. In its deliberations, the Task Force also utilized a broad range of reference materials obtained from a variety of sources. From time to time, ad hoc work groups were formed to research specific issues. Their findings and recommendations were then used as a point of departure for deliberations by the full Task Force.

Input from the public was received at each general meeting during a public comment period and in conjunction with the Task Force's own deliberations. The four public forums, which were widely publicized, were dedicated exclusively to receiving public input.

The recommendations of the Task Force are based on votes taken on a series of motions made during the course of the deliberations. A majority vote of those present was required to pass a motion and constitute a recommendation of the Task Force. Specific revised Charter language is not included in this Report. Members not in agreement with the majority on any issue were invited to submit minority reports along with the Task Force's recommendations.

RECOMMENDATIONS

A. General Form of City Government

Based on its deliberations and the votes taken, the Task Force made the following recommendations:

1. The City should continue to utilize the council/manager form of municipal government. The duties and responsibilities of the City Manager and Council as currently described in the Charter should remain the same.

2. The City Council should continue to have seven members elected by district, in addition to a citywide elected Mayor.

3. The Mayor should:
   a. Be elected at-large in a citywide election,
   b. Have a term of four years with the first election being held in the 2001 municipal election cycle,
   c. Sit as the presiding officer of the City Council and vote as any other Councilmember, and
   d. Have the additional responsibility, at the beginning of each budget cycle, to deliver a budget message to the City, Council and City Manager indicating thematic budget priorities that should be taken into consideration in the preparation of the budget for submission to the full Council.

   Additional duties that are not proposed as Charter amendments, but are the Task Force's vision of the role of the citywide elected Mayor, are detailed in Section III, Citywide Elected Mayor.

B. City Council Compensation

The Task Force recommends that the provisions in the Charter should be changed to provide for the following:

1. Councilmembers elected by district should be paid a stipend of $250 per meeting, not to exceed $1,000 per month.

2. The Mayor should be paid a stipend equal to 150% of the other councilmembers.

3. By a unanimous vote with all members present and voting, the Council can change the amount of the stipend annually and, if increased, by not more than the most recent annual percent change in the CalPERS cost of living index.

4. Councilmembers will be prohibited from receiving a stipend or other compensation for any other duties or position in the City, Community Development Commission or other City-related entity. This will not prohibit Councilmembers from receiving compensation in connection with service with other public agencies.

C. Board of Education

The Task Force also recommends that the method by which the Board of Education members are elected should be changed to a system of proportional representation and that it be accomplished as follows:

1. The City Council form a new task force to study and make a recommendation on a specific method of voting under a proportional representation system for School Board elections.

2. Based upon the new task force's recommendations, Charter language would then be drafted and presented for a vote of the people on the specific method of voting under a proportional representation system, and provide for the election of all five School Board seats simultaneously. This Charter amendment proposal should go before a vote of the people no later than the year 2000 and, if approved, the new voting method would be used for the next municipal election in the year 2001.

D. Community Involvement/Neighborhood Councils

The Task Force also discussed extensively the topic of neighborhood councils. The main focus of those discussions was the expansion of the level of participation by citizens in municipal and civic affairs. It was decided that the Task Force would recommend that the

City Council should create a program to establish a Community Involvement Study Group. The Study Group would assess current avenues of involvement within the City of Pasadena and recommend an overall Community Involvement Strategy for enhancing effective community participation. The study should include, but not be limited to, consideration of an annual Community Congress, neighborhood councils, leadership development, and youth participation in the political process.

IMPLEMENTATION

In order to implement the recommendations relating to the mayor, compensation and the manner of electing School Board members, it will be necessary to amend the City Charter. Amending the Charter requires a majority vote in an election on a specific proposal. City governance related issues must be voted upon within the City. Any Charter amendment relating to the Board of Education must be voted upon by the entire School District. The votes can be held at regularly scheduled or special elections. It is recommended that votes on any Charter amendments be separated into the governance, compensation and School Board categories.

The next regularly scheduled elections at which votes could be held are the November 3, 1998 State General Election and the March 9, 1999 Municipal Primary Election. In order to vote on the issues in the November 1998 election, it would be necessary for the City Council to take final action on the measures in the form in which they would appear on the ballot not later than 88 days prior to the election (i.e., by the first week of August 1998). If called upon, members of the Task Force will make themselves available to assist the City Attorney in the drafting or review any revised Charter language or the ballot measures and comment on their consistency with the intent of the recommendations.

ORGANIZATION OF THE REPORT

The findings and recommendations of the Task Force in each area of inquiry are presented in detail in separate sections following this summary. Each section was written by a designated Task Force member. A listing of the membership of the Task Force (Attachment A) and a copy of the minutes of each meeting (Attachment B) are included. A Minority Report relating to proportional representation has been prepared as a separate document.

II. BASIC FORM OF CITY GOVERNMENT

CURRENT STRUCTURE

The City Charter calls for seven City Councilmembers. They are nominated and elected by district (only). The City Council is the legislative body of city government. Council is responsible for organization and activities of City government. Councilmembers are specifically prohibited from attempting to influence or direct any subordinates of the City Manager; they are directed to deal with administrative services solely through the City Manager.

The City Charter requires Council to elect a Mayor from among the Council membership each year. The present system routinely advances a member of Council to the office of Mayor on a purely seniority basis, and for a maximum of two one-year terms of office as Mayor. The Mayor presides at Council meetings and has a vote as a member of Council. The Mayor is "chief executive" under the general laws of the State covering such subjects as serving civil process and responding for military purposes. The Mayor is official head of the City for ceremonial purposes.

The Charter also calls for a Vice Mayor that is elected from among the Council membership. The Vice Mayor has been traditionally selected based on a seniority basis. Council is the official appointing authority of the City Manager, City Attorney, City Prosecutor, and City Clerk.

The Charter provides for a City Manager who is designated the "chief administrative officer" and "head of the administrative branch" of city government. Powers and duties of the City Manager consist of:

- Supervision, coordination, and administration of City functions.
- Enforcement of all laws and ordinances of the City.
- Appointment and supervision of City officers and employees (except those appointed by Council).
- Attendance at Council meetings with recommendations for Council approval or adoption of matters needed or expedient.
- Preparation of the annual City budget and its submission to Council.
- Action to carry out policies as determined by Council.
- Enforcement of contracts and franchises.

REASONS FOR CONSIDERING A CHANGE

There is a valid perception of a need for a leader-spokesman in intergovernmental relations, in contacts with community educational institutions ("town & gown"), and in forging linkages with commercial, industrial, volunteer cultural/ charitable, and religious organizations.

A change is recommended by the Task Force in the election of the Mayor in order to significantly improve leadership, communication, and accountability in relation to Council and the community as a whole. The Task Force has observed there currently is a vacuum in the domain of issues having citywide significance which could be remedied by community-wide conversation during the four-year Mayor campaigns.

Simply stated, the Mayor is responsive and accountable at present only to the voters in a single councilmanic district -- not to the voters at large. Aggrevating further, the Mayor often represents a majority within the district among only approximately 18-26% of registered voters who actually vote within his or her district. The Mayor can become a needed unifying force and catalyst for the City if elected citywide.

ALTERNATE FORMS OF CITY GOVERNMENT CONSIDERED

The Task Force reviewed possible options such as: commission form, council-manager, town meeting, strong mayor, weak mayor and other combinations. The commission form calls for each elected commissioner to be the administrative head of one or more of the City operating departments. This was rejected because of excessive dispersion of authority and failure of the scheme elsewhere.

The town meeting form was rejected because the size of Pasadena's population is too great.

The strong mayor form was considered and rejected in favor of continuing with the City Manager. The presence of experienced, professional management is preferred by the Task Force.

The so-called "weak" mayor form contemplates decentralized management with structural limitations on powers of the Mayor. Although the City of Los Angeles operates with a limited power Mayor, it is burdened by a powerful administrative commission system directing the business of most major departments, thus weakening even further the authority of the Mayor.

Some discussion was devoted to possibilities of electing one or more Council members on a citywide basis in addition to the Mayor. This notion was discarded as "too much" and "diversionary" from action on the citywide election of the Mayor.

RECOMMENDED FORM OF CITY GOVERNMENT

The Task Force urges adoption of a "Council, Mayor, Manager" form of City government, with no significant changes in election, duties or powers of the City Council and with no changes in the responsibilities or authority of the City Manager. The election and duties of the Vice Mayor would remain the same. The office of Mayor would be changed, however, as follows: The Mayor to be elected citywide, "at large" for a four-year term, resulting in a City Council of eight members including the Mayor.

There were various objections (e.g., "don't reduce representation" and "don't burden the community with an extra Council position"). The singular importance of causing the office of Mayor to be the subject of a citywide vote overwhelmed these minor differences about numbers of Councilmembers. The Task Force also resisted references to the Mayor as "full-time," not because the demands are not substantial but rather they do not fit a "full-time" pattern of 9 to 5 or 40 hours per week. Nor does the office require the Mayor to abandon other profession or employment.

The recommended form of City government, particularly including the change resulting in citywide election of Mayor, introduces significant new accountability for policies and actions of the City, including leadership on a citywide basis through the office of the Mayor. In effect, the Mayor would become the chief policy/legislative official of the City, occupying a role heretofore missing. Figuratively, the Mayor's voice would be far more clearly heard than before.

IMPLICATIONS FOR IMPLEMENTATION AS A CHARTER AMENDMENT

With the Mayor elected at large and continuance of seven geographic districts each represented by an elected Councilmember, the City Council will consist of eight voting members. There is nothing magic about an odd number of voting members: absence of individual Councilmembers is common and tie votes can happen with the current configuration when a member is absent.

III. CITYWIDE ELECTED MAYOR

CURRENT ARRANGEMENT

The current arrangement for the election of a Mayor for the City of Pasadena is outlined in Article IV The City Council, Section 406. It reads as follows:

At its organizational meeting on the first Monday in May, the City Council shall elect from its membership a Mayor who shall preside at its meetings. He or she shall act as chief executive of the City in performing all acts required to be performed under the general laws of the State of California. He or she shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor of the State for military purposes. He or she shall have a voice and vote in all proceedings of the City Council, and shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with his office.

As mentioned in the previous section, the Council follows a tradition of electing as Mayor the senior Councilmember who has not yet been Mayor.

REASON FOR CHANGE

As shown in the current arrangement of City Government, district representation and the mostly ceremonial/traditional election of a mayor for the city of Pasadena does not give a direct voice for residents to participate in the election of the primary representative of their city. It presents a hybrid representative that is responsible to certain district residents and must also weigh decisions that affect the city as a whole. Further, it dilutes his/her power to effectively be a proponent to outside governmental agencies (e.g., the Metropolitan Water District and the Metropolitan Transportation Agency).

District only representation also fails to provide for a mechanism that allows for a consensus making individual that is accountable to residents citywide. In the most recent deliberations on Charter reform (July of 1986, and 1987) there was citizen support for a citywide elected Mayor by way of a non-binding referendum. However, this proposal failed in a subsequent election. Its failure has been attributed by some to its being linked to an increase in Council compensation.

Due in part to this result, it is recommended that consideration for a proposition to amend the City Charter for a Mayor elected at large be a single proposition rather than one that is tied to issues voters may find conflicting or unrelated.

ALTERNATIVES CONSIDERED IN DELIBERATIONS

A number of alternatives were considered in deliberations by the Task Force which included:

The four basic forms of municipal government in the United States:[1]

1. Mayor-Council
   A. Weak Mayor
   B. Strong Mayor
2. Council-Manager (current form in Pasadena)
3. Commission
4. Town meeting

Of the four basic forms and associated subsets, the majority of the Task Force focused on the prospect of a combination of forms 1 and 2. This allowed for the arrangement of (1) an elected City Council by districts, (2) a Mayor elected citywide, and (3) the professional management of day-to-day operations of the city by a City Manager.

The primary characteristic of the Mayor defined in deliberations was that of a Mayor that carries much the same responsibilities of a Councilmember, but with a citywide perspective. In addition, the Mayor would provide thematic input in the budget process from its initial stages.

A majority felt that a strong Mayor in Pasadena would not be conducive to broad-based citizen participation. In addition, it was felt that a strong Mayor would introduce "professional politicians" and make the city vulnerable to outside interests and political corruption.

Additionally, hybrid forms of electing a Mayor were considered. These included but were not limited to (1) a mix of at-large Councilmembers along with district only Councilmembers being elected and the majority candidate of the at-large candidates becoming Mayor (the runner up being Vice Mayor); (2) an elected Mayor at-large in addition to at-large and district only Councilmembers; and (3) leaving the current arrangement alone. All were felt to be unworkable and difficult to solicit the citizens of Pasadena's approval with the exception of the status quo that requires no citizen approval.

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[1] ***Issue Brief*** "Choices of the Citizenry: Forms of Municipal Government in the United States", Municipal reference Service, Washington D.C., May 1989

A series of votes by the Task Force reflect the recommendation of a citywide elected Mayor and basic duties. Those votes and the decisions made are presented in Attachment C.

Pros and cons raised for some of the arrangements of the Mayor's office are highlighted in the previous section of this report. Additional pros and cons weighed by the Task Force are in the Issue Brief found at Attachment D.

The most compelling reasons for recommending a citywide elected Mayor are as follows:

1. The campaign for Mayor will serve to focus debate on citywide issues in a way not now possible with only district-elected Councilmembers.

2. The Mayor will serve as an elected official answerable to a citywide constituency.

3. The manner of electing the Mayor in conjunction with a four-year term will significantly enhance the stature of the Mayor in dealings outside the City government.

RECOMMENDATION

The recommendation of the Task Force is as follows: in order to allow for greater citywide representation, consensus building, and a more focused proponent to outside city interests, the Task Force makes the following recommendation:

1. Maintain the current arrangement of a City Council elected by districts in conjunction with a Mayor elected citywide. The City Manager would be maintained with the same responsibilities for the professional management of day-to-day operations of the City.

2. The Mayor will have many of the same responsibilities as a Councilmember but answerable to a citywide constituency. The Mayor will be required to present a message to the City, Council and City Manager containing thematic budget priorities at the beginning of the annual budget process.

The duties and responsibilities of the Mayor were weighed in the context of a Mayor that would be elected by a citywide vote of the people, as opposed to a Mayor elected by the City Council.

At the Task Force's final meeting, it was envisioned that the citywide elected Mayor's position will become and grow into the following duties:

- Recommend programs for the physical, economic, social and cultural development of the City;
- Represent the City in intergovernmental relations, and relations with educational and community institutions, personally or by delegated representative, at the direction of the Council;
- Provide leadership and marshal citizen participation in City activities; and
- In keeping with the proposed Charter change to have the Mayor deliver a budget message to the City, Council, and City Manager indicating thematic budget priorities, it is the vision of the Task Force that the Mayor will meet in each Councilmember's district for a meeting called by the Councilmember to solicit budget input from each of the seven districts.

The Mayor's duties and responsibilities would otherwise remain the same as now described in the Charter. While the Task Force does not recommend that the four duties and responsibilities listed above be placed in the Charter, they constitute the Task Force's vision of the roll the citywide elected Mayor will come to play given the enhanced stature and prestige of the office. This will be particularly pertinent in dealings with other governmental agencies and private organizations. Additional duties contemplated by the Task Force are detailed in Attachment E, Memorandum from Member John Crowley.

IMPACT AS A CHARTER AMENDMENT

To ensure that voters are allowed to address this single issue and not be encumbered by competing or conflicting issues, it is recommended that any proposition to amend the City Charter to elect the Mayor citywide be a single proposition. Final language outlining the election procedure, powers and duties of the Mayor in a proposition may need to take into consideration several sections of the Charter.

IV. NUMBER OF DISTRICT-ELECTED COUNCILMEMBERS

CURRENT ARRANGEMENT

The City Charter of Pasadena currently calls for seven Council districts. The Mayor and Vice Mayor are elected from within the membership of the City Council. Normally, the Mayor and Vice Mayor positions are rotated amongst the Council based on seniority.

REASONS FOR CONSIDERING A CHANGE

If the recommendation to add an elected Mayor to the Council is approved with no other changes to the Council, there would be eight voting members of the City Council. With this increase in the size of the City Council to eight, several concerns were raised concerning the possibility of tie votes, increased administrative costs, and an overall increase in the size of government. Accordingly, the Task Force began to consider alternatives to the eight member Council. To address these issues, the Task Force formed an ad hoc subcommittee to explore the ramifications of an eighth voting member and report back to the whole Task Force. After extensive debate and reviewing several options which are discussed below, the Task Force recommends that the number of Council districts remain at seven, with the addition of an at-large Mayor.

ALTERNATIVES CONSIDERED

After meeting and giving serious consideration to the issue, the ad hoc subcommittee recommended to the Task Force that the City Council be comprised of seven members, six elected by district and a Mayor elected at-large. Those in favor of this position argued that an increase in the size of the Council to eight or more would be expensive because of the associated administrative costs. These administrative costs may include additional staff salaries, office space and benefits. Likewise, there was a concern that the City Council meetings would become longer and possibly more caustic due to the increase in the number of voting members. The arguments in favor of the ad hoc subcommittee's recommendations were ultimately rejected.

Those in opposition to the ad hoc subcommittee's recommendation were concerned that any reduction in the number of Council districts would concomitantly reduce the level of interaction and representation for significant numbers of citizens. Indeed, one former Mayor, who is a member of the Task Force, mentioned the difficulty in keeping in contact with and responding to constituent demands. Presumably, an increase in the size of the councilmanic district due to the decrease in the size of the Council, would exacerbate this problem.

A second alternative considered by the Task Force was to have the Council comprised of nine members, eight elected by district and a Mayor elected at large. Under this scenario, the number of Council districts would be increased by one. The main argument in support of this position was to ensure that there would not be a four-four tie on any of the votes taken by the Council. Likewise, it would decrease the size of each councilmanic district and thereby presumably increase the level of interaction between the Council person and his or her constituents.

In opposition to this proposal, several members of the Task Force, as well as members of the public, suggested that an increase of two voting members to the Council would be too expensive. Several members of the public also voiced their concerns with increasing the size of the Council, stating that they did not want an increase in the size or expense of government. This proposal was also rejected by the Task Force.

There were some proposals concerning the powers to be given the Mayor in the event of tie votes. One such proposal suggested that the Mayor be given two votes in the event of a deadlocked vote. After brief discussion, these and other similar ideas were rejected.

RECOMMENDED ALTERNATIVE

After extensive debate and consideration, the Task Force voted to recommend that the Council consist of seven district representatives and a Mayor elected at large. The key rationale for this decision was to ensure that there was no reduction in the number of councilmanic districts and the concomitant reduction in the level of representation. Also, this alternative is not unduly expensive and is not likely to substantially increase the overall Council budget. As to the issue of tie votes, it should be noted that with a Council of eight members, any deadlocked item before the Council would fail as a five vote majority would be required to pass the item. If it is a crucial issue, then the item may be brought again at a subsequent meeting.

IMPLICATIONS FOR IMPLEMENTATION

The recommendation of the Task Force to maintain seven districts does not in and of itself require a Charter amendment. The Charter currently calls for seven Council districts. The addition of a Mayor elected at-large could be handled by a separate amendment.

V. COUNCIL AND MAYOR COMPENSATION

CURRENT ARRANGEMENT

Councilmembers currently receive approximately $14,640 annually in compensation and benefits while in office. Under Section 405 of Article IV of the City Charter, Councilmembers receive $50 per Council meeting. By ordinance, Councilmembers also receive an additional $50 when the Community Development Commission is in session. There is also an expense account of approximately $220 per month, and health plan benefits totaling approximately $6,000 annually. (*See* Attachment F, Memorandum from Director of Finance re City Council Compensation and Benefits)

REASONS FOR CONSIDERING A CHANGE

The Task Force considered a number of competing factors when studying whether to change the current compensation structure for members of the Council.

Maintain a "Citizen Council"

Pasadena has a long tradition of volunteer participation in city government. For example, our Council-Manager form of government delegates day-to-day management responsibilities to a professional City Manager while vesting legislative authority in a part-time Council. Pasadena city government also features more than 25 volunteer commissions that advise the Council on a variety of matters, including the Planning Commission, the Human Relations Commission, and various *ad hoc* commissions such as the Charter Reform Task Force. In many respects, Pasadena is a city of volunteers. Thus, a key factor in considering whether to change the current compensation structure for Councilmembers was the desire to maintain the tradition of a "citizen council." The Task Force did not want to increase the Council's compensation package to the extent of encouraging the "professionalization" of Pasadena elected officials.

Recognition of Public Service and Financial Hardship

Despite the fact that service on the Council is considered a "part-time" job, members nonetheless spend a considerable amount of time attending to city business. For example, assuming that the average Councilmember spends at least 240 hours per year on city business (30 days) and applying the current monthly stipend of $250, members receive on average $12.50 per hour. This number is probably low since Councilmembers also hold district meetings, serve on Council committees, and participate in other governmental commissions. Because public participation in city government is essential, the compensation package should partially supplement the lost wages experienced by those

who serve on the Council and should create an incentive for working individuals with families to take time away from their jobs and be reasonably compensated for their service.

External Economic Factors

The Task Force also considered two external economic factors when studying whether to change the current compensation structure for members of the Council. First, the Task Force compared the annual compensation packages of other representative cities in the County of Los Angeles. For purposes of this Report, a representative city is one with a Council/Manager form of government and less than 200,000 residents. Other compensation packages for city council members ranged from a low of $600 per year (City of Santa Monica) to a high of $66,740 per year (City of Inglewood). Excluding these two extremes, the average annual compensation package is approximately $17,700. Those annual compensation packages are presented in Attachment G.

The Task Force also considered the rate of inflation since 1968, the year Pasadena voters approved the current stipend of $50 per Council meeting. There has been a 350% increase in the Consumer Price Index ("CPI") from 1968 to 1998. Adjusting for inflation, the $50 per meeting stipend is equal to $226 today.

ALTERNATIVES CONSIDERED

The Task Force considered three principal alternatives when studying how to change the current compensation structure for members of the Council.

Compensation Set By Ordinance

The majority of cities in the County of Los Angeles set Council compensation by ordinance. This permits greater flexibility in adjusting for inflation and/or changes in the scope of council responsibilities. Some legislative bodies also provide that no increase in compensation may take effect until after the next regularly scheduled election, so as to give voters the opportunity to hold legislators accountable for the pay increase. However, the Task Force rejected this alternative on the basis that the people of Pasadena should retain more direct control over the compensation of members of their Council.

Compensation Set By Commission

Some legislative bodies such as the California Legislature have delegated their power to set compensation to appointed commissions. In theory, this approach depoliticize the issue of compensation and subjects it to a more objective methodology. However, the Task Force rejected this alternative on the basis that it would insulate members of the Council from legitimate political pressure from the people of Pasadena.

Stipend Set By Charter, Benefits Set By Ordinance

Councilmembers currently receive $50 per Council meeting. This stipend is established in the Charter. (*See* Charter, Art. IV, § 405). Members also receive an additional $50 when the Community Development Commission is in session, an expense account, and health and life insurance benefits. These benefits are set by ordinance.

TASK FORCE RECOMMENDATION

Based on the foregoing factors and alternatives, as well as public comment received at meetings of the Task Force, the Task Force recommends that the Councilmembers' stipend continue to be set by Charter and that benefits continue to be set by ordinance.

Compensation Proposal

The Task Force further recommends that the Charter be changed to provide for the following:

1. Councilmembers should be paid a stipend of $250 per meeting, not to exceed $1,000 per month.

2. The Mayor should be paid a stipend equal to 150% of the other Councilmembers.

3. By a unanimous vote with all Councilmembers present and voting, the Council can change the amount of the stipend annually, and, if increased, by not more than the most recent annual percent change in the CalPERS cost of living index.

4. Councilmembers will be prohibited from receiving a stipend or other compensation for any other duties or positions in the City of Pasadena, Community Development Commission or other City-related entity.

RATIONALES FOR COMPENSATION PROPOSAL

The Task Force concluded that the people of Pasadena should retain direct control over the salaries of Councilmembers and the Mayor. However, the Task Force also concluded that benefits such as a health plan costs are likely to fluctuate based on market conditions, and, as such, are more appropriately set by ordinance. Accordingly, the Task Force recommends that the Councilmembers' stipend continue to be set by Charter, but that benefits continue to be set by ordinance.

As previously stated, the Task Force did not want to increase the Council's compensation package in such a way as to encourage the "professionalization" of city elected officials. However, the Task Force balanced this concern against the goal that the compensation package should partially supplement Councilmembers' lost wages and create an incentive for working people with families to take time away from their jobs and be reasonably compensated for their service. Given the rate of inflation since 1968 and other cities' compensation packages, the Task Force considers $250 per meeting, not to exceed $1,000 per month, to be a reasonable part-time salary for service on the Pasadena City Council. Moreover, because the Mayor has citywide ceremonial responsibilities in addition to his or her duties as a Councilmember, the Task Force believes that the Mayor should receive a higher stipend than other Councilmembers.

One of the problems with setting compensation in the Charter itself is providing for consideration for the effects of inflation. However, the Task Force specifically rejected the idea of giving Councilmembers unlimited discretion to set their own salaries by ordinance. To balance these concerns, the Task Force recommends that Councilmembers be permitted to increase the stipend by not more than the rate of inflation as measured by the CalPERS cost of living index, and only by a unanimous vote.

Finally, the Task Force saw no justification for Councilmembers to compensate themselves for service on the Community Development Commission or other City activity. These duties are essentially indistinguishable from their duties as Councilmembers. However, Councilmembers should not be prohibited from receiving compensation in connection with service on other, non-Pasadena public agencies, including the Burbank-Glendale-Pasadena Airport Authority and the Sanitation District Board. Thus, the Task Force recommends that Councilmembers be prohibited from receiving a stipend or other compensation for any other duties or positions in the City of Pasadena or other City-related entity.

VI. COMMUNITY INVOLVEMENT STRATEGY

During the course of the Task Force meetings, many Task Force members stressed the importance of enhancing meaningful community participation in shaping city policies. Some members underscored the importance of increasing community participation within under-represented segments of the city. Others expressed a desire to make city government more accessible and meaningful to youth. Still others expressed concern over low voter turnout in municipal elections. Cynthia Abbott, coordinator of the city's Neighborhood Connections Office, spoke to the Task Force concerning ongoing attempts to organize neighborhood groups within the city and the need for leadership training as a means to empower groups within the city.

A subcommittee of Task Force members was formed to evaluate and recommend to the Task Force how these concerns may be addressed through the formation of neighborhood councils. The subcommittee recommended and the Task Force discussed a proposal to establish neighborhood councils of 15 to 25 elected members within each of the 7 districts within the City of Pasadena. The subcommittee saw neighborhood councils as a way to bring the political process closer to neighborhoods and youth, as a way to provide new opportunities for involvement, and as a means to increase direct democracy.

The Task Force declined to adopt the subcommittee's recommendation. Some Task Force members were concerned that neighborhood councils would impose a barrier between Councilmembers and their constituents. Other members stated that neighborhood councils were not needed in a city the size of Pasadena and wanted input from neighborhood associations, city commissioners, and others before recommending that neighborhood councils be adopted for the city. It was also recognized that there may be other means of achieving the subcommittee's community participation goals, such as expanding the City's Neighborhood Connections program.

As an alternative to the subcommittee's proposal, the Task Force voted to recommend that the City Council establish a Community Involvement Study Group. The Study Group would assess current avenues of involvement within the City of Pasadena and recommend an overall Community Involvement Strategy for enhancing effective community participation. The study should include, but not be limited to, consideration of an annual Community Congress, neighborhood councils, leadership development, and youth participation in the political process.

The City Council currently has the power to create by ordinance any new bodies it may see fit in the furtherance of this strategy (e.g., neighborhood councils) provided they are only advisory in nature. It would be necessary to amend the Charter with at least permissive language if the Council desired to invest any such bodies with more than advisory power.

VII. SCHOOL BOARD STRUCTURE AND GOVERNANCE

CURRENT STRUCTURE

The Charter of the City of Pasadena, Article VII, Section 701, et seq. currently provides for a Board of Education consisting of five members holding offices numbered one through five. School Board members are elected in staggered terms with odd-numbered seats elected in one election cycle and even-numbered seats elected in the next election cycle. Under Section 703, School Board members are elected from the School District at-large in primary nominating and general elections, unless elected by a majority of votes in the primary nominating election.

REASONS FOR CONSIDERING A CHANGE

The Task Force received comments during its public forums and regular meetings expressing the following opinions and concerns about the School Board, its structure and governance: 1) Some members of the Board are unresponsive to residents of the District, 2) The current at-large system of electing School Board members is not fair to voters or candidates, 3) Typically, at-large elections involve a greater cost to candidates due to the large number of votes needed to be elected, 4) School Board members must run for specified seats exacerbates what some consider to be a lack of fairness inherent in at-large elections, and 5) There is a need for more accountability for School Board members.

Students do not reside evenly throughout the geographic areas of the District. The majority of School District students reside in Northwest Pasadena and Altadena, while only two School Board members live in those areas. Many parents do not know whom to call for assistance on school matters. A number of community members expressed the concern that there is a distance between the School Board and parents, students and other residents of the district. Some also perceived a lack of interest in School Board elections. Changing the manner of electing School Board members may help change this community perception.

ALTERNATIVES CONSIDERED

Single-member Districts

The Task Force considered single-member districts as an alternative to the current at-large system. Under this system, School Board members would be elected in the same manner as the City Council, that is, by individual Board districts within the overall Unified School District. Some community members suggested that single-member districts would provide more accountability and less distance between School Board members and parents, students and constituents. Districts also allow for election of candidates with fewer votes than in at-large elections, thereby possibly increasing interest in School Board elections.

Others pointed out that because students do not reside evenly throughout geographic areas of the School District, district representation might not serve the best interests of students and their parents. Because of the population density of Northwest Pasadena and Altadena, it may be difficult to draw district boundaries considered fair by all. Some community members were concerned that minority voters may have less voting strength in district elections than under the current at-large system.

It was also pointed out that School Boards members, unlike City Councilmembers, do not have natural geographic constituents. Rather, many community members believe that School Board members should have a district-wide focus. There also was concern that district elections may lead to unhealthy factionalism and rivalries between areas of the School District. Finally, the Assistant City Attorney assigned to assist the Task Force is of the opinion that the State Education Code prohibits a school district such as the Pasadena Unified School District from electing Board members from individual districts.

Proportional Representation

A variety of "proportional representation" voting systems were considered, such as the single transferable vote and cumulative voting. Proportional representation systems of voting are designed to produce a legislative body that reflects the political spectrum of the voters in proportion to the number of supporters. For example, if members of a particular constituency (political, class, racial, ethnic, etc.) make up 40% of the votes in a ten-member board election, it would get four seats. If another constituency makes up 10% of the votes, it would get one seat. This means that various majority and minority constituencies win representation while still maintaining majority rule.

It was suggested that proportional voting systems have the benefit of "self-districting" because they allow a candidate to be elected by a smaller number of votes than at-large elections. The smaller number of votes need not come from a geographically defined area, as in district elections. Rather, the boundaries are self-imposed by voters' political, ideological, or philosophical beliefs.

Others expressed concern that this type of voting system was too difficult for voters to understand and use. Task Force members understand that proportional representation systems work best in multi-candidate, nonpartisan elections, and provide no real benefit in elections with less than three candidates. The Task Force thus considered the alternatives of amending the Charter to allow the current five-member School Board to be elected simultaneously, or to increase the membership by at least one to realize the full benefit of proportional elections. Case law also indicates that some proportional voting systems are of questionable legality in California.

A comparison of various muncipal election voting methods by the League of women Voters of Seattle, including proportional representation systems, is included as Attachment H.

RECOMMENDED ALTERNATIVE

Description

Based upon the public comments and study of the alternatives, the Task Force recommends to the City Council that it form a new task force to study and make a recommendation on the specific method of voting under a proportional representation system for School Board elections. Based upon this new task force's recommendations, Charter language would then be drafted and presented for a vote of the people on the specific method of voting under a proportional representation system, and provide for the election of all five School Board seats simultaneously. The specific method of voting under a proportional representation system should be determined and go before a vote of the people not later than the year 2000. If approved by the voters, the new method of voting for School Board elections would be used for the next municipal election in the year 2001.

Key Rationales for Adopting the Proposed Change

There is considerable community interest in changing the current manner of electing School Board members to a system that will encourage more interest and participation in elections, as well as increase the School Board's accountability to parents and students. Proportional voting systems have a reputation for increasing voter interest and turn-out. Proportional voting systems currently are utilized in various elections across the United States, some by voluntary adoption and others as a manner of resolving challenges to current elections systems.

How the Proposed Change will Address the Reasons for Considering a Change

Proportional voting permits election of candidates with fewer votes than at-large elections, which may encourage more candidates to run for School Board seats and increase voter interest in elections. Because fewer votes are required to elect candidates, proportional voting includes the benefit of district elections while overcoming the problems identified with district elections, e.g., drawing fair districts and factionalism. Because voters express their preference for more than one candidate, proportional voting may discourage candidate animosity while encouraging candidates to run in tandem or groups. The single transferable vote system of proportional representation decreases the costs of elections for political entities as well as candidates since it eliminates the need for a primary or run-off elections.

Electing five members in a single election provides for the most effective proportional voting system as a greater number of open seats results in a greater opportunity for "less-than-majority" voices to be counted.

IMPLICATIONS FOR IMPLEMENTATION AS A CHARTER AMENDMENT

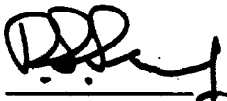
Because the Charter currently specifies that five School Board members are elected at-large in staggered elections, voters will need to vote for a proposed change in the Charter. Because proportional representation systems involve providing voters with more choices, a change or modification of voting equipment may be required. Also, a computer software program which tabulates the voters' preferences may need to be purchased. However, because proportional voting systems usually eliminate the need for run-off elections, the School District may realize a net savings in its elections.

Because of concerns over voter education of this new system of voting, many Task Force members recommend that a citywide vote on this proposed Charter amendment not take place until after the November, 1998 elections. The Task Force has been informed by the Pasadena League of Women Voters and the City Human Relations Commission that they are ready to assist in educating the Pasadena community about the proposed change to a proportional representation system in School Board elections. Task Force members also commented that the recommended new task force could assist in voter education to increase the probability that Pasadena voters will support the Charter amendment.

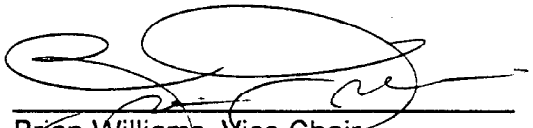
CLOSING COMMENTS

This Task Force report is the culmination of many hours of hard work and labor by a group of very dedicated citizen volunteers. Notwithstanding this, it would not have been possible to complete this task without the diligent efforts of the City Clerk Jane Rodriguez and Assistant City Attorney Larry Newberry, and other City staff. We would also like to thank all of those who had a hand in this project, including members of the general public whose input into this report was invaluable.

Respectfully submitted,



Ross Selvidge, Chair
Charter Reform Task Force



Brian Williams, Vice Chair
Charter Reform Task Force