

Charter Review Commission
Report of a Meeting of the Legislative and Oversight Committee

Date; Time of Meeting: January 9, 2024; 6:00 pm

Chair: Victor Tervala

People Present:

<u>Committee Members:</u>	Victor Tervala, Juliane Montes de Oca, Dr. Roger Hartley,
<u>Commission Members:</u>	Doris Minor Terrell, Ernest Lee, John Willis
<u>Staff:</u>	Aaron Degraffenreidt, Richard Krummerich, Hilary Ruley
<u>Members of the Public:</u>	Renaud Brown

Purpose: Continue Review of Article III, City Charter

Discussion:

- The Committee Chair announced that meetings of the Legislative and Oversight Committee will be scheduled at two-week intervals through mid-March. The intent is to complete the committee's work at that point with a list of recommendations. The recommendations will be submitted to the full Commission for review during the month of April. It was suggested that proposed amendments discussed but not recommended be included in the committee's report as items "considered but not recommended."
- The committee discussed Dr. Hartley's proposal to have the President of the City Council elected from the members of the City Council rather than be elected at-large by City voters. Dr. Hartley expressed the view that the proposal would strengthen both voter representation and government efficiency by allowing the councilmembers to select one of their own to lead them, which would allow individual councilmembers to exert more control over matters that concern their individual constituencies. At an earlier committee meeting, Dr. Harley provided the committee with written material outlining the proposal. That material will be made available to the entire commission and to the public. The committee asked the staff to provide information about local governments where the President of the legislative body is elected by the membership rather than being elected by the voters. The Chair said he would request that the Department of Legislative Reference provide the committee with draft language to accomplish the objective.
- The Chair noted that Commissioner Ellis's proposal to provide referendum for certain ordinances, which was submitted to the committee at a previous meeting, was being reviewed by the City's Law Department.
- The committee reviewed the remaining sections of Article III.
- Section 7, which concerns council districts, provoked discussion. Aaron Degraffenreidt, the General Counsel to the City Council, noted that two proposed amendments to the City

Charter would affect the process of redistricting. Mr. Degraffenreidt promised to supply the committee with those proposals. The Chair stated that both proposals will be discussed at the next committee meeting to determine if the committee should take a position.

- During the discussion of Section 7, Commissioners Willis and Lee proposed a charter amendment that would have an independent commission establish the City's redistricting plan. Each thought an independent commission would solve a number of problems that have arisen with redistricting. The Chair said he would request that the Department of Legislative Reference provide the committee with draft language to accomplish the objective.
- Section 8, Sessions, drew discussion from the committee with Mr. Degraffenreid pointing out that council legislative sessions primarily are discussed in the Rules of the City Council. Those Rules outline the occurrence of regular and special sessions. The Committee thought this section needed to be brought up-to-date. The Committee Chair offered to discuss updated language with the Department of Legislative Reference and report back to the committee.
- Section 10d, Judge of Member Qualifications, drew discussion in its language stating that a party can petition "as provided by law" when the Council rejects a member's qualification to hold office. Questions were raised about the process involved in addressing this sort of grievance. It was pointed out that the use of the phrase "by law" meant existing State law on this subject. The Chair offered to discuss the language with the Department of Legislative Reference.
- Section 10e, authorizing the City Council to issues rules of procedure, provoked discussion about whether this language was sufficient to authorize rules relating to council's legislative session. The Chair offered to discuss the issue with the Department of Legislative Reference.
- Discussion ensued over Section 14d, which authorizes committees of the City Council to administer oaths and summon witnesses. Questions arose about the legal power of the Council to perform these functions and the possible penalties involved for failures to testify truthfully or to appear before a committee. Richard Krummerich, staff to the committee, stated that the provision may not have been used since the 1990s. The Chair offered to explore the issue further with the City Law Department.
- The Committee Chair opened the floor for public comment at 7:25. No members of the public were present. The committee adjourned at that point.

Next Steps: Discussion of: (1) the two proposed Charter amendments concerning redistricting now before the City Council; (2) the draft language concerning the election of the City Council President by the Council membership; (3) the draft language establishing an independent redistricting commission; (4) possible draft language for revising Section 8, Section 10d, Section 10e and Section 14d. Begin reviewing Article 10, Office of the Inspector General.