

Proposed Amendment Regarding
Charter Amendments and Charter Commission Provisions

ARTICLE XVI. Charter Amendment.

Sec. 1601. Proposal of Amendment.

Amendments to this Charter may be proposed and placed on the ballot:

- (a) by the voters of the City following procedures for Initiatives as specified in the California Elections Code.
- (b) by ordinance or resolution of the Council containing the full text of the proposed amendment and passed by five-sevenths (5/7) of the total membership of the Council.
- (c) by one or more report(s)/Charter amendment proposal(s) of ~~at~~the Charter Commission created and operating as specified in Article XVII.

Sec. 1602. Elections.

Except as provided in this Charter or by Council ordinance, Elections shall be governed by the California Elections Code and other applicable State law.

Sec. 1603. Adoption of Amendment.

Amendments to this Charter shall become effective ~~by only if~~ approved at ~~of by~~ a simple majority of the City's electors voting on the issue. If approved by the voters, any amendment shall become effective at the time fixed ~~in the amendment, or, if no time is fixed, thirty (30) days after its adoption by the voters~~ by State law.

ARTICLE XVII. Charter Commission.

Sec. 1701. Charter Commission.

~~Beginning in January of the year 2010, and in January of every tenth year thereafter, the Council shall appoint a Commission to consider and propose amendments to the existing Charter. No later than twelve (12) months from each inception, the Commission shall submit its proposals to the City Clerk for placement on the ballot at the next scheduled election.~~

(a) The term of the Charter Commission appointed by the City Council in 2019 shall continue until January 23, 2022 or until such earlier date as determined by the Commission. All provisions of this Article shall apply to the 2019 Charter Commission except that there shall be no appointment of alternate Commission members.

(b) In December of the year 2029 and in December of every tenth year thereafter, the City Council shall appoint a Commission to review, consider, and propose amendments to the existing City Charter as more specifically set forth in Section 1702.

(c) Members of the Commission shall attend an orientation meeting no later than January 15th of the year following their appointment. Thereafter, the Commission shall meet on a schedule as determined by its members.

(d) By no later than its first meeting after the orientation meeting, the Commission shall adopt its by-laws and select a Chair from amongst its members to serve for as long as the Commission is seated or until the Commission selects another Chair. Should the Commission fail to select a Chair by the end of its first meeting after the orientation meeting then the Mayor's appointee to the Commission shall serve as the Chair.

(e) No later than twenty-four (24) months after the orientation meeting, the Commission may approve and submit single or multiple Charter amendment proposals in one or more reports to the City Clerk for direct placement on the ballot in one or more elections pursuant to Section 1601(c). After submission by the Commission, the City Clerk shall agendaize each proposal for City Council action, who shall place the proposal on the ballot at the next available scheduled election under the California Elections Code or other applicable law. The City Council shall not be required to conduct noticed public hearings on any Commission-proposed Charter amendment prior to placing it on the ballot.

(f) Prior to placement on the ballot, the City Council may suggest revisions to a Charter Amendment proposal submitted to it by the Commission. However, the City Council may not alter such Charter amendment proposal. If the Commission does not approve any of those revisions suggested by the Council, the Council shall place the Charter Amendment proposal on the ballot as previously approved by the Commission without alteration.

(g) The Commission shall otherwise have those powers and duties of an elected charter commission as provided by State law.

Sec. 1702. Composition of Commission.

(a) The Commission shall be composed of seven (7) members and seven (7) alternates, who shall each be electors residing within the City of Pomona. Such Commission members shall not hold any elective office within the City. The Commission shall be appointed by the City Council. Each Council member shall appoint one (1) member and one (1) alternate. Council members shall make reasonable good faith efforts to select Commissioners and alternates from their respective electoral districts, however Councilmembers shall not be required to do so. The Mayor shall appoint one (1) member and one (1) alternate at-large. If any Council member fails to appoint a Commission member or alternate within 30 days of a vacancy, then the Mayor shall make the appointment to fill the vacancy.

(b) An alternate shall replace the appointed Commission member if that appointed member cannot serve his/ her full term. Commission members shall serve a term of twenty-four (24) months without regard to the remaining term of the Council member / Mayor that appointed them, or until such earlier date as determined by the Commission. No member of the Commission may be removed during their term except upon the request of a majority of the Commission and upon a 5/7 vote of the City Council.

Sec. 1703. Staff and Legal Counsel.

The Commission shall have an administrative staff member who shall be the principal liaison between City administration and the Commission. The staff person shall have full access to all City documents, personnel, and materials required by the Commission for the carrying out of their duties. In addition, an attorney shall be made available to the Commission at their meetings to provide independent legal advice to the Commission.