

**CITY ATTORNEY  
IMPARTIAL ANALYSIS  
CHARTER AMENDMENT**

The City Council has proposed certain basic changes to the City Charter to assure a more transparent and effective governing system for the City. Many of these revisions are to correct issues which arose during the Bell scandal. For the most part, these revisions align the City Charter with provisions of California law relating to general law cities. The changes permit a thirty day residency requirement for candidates for city council instead of sixty days. In addition, the changes assure that councilmembers cannot increase their own compensation while in office and require that any reimbursement for necessary expenses conform to a policy adopted by the City Council in an open and public forum. The changes also establish a policy that prevents the City Council from indemnifying any former or current elected official from liability beyond what state law requires.

The measure assures that in recall elections, candidates to fill vacancies will be filled at the same time as the recall election. This revision also assures that the election process adheres to standard procedures and policies applicable to general law cities and that no person who is the subject of a recall can be a candidate to succeed himself.

Other general provisions include requiring that council meetings be held at a place designated by ordinance or resolution that is open to the public. Closed session meetings may still be held, however, in accord with state law. The Charter Amendment also eliminates the position of Assistant Chief Administrative Officer which is currently unfilled.

The Charter Amendment also establishes for City officials the ethical standards set forth in the California Government Code. It provides that no City Council member, officer or employee, or commission member shall do any of the following:

- Engage in employment or other activity for compensation that is inconsistent, incompatible, or in conflict with his or her duties to the City
- Engage in any activity prohibited in general law cities; or
- Receive a personal loan from the City (includes anyone who contracts with or is under the control of the City).

Conviction of any violation of these standards allows restitution to the City, and forfeiture of office in addition to any other penalty under state law.

The Charter Amendment provides for the appointment of a five member Planning Commission with each Commission member appointed by the Council and subject to state laws relating to such entities. Finally, the Charter Amendment requires that all franchises be awarded by resolution adopted by the Council at a public hearing and that they terminate within 10 years with no “evergreen” or automatic roll over clause unless good cause is found by four-fifths (4/5) vote of the Council.

In sum, the Charter Amendment brings the Charter of the City of Bell into conformity with most California cities. The City Council has established a Charter committee to look at other Charter reforms, but wanted these corrections to begin immediately and so placed this Measure on the Ballot.