

**IMPARTIAL ANALYSIS BY CITY ATTORNEY  
MEASURE CC**

(Section 901)

Section 901 of the city charter provides that the city council, by majority vote, nominates and appoints persons to the various city boards, commissions and committees. Terms for such seats are tied to city council terms; three to wards 2, 4 & 6, and the remainder to wards 1, 3 & 5. Board and commission members are subject to the same term limits as city council members - two four-year terms. For many years, the city councils have followed a tradition of endorsing nominations from the council member to whose ward the particular commission seat is tied. When the charter was amended to create the directly elected office of mayor with the two-year term, no commensurate change was made for the commission seat which has been tied to that of the mayor. This amendment proposes to add these long-standing traditions into the charter by formally tying commission seats to individual wards, creating on each board or commission a seat to be nominated by the mayor with a two-year term conforming to the mayor's term, and giving each councilmember the right to nominate a candidate to represent that councilmember's ward. Other members of the city council will still have the right to nominate competing candidates for board and commission seats.

The charter currently does not require a commissioner to be a resident of the ward to which his or her term is tied. This amendment will require that at any given time, at least fifty-percent (50%) of those persons nominated by a council member be residents of that council member's ward at time of nomination, unless waived on a case-by-case basis by a 2/3 vote of the city council.

The charter provides that a commissioner's seat is vacated if he or she has 3 consecutive unexcused absences from regular meetings. This amendment reduces that threshold to 2 such absences and adds a new rule declaring a commissioner's seat vacant for missing ½ of all meetings in a calendar year.

This amendment also clarifies that board & commission terms begin on the same date as city council terms.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE CC. IF YOU DESIRE A COPY OF THE MEASURE, PLEASE CALL THE SANTA ANA CLERK OF THE COUNCIL OFFICE AT 714-647-6520 AND A COPY WILL BE MAILED AT NO COST TO YOU. THE TEXT OF THIS MEASURE IS ALSO AVAILABLE ON THE CITY'S WEBSITE AT: <http://www.santa-ana.org/coc/>

**ARGUMENT IN FAVOR OF MEASURE CC**

Vote YES on Measure CC if representative government is important to you.

The Citizens' Review Task Force of the Charter and the Charter Review Committee of the City Council carefully studied the issue and found that there was a lack of representation Citywide among the appointed boardmembers and commissioners.

Therefore the Citizens' Review Task Force of the Charter and the Charter Review Committee of the City Council felt it was very important to amend Section 901 of the City's Charter as follows:

- 1) To require that at least 50% of a Councilmember's nominations to City boards and commissions are made from residents of the Councilmember's ward. This rule may be waived by a 2/3 vote of the City Council if a Councilmember is unable to find a qualified and acceptable resident to nominate.
- 2) To require regular attendance of appointed boardmembers and commissioners and removal of appointees that accrue more than two consecutive unexcused absences or if the appointee fails to attend at least 50% of the regularly scheduled meetings per calendar year.
- 3) To establish a term limit of two (2) consecutive four (4) years irrespective of the seat or seats the boardmember or commissioner is appointed to by the City Council, and one seat shall be a city-wide seat having a two (2) year term limited to four (4) consecutive terms.
- 4) To prohibit term-out Councilmembers from being immediately appointed to boards and commissions.

The Citizens' Review Task Force of the Charter believes that representative appointments and regular attendance is important for City boardmembers and commissioners.

**Vote for greater representation on City boards and commissions.**

VOTE YES ON MEASURE CC.

s/ Michael Garcia  
Councilmember, City of Santa Ana

s/ Lisa Bist  
Mayor Pro Tem, City of Santa Ana

s/ Jose Solorio  
Councilmember, City of Santa Ana

s/ David Benavides  
Member, Citizens' Review Task Force of the Charter

s/ Carlos Bustamante  
Councilmember, City of Santa Ana

**ARGUMENT AGAINST MEASURE CC**

**We ask "WHY?"**

**Why are we amending the city charter to change how we appoint our city board members and commissioners?**

The committee that voted this proposed amendment was divided and ended up suggesting a very unworkable proposition.

If you read language behind Section 901, you will find it places new and unreasonable restrictions on how city board members and commissioners are appointed and who can serve on our commissions.

Furthermore, this proposal establishes a plan where a majority of other councilmembers could step in and select commissioners to serve on behalf of a Ward and not be accountable to the home Councilmember or the area served

We believe the current system serves Santa Ana well. We believe that...

- Councilmembers should be able to find the best possible people for our city commissions.
- Councilmembers should not be constrained by what side of the street someone lives on, how many years of schooling they have completed, or whether they have served on the council in the past.

What is especially disturbing about this proposal is the negative impact on our city's poorest wards. Our people often have jobs or other responsibilities in the evenings. They rely on their elected officials to find the best individuals to represent their interests on boards and commissions. **Why change that?**

In addition to restricting who can serve on city commissions, this proposal prohibits retiring councilmembers from immediately serving on city commissions or boards. **Why?** Are they radioactive for a number of years after serving on the council? Why not use the expertise and knowledge they have developed and put it to work for the residents?

**Santa Ana is a diverse community that is at its best when we find ways to work together. Section 901 will only divide us.**

We recommend a **No vote** on **Section 901**.

s/ Alberta Christy  
Councilwoman

s/ Thomas E. Lutz  
Planning Commissioner

s/ Lynnette M. Verino  
Neighborhood Leader/Former Planning Commissioner

s/ John M. Uttz  
Personnel Board Commissioner

s/ Michael L. Macres  
Community Redevelopment & Housing Commissioner