



**CHARTER REVIEW COMMITTEE
REGULAR MEETING
MINUTES**

Conference Room, 1000 San Pablo Avenue
Tuesday, December 11, 2007
7:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

Present: Committee Members Berul, Grossman, Holan, Martin, Rubin & Chair Wallace

Absent: Committee Members Mathiasen

3. APPROVAL OF MINUTES

3-1. November 13, 2007.

MOTION:

Moved by Committee Member Martin, seconded by Committee Member Rubin to approve the minutes, as submitted.

AYES: Committee Members: Martin, Rubin & Chair Wallace

NOES: None ABSTAIN: Committee Member Berul

ABSENT: Committee Members Holan & Grossman

Motion carried and so ordered.

4. PUBLIC COMMENT

For persons desiring to address the Commission/Committee/Board on an item that is not on the agenda please note that each speaker is limited to three (3) minutes. The Brown Act limits the Committee's ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

No one wished to speak.

Committee members Holan and Grossman arrived.

5. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

5-1. Election of Mayor

Chair Wallace stated that at the last meeting each Committee Member was asked to research some other small Charter cities and report back to the Committee. Chair Wallace stated that he was instructed to contact a Mayor/Council Member from Piedmont and Emeryville to see whether they would attend the meeting in January to discuss their thoughts on working on a Council with an appointed Mayor. Chair Wallace reported that both Mayor McEnroe from Piedmont and former Mayor Nora Davis from Emeryville have agreed to attend the meeting in January.

Committee Members Martin, Rubin & Holan reported on the cities they contacted and noted that the only difference in the powers of the Mayor is with San Leandro that gives the Mayor a veto power, which puts the issue on hold until the next meeting when the Council would then vote again. The cities contacted were: Alameda, Pacific Grove, Gilroy and San Leandro.

Committee Rubin reported that she was to contact former Albany Mayors and invite them to the meeting in February for their thoughts on the directly elected Mayor v. appointed Mayor. Committee Rubin noted that she contacted former Mayor Nichols and Thomsen and has not received an affirmative response as of this time.

Chair Wallace stated that he would like the Committee to consider the items it would like to discuss regarding this issue and the following three items were put on the table: 1) Mode of Election 2) Term of Office and Term Limits 3) Powers of the Mayor.

The Committee had a lengthy discussion on whether it should discuss and make recommendations on the power of the Mayor with some members favoring to make a recommendation to Council on just the question of whether there should be an elected Mayor and other believing it was too premature to make a recommendation without further debate.

Preston Jordan, Albany resident, suggested that a table be prepared with columns on the pros and cons of a directly elected Mayor and an appointed Mayor with a de facto column and a de jure column.

MOTION:

Moved by Committee Member Martin, seconded by Committee Member Berul to narrow the Committee's investigation to the issue of a directly elected Mayor with a yes/no question, with a 4 year term and limit of 8 years and to not change the powers of the Mayor and to keep the powers the same as what is in the Charter now.

ON THE QUESTION:

Committee Member Grossman stated that he believes it premature to close the door right now and that more debate is needed.

Committee Member Holan agreed noting that the issue of the powers of the Mayor needs to be discussed internally before it gets to the voters.

Committee Member Rubin stated that she does not want to just back off an issue and believes it should be debated thoroughly.

Preston Jordan, Albany resident, stated that as a member of the public this is the first time that he has heard this discussion about the powers of the Mayor and agrees that it may be premature at this time.

VOTE ON THE MOTION:

AYES: Committee Members Berul, Martin & Chair Wallace

NOES: Committee Members Holan, Grossman & Rubin

ABSENT: Committee Member Mathiasen

Motion failed.

Chair Wallace asked the Committee Members to state the powers of the Mayor they believe is important and should be discussed. The following is the list that the Committee came up with: 1) Appointment Powers 2) One vote on the Council 3) Ceremonial duties 4) Emergency duties 5) One meeting veto power 6) Agenda preparation 7) Presiding over meetings.

Preston Jordan, Albany resident, reiterated his suggestion that a table be prepared with a de facto column and a de jure column.

7. ANNOUNCEMENTS/COMMUNICATIONS

8. FUTURE AGENDA ITEMS

8-1. Member Holan stated that she would like a future agenda item to discuss the issue of Instant Runoff Voting (IRV). The City Clerk noted that she would keep this item under future agenda items so that it doesn't have to be stated at each meeting.

9. ADJOURNMENT

8:40 p.m. – There being no further business before the Committee it was moved and seconded to adjourn the meeting.

MICHAEL WALLACE
CHAIR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK