



**CHARTER REVIEW COMMITTEE
REGULAR MEETING
MINUTES**

Community Center, EOC Room, 1249 Marin Avenue
Tuesday, July 8, 2008
7:00 p.m.

7:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

Present: Members Grossman, Holan, * Mathiasen* Outis & Chair Wallace

Absent: *arrived after roll call

3. APPROVAL OF MINUTES

3-1. June 10, 2008.

MOTION:

Moved by Committee Member Outis, seconded by Committee Member Grossman to approve the minutes as submitted.

AYES: Committee Members Grossman, Holan, Outis & Chair Wallace

NOES: None ABSTAIN: Committee Member Berul

ABSENT: Committee Member Mathiason

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.

Preston Jordan addressed the Committee and spoke on Instant Runoff Voting (IRV) and Rank Choice Voting and also informed them of a Court ruling on At-Large elections.

Thelma Rubin, Albany resident, spoke to the letter written by former Committee Member Martin.

**5. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:
ANNOUNCEMENTS/COMMUNICATIONS**

Committee Member Grossman asked if he could address Committee Berul regarding the resignation of Committee Member Martin and the action taken by the Committee at the last meeting. Chair Wallace agreed and discussion took place between the Committee Members.

5-1. Memo from Executive Director regarding Alameda County Mayor's Conference Appointments

The Committee discussed the memo noting that the Executive Director reports that the "Super Regional" Committee appointments have a four-year term and since she has been the Director no "rotating" Mayor has been selected for a four-year or indefinite appointment. The concern of the Mayor's Conference is that it wants continuity on these appointments, and therefore, is anticipated that the appointee would serve the full term.

Thelma Rubin noted that when she was on the City Council the Mayor's Conference always accommodated Albany and its wishes.

No action required.

5-2. Discussion with City Attorney on the Proposed Charter Amendments

The City Attorney stated that the majority of the City Council indicated its comfort with the proposed language for the various Charter Amendments and agreed that they would be submitted to the voters at the November 4, 2008 election. The City Attorney gave some background on the language of the ballot measure for the directly elected Mayor.

The City Attorney noted that the election resolution would be before Council, and probably on the Consent Calendar, at the July 21, 2008 meeting for its final adoption.

The Committee discussed the new language that was presented by the Mayor and noted concern for two areas: The Committee believes that there should be separate elections for the Mayor and Council Member to prevent a contingency issue. The other issue of concern to the Committee is how a runoff election would be held. The Committee does not agree with the language that the Council by Ordinance would determine how the runoff would be held.

Preston Jordan, Albany resident, stated that until there was the capability for Instant Runoff Voting a special election should be held.

MOTION:

Moved by Committee Member Grossman, seconded by Committee Member Holan that instead of Council deciding what mechanism to be used for the Mayor runoff there should be language in the measure that the preference would be to use Instant Runoff Voting (IRV); however, until the County has the capability to do IRV a special election should be held.

ON THE QUESTION:

Committee Member Berul stated that he needed more time to consider the options. Committee Member Mathiasen stated that she needs more information on IRV and would like to hear a presentation with the negative aspects of IRV. Committee Member Outis agreed that more information is needed, which illustrates that this issue is not ready to go before the voters.

AMENDMENT TO THE MOTION:

Committee Member Berul suggested the following language: There should be a runoff to determine the person elected and the mechanism for the runoff to be determined by a future Charter Amendment.

VOTE ON THE MOTION:

AYES: Committee Members Berul, Grossman & Mathiasen

NOES: Committee Members Holan, Outis & Chair Wallace ABSENT: None

Motion Failed.

MOTION:

Moved by Committee Member Outis, seconded by Committee Holan to ask Council not to place the directly elected Mayor issue on the November 4, 2008 ballot because the recently adopted language has been determined to create substantial problems requiring further consideration.

AYES: Committee Members Holan, Outis & Chair Wallace

NOES: Committee Members Berul & Mathiasen ABSENT: None

ABSTAIN: Committee Member Grossman

ON THE QUESTION:

The Committee discussed whether this motion passed and decided to let it stay as is with a determination by the City Attorney at a future time.

7. FUTURE AGENDA ITEMS

It was noted that the Committee would be on recess during the month of August and the next meeting is scheduled for September 9, 2008.

8. ADJOURNMENT

9:00 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