

MEASURE _____
IMPARTIAL ANALYSIS
PROPOSED CHARTER ESTABLISHING HOME RULE

The question before voters is whether the City of Costa Mesa shall establish home rule by adopting the proposed charter as approved by the City Council. What is home rule? California cities fall under one of two categories: general law cities and charter cities. General law cities are bound by the general laws of the State of California regardless of whether the issue is a municipal affair that is within the city's authority to regulate. Charter cities, on the other hand, have greater authority than general law cities over municipal affairs. This is known as home rule. The California legislature and courts determine what matters are considered municipal affairs.

The proposed charter continues to follow general law in a number of ways. For example, if the proposed charter is adopted, the city would remain a council-manager form of government. City Council members' term of office, compensation, and limitations on hiring administrative officers would remain in place. Additionally, the city would continue to follow the same procedures for holding municipal elections, adopting initiatives, referendums and recalls, and complying with the Civic Openness In Negotiations (COIN) ordinance. Finally, the proposed charter continues to require that all zoning ordinances that are adopted be consistent with the city's General Plan.

The proposed charter does not follow general law in a number of areas. For example, the proposed charter requires two-thirds voter approval for any increase in public employee retirement or post-employment benefits. With regard to public contracting, the city would not be able to pay prevailing wages on public projects that are paid for solely with local funds. The proposed charter permits outsourcing of existing city operations and services that may be performed as or more efficiently and effectively by a third party. The proposed charter prohibits members of the City Council from employment with the city during or two years following their term of office. In addition, the proposed charter requires the City to maintain cash reserves for significant or unexpected events as determined by a supermajority of the City Council. It also requires the City Council to review the city's cash reserves every five years.

If the proposed charter is approved, the city must continue to comply with federal laws and state laws that are considered matters of statewide concern, including the open meeting laws set forth in the Brown Act, and the Political Reform Act (campaign regulations, financial disclosure and conflicts of interest).

If the proposed charter is approved, it must be reviewed at least every 10 years and no changes can be made without majority voter approval at a statewide general election.

This measure was placed on the ballot by the Costa Mesa City Council.

A "YES" VOTE MEANS you want Costa Mesa to adopt the proposed charter.

A "NO" VOTE MEANS you do not want Costa Mesa to adopt the proposed charter.