

Charter Change Request

Reference #	10768251
Status	Complete
Date of request	01/13/2020
1. Requesting City Council member/agency/organization. Please provide a brief description of the body submitting the request.	Kniech
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4. What is the topic of your request?	Council power to initiate or amend a supplemental spending ordinance (outside the annual budget adoption in November of each year).
5. What problem are you trying to solve?	Inability for Council to initiate a spending proposal, even with majority support, to address a pressing city need in the middle of a fiscal year that might not have been known or possible to address during the annual budget process that took place the prior calendar year. If the Mayor does not agree it is urgent/on the approach proposed, it might require waiting a full year to be addressed in the next regularly scheduled budget. This would also allow Council to play a leadership role if a majority agrees, rather than simply responding, if new state, federal or outside dollars come to the city between cycles.

<p>6. Is charter change the best way to achieve the goal?</p>	<p>It is the only way, current legal interpretation is that Council lacks this power under the current charter, that only the administration can initiate a supplemental spending bill mid-year.</p>
<p>7. Who are the external stakeholders?</p>	<p>There are very few organizations that focus on city structure and powers specifically. I'll mention it to the League of Women Voters when I see them later this month.</p> <p>If this passes, the range of residents who could benefit will vary. For example, it might give the Council the opportunity to respond to an urgent environmental opportunity to promote energy efficiency that wasn't in the budget, respond to a grant or other funding falling through to continue a critical program, or to launch an intervention regarding homelessness.</p>
<p>8. Who are the internal stakeholders?</p>	<p>Budget and Finance. I am speaking with them and the Mayor's office about this proposal.</p>
<p>9. Please provide examples from other cities.</p>	<p>See full memo provided to Charter Committee</p>
<p>10. Are there any possible legal problems? Are there any relevant state laws?</p>	<p>None</p>
<p>11. What are the pros and cons of your proposal?</p>	<p>Pro - where we have a true balance of powers, this ensures the council can exercise its judgement as a body the same way we do during a budget cycle (it isn't a new power, it is extending the timing of a current power)</p> <p>Con - biggest concern might be the risk of taking funding away from something in the budget already, disrupting on-going work, but I will draft to eliminate or minimize that risk</p>

<p>12. Have you contemplated the unintended consequences of your proposal? What are they?</p>	<p>One concern raised at committee was the potential for there to be competition among Councilmembers for funding their own district priorities. But that is already a risk during the existing budget cycle, where Councilmembers technically already have the power to run amendments to fund projects in their district. While some have proposed district-spending for discussion among the body, and some of those have made it into the letter/been funded in the final Mayoral budget, while others have not, in recent time no councilmember has ran an amendment just for their own benefit. The natural "check" on this risk is the need for 7-9 votes on the floor. And that same check will exist in this amendment as it does for the annual budget. There is no "more" risk because of the timing.</p> <p>There may be concern about council funding a priority that an agency will then have to carry out, but that same concern can be raised for any council amendment in the annual budget process, it is no "more" of a risk than the current power in the annual budget.</p>
<p>13. Term/duration (Will this item need a sunset clause? If so, why?)</p>	<p>No sunset, permanent change</p>
<p>14. What will be the future fiscal obligations of the City due to this proposed charter amendment? (Please include a fiscal impact statement and proposed funding source.)</p>	<p>The way the measure is being drafted is that supplementals can only spend new/unspent dollars, no budet amendment or supplemental can be "spent" from money that doesn't exist. When a council-led supplemental is proposed, the council can debate the long term impacts the same as we already do with the annual budget proposals or increases proposed by the Mayor or by a councilmember.</p>
<p>15. Is outside consulting needed for City Council to analyze this charter proposal?</p>	<p>No.</p>
<p>Please upload supporting documentation.</p>	<p>Supplemental_Budgeting_Procedures_Peer_City_Comparisons_2019_12-09.docx (170k)</p>
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