

Folsom City Council Staff Report

MEETING DATE:	5/12/2026
AGENDA SECTION:	Public Hearing
ITEM TITLE:	Resolution No. 11613 - A Resolution Receiving the 2026 Ad Hoc Charter Review Committee Report to City Council With Recommended Amendments and Dissolving the Committee and Direction to Staff Regarding Preparation of Potential Ballot Measure(s) Amending the City Charter and/or the Folsom Municipal Code for the 2026 General Municipal Election
FROM:	City Manager's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the Council approve Resolution No.11613, A Resolution Receiving the 2026 Ad Hoc Charter Review Committee Report to City Council With Recommended Amendments and Dissolving the Committee.

Staff also requests that the Council provide direction regarding preparation of potential ballot measure(s) amending the City Charter and/or the Folsom Municipal Code for the 2026 General Municipal Election.

BACKGROUND / ISSUE

On December 9, 2025, the City Council adopted Resolution No. 11525, establishing the 2026 Ad Hoc Charter Review Committee. The Committee was tasked with reviewing the City Charter and recommending appropriate updates and changes to the City Council. Resolution No. 11525 directed the Committee to submit a report to the City Council containing its recommendations.

The Committee performed its work over five meetings, held from March 4, 2026 to May 4, 2026. During these meetings, the Committee conducted a review of the City Charter and ultimately approved recommended language changes to seven sections of the Charter and one section of the Folsom Municipal Code that was an initiative measure passed by a vote of the people in 1994.

The Committee also identified sections of the Charter that it would like to recommend amending; however, given the limited time available for deliberation, review, and analysis, it was not able to reach consensus on proposed language amendments for those sections, which largely relate to significant issues of public policy, and the city council/governance structure of the City (i.e. directly elected mayor).

Resolution No. 11525 created the 2026 Ad Hoc Charter Review Committee as a Brown Act Committee, so the Committee's meetings were open to the public. Members of the public attended the final three meetings and addressed the Committee on many of the items considered.

POLICY / RULE

The recommendations brought forward by the Ad Hoc Charter Review Committee relate to distinct and separate areas of law. To facilitate the City Council's review and consideration of placing these items on the ballot, the following sections broadly outline the governing legal framework applicable to each of the proposed measures and any necessary criteria for voter approval. The scope of permissible regulation is varied and additional legal requirements apply to the implementation of each proposed measure.

Charter Amendment

City Charter section 8.01 governs Charter amendments, which may be framed and proposed in several ways, including by an ordinance of the City Council containing the full text of the proposed amendment. Charter Amendments must be approved by a majority of the voters of the City at a regular election.

Pursuant to City Charter section 2.12(A), no City ordinance shall contain more than one subject, which shall be clearly expressed in its title. This "single subject rule" applies to all of the amendments recommended in the Committee's report.

Amendment of Ordinance Passed as an Initiative Measure

As applicable here, Elections Code section 9217 requires that an ordinance proposed by initiative petition and adopted by the voters shall only be amended by a vote of the people. Elections Code section 9222 allows the City Council to submit to the voters, without a petition, a proposition for the amendment of any ordinance, to be voted upon at any succeeding regular or special election. If the proposition submitted receives a majority of the votes cast on it at the election, the ordinance shall be amended.

At-Large Elections

The California Voting Rights Act ("CVRA") (Elections Code §§ 14025 – 14032) prohibits at-large elections that prevent members of a protected class from electing their preferred candidate or influencing the outcome of the election. The CVRA applies to charter cities. (Elections Code § 14026(c)).

Term Limits

Government Code section 36502 allows cities to adopt term limits for members of the City Council. Term limits must be submitted to a vote of the people and will pass if a majority of the

votes cast on the question favor the adoption of the proposed limits. Term limits shall only apply prospectively.

Campaign Contribution Limits

Campaign contribution limits have been held to infringe on the contributor's ability to engage in free communication and association, thereby impinging on First Amendment freedoms. (*Citizens United v. Federal Election Commission* (2010) 558 US 310.) Limits on campaign contributions made directly to candidates or their committees may be upheld if the regulations are "closely drawn" to achieve important governmental interests, including preventing corruption, the appearance of corruption, and the circumvention of otherwise valid campaign finance regulations. (*Buckley v. Valeo* (1976) 424 US 1, 26.) However, the goals of equalizing political opportunities between candidates and reducing the influence of money in politics were rejected by the Supreme Court in *Citizens United* as sufficiently important governmental interests to support impinging on First Amendment freedoms. As a result, those concepts cannot be used as the basis for campaign contribution limits. (*Citizens United*, 558 US at p. 350.)

ANALYSIS

Summary of Recommended Amendments

The attached Report contains the recommended language amendments approved by the Committee and a succinct explanation of the reasons for the proposed changes. Briefly, the amendments recommended by the Committee include:

1. **Section 2.01** - City Council: to address the transition away from at-large elections. The Committee voted 6-1 in favor of this recommendation.
2. **Section 2.01(E)** - Term limits: reducing the maximum number of consecutive terms City Councilmembers may serve, from four 4-year terms to three 4-year terms. The Committee voted 6-1 in favor of this recommendation.
3. **Section 2.06** - City Council Compensation and Expenses: to add automatic annual salary adjustments for City Council, tied to the Consumer Price Index, with a maximum increase of three percent per year. The Committee voted 5-2 in favor of this recommendation.
4. **Section 2.07(D)** – Restriction on City Utility or Enterprise (franchise authority): eliminate voter approval requirement before a City owned utility or enterprise may be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party. This will allow the Council to franchise or contract for City services without voter approval. The Committee voted 4-3 in favor of this recommendation.
5. **Section 4.03** - City Attorney: to change how the City Attorney is appointed, from the current system in which the City Manager appoints the City Attorney, to a system in which the City Council appoints the City Attorney, and related procedural and structural changes. The Committee voted 7-0 in favor of this recommendation.

6. **Section 4.07** – Boards and Commissions: strike language that all City Boards and Commissions are only advisory to the Council, allowing the Council to set the powers and duties of Commissions and Committees by ordinance. The Committee voted 7-0 in favor of this recommendation.
7. **Section 9.02** – Transition of Elected Officials from 1990: delete entirely as obsolete. The Committee voted 7-0 in favor of this recommendation.
8. **Folsom Municipal Code § 2.48.030** – Campaign contribution limitation. To increase the campaign contribution limit in support or opposition to any candidate from \$150 to \$750. The Committee voted 7-0 in favor of this recommendation.

Remaining Issues

The Committee worked diligently to arrive at the recommendations contained in the attached Report. Even so, given the limited time remaining before the 2026 general election, there were issues on which the Committee was not able to reach consensus. The most notable of these was the concept of a directly elected mayor. There was a desire by some to continue the Committee's work to arrive at a final recommendation to the Council on all proposed Charter amendments, even if they would not be eligible for the ballot in 2026 due to the strict timelines in the Elections Code.

At its final meeting, however, the Committee voted unanimously to conclude its work and recommend that the Council consider creating a new ad hoc charter review committee following the November 2026 election, which could work through any remaining issues in the future. This approach would give time for a thorough consideration of complex issues by a committee, the Council, and the public, allowing for a robust debate on any significant policy questions posed by potential Charter amendments in the future.

Next Steps

Following the public hearing on this item, staff requests that the Council provide direction on which proposal(s) it would like to submit to the voters at the November 3, 2026 election.

If the Council elects to proceed with proposed amendment(s), a second public hearing will be held on June 23, 2026, where the City Council will consider ordinance(s) containing the specific language of the Charter amendment(s) that it would like to be submitted to the voters.

On July 14, 2026, the Council will consider a resolution formally approving submission to the voters of any proposed amendments contained in the Committee's Report.

At the Council's direction, the proposed amendments referenced in the Committee's Report could be submitted to the voters at the statewide general election on November 3, 2026.

FINANCIAL IMPACT

The estimated cost to place each ballot measure on the November 2026 General Election ballot ranges from approximately \$8,500 to \$9,000, based on the Sacramento County Department of Voter Registration and Elections fee schedule. These fees are determined by a base setup charge combined with a variable cost per registered voter.

The City Clerk's Department has included funding in the Fiscal Year 2026/27 budget to accommodate the costs associated with three ballot measures. Should the City Council authorize the submission of more than three measures to the voters, an additional appropriation may be required to cover the associated election expenses.

ENVIRONMENTAL REVIEW

The proposed Charter and Folsom Municipal Code amendments are not a project for purposes of CEQA because CEQA only applies to activities that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Because the proposed amendments do not have the potential to cause a physical change in the environment directly or indirectly, they are not a project subject to CEQA. (Public Resources Code §§ 21065; 21080(a); CEQA Guidelines §§ 15060(c), (2), (3); 15378(b)(2).) If for any reason the proposed amendments are considered a project, they are exempt from CEQA review pursuant to CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.

ATTACHMENTS

1. Resolution No. 11613 - A Resolution Receiving the 2026 Ad Hoc Charter Review Committee Report to City Council With Recommended Amendments and Dissolving the Committee
2. 2026 Ad Hoc Charter Review Committee Report to City Council with Recommended Amendments

Submitted,

Bryan Whitemyer
City Manager

Attachment 1

RESOLUTION NO. 11613

A RESOLUTION RECEIVING THE 2026 AD HOC CHARTER REVIEW COMMITTEE REPORT TO CITY COUNCIL WITH RECOMMENDED AMENDMENTS AND DISSOLVING THE COMMITTEE

WHEREAS, Resolution No. 11525 authorized the Mayor to establish the 2026 Ad Hoc Charter Review Committee (the Committee); and

WHEREAS, the Committee was established for a period not to exceed one year from the date of Resolution No. 11525, which was passed and adopted December 9, 2025; and

WHEREAS, the Committee was tasked to conduct a comprehensive review of the City Charter and recommend appropriate updates and changes to the City Council; and

WHEREAS, the Committee performed its work over five meetings, held from March 4, 2026 to May 4, 2026; and

WHEREAS, Resolution No. 11525 required the dates and times of all Committee meetings to be noticed as required by the Brown Act and the public to be encouraged to participate; and

WHEREAS, the dates and times of all Committee meetings were noticed as required by the Brown Act; and

WHEREAS, members of the public attended the final three Committee meetings and addressed the Committee on a majority of the agenda items considered by the Committee; and

WHEREAS, Resolution No. 11525 directed the Committee to submit a report and recommendations to the City Council; and

WHEREAS, on May 4, 2026, the Committee approved its Report to City Council with Recommended Amendments, including proposed amendments to the City Charter and the Folsom Municipal Code arising out of its work as defined in Resolution No. 11525; and

WHEREAS, on May 4, 2026, the Committee voted unanimously to conclude its work and recommend that the City Council consider creating a new ad hoc charter review committee following the November 2026 election to work through any remaining issues in the future.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby receives the 2026 Ad Hoc Charter Review Committee Report to City Council with Recommended Amendments; and

BE IT FURTHER RESOLVED that the 2026 Ad Hoc Charter Review Committee is hereby dissolved.

PASSED AND ADOPTED this 12th day of May, 2026, by the following roll-call vote:

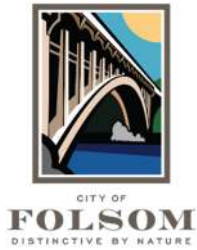
AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Justin Raithel, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2



2026 Ad Hoc Charter Review Committee Report to City Council with Recommended Amendments May 12, 2026

INTRODUCTION

The 2026 Ad Hoc Charter Review Committee has completed its review of the City Charter. In this report, the Committee submits its recommendations to the Council for proposed amendments to the Charter and the Folsom Municipal Code to be submitted to the voters.

RECOMMENDATIONS

After conducting a review of the City Charter, the Committee recommends submitting the following amendments to the voters:

1. **Section 2.01 - City Council:** to address the transition away from at-large elections. The Committee voted 6-1 in favor of this recommendation.
2. **Section 2.01(E) - Term limits:** reducing the maximum number of consecutive terms City Councilmembers may serve, from four 4-year terms to three 4-year terms. The Committee voted 6-1 in favor of this recommendation.
3. **Section 2.06 - City Council Compensation and Expenses:** to add automatic annual salary adjustments for City Council, tied to the Consumer Price Index, with a maximum increase of three percent once per fiscal year. The Committee voted 5-2 in favor of this recommendation.
4. **Section 2.07(D) – Restriction on City Utility or Enterprise (franchise authority):** eliminate voter approval requirement before City owned utility or enterprise may be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party. This will allow the Council to franchise or contract for City services without voter approval. The Committee voted 4-3 in favor of this recommendation.
5. **Section 4.03 - City Attorney:** to change how the City Attorney is appointed, from the current system in which the City Manager appoints the City Attorney, to a system in which the City Council appoints the City Attorney, and related procedural and structural changes. The Committee voted 7-0 in favor of this recommendation.
6. **Section 4.07 – Boards and Commissions:** strike language that all City Boards and Commissions are only advisory to the Council, allowing the Council to set the powers and duties of Commissions and Committees by ordinance. The Committee voted 7-0 in favor of this recommendation.

7. **Section 9.02 – Transition of Elected Officials from 1990** – delete entirely as obsolete. The Committee voted 7-0 in favor of this recommendation.
8. The Committee also recommends that the Council submit to the voters a proposition to amend **Folsom Municipal Code § 2.48.030 – Campaign contribution limitation**: to increase the campaign contribution limit in support or opposition to any candidate from \$150 to \$750. The Committee voted 7-0 in favor of this recommendation.

The Committee further proposes concluding its work with submission of this Report to City Council. However, significant issues remain outstanding, including whether the Charter should be amended to establish the position of a mayor directly elected by the public, at-large. The Committee voted unanimously to recommend that the Council create a new ad hoc charter review committee following the November 2026 election, which could work through remaining issues in the future. This approach would give time for a thorough consideration of complex issues by a committee, the Council, and the public, allowing for a robust debate on any significant policy questions posed by potential Charter amendments that may be recommended for future elections.

ATTACHMENTS

1. Proposed Amendment to Charter § 2.01 City Council (how elected)
2. Proposed Amendment to Charter § 2.01(E) City Council Term Limits
3. Proposed Amendment to Charter § 2.06 City Council Compensation and Expenses
4. Proposed Amendment to Charter § 2.07(D) Restriction on City Utility or Enterprise (franchise authority)
5. Proposed Amendment to Charter § 4.03 City Attorney
6. Proposed Amendment to Charter § 4.07 Boards and Commissions
7. Proposed Amendment to Charter § 9.02 Transition of Current Elected Officials (1990)
8. Proposed Amendment to Folsom Municipal Code § 2.48.030 Campaign contribution limitation

Attachment 1

Section / Title:

Section 2.01 (City Council)

What Change is Recommended and Why:

Eliminate the current reference to City Councilmembers being elected at large.

The Committee recommends that the reference to at large elections be eliminated because the City has transitioned to elections by district.

Committee Vote:

The Committee voted 6-1 in favor of this recommendation.

Current Language:

2.01 City Council:

There shall be a City Council of 5 members elected by the voters of the City at large.

Proposed Language:

2.01 City Council:

There shall be a City Council of 5 members elected by the voters of the City.

Redline Showing Changes:

2.01 City Council:

There shall be a City Council of 5 members elected by the voters of the City ~~at large~~.

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Attachment 2

Section / Title:

Section 2.01(E) - City Council Term Limits

What Change is Recommended and Why:

Change the current term limit from 4 consecutive 4-year terms to 3 consecutive 4-year terms.

The Committee recommends that City Council term limits be set at 3 consecutive 4-year terms to balance institutional knowledge with the need for fresh ideas.

Committee Vote:

The Committee voted 6-1 in favor of this recommendation.

Current Language:

E. Term Limit. A person serving on the City Council may serve no more than 4 consecutive 4-year terms, and thereafter shall be ineligible to hold the office of Councilmember again until 4 consecutive years have passed. For purpose of the term limit, the counting of the term shall start and apply to Councilmembers elected at and after the November 6, 2018 municipal election.

Proposed Language:

E. Term Limit. A person serving on the City Council may serve no more than 3 consecutive 4-year terms, and thereafter shall be ineligible to hold the office of Councilmember again until 4 consecutive years have passed. For purpose of the term limit, the counting of the term shall start and apply to Councilmembers elected at and after the November 3, 2026 municipal election.

Redline Showing Changes:

E. Term Limit. A person serving on the City Council may serve no more than ~~-4~~ 3 consecutive 4-year terms, and thereafter shall be ineligible to hold the office of Councilmember again until 4 consecutive years have passed. For purpose of the term limit, the counting of the term shall start and apply to Councilmembers elected at and after the November ~~6, 2018~~ 3, 2026 municipal election.

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Attachment 3

Section / Title:

Section 2.06 (City Council Compensation and Expenses)

What Change is Recommended and Why:

Create an automatic annual cost of living adjustment for Mayor, Vice Mayor, and City Council salaries tied to the Consumer Price Index, with a maximum salary increase of 3% per year. The automatic annual increase will occur on July 1st of each year to coincide with the fiscal year.

The Committee recommends creating an automatic salary adjustment for Councilmembers to correspond to the salary increases provided to many City employees and retirees, without the need for an affirmative vote of the Council, to avoid a scenario where the Council's salary is significantly below the rate paid to councilmembers in neighboring jurisdictions but is not raised due to political or budget pressures.

Committee Vote:

The Committee voted 5-2 in favor of this recommendation.

Current Language:

2.06 City Council Compensation and Expenses:

The City Council may determine the annual salary of the Mayor, Vice Mayor, and Councilmembers by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of Councilmembers elected at the next regular election. The Mayor, Vice Mayor and Councilmembers shall receive their actual and necessary expenses incurred in the performance of their duties of office.

Proposed Language:

2.06 City Council Compensation and Expenses:

The annual salary of the Mayor, Vice Mayor, and Councilmembers shall be adjusted once each fiscal year for inflation based upon the Consumer Price Index established and published by the State of California Department of Industrial Relations for all California urban consumers, beginning on July 1, 2027. The maximum salary increase shall be three percent (3%) of the position's annual salary at the time of the increase. The Mayor, Vice Mayor and Councilmembers shall receive their actual and necessary expenses incurred in the performance of their duties of office.

Redline Showing Changes:

2.06 City Council Compensation and Expenses:

~~The City Council may determine the annual salary of the Mayor, Vice Mayor, and Councilmembers by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of Councilmembers elected at the next regular election.~~ The annual salary of the Mayor, Vice Mayor, and Councilmembers shall be adjusted once each fiscal year for inflation based upon the Consumer Price Index established and published by the State of California Department of Industrial Relations for all California urban consumers, beginning on July 1, 2027. The maximum salary increase shall be three percent (3%) of the position's annual salary at the time of the increase. The Mayor, Vice Mayor and Councilmembers shall receive their actual and necessary expenses incurred in the performance of their duties of office.

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Attachment 4

Section / Title:

Section 2.07(D) - Restriction on City Utility or Enterprise (franchise authority)

What Change is Recommended and Why:

Remove language requiring approval by a majority at an election before any City owned utility or enterprise could be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party.

The Committee recommends that the City Council be granted the fiscal flexibility required to protect the city's financial health. However, to ensure transparency and public trust, any change to the authority for contracted or franchise services must be presented as a standalone ballot question.

Committee Vote:

The Committee voted 4-3 in favor of this recommendation.

Current Language:

D. Restriction on City Utility or Enterprise. No City owned utility or enterprise, or any portion thereof, which lies within the corporate boundaries of the City may be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party without complying with the procedures set out in Section 7.02 hereof, and being approved by a majority vote at an election.

Proposed Language:

D. Restriction on City Utility or Enterprise. No City owned utility or enterprise, or any portion thereof, which lies within the corporate boundaries of the City may be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party without complying with the procedures set out in Section 7.02 hereof.

Redline Showing Changes:

D. Restriction on City Utility or Enterprise. No City owned utility or enterprise, or any portion thereof, which lies within the corporate boundaries of the City may be sold, leased for more than 2 years, contracted to, or put to franchise to any non-governmental party without complying with the procedures set out in Section 7.02 hereof, ~~and being approved by a majority vote at an election.~~

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Attachment 5

Section / Title:

Section 4.03 (City Attorney)

What Change is Recommended and Why:

Designate the City Council as responsible for the direct hiring and oversight of the City Attorney position and make related procedural and structural changes to align with existing Charter language for the City Manager position, which is also hired by and reports directly to the Council.

The Committee reviewed the current appointment process for the City Attorney, with a focus on shifting this responsibility toward a Council-led hiring model. It was noted that the prevailing standard in other municipalities is for the City Attorney to report directly to and be hired by the City Council. Based on this, the Committee proposed a formal shift in authority to ensure the Council is responsible for the direct hiring and oversight of the City Attorney position.

Committee Vote:

The Committee voted 7-0 in favor of this recommendation.

Current Language:

4.03 City Attorney:

The office of City Attorney is hereby created. The City Attorney shall be the chief legal officer of the City, and:

- A. Duties. Shall advise the City Council, individual Councilmembers, the City Manager and his/her assistants, and department heads regarding the law relating to City affairs.
- B. Additional Duties. Shall represent the City in all legal proceedings, prepare all ordinances and other needed legal documents, select and retain specialist counsel where there is a need for such specialized legal services, and perform such other duties as may be prescribed by ordinance.
- C. Department Head. May be a full time department head of the City, or may be contracted as a department head.
- D. Approval of Contracts. Shall review and approve all City contracts as to legal form.
- E. Special Counsel. The City Council may retain special counsel in any matter where representation by the City Attorney would create an impermissible conflict, including the discipline or dismissal of the City Manager.

Proposed Language:

4.03 City Attorney:

The office of City Attorney is hereby created. The City Attorney shall be the chief legal officer of the City, and, notwithstanding any other provision of this Charter:

- A. Duties. Shall advise the City Council, individual Councilmembers, the City Manager and his/her assistants, and department heads regarding the law relating to City affairs.

- B. Additional Duties. Shall represent the City in all legal proceedings, prepare all ordinances and other needed legal documents, select and retain specialist counsel where there is a need for such specialized legal services, and perform such other duties as may be prescribed by ordinance.
- C. Department Head. May be a full time department head of the City appointed by the City Council, or may be contracted by the City Council as a department head.
- D. Approval of Contracts. Shall review and approve all City contracts as to legal form.
- E. Special Counsel. The City Council may retain special counsel in any matter where representation by the City Attorney would create an impermissible conflict, including the discipline or dismissal of the City Manager.
- F. City Attorney Appointment. The City Council shall appoint a City Attorney for an indefinite term through the mechanism of an employment agreement the same as those afforded department heads under this Charter. The City Attorney:
1. Serve At Pleasure. Shall serve at the pleasure of the Council;
 2. How Chosen. Shall be chosen solely on the basis of administrative qualifications and, at time of appointment need not be a resident of the State or City but shall be a member of the California State Bar;
 3. Salary. Shall be paid a salary fixed by the Council commensurate with the responsibilities of the position;
- G. Dismissal Hearing. Shall have the right to a public hearing on any motion to remove or to suspend his/her employment, which public hearing shall be held only after provision of 10 days' published notice prior to the Council voting on the motion to remove or to suspend the City Attorney.
- H. Restriction on Dismissal. During a period of 90 days immediately following the date of installation of any person newly elected to the Council at a regular or special City election, or of any person newly appointed to the Council, the Council shall take no action, whether immediate or prospective, to remove, suspend, request the resignation of, or to reduce the duties, salary or benefits of the City Attorney.
- I. Appointment of Employees. The City Attorney shall appoint all other members of the City Attorney's Office to positions authorized by the Council. These employees shall serve at the pleasure of the City Attorney but shall have permanent status subject to all rights and limitations in the City merit system.

Redline Showing Changes:

4.03 City Attorney:

The office of City Attorney is hereby created. The City Attorney shall be the chief legal officer of the City, and, **notwithstanding any other provision of this Charter:**

- A. Duties. Shall advise the City Council, individual Councilmembers, the City Manager and his/her assistants, and department heads regarding the law relating to City affairs.
- B. Additional Duties. Shall represent the City in all legal proceedings, prepare all ordinances and other needed legal documents, select and retain specialist counsel where there is a need for such specialized legal services, and perform such other duties as may be prescribed by ordinance.
- C. Department Head. May be a full time department head of the City **appointed by the City Council**, or may be contracted **by the City Council** as a department head.

D. Approval of Contracts. Shall review and approve all City contracts as to legal form.

E. Special Counsel. The City Council may retain special counsel in any matter where representation by the City Attorney would create an impermissible conflict, including the discipline or dismissal of the City Manager.

F. City Attorney Appointment. The City Council shall appoint a City Attorney for an indefinite term through the mechanism of an employment agreement the same as those afforded department heads under this Charter. The City Attorney:

1. Serve At Pleasure. Shall serve at the pleasure of the Council;
2. How Chosen. Shall be chosen solely on the basis of administrative qualifications and, at time of appointment need not be a resident of the State or City but shall be a member of the California State Bar;
3. Salary. Shall be paid a salary fixed by the Council commensurate with the responsibilities of the position;

G. Dismissal Hearing. Shall have the right to a public hearing on any motion to remove or to suspend his/her employment, which public hearing shall be held only after provision of 10 days' published notice prior to the Council voting on the motion to remove or to suspend the City Attorney.

H. Restriction on Dismissal. During a period of 90 days immediately following the date of installation of any person newly elected to the Council at a regular or special City election, or of any person newly appointed to the Council, the Council shall take no action, whether immediate or prospective, to remove, suspend, request the resignation of, or to reduce the duties, salary or benefits of the City Attorney.

I. Appointment of Employees. The City Attorney shall appoint all other members of the City Attorney's Office to positions authorized by the Council. These employees shall serve at the pleasure of the City Attorney but shall have permanent status subject to all rights and limitations in the City merit system.

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Attachment 6

Section / Title:

Section 4.07 (Boards and Commissions)

What Change is Recommended and Why:

Remove “All boards and commissions only shall be advisory to the Council”

Removing this restrictive phrasing allows for greater flexibility in how commissions and committees operate. The change is not intended to diminish the Council's ultimate oversight; rather, it is designed to preserve and clarify the City Council’s authority to formally delegate specific responsibilities or decision-making powers to boards and commissions through an ordinance when deemed appropriate. This adjustment would ensure the Charter does not inadvertently block the Council from empowering commissions and committees to take direct action on specialized matters.

Committee Vote:

The Committee voted 7-0 in favor of this recommendation.

Current Language:

4.07 Boards and Commissions:

The City Council may by ordinance create other Boards and Commissions and prescribe their powers and duties, determine the number and qualification of the members, their method of selection, term of office and removal, and fix their compensation, if any. All boards and commissions only shall be advisory to the Council. Each member of any Board or Commission shall be a resident and registered voter of the City.

Proposed Language:

4.07 Boards and Commissions:

The City Council may by ordinance create other Boards and Commissions and prescribe their powers and duties, determine the number and qualification of the members, their method of selection, term of office and removal, and fix their compensation, if any. Each member of any Board, Commission, or Committee shall be a resident and registered voter of the City.

Redline Showing Changes:

4.07 Boards and Commissions:

The City Council may by ordinance create other Boards and Commissions and prescribe their powers and duties, determine the number and qualification of the members, their method of selection, term of office and removal, and fix their compensation, if any. ~~All boards and commissions only shall be advisory to the Council.~~ Each member of any Board, ~~or~~ Commission, ~~or~~ Committee shall be a resident and registered voter of the City.

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Attachment 7

Section / Title:

Section 9.02 – Transition of Current Elected Officials (1990)

What Change is Recommended and Why:

Eliminate Section 9.02 in its entirety.

The Committee recommends that City Council eliminate Section 9.02 in its entirety because Section 9.02 is obsolete as it specifically addressed the transition of elected officials in 1990, when the City Charter was originally adopted.

Committee Vote:

The Committee voted 7-0 in favor of this recommendation.

Current Language:

9.02 Transition of Current Elected Officials:

At the time of the adoption of this Charter those persons serving in elected office shall continue to serve until the following conditions are met:

A. Councilmembers. Councilmembers shall serve until the end of the term for which they have been elected, and until their successors have been elected and qualified;

B. City Clerk. The City Clerk shall serve until the end of the term for which that officer has been elected, or until the position otherwise is vacated, except the acceptance of an employment agreement as a department head shall act to vacate the elected office of City Clerk;

C. City Treasurer. The City Treasurer shall serve until the end of the term for which that officer has been elected, or until the position otherwise is vacated.

Proposed Language:

(Remove section entirely)

Redline Showing Changes:

9.02 ~~Transition of Current Elected Officials:~~ Reserved

~~At the time of the adoption of this Charter those persons serving in elected office shall continue to serve until the following conditions are met:~~

~~A. Councilmembers. Councilmembers shall serve until the end of the term for which they have been elected, and until their successors have been elected and qualified;~~

~~B. City Clerk. The City Clerk shall serve until the end of the term for which that officer has been elected, or until the position otherwise is vacated, except the acceptance of an employment agreement as a department head shall act to vacate the elected office of City Clerk;~~

~~C. City Treasurer. The City Treasurer shall serve until the end of the term for which that officer has been elected, or until the position otherwise is vacated.~~

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Attachment 8

Section / Title:

Folsom Municipal Code § 2.48.030 (Campaign Contribution Limitation)

What Change is Recommended and Why:

Increase campaign contribution limits from \$150 to \$750.

The Committee recommends that campaign contribution limits increase from \$150 to \$750 to balance the influence of political action committees and special interests on local elections.

Committee Vote:

The Committee voted 7-0 in favor of this recommendation.

Current Language:

2.48.030 Campaign contribution limitation.

- A. No person other than a candidate shall make, and no campaign treasurer shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to a single election in support or opposition to such candidate, including contributions to all committees supporting or opposing such candidate, to exceed \$150.
- B. Extension of credit for a period of more than 90 days is prohibited. Extension of credit for more than \$1,000 is prohibited; provided, however, a candidate may personally borrow any amount and such funds shall be considered as a contribution by the candidate personally; provided, further, that such transaction is fully disclosed and documented in accordance with applicable law.
- C. The terms of this section are applicable to any contributions made to a candidate or committee hereunder, whether used by such candidate or committee to finance a current campaign, to pay deficits incurred in a prior campaign, or otherwise.
- D. If any person is found guilty of violating the terms of this section, the amount of funds received constituting such violation shall be paid by the candidate or committee treasurer who received such funds to the city finance director for deposit in the general fund of the city.
- E. As used in this section, “extension of credit” means any loan, gift, forbearance or forgiveness of debt without adequate compensation.

Proposed Language:

2.48.030 Campaign contribution limitation.

- A. No person other than a candidate shall make, and no campaign treasurer shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to a single election in support or opposition to such candidate, including contributions to all committees supporting or opposing such candidate, to exceed \$750.
- B. Extension of credit for a period of more than 90 days is prohibited. Extension of credit for more than \$1,000 is prohibited; provided, however, a candidate may personally borrow any amount and such funds shall be considered as a contribution by the candidate personally; provided, further, that such transaction is fully disclosed and documented in accordance with applicable law.

- C. The terms of this section are applicable to any contributions made to a candidate or committee hereunder, whether used by such candidate or committee to finance a current campaign, to pay deficits incurred in a prior campaign, or otherwise.
- D. If any person is found guilty of violating the terms of this section, the amount of funds received constituting such violation shall be paid by the candidate or committee treasurer who received such funds to the city finance director for deposit in the general fund of the city.
- E. As used in this section, “extension of credit” means any loan, gift, forbearance or forgiveness of debt without adequate compensation.

Redline Showing Changes:

2.48.030 Campaign contribution limitation.

- A. No person other than a candidate shall make, and no campaign treasurer shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to a single election in support or opposition to such candidate, including contributions to all committees supporting or opposing such candidate, to exceed ~~\$150~~ \$750.
- B. Extension of credit for a period of more than 90 days is prohibited. Extension of credit for more than \$1,000 is prohibited; provided, however, a candidate may personally borrow any amount and such funds shall be considered as a contribution by the candidate personally; provided, further, that such transaction is fully disclosed and documented in accordance with applicable law.
- C. The terms of this section are applicable to any contributions made to a candidate or committee hereunder, whether used by such candidate or committee to finance a current campaign, to pay deficits incurred in a prior campaign, or otherwise.
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