



Ted Brandvold, Mayor
City of Modesto
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November 25, 2019

Dear Charter Review Committee Member:

On behalf of the Modesto City Council and the citizens, residents, voters, and taxpayers of the City of Modesto, I would like to thank you for agreeing to serve on the Charter Review Committee. (Attached is a copy of the resolution creating the Charter Review Committee.)

A city charter, like the state and federal constitutions, is a statement of basic principles, outlining powers, relationships and responsibilities. It should be reasonably short, a concise and readable instrument establishing an outline of the organizational framework of our city government. It should not be encumbered with the kind of policy detail that is more properly set forth in the City Code.

The function of your committee is to review Modesto's City Charter, make sure that we have a charter that provides the best organization, powers, and functions and essential procedures for the best possible City government.

Each member of the City Council believes this committee is vital to the future of Modesto. Due to repetitive issues of accountability and responsibility in City Hall, I believe we all expect this committee to do more than a caretaker's job in reviewing our local constitution. Be thorough in your ideas to improve our local government and governance.

One of the major themes I see for your work is the need for more accountability in City Hall. Please spend adequate time on this issue and help us determine what we can do to improve our accountability to our citizens, residents, voters, and taxpayers. This City Council has worked hard to fix the neglect of past years and decades. Despite the difficulty of the task, this City Council continues to believe that we must better meet the expectations of our citizens.

I have requested the City Council and City Departments to submit a list of issues to the City Clerk for the Charter Review Committee to consider as a starting point for your work. However, as you heard from the City Council, you have a wide charge to review the entire City Charter and make recommendations as you see appropriate for our City.

If you need expertise, specialties, or resources inside or outside of the City of Modesto, please ask the City Council for them. We want to provide you all the necessary resources to do a thorough review of the City Charter.

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In order that you may better understand your duties, a brief history of the Modesto City Charter is in order. Over 50 years ago, the citizens of Modesto adopted a new city charter that provided for the Council-Manager form of government. The final adoption and approval of that charter was preceded by the election of a Board of Freeholders which, in 1949, drafted a proposed charter that was subsequently submitted to the voters. Because of some technical difficulties, it was invalidated by the courts prior to its approval. Thereafter, the City Council appointed a citizens committee to complete the job of drafting a city charter, which was eventually approved by the voters and later ratified by the California State legislature.

In 1961, after the City had approximately 10 years of experience in operating under the new charter, the City Council felt that it was time to review the charter, evaluate its effectiveness, and make recommendations for amendments where appropriate. The Council appointed a Citizens Review Committee to make such an evaluation. That committee made a complete and thorough review of the charter, line by line, and proposed a number of revisions. The State Legislature subsequently ratified these proposals. (Charter amendments are no longer required to be ratified by the State Legislature). Similar review occurred in 1971, 1980, 1989, and 1999. Various changes to the charter have resulted from these reviews as well as other events in Modesto's history. Now, many decades after its initial adoption, the City Council has appointed your committee to again review the City Charter and determine whether or not in your judgment additional revisions should be made.

Finally, I want to thank City Clerk Stephanie Lopez for agreeing to coordinate the necessary agenda, minute and documentation work; City Attorney Adam Lindgren for providing legal resources to the effort; and City Manager Joe Lopez for providing support staff. Our three Charter Officers are integral to the running of our city.

Again, City Council and I appreciate your willingness to serve on this committee. I know that you will find in it a challenge. I also know you will treat it as a serious responsibility. Again, I thank you on behalf of the City Council for your willingness to participate in this essential task.

Sincerely,

<Signed copy on file with the City Clerk>

TED BRANDVOLD, Mayor

cc: City Councilmembers
City Manager
City Attorney
City Clerk

[Attachment - Resolution 2019-487 \(PDF\)](#)