


City of Independence
INTER-DEPARTMENTAL CORRESPONDENCE

OFFICE OF THE CITY MANAGER



DATE: March 10, 1995
TO: City Council
FROM:  Larry N. Blick, City Manager
SUBJECT: Charter Amendment Process

Attached for your review is a memorandum from the City Counselor describing the charter amendment processes used in the past. At the Study Session it would be helpful for you to consider the following questions.

1. How extensive should the review of the charter be?

The Charter review can be limited in scope addressing only those items that are outdated and where there is wide agreement that certain changes should be made. On the other hand, the Charter is 34 years old. It was adopted at a time when a great amount of detail was believed necessary, because a major change of government was being proposed. Model charters today contain much less detail and prescription, but seem to work equally as well. The new Blue Springs charter is attached as an example of a less detailed charter. You should decide whether or not you would like to have a major streamlining of the Charter.

2. How many members should be on the commission?

Small groups work better than large groups. Seven might be the smallest you would want the Charter commission be; however, you may wish to limit the number to twelve to fifteen members.

3. How should members be appointed?

Members can be appointed by the individual City Councilmembers or the Council as a whole. You could invite people to apply for appointment; however, you may also wish to reserve the prerogative of soliciting leaders from a cross-section of the community. If you individually appoint members, you may wish to have a process for ensuring that the result is wide representation of the community.

4. What resources will the commission be given?

We can assist the commission in obtaining model charters. Secretarial services could be provided by Council staff, by using a temporary service or by volunteers.

5. How will the commission obtain input?

It is customary for charter commissions to invite comments from elected and appointed officials, former elected officials and citizens as to improvements that could be made to the Charter. You may wish to allow the commission to develop its own process and procedures.

6. When would you like for the commission to complete its work?

If you wish to have proposed Charter amendments on the ballot next April, the commission should complete its work by the end of 1995. This would mean the commission will have to meet almost weekly and work intensively. The commission could be give a more leisurely pace if a later election date is set.

7. How should legal services be provided?

The City Counselor is extremely knowledgeable about the current Charter and state law. Blue Springs found that it worked well for the commission to work without legal services during their charter development. The commission focused on how they would like for the government to work. When their work was completed it was given to the city counselor to ensure legal sufficiency. My experience is that if legal services are provided throughout the process, the commission tends to rely on the attorney to do a lot of the work and research. Perhaps appointing several attorneys knowledgeable in municipal government to the commission would be beneficial.

LNB:cb

attachment