

IMPARTIAL ANALYSIS BY SANTA ANA CITY ATTORNEY
MEASURE __

On June 18, 2024, Measure __ was placed on the ballot by the Santa Ana City Council. The Measure proposes to amend sections 401.5 , 611, 702, 703, 1002, and 1103 of the Santa Ana City Charter.

Currently, Charter section 401.5 provides the process by which a complaint regarding a violation of the City's Code of Ethics and Conduct is investigated. The process used depends on whether the complaint is about the conduct of the Police Chief or a City department director or whether the complaint is about an official appointed by the City Council or members of the City Council. The proposed change would allow the City Council to establish by adoption of an ordinance a process to address alleged violations of the Code of Ethics and to enforce its provisions.

Charter Section 611 provides for a fund for capital improvements. The provisions are out dated and the municipal code already provides for yearly submission of capital improvement plans to the planning director and a report to the City Council. The proposed Charter amendment would delete Section 611.

Charter Sections 702 and 703 set forth the powers and duties and qualifications of the City Clerk and City Attorney. The proposed amendment to each section would allow the City Clerk and City Attorney to enter into contracts related to their respective officers and based upon the City's purchasing policies and dollar limitations established for the City Manager or at such other amounts adopted by the City Council. Currently, the City Manager has contracting authority up to \$50,000 for non-public works construction contracts.

Charter Section 1103, provides that the City Council shall, by ordinance, fix the amounts and terms of the official bonds and employees of the of the City who are required by the Charter or ordinance to have such a bond. This section is out dated and obsolete. The proposed Charter amendment will delete Section 1103. In the future, an official bond will be obtained when required by state law, contract, or future ordinance of the City Council.

Measure __ requires simple majority approval of Santa Ana voters to pass. If Measure __ does not pass, the Charter provisions impacted by Measure __ will remain unchanged.

A "YES" vote on the Measure is a vote in favor of the Charter amendment described above.

A "NO" vote on the Measure is a vote against the Charter amendment described above.

Santa Ana City Attorney