



Agenda Report

Fullerton City Council

MEETING DATE: JUNE 3, 2025

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: LUCINDA WILLIAMS, CITY CLERK

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

SUBJECT: CITY CHARTER DEVELOPMENT PROCESS OPTIONS

SUMMARY

Review process options to develop a city charter.

PROPOSED MOTION

Select preferred method to develop a city charter and direct staff to implement next steps.

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Other options brought by City Council.

STAFF RECOMMENDATIONS

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

The two processes to develop a charter would include either

- City Council developing the charter. This option could include City Council forming an ad hoc committee or advisory group to facilitate draft charter development. However, City Council would still need to hold two public hearings on the final draft before placing the measure on the ballot.
- *Call for an election of a Charter Commission*

The City may elect a charter commission to develop a charter for voter consideration. City Council would call an election to ask voters whether the City shall elect a charter commission to propose a new charter and ask voters to select

charter commission candidates. Charter commission candidates must be registered voters of the City and follow the same nominations process as elected city officers.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

FISCAL IMPACT

None.

BACKGROUND AND DISCUSSION

Staff presented a report to City Council comparing general law and charter city governance and outlined the process to become a charter city on March 4, 2025. City Council heard additional information regarding the process to become a charter city on May 13, 2025 and voted to continue discussing the charter formation process.

This report presents governance options allowable under California Government Code Sections 33450 through 33462 and proposes timelines to develop a draft charter and ballot measure.

Charter Commission

The City may elect a charter commission to develop a charter for voter consideration. City Council would call an election to ask voters whether the City shall elect a charter commission to propose a new charter and ask voters to select charter commission candidates. Charter commission candidates must be registered voters of the City and follow the same nominations process as elected city officers.

If the ballot question "Shall a charter commission be elected to propose a new charter?" receives a majority vote, the 15 commissioner candidates receiving the highest number of votes shall organize as a charter commission. The Mayor appoints members to fill any commission vacancies.

California law does not explicitly require charter commissions to hold public hearings to draft a charter but California Brown Act open meeting regulations would apply to all commission meetings which provides for public notice and participation. A charter commission must submit a proposed charter to the voters within two years of the charter commissioners election.

The following proposes a timeline for the charter commission process:

- July 2026 (or earlier): Call election to place measure to form commission on the November 2026 ballot
- July / August 2026: Candidate nominations
- November 2026: General Municipal Election
- December 2026: Election certified

- January 2027: Commission begins meeting to draft charter ballot measure
- July 2028 (or earlier): Call election to place charter adoption measure on the November 2028 ballot
- November 2028: General Municipal Election
- December 2028: Election certified.

Costs: Adding a measure to a General Municipal (November) Election costs approximately \$8500 per measure in addition to the cost to hold the election for City Council Members. The City would also incur minimal costs to review commissioner petitions during the filing period.

The City could place the charter commission election measure on the June 2026 Statewide Primary ballot. Adding a measure to a primary election ballot with no scheduled municipal election costs approximately \$200,000 - \$400,000.

The City could also choose to hold a special stand-alone election to place the measure before the voters. A special stand-alone municipal election would cost the City an estimated \$250,000 to \$500,000.

Staff notes the City would incur election costs twice with the charter commission process – once for the election to form the commission and again for the election to adopt the proposed charter.

Timing: Placing the commission formation measure on a November General Election or a special stand-alone election ballot affords the commission the full two years to complete its work.

California holds Statewide Primary elections in June in gubernatorial election years and in March in presidential election years. Placing the charter formation measure on the June 2026 Statewide Primary ballot, with the assumption that the commission would place the charter adoption measure on the 2028 Statewide Primary ballot, reduces the time to complete the commission work by three months. The City could call a special stand-alone election in June 2028 if the commission needed additional time to complete the process.

City Council

City Council may draft the proposed charter to place on the ballot directly or enlist staff, ad hoc committees and / or advisory groups to assist.

State law requires City Council hold at least two noticed public hearings on the draft charter with a minimum 21-day notice before the first hearing, a 30-day gap between hearings and a 21-day waiting period after the second hearing before final City Council action.

City Council could form an ad hoc committee or advisory group to facilitate draft charter development. However, City Council would still need to hold two public hearings on the final draft before placing the measure on the ballot.

The following proposes a timeline for a City Council created charter process:

- Through April 1, 2026: City Council drafts charter – could include ad hoc committee or advisory group assistance
- April 14, 2026: 21-day notice (would need to send to newspaper by April 1)
- May 5, 2026: First public hearing
- May 5 – June 4, 2026: 30-day gap between hearings
- June 16, 2026: Second public hearing
- June 16 - July 7, 2026: 21-day waiting period after second hearing
- July 21, 2026: Call election to place charter adoption measure on the November 2026 ballot (final council action)
- November 2026: General Municipal Election
- December 2026: Election certified.

Costs: Adding a measure to a General Municipal (November) Election costs approximately \$8500 per measure in addition to the cost to hold the election for City Council Members.

The City could place measure on the June 2026 Statewide Primary ballot. Adding a measure to a primary election ballot with no scheduled municipal election costs approximately \$200,000 - \$400,000.

The City could also choose to hold a special election to place the charter measure before the voters. A special stand-alone municipal election would cost the City an estimated \$250,000 to \$500,000.

Timing: City Council has no specific deadline to complete its work drafting a charter, unlike the two-year deadline for an elected charter commission. However, City Council has specific noticing timelines for public hearings, must have 30 days between public hearings and must place the measure on the ballot no later than 88 days before the election.

The following table summarizes the two methods to develop a charter:

Step	Charter Commission Method	City Council Method
Initiation	City Council vote or citizen petition (15% of voters)	City Council vote
Election	Voters decide on commission and elect commissioners	Not required
Drafting	Commission drafts charter	City Council drafts charter
Submission to	Within two years; majority vote	At least 88 days after filing;

Step	Charter Commission Method	City Council Method
Voters	needed for adoption	majority vote needed
Public Involvement	Yes, through elections and commission meetings	Yes, through hearings and public process

Attachments:

- Attachment 1 – PowerPoint Presentation

cc: City Manager Eric J. Levitt