

**ELK GROVE CHARTER COMMISSION
SPECIAL MEETING
CITY COUNCIL CHAMBER, 8400 LAGUNA PALMS WAY
TUESDAY, June 17, 2008**

1. CALL TO ORDER / ROLL CALL

The Special Commission meeting of June 17, 2008 was called to order by City Clerk Blackston at 6:03 p.m.

Present: Commissioners – Allen, Farley, Lopez, Loveland, Martin, and Orrock

Absent: Commissioner Johnson (arrived at 6:14 p.m.)

Also Present: City Attorney Susan Cochran and City Clerk Susan Blackston

2. PUBLIC COMMENT (on non-agenda items)

None.

3. INTRODUCTIONS

Commissioners introduced themselves and briefly described their backgrounds.

MOTION/VOTE:

Commissioner Orrock made a motion, Loveland second, to consider Item 5 e) *Election of Chair and Vice Chair* out of order:

Ayes: Commissioners – Allen, Farley, Lopez, Loveland, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – Johnson

****Note: Item 5 e) was heard out of order pursuant to the above motion.***

5e. ELECTION OF CHAIR AND VICE CHAIR

MOTION/VOTE:

Commissioner Orrock made a motion, Loveland second, to nominate Jake Allen as Chair:

Ayes: Commissioners – Allen, Farley, Lopez, Loveland, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – Johnson

MOTION/VOTE:

Commissioner Loveland made a motion, Allen second, to nominate Christopher Orrock as Vice Chair.

Ayes: Commissioners – Allen, Farley, Lopez, Loveland, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – Johnson

4. ROLES AND RESPONSIBILITIES

- 1) Draft a charter for consideration by the City Council for presentation to the voters of the City of Elk Grove at the November 2010 General Election. The Charter Commission shall address, at a minimum, the following subjects:
 - a. Selection of the Mayor
 - b. Number of Council Districts
 - c. Form of governance: strong mayor v. Council/Manager
 - d. Bidding of Public Work projects
 - e. Availability of Financing Mechanisms
 - f. Campaign Finance
- 2) Create and participate in community outreach in the creation and election issues on a charter.

City Attorney Cochran stated that the Commission would be responsible for drafting a city charter and developing a public outreach component. She noted that the charter could likely be unsuccessful without public involvement and support. The Commission's ultimate goal is to have the charter on the ballot in time for the November 2010 election. The next six to nine months would be spent drafting the charter, following which public comment would be sought. Further refinement to the charter would then take place, if necessary, [based on public comment] with final submittal to the City Council projected for May 2010. Ms. Cochran stated that a professional public outreach firm would be retained. She suggested that a Request for Proposal process be undertaken with the Commission interviewing potential consultants.

NOTE: Commissioner Johnson arrived at 6:14 p.m.

Ms. Cochran outlined the following charter topics expected to be considered by the Commission:

- How should the mayor be selected, e.g. directly elected by voters or elected by the City Council?
- How should the election of council members occur, i.e. at a single General Municipal Election, or with a runoff Primary election at which successful candidates must obtain a majority of the votes cast to proceed?
- How many districts should the city have?
- Should there be a strong mayor with veto power who acts as the chief administrative officer or retain the current council-manager form of government?
- Bidding of Public Works projects – currently any time the City spends more than \$5,000 for certain works of improvements the project must go out to bid; in a charter city a different dollar amount can be selected;
- A charter city has home rule powers of municipal affairs, which includes the ability to create financing mechanisms; and
- Campaign finance – should there be spending limits on elections?

Ms. Cochran noted that a document entitled Roles and Responsibilities was distributed, which included (Exhibit A) an estimated timeline of the Charter project, and (Exhibit B) a schedule of quarterly updates to Council (filed).

In answer to questions posed by Commissioners, Ms. Cochran reported that \$150,000 was budgeted for the two-year period the Charter Commission would be active. The funds were intended for a public outreach consultant and related costs, not for educational mailers, which Ms. Cochran mentioned could be budgeted for separately in the 2009-10 budget.

Discussion ensued regarding the Request for Proposal (RFP) process required to obtain a public outreach consultant. Ms. Cochran noted that, if the cost exceeded \$50,000, it would require City Council approval. She estimated the process would take six to eight weeks. Ms. Cochran stated that she would prepare a draft RFP for the Commissions' consideration.

PUBLIC COMMENT:
None.

5. HOUSEKEEPING

a. Set regular meeting place, dates/times

MOTION/VOTE:

Commissioner Johnson made a motion, Orrock second, to conduct regular Charter Commission meetings every other Tuesday at 6:00 p.m. in the City Council Chamber, 8400 Laguna Palms Way [beginning July 1, 2008]:

Ayes: Commissioners – Allen, Farley, Johnson, Lopez, Loveland, Martin,
and Orrock

Noes: Commissioners – None

Absent: Commissioners – None

b. Meeting room setup

MOTION/VOTE:

Commissioner Johnson made a motion, Farley second, to have Commissioners seated at the dais to allow for meetings to be recorded and members of the public to face all Commissioners when interacting at the speakers' podium:

Ayes: Commissioners – Allen, Farley, Johnson, Lopez, Loveland, Martin,
and Orrock

Noes: Commissioners – None

Absent: Commissioners – None

c. Public outreach

The Commission expressed consensus that a meeting facilitator would be unnecessary. Discussion ensued regarding the merit of conducting a telephone survey of a representative sample of Elk Grove voters to ascertain their initial reactions to some of the basic concepts the Charter Commission is tasked with considering.

MOTION #1 /VOTE:

Commissioner Orrock made a motion, Martin second, to direct staff to look into the feasibility of a contract with a phone survey firm in the amount of \$10,000 or less to poll Elk Grove citizens on the following topics: 1) selection of the mayor; 2) number of council districts; 3) form of governance, i.e. strong mayor v. council / manager; and 4) campaign finance:

Ayes: Commissioners – Allen, Farley, Johnson, Lopez, Loveland, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – None

Commissioners Farley and Lopez expressed a desire to have specific items on future agendas, so that it is known in advance precisely what the Commission would be considering.

Mr. Farley favored the use of a focus group to ascertain opinions on various subjects and questioned the value of a phone survey.

Chair Allen asked that the topic of public outreach be included on the next agenda.

Commissioner Johnson pointed out that the topic of bidding requirements and public contracts was not addressed in the Charter Exploratory Election Reform Committee's report, to which Ms. Cochran explained that it had been added to the list following her discussions with the City Council, as was the topic of council compensation. Commissioner Johnson asked that information on these topics be provided at the next regularly scheduled meeting.

MOTION #2 /VOTE:

Commissioner Johnson made a motion, Orrock second, directing staff [if a contract has, or would soon be, executed] to coordinate the attendance of a representative from the phone survey firm at the next regularly scheduled Charter Commission meeting:

Ayes: Commissioners – Allen, Farley, Johnson, Lopez, Loveland, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – None

d. Determine preferred method of communication (e.g. email, U.S. mail, pick up)

Consensus was expressed by Commissioners to be informed by email as far in advance of meetings as possible and provide a hard copy of agenda/packets for pick up.

e. **Elect chair, vice chair (*Note: Item 5 e. was heard out of order; following Item 3)*

PUBLIC COMMENT:
None.

6. BROWN ACT REVIEW AND ETHICS TRAINING

City Attorney Cochran provided a brief overview of the Brown Act, conflicts of interest in contracts (Government Code 1090), Political Reform Act, and common law doctrine against conflicts of interest. She reminded Commissioners of their obligation to file a Fair Political Practices Commission Form 700 Assuming Office Statement within 30 days of appointment and to comply with AB1234 ethics training within one year from the date of appointment.

PUBLIC COMMENT:
None.

7. OVERVIEW OF GENERAL LAW AND CHARTER CITY FORMS OF GOVERNMENT

1) Charter Exploratory and Election Reform Report 2007

City Attorney Cochran commented that an overview of forms of government was described in the Charter Exploratory and Election Reform Report (filed). Following discussion, she noted that, at the next regularly scheduled meeting, she would provide information on the following subjects: 1) bidding of Public Works projects, 2) availability of financing mechanisms, 3) campaign finance, 4) council compensation, 5) phone survey status, 6) example charters and information from cities similar in size and makeup to Elk Grove who have recently adopted a charter or are currently going through the process.

Commissioner Farley requested that information be sought and reported back to the Commission on public outreach efforts undertaken by other cities during their charter creation process.

The Commission expressed an interest in advertising its meetings as much as possible in an effort to garner public participation.

PUBLIC COMMENT:
None.

8. ADJOURNMENT

There being no further business to come before the Commission, the special meeting was adjourned at 7:42 p.m.

ATTEST:

/s/ Susan J. Blackston,
City Clerk