

**ELK GROVE CHARTER COMMISSION  
REGULAR MEETING  
CITY COUNCIL CHAMBER, 8400 LAGUNA PALMS WAY  
TUESDAY, DECEMBER 2, 2008**

1. Call to Order / Roll Call / Pledge of Allegiance

The Regular Charter Commission meeting of December 2, 2008 was called to order by Chair Allen at 6:02 p.m.

Present: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo

Absent: None

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

2. Public Comment (on non-agenda items)

None.

3. Approval of November 18, 2008 Minutes

MOTION/VOTE:

Commissioner Johnson made a motion, Orrock second, to approve the November 18, 2008 minutes as presented. The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Martin, and Orrock

Noes: Commissioners – None

Absent: Commissioners – None

Abstain: Commissioners – Loveland, Rambo, Sendejas-Lopez

4. Consider Charter language as drafted to date regarding the following topics:

- a) Mayor selection
- b) Number of Council Members
- c) By-District and At-Large Elections
- d) Term Length
- e) Primary and General Elections
- f) Public Works Contracts

City Attorney Cochran mentioned that, at the November 18 meeting, only four Commissioners were present, so discussion regarding filling vacancies was not incorporated in the draft charter language. She noted that City Clerk Blackston distributed general law statutory language on the subject for reference purposes (filed).

The Charter Commission reviewed draft language as provided by City Attorney Cochran and agreed to changes as identified in Exhibit A to the minutes. During discussion the following comments were made and action taken:

There was consensus of the Commission to capitalize “state” throughout the charter when used as an abbreviation for the State of California. Additionally, the Commission preferred that the order of the words, “City Council and Mayor” be used consistently in the document, rather than “Mayor and City Council”.

MOTION/VOTE:

Commissioner Johnson made a motion, Orrock second, to rename Article II from “City Council and Mayor” to “Elected Officials”. The motion carried by the following vote:

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

Noes: Commissioners – Rambo

Absent: Commissioners – None

Commissioner Rambo preferred that there be either six Council Members elected by district or six Council Members elected at large, rather than having one of the six Council Members elected at large. Mr. Rambo voiced opposition to apportionment pursuant to general law and offered language for *2.01(B) Redistricting Commission* (filed).

Commissioners Johnson and Loveland expressed agreement with having six Council Members elected from districts.

Commissioner Sendejas-Lopez suggested having alternatives listed in the draft Charter, to which the Commission concurred.

Commissioner Martin emphasized that, for the Charter to ultimately be successful, it must reflect what the voters of the community are in favor of. She noted that the Charter is currently a draft document, subject to change as the public outreach process proceeds and input is provided. She felt that the Commission’s charge at this point was to be thought provoking and reflect the opinions of a majority of its members. She agreed with listing alternatives in the Charter to help ascertain which is preferred by citizens during outreach efforts.

The Commission agreed to list the following alternatives:

Alternative 1 – Five Council Members elected by district and one Council Member elected at large.

Alternative 2 – Six Council Members elected by districts.

Alternative 3 – Six Council Members elected from districts.

Commissioner Johnson recommended deletion of the language “*If this Charter is adopted*”, as it is unnecessary; Chair Allen and Commissioner Loveland expressed agreement.

PUBLIC COMMENTS:

Sharon Lynes recalled that, one of the reasons Elk Grove citizens were in favor of the City incorporating, was because its representative on the Sacramento County Board of Supervisors was often outvoted on issues that would have benefited Elk Grove. Ms. Lynes believed the current system for electing Council Members in Elk Grove has worked well, as each Council Member represents the entire community. She felt that Council Members elected by district would be divisive.

Connie Conley reported that Elk Grove Community Connection and the Elk Grove Coalition Advocating Proper Planning have worked hard for citizens over the past four years and a strong database, reflective of the Elk Grove community, has been developed from their efforts. Their survey showed that, overwhelmingly, citizens do not believe incumbents running for reelection should simultaneously be serving as Mayor. She emphasized the importance of an educational component because many citizens do not understand the difference between “by” and “from” district elections. A counter argument to increasing the number of Council Members is that it creates bigger government, to which some citizens oppose as a general concept. Ms. Conley reported that the Building Industry Association is against increasing the number of districts because it would cost more money to fund elections.

MOTION/VOTE:

Commissioner Johnson made a motion, Loveland second, to approve **Article II, Section 2.01 A** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

Commissioner Johnson recommended that the use of “his or her” be changed throughout the Charter to gender neutral pronouns, to which the Commission concurred.

MOTION/VOTE:

Commissioner Johnson made a motion, Rambo second, to approve **Article II, Section 2.01 B** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

MOTION/VOTE:

Commissioner Orrock made a motion, Johnson second, to approve **Article II, Section 2.02 A** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

Commissioner Rambo offered language for 2.02 B Powers and Duties of Mayor, Administrative Veto Authority (filed).

MOTION/VOTE:

Commissioner Loveland made a motion, Johnson second, to table the topic of administrative veto authority to a future meeting. The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

MOTION/VOTE:

Commissioner Orrock made a motion, Johnson second, to approve **Article II, Section 2.02** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

MOTION/VOTE:

Commissioner Loveland made a motion, Johnson second, to move 2.03 Vice Mayor to **Article II, 2.01, C (2)**. The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

MOTION/VOTE:

Commissioner Orrock made a motion, Johnson second, to approve **Article III Elections** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

MOTION/VOTE:

Commissioner Johnson made a motion, Orrock second, to approve **Articles IV and V** as presented (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None

In reference to Article VI, the Commission reached consensus to include an automatic cost of living adjustment with a round up to the nearest \$5,000 (to the figure in Section 6.01 (A) (1)).

Commissioner Johnson recommended that every instance of requiring a two-thirds vote should be defined as that of the seated Council Members, following which it was decided to continue discussion on the topic to a later date.

MOTION/VOTE:

Commissioner Johnson made a motion, Rambo second, to approve **Articles VI, VII, and VIII** as amended (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Sendejas-Lopez, Loveland, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – None  
Abstained: Commissioner – Martin

In reference to Article VI, Commissioner Martin explained that she was not in favor of only a two-thirds vote of the Council Members present to, essentially, circumvent the Public Works bid process. She believed there was too much latitude under the bid exceptions process as currently proposed in the Charter. Additionally, Ms. Martin felt that the \$50,000 threshold amount was too low.

MOTION/VOTE:

Commissioner Rambo made a motion, Johnson second, to approve **Article IX** as presented (Exhibit A). The motion carried by the following vote:

Ayes: Commissioners – Allen, Johnson, Loveland, Martin, Orrock, and Rambo  
Noes: Commissioners – None  
Absent: Commissioners – Sendejas-Lopez

5. New Business / General Announcements

Chair Allen reported that Commissioner Sendejas-Lopez had spoken with Elk Grove Unified School District (EGUSD) Superintendent Steven Ladd, Ed. D. regarding possible student involvement with the Charter project.

Commissioner Sendejas-Lopez stated that Kristy Day of The Hoyt Company would be contacting the EGUSD Public Information Officer regarding a proposal to involve students.

Commissioner Johnson expressed his opinion that Elk Grove was not large enough for a seven member City Council. He suggested during each census that another council seat be added each time the population increases by 25,000 (with a minimum of five and maximum of nine seats).

Commissioner Rambo suggested that The Hoyt Company provide a presentation at the December 16 meeting on the public outreach program and, in January, the Commission resume its Charter language discussion on topics that have been tabled.

6. Adjournment

With no additional business to conduct, the December 2, 2008 Charter Commission meeting was adjourned in memory of Sacramento Sheriff's Department motorcycle officer Deputy Lawrence Canfield at 9:11 p.m.

ATTEST:

Susan J. Blackston.  
City Clerk