

**ELK GROVE CHARTER COMMISSION
REGULAR MEETING
CITY COUNCIL CHAMBER, 8400 LAGUNA PALMS WAY
TUESDAY, January 6, 2009**

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

The Regular Commission meeting of January 6, 2009 was called to order by Chair Allen at 6:01 p.m.

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

Absent: Commissioner Johnson

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

Commissioner Rambo led the pledge of allegiance.

2. Public Comment (on non-agenda items)

None.

3. Approval of December 2, 2008 and December 16, 2008 Minutes

MOTION/VOTE:

Commissioner Orrock made a motion, Sendejas-Lopez second, to approve the December 2, 2008 and December 16, 2008 minutes as presented. The motion carried by the following vote:

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

Noes: Commissioners – None

Absent: Commissioners – Johnson

4. Approval of public outreach “Key Messages”

Chair Allen reported that the subcommittee, consisting of himself, and Commissioners Loveland and Rambo, reviewed and edited the public outreach “key messages” and would forward the document to Commissioners for use in upcoming community group outreach meetings (filed).

PUBLIC COMMENT:

None.

5. Discussion regarding Charter Commission logo and parameters of a school contest for its creation

Commissioner Sendejas-Lopez reported that she spoke with Kristy Day, Community Relations Project Manager for The Hoyt Company, who indicated that she was ready to move forward on the logo, essay contest, and Constitution Day proposal with the Elk Grove Unified School District (EGUSD).

Ms. Sendejas-Lopez stated that she would arrange a meeting with EGUSD representatives.

PUBLIC COMMENT:

None

6. Review of “Charter Commission – Pending Topics / Requests” report and development of schedule for upcoming Charter language topics

Chair Allen noted that the Commission had not yet received a response from Public Works, as was requested at the September 23, 2008 meeting. Mr. Allen reiterated his desire to include charter language related to local business and local “green” business preferences. He suggested that the definition of “green” (e.g. energy efficiency and conservation, sustainable building practices, etc.) be defined in a separate document by the City because it is an evolving subject. He recommended that a local preference of no less than 3% be established for contracts let by the City.

Following discussion, the following schedule was agreed to for upcoming agenda topics:

February 3, 2009

Electoral issues: 1) term limits; 2) redistricting; 3) filling vacancies; and 4) powers and duties of the mayor.

March 17, 2009

Public Works issues: 1) recommendations from Public Works staff regarding project delivery methods (e.g. design-build construction projects); 2) local business and green business preferences; 3) provision prohibiting splitting single projects into two or more transactions for the purpose of evading bidding requirements; 4) prohibition for consistently using the same contractor for non-bid projects; 5) define two-thirds vote in Section 6.01 (e.g. of seated Council).

April 7, 2009

1) Public Safety issues to include consideration of a City Prosecutor position; 2) taxpayer protection; 3) free speech protection; and 4) preamble to the Charter.

It was requested that the Chief of Police and a representative from the Police Officers Association attend the April 7 meeting and provide comments. In answer to Commissioner inquiries, Commissioner Rambo stated that Yolo County law enforcement brought forward in several cities, mandatory minimum level funding for police services. Additionally, he mentioned that Bay Area cities have civilian review commissions.

Regarding taxpayer protection, Commissioner Rambo requested that, prior to the April 7 meeting, staff research taxpayer initiatives and relevant State law and transmit it to the Commission for review. He asked that consideration be made to

codifying taxpayer protection language into the charter to protect citizens in the event the State ever repeals the statutes.

In answer to Commissioner Rambo, City Attorney Cochran explained that Proposition 13 governs property taxes based on assessed value only. Proposition 218 applies to property related fees and taxes, which is broadly defined. AB1600 regulates development impact fees. She noted that every time a fee or tax is paid, the statute of limitations starts anew and therefore they can be challenged. She mentioned that efforts are underway to have Proposition 13 apply to commercial and industrial properties, as well as multi-family residential.

Commissioner Loveland asked for examples from other city charters that have language regarding taxpayer protection, as well as an assessment of how successful the integration of the language has been in their charter.

In reference to taxpayer protection, Commissioner Rambo suggested that a representative from the Howard Jarvis Taxpayers Association, People's Advocate (Paul Gann), or the Pacific Legal Foundation be invited to attend and provide a presentation on the subject at the April 7.

April 21, 2009

Employment issues: 1) City Manager; 2) Departments; Agencies and Employees; and 3) Civil Service.

May 5, 2009

"Catch all" meeting to include any unfinished topics.

MOTION/VOTE:

Commissioner Rambo made a motion, Loveland second, to approve the schedule of topics (as outlined above). The motion carried by the following vote:

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

City Clerk Blackston confirmed that Community Relations Project Manager Kristy Day plans only to attend the second regularly scheduled Charter Commission meetings each month.

Discussion ensued regarding public outreach meetings. Chair Allen stated that he would forward to the City Clerk a list of community groups that have expressed an interest in having a presentation regarding the proposed charter. Ms. Blackston would then forward the information to the Commission and coordinate the scheduling of the meetings. It was noted that a large public outreach meeting is tentatively scheduled for March 31.

The Commission agreed to cancel the following regularly scheduled meetings in order to allow sufficient time for Commissioners to conduct public outreach with community groups:

- January 20, 2009
- February 17, 2009
- March 3, 2009

PUBLIC COMMENT:

None.

7. New Business/General Announcements

Vice Chair Orrock reported that he would be providing a brief presentation at the upcoming Youth Commission meeting. He mentioned that Youth Services Program Manager Jim Miller asked whether an alternate Youth Commissioner could attend Charter Commissioner meetings as a liaison, which the Commission discussed and agreed to. He spoke with Susan McDonald of Franklin Reserve who is attempting to schedule a combined meeting with other homeowner associations. Mr. Orrock reported that he would be meeting next week with Donna Hansen, General Manager of the Cosumnes Community Services District. Chair Allen replied that he would like to attend the meeting as well.

Commissioner Sendejas-Lopez acknowledged Florin High School students who were in the audience and noted that Elk Grove Unified School District Superintendent Steven Ladd, Ed.D. has encouraged students to attend.

Chair Allen reported that he attended the Chamber of Commerce Economic Development open house today. In February, he will be making a presentation before the Board and providing an update to the Building Industry Association.

Commissioner Loveland noted that he was a member of the West Elk Grove Alliance Coalition, which includes the areas of Stonelake, Lakeside, and Laguna West. The Coalition will be meeting with the Chief of Police on January 10.

Commissioner Rambo asked that an invitation be extended to the Youth Commission to attend the February 3 Charter Commission meeting. He asked that tonight's meeting be adjourned in memory of Judge James Henke who passed away on December 28.

8. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:39 p.m. in memory of Judge Henke.

ATTEST:

/s/ Susan J. Blackston.
City Clerk