

**ELK GROVE CHARTER COMMISSION
REGULAR MEETING
CITY COUNCIL CHAMBER, 8400 LAGUNA PALMS WAY
TUESDAY, OCTOBER 20, 2009**

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

The Regular Charter Commission meeting of October 20, 2009 was called to order by Chair Allen at 6:10 p.m.

Present: Commissioners – Allen, Dos Reis, Sendejas-Lopez, Loveland, and Rambo

Absent: Commissioners – Johnson and Martin

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

Commissioner Dos Reis led the pledge of allegiance.

2. Public Comment (on non-agenda items)

None.

3. Approval of Minutes of October 6, 2009

Due to the absences of Commissioners Johnson and Martin, it was decided to reschedule approval of the October 6, 2009 minutes to the regularly scheduled meeting of November 3, 2009.

4. New Business

4.1 By motion select Vice Chair of the Charter Commission

Chair Allen stated that he would like to nominate Commissioner Loveland to serve as Vice Chairman.

Commissioners Loveland and Sendejas-Lopez recommended that the item be continued to the next meeting, due to the absence of two Commissioners.

Public Comment:

None

4.2 Review proposed written communication to the City Council requesting that a Special Joint Meeting with the Charter Commission be scheduled

Chair Allen reported that he had not yet finished drafting the letter to the City Council requesting a joint meeting; however, he anticipated it would be complete by tomorrow.

In order to expedite the communication, Commissioner Rambo suggested that the letter be signed by Chair Allen on behalf of the Commission and submitted to the City Clerk for placement on the October 28 City Council agenda.

Public Comment:

None

4.3 Consider revised budget and scope of work for the *HDR/The Hoyt Company*

Vicki Grenz, Community Relations Project Manager for *HDR/The Hoyt Company* (HDR), distributed a draft questionnaire, informational handout, and outreach contact report (all filed).

In answer to Commissioner Loveland, Ms. Grenz stated that she considered the handouts part of “Task 1” as outlined in the HDR budget (filed). She acknowledged having made the assumption that the City would absorb printing costs and reported that she did not include it in the HDR estimated cost.

Commissioner Sendejas-Lopez suggested that a larger font be used on the questionnaire to make the document easier to read.

The Commission agreed to delete the sentence, *“It is important to have an odd number of Council votes (including the Mayor) to prevent ties.”*

Discussion ensued regarding the prevailing wage section of the questionnaire, during which the following comments were made:

Commissioner Rambo suggested the following amendment, *“State law provides that prevailing wages be paid to workers employed on public works contracts, **which include private sector projects supported in whole or in part by public funds.**”*

City Attorney Cochran recommended, *“public works contracts are defined per prevailing wage to be: 1) contracts where the City hires the work, and 2) projects by private developers where the City provides any sum of money to support it.”*

Commissioner Rambo suggested the following addition, *“public works contracts are defined per prevailing wage to be: 1) contracts where the City hires the work, and 2) projects by private developers, **non-profits, or charities**, where the City provides any sum of money to support it.”* Further, he recommended that, *the general prevailing rate of wages includes **union dues and union development funds** (in addition to the other information listed).*

The Commission agreed to delete the word, “subsistence”.

Following a lengthy discussion, it was agreed that the two questions under prevailing wage be drafted as follows:

- Elk Grove should be free to develop any policy regarding awarding of public works contracts and the payment of wages after implementation of the charter; and
- Elk Grove should follow the flat rate established by the Department of Industrial Relations, with addition of apprenticeship fees.

The Commission agreed to delete the question pertaining to a majority or two-thirds vote on both the questionnaire and informational handout.

Commissioner Rambo suggested that the questionnaire be printed on the front and reverse side of three by five inch size card stock paper.

Commissioner Dos Reis recommended that the questions be numbered to coincide with the informational handout for ease in cross referencing them.

In reference to the informational handout, Chair Allen and Commissioner Rambo recommended that the information related to additional costs be eliminated.

Commissioner Sendejas-Lopez noted that members of the public frequently inquire about the potential cost related to the charter.

Commissioner Loveland felt that Commissioners should be prepared to answer questions related to costs, but he too favored the information being deleted from the handout.

Commissioner Rambo mentioned that, when he is posed with questions related to costs, he expresses his opinion that, if the charter is enacted as written, it will save the City money because of the design-build component.

The Commission agreed to add a section allowing members of the public to submit ideas.

In reply to Commission inquiries, Ms. Cochran stated that there was no specific amount of money in the budget for the Charter Commission. Further, Ms. Cochran explained that her budget includes a line item for professional services and she estimated \$50,000 towards services that may be needed by the Commission’s endeavors. She noted that if HDR’s contract exceeds \$50,000, it would need to be approved by the City Council.

Commissioner Rambo suggested that a subcommittee be formed and empowered to review and approve public outreach material, negotiate with service providers, work with City staff, develop a public outreach strategy, and report back to the Commission regularly.

Commissioner Loveland expressed concern about having time to negotiate with new consultants for various services, particularly with the remaining shortened timeframe.

Ms. Cochran pointed out that the City's purchasing ordinance would have to be followed for all purchases through separate vendors, if HDR is not used. She warned that the contract for public outreach services cannot be split in order to avoid application of the purchasing ordinance.

Commissioner Sendejas-Lopez stated she would agree to form a subcommittee if they were to work with The Hoyt Company on future aspects of the public outreach effort. She too voiced concern that working with other consultants at this stage in the process would not be prudent.

Commissioner Rambo stated that HDR had originally promised to raise the visibility of the charter to a significantly higher level and he felt it was not accomplished.

Ms. Grenz stated that a much more expedited process could be undertaken if she had a way to communicate regularly with a decision maker(s). She pointed out that her firm can obtain very good rates for printing services. Additionally, she recalled having committed earlier that there would not be a mark up for the survey consultant. She had already confirmed with a reputable survey consultant that the cost would be no more than what was paid for the August 2008 telephone survey and the firm has agreed to the timeframe needed by the Commission. She explained that the budget was merely a menu of options and that the Commission needed to decide on priorities and what it wanted to accomplish in the short time remaining.

Commissioner Dos Reis agreed with the concept of forming a subcommittee for the purpose of expediency in working out draft outreach materials prior to their presentation to the Commission; however, he was not convinced that changing public outreach consultants, particularly at this late stage in the process, would justify the possibility of saving a small sum of money.

Chair Allen clarified that the subcommittee would be responsible for the messaging and approval of the outreach material, to work with HDR (and possibly other vendors), City staff, and create the outreach campaign for the final phase of the charter. The subcommittee would report back to the Commission on November 3.

Chair Allen and Commissioner Rambo expressed an interest in serving on the subcommittee. Commissioner Rambo disclosed that Commissioner Johnson had also voiced an interest in serving on the subcommittee.

Public Comment:

None

MOTION/VOTE:

Commissioner Rambo made a motion, Loveland second, to form a subcommittee consisting of Chair Allen and Commissioners Rambo and Johnson assigned to design, in consultation with City staff and HDR, an outreach campaign for the final phase of the charter process and to implement the outreach campaign in consultation with the Commission. The motion carried by the following vote:

Ayes: Commissioners – Allen, Dos Reis, Sendejas-Lopez, Loveland, and Rambo

Noes: Commissioners – None

Absent: Commissioners – Johnson and Martin

5. General Announcements

Chair Allen reported that he attended the Building Industry Association (BIA) Executive Committee meeting today along with Commissioner Johnson, Mayor Hume, and Council Member Detrick. A second meeting with the BIA is scheduled for mid-December. Last week he, and Commissioner Johnson, attended a Rotary meeting. He noted that, this evening, Commissioners Johnson and Martin were giving a presentation before the Fallbrook Homeowners Association. Mr. Allen announced that he would be hosting and fielding all questions at the Elk Grove Community Connection Charter Summit II on October 29. He authored an article to be published in the Elk Grove Citizen newspaper regarding the October 29 meeting and general information regarding the charter.

Commissioner Sendejas-Lopez reported that she, along with Commissioner Loveland, would be meeting with the Soroptomists on November 6, the Elk Grove Senior Center on November 17, and the Newcomers Club on November 18.

Commissioner Loveland stated that he has contacted the President of the Lakeside Homeowners Association and is coordinating meetings with associations for Laguna West and Heritage Lakeside.

Commissioner Rambo mentioned that former Planning Commissioner Tim Murphy's opinion regarding the prevailing wage topic was recently published in the Elk Grove Citizen newspaper, which Mr. Rambo expressed agreement with.

6. Written Communications (filed)

- a. Email from Tom Russell dated October 9, 2009, posing several questions; and
- b. Letter from the Elk Grove Chamber Interim Executive Director to the City Council dated October 13, 2009, opposing language in the charter relating to prevailing wage.

7. Adjournment

There being no further business to come before the Charter Commission, the meeting was adjourned at 8:33 p.m.

ATTEST:

/s/ Susan J. Blackston
City Clerk