

**MINUTES OF THE CITY COUNCIL
SPECIAL MEETING
Thursday, October 29, 2009**

CALL TO ORDER/ROLL

The Special Meeting was called to order on October 29, 2009 at 6:32 p.m.

Present: Mayor Hume and Council Members Davis and Detrick

Absent: Vice Mayor Scherman and Council Member Cooper

PRESENTATION – City of Elk Grove Draft Charter

Note: This meeting was held in conjunction with Elk Grove Community Connection's Charter Summit II.

Charter Commission Chairman Jake Allen, Mayor Hume, and Council Members Davis and Detrick provided opening comments and thanked Elk Grove Community Connection for organizing the meeting.

Chairman Allen explained that a charter is a set of rules by which a city determines how it is going to operate. He recalled that, originally, there was an interest expressed by community members to have a directly elected mayor, which he noted could occur under either a general law or charter form of government. He pointed out that, if a change is made to have an elected mayor, it would necessitate the need to change to four or six districts. He briefly explained "by" and "from" districts and stated that the cost to campaign in a "by" district (i.e. only the district's voters vote to elect their council member) election is much less than "from" districts (i.e. where all voters are entitled to vote for all council seats). The proposed charter includes a provision in which a runoff election would be held at the General Election for the two highest vote getters, if no candidate received a majority of all votes cast at the Primary Election. The charter proposes that the current Council-Manager form of government remain in place. He reported that, at its meeting on September 9, the City Council reviewed the draft charter and directed that certain changes be made, which are identified in strikeout and red text in the document (filed). The charter includes the creation of an Independent Commission on City Districts. Chair Allen mentioned that the Commission had heard from non-profit organizations who hoped the charter would include language excluding them from the prevailing wage requirement.

City Attorney Cochran acknowledged that the survey and information sheet (both filed) were in error regarding the definitions of "by" and "from" districts. She clarified that "by" district means that a council member would be elected only by resident registered voters in their district and "from" district means that council members

must live in a specific district, but the population as a whole votes on each candidate.

PUBLIC COMMENTS:

- A citizen pointed out that there were a large number of union workers present and urged Council not to approve a charter that would not be in the best interest of the community;
- Emphasized that prevailing wage provides workers with a good standard of living and the ability to afford homes in the community;
- The ability of financing and taxing powers in a charter city was expressed as a concern and hope was voiced that the matter would be discussed;
- Commented that the charter would be considered “all or nothing” by the voters because, if it passes, it would take a majority vote at another election to amend it;
- A citizen identifying himself as a union worker and organizer with the District Council 16 International Union of Painters and Allied Trades stated that he, his organization, and its members, many of whom are residents of Elk Grove, strongly support a prevailing wage in the City. He asked Council to reevaluate its consideration of changing from a general law to charter form of government;
- Recalled that Elk Grove incorporated because citizens did not like how the city was growing under the County; favored steps being taken to ensure Elk Grove “determines its own destiny”;
- Urged Council against attempting to better the City on the backs of people who work in the construction industry;
- An opinion was expressed that there was no need to make a change;
- Warned that charters are difficult to change once enacted and offered the example of the City of Sacramento which could save money if it changed to green waste containers; however, its charter stipulates that citizens will have street pick up, so it cannot make the change without a majority vote by its citizens on a charter amendment;
- A lot more community outreach needs to occur because there are many topics addressed in the charter that people are unaware about;
- Questioned whether the charter was being proposed in preparation for development that will occur as part of the Sphere of Influence matter;
- A citizen pointed out that there was no citizen outcry for the charter and asked what was fueling its proposal; commented that it seemed as though the City Council was directing the charter, rather than the people of the community;
- Recalled that some citizens felt there was a need for a special rural area designation in the City; however, it has not been included in the charter;
- Cautioned against the creation of a charter, pointing out the difficulty in repealing or amending it once it's in place;

- Recommended that the City Council concentrate on the basics and pointed out that Elk Grove is a young city and should be allowed to settle and grow roots before making significant changes;
- Commented that, from the audience's reaction, most citizens do not want a charter form of government and made the allegation that the proposed charter represents interests of others, rather than the citizens of the community;
- Recalled that the desire for a charter arose at a time when city government had not been responsive to residents of the community; however, he believed that situation no longer existed and, therefore, he was not convinced that a change from the current form of government was needed;
- Voiced support for "from" district elections, which would allow citizens to vote for all council members who would be making decisions for the entire city, rather than just their own district;
- Challenged the City Council to place on a ballot a simple charter with only three of the most important topics, following which amendments could be voted upon at subsequent elections if necessary;
- Questioned the logic in having an elected mayor without any additional authority;
- Expressed hope that the charter would be placed on the November ballot in order to allow for more community outreach at open public meetings;
- Asked why money should be spent to elect a mayor, when all council members are already elected (of which one is chosen as mayor), particularly when no other powers are associated with the position;
- Complained that Elk Grove police officers harass a particular class of people and asked whether the charter would include a section to stop this practice and protect people.

Question:

Would the charter support the City's General Plan and how would the charter affect the current conduct of Council Members' relations with the public?

Council Member Davis believed that the charter would increase accountability of City Council Members because, under the proposed election system, it would require them to receive a majority vote in order to win.

Chairman Allen stated that the charter would have no effect on the City's general plan.

Question:

Under a charter can the City enact less stringent laws with regard to water, traffic, environmental issues, etc.?

Mayor Hume replied that there are State laws which cannot be changed by a charter. A charter can only supersede the California Government Code in relation to how a city governs itself.

Question:

There is no information about the cost implications of the charter; what is the additional expense to hold both primary and general elections?

Mayor Hume replied that a primary election would cost an additional \$60,000.

Question:

A citizen cited the following charter language and asked whether it meant that Elk Grove taxpayer money would go toward training workers that are not Elk Grove residents:

Construction, alteration, demolition, installation, repair and maintenance work paid for in whole or in part out of City funds shall be subject to State law concerning the payment of prevailing wages and training of apprentices.

A citizen explained that there are both union and non-union contractors, which are required by the State to be in a training program or be State certified.

Question:

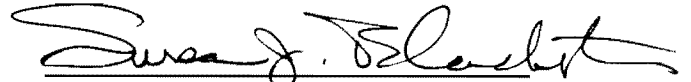
Asked why there was a hurry to have the charter decided upon in June and pointed out that there is a higher voter turnout during General Elections.

Mayor Hume acknowledged that fewer people vote in Primary Elections; however, he believed that those who do vote are typically more astute and are individuals who pay better attention. Additionally, he noted that having the charter measure on the June Primary ballot would allow for the question of an elected mayor to be placed on the November ballot as a single measure.


Council Member Davis replied that he was open to placing the charter measure on either the Primary or General Election ballot. He agreed that a great deal more public outreach needs to be done. He did feel that a decision should be made during 2010, however, because redistricting will take place in 2012.

ADJOURNMENT

With no additional business to conduct, the October 29, 2009 Special City Council meeting was adjourned at 8:45 p.m.


SUSAN J. BLACKSTON,
CITY CLERK

ATTEST:


PATRICK HUME, MAYOR