

Minutes Charter Review Commission Meeting

Monday, November 16, 2009 Civic Center Meeting Rooms 1 & 2 5:30 p.m.

1. Call to Order

Members Present

Paul Frank
Janice Hanson
Rex Clark
Aldo Pineschi
Rita Brohman
Cathy Macaulay
Rick Hoem
James Viele

Staff Present

Brita Bayless, City Attorney Sonia Orozco, City Clerk Julia Burrows, Deputy City Manager Audrey Byrnes, Assistant City Clerk

2. Minutes Approval

Motion to approve the Minutes of October 26, 2009. Moved by Macaulay, seconded by Hoem

Vote: Motion carried 7-0 (Viele abstain)

3. Public Comments

Jim Williams, Meadow Oaks Neighborhood Association – Suggested consideration of a community Safety Commission in conjunction with the Police Department to bring forth issues to Council, and suggested the need for more Code Enforcement Officers.

James Berg – Spoke in support of appointing next highest vote getter at previous election to any Council vacancy rather than holding a Special Election or by requesting applications and appointing members.

4. Old Business/Follow-up

A. Follow-up on Personnel Administration

(Change from nine (9) months to 1500 hours/clarification)

City Clerk Orozco clarified that the text change would coincide with legal language regarding eligibility of benefits due to hours worked, thereby changing reference from nine (9) months to 1500 hours with no break in service.

Motion to accept text changes for Section 8.07.

Moved by Viele, seconded by Hoem

Vote: Motion carried: 8-0

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B. Article IX - Franchises

Deputy City Manager Burrows made the presentation to Commission.

Richard Roccucci – Inquired if franchises need to bury cable by street cutting. Deputy City Manager Burrows confirmed that franchises would still need an encroachment permit and necessary street cutting would be regulated.

Motion to accept recommended changes to Article IX recommending the words "television" and "cable television" be replaced by "video service" and changing the specific reference to the "direct authority to the Constitution of the State of California or of the United States" be replaced by language "pursuant to state or federal law".

Moved by Macaulay, seconded by Viele

Vote: Motion carried 8-0

5. New Business

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a) Article X – Municipally Owned Utilities

City Clerk Orozco presented that no changes were recommended to Article X.

b) Article XII - Miscellaneous

City Clerk Orozco presented that no changes were recommended to Article XII.

c) Project Labor Agreements

Wendy Gerig, Roseville Chamber of Commerce, spoke in opposition to Project Labor Agreements (PLAs), and referenced the Roseville Energy Park Project Labor Agreement, and requested commission include language in Charter prohibiting PLAs.

Steve Pease – Spoke in opposition to Project Labor Agreements and requested commission put language in the Charter prohibiting PLAs.

Matt Heedy – Spoke in opposition to Project Labor Agreements citing discriminatory practices.

Kevin Dayton – Spoke in opposition to Project Labor Agreements and requested commission recommend language in the Charter prohibiting PLAs.

James Berg – Spoke in support of unions.

Richard Roccucci – Spoke on Project Labor Agreements and of concerns of putting language into the Charter regarding PLAs, and he also spoke to use of public funds and abuse of environmental laws.

Commission discussion

Matt Heedy – Spoke that merit shop contractors are excluded when Project Labor Agreements are enacted.

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Kevin Dayton – Spoke to the point that currently there are no cities that have language in their Charter to eliminate Project Labor Agreements, and that some cities enacted a Resolution or Ordinance.

City Attorney Bayless spoke, with reference to Electric Utility Director Habashi input regarding construction of the Energy Park, that if the City Council were to give up their right to sign Project Labor Agreements, the City of Roseville would have been engaged into a contractual struggle with considerable project delay and financial cost.

Kevin Dayton – Spoke in reference to City of Fresno's consideration of placing Project Labor Agreement language into their charter, and the Cities of Chula Vista and San Diego considering Project Labor Agreement Ordinances.

Richard Roccucci – Spoke that a Project Labor Agreement does not guarantee that a project will proceed without issues, and inquired what the advantages are of signing a Project Labor Agreement.

Steve Pease – Spoke in favor of giving City Council a choice regarding a prohibition in Charter of Project Labor Agreements based on public fund spending.

Jack Wallace – Inquired if there have been any challenges by the unions regarding the push against Project Labor Agreements.

Wendy Gerig – Stated that the Roseville Energy Park Project Labor Agreement Item can be viewed on video streaming.

Kevin Dayton – Spoke in support of a City of Roseville Charter language prohibition regarding Project Labor Agreements. Dayton further recommended if Charter language not changed, that Roseville enact an Ordinance prohibiting PLAs.

Matt Heedy – Spoke in support of a City of Roseville Ordinance regarding Project Labor Agreements.

Kevin Dayton – Spoke to the point that Chula Vista Project Labor Agreement Ordinance came from the ballot initiative process.

Wendy Gerig – Suggested Roseville take an active lead against Project Labor Agreements and confirmed that the City does not and will not expend money in advocacy for or against ballot initiative positions.

Committee consensus to request more information regarding Roseville Energy Park Project Labor Agreement, including quantified financial information

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attributed to the Roseville Energy Park Project Labor Agreement, and information on other California Cities that have Project Labor Agreement language in their Charter.

6. Comments/Members/Public

PLEASE NOTE: Public Comments on Items Not Listed on the Agenda or on Any Matters Requiring Committee Discussion or Action Will Be Listed on a Future Agenda

Commissioner Brohman requested future agenda item on the responsibilities of the City Manager.

Commission Chair Clark requested the Commission consider the appointment of the City Clerk position by the City Manager or the City Council. Chair Clark also requested the status of the Local Preference Policy on upcoming agenda.

Committee consensus to list requests on upcoming agenda.

7. Adjournment

Motion to adjourn the meeting at 6:50 p.m. Moved by Hoem, seconded by Brohman

Vote: Motion carried 8-0

APPROVED DATE: December 21, 2009

Rex Clark, Chairman

ATTEST:

Audrey Byrnes, Assistant City Clerk