

**CHARTER REVIEW COMMITTEE MINUTES
HAMAMATSU CONFERENCE ROOM
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 11, 2013, 6:00 P.M.**

Called to Order at 6:05 p.m.

Roll Call: Member Giraudi, Member Salazar, Member Cortez, Member Green, Member Irish, Member Bush, Member Stowe, Member Bailey and Member Hardin

ORAL COMMUNICATIONS

- Brock Neeley, thanked the members for their participation in the Charter Review process.
- Barry Caplan, spoke of the significance of the charter review process; and he requested that the committee members carefully consider the future of the community during its deliberations.

WRITTEN COMMUNICATIONS

City Manager Lollis distributed written communication received via e-mail from Sam Merlino of Merlino Consulting dated September 3, 2013 and received on September 11, 2013. In the letter Merlino addresses the City's decision to not pay prevailing wage as a charter city, identifies various points of concern, and requests that the committee consider the reinstatement of prevailing wage.

SCHEDULED MATTERS

1. Introductions and Committee Organization

Committee Member Milt Stowe nominated Member Allan Bailey for Chair; and Committee Member Gary Giraudi nominated Member Milt Stowe for Chair.

Following the nominations Member Teri Irish requested clarification from the City Attorney regarding the Brown Act, FPPC reporting, and methods for appointing a Chair. City Attorney Lew advised of Brown Act requirements; indicated that members were not required to complete a FPPC Form 700; and provided options relative to appointment of a Chair.

The remaining committee members passed on submitting further nominations. In response to a request, both Members Bailey and Stowe spoke briefly about themselves.

COMMITTEE ACTION: That the Committee appoint Member Allan Bailey as Committee Chair.

M.O. 01-091113

AYES: Salazar, Irish, Bush, Stowe, Giraudi
NOES: Green, Cortez

ABSTAIN: Hardin, Bailey
ABSENT: None

Chair Bailey assumed the role of Chair, and requested nominations for Vice Chair. Member Giraudi nominated Member Stowe for Vice Chair; and Member Irish nominated Member Giraudi for Vice Chair. The remaining committee members passed on submitting further nominations.

COMMITTEE ACTION: That the Committee appoint Member Stowe as Committee Vice Chair.

M.O. 02-091113

AYES: Bailey, Hardin, Green, Giraudi
NOES: Stowe, Bush, Irish, Salazar, Cortez
ABSTAIN: None
ABSENT: None

COMMITTEE ACTION: That the Committee appoint Member Giraudi as Committee Vice Chair.

M.O. 03-091113

AYES: Stowe, Bush, Irish, Salazar, Cortez
NOES: Bailey, Hardin, Green, Giraudi
ABSTAIN: None
ABSENT: None

Disposition: Bailey appointed as Chair; and Giraudi as Vice Chair.

2. Scheduling of Meetings

Chair Bailey introduced the item, and a discussion ensued regarding meetings days, time, duration and frequency. After review of individual schedules and potential conflicts, the committee identified Wednesdays at 5:30 p.m. as the most accommodating. Chair Bailey noted that he, Vice Chair Giraudi, and Member Stowe would not be available the subsequent Wednesday for a meeting. The committee concurred that the next meeting would take place on September 25, 2013.

3. Review of City Charter

City Manager Lollis introduced the item, and spoke of areas identified by the Council as areas of interest for committee review. They consisted of the following:

- The City's fiscal year calendar (currently July 1 – June 30), and/or election cycle;
- City employee pensions;
- Council Manic Interference (general penalty provision); and
- Leases

The City Manager added that areas had also been identified by staff, most of which could be categorized as “housekeeping” legal issues. City Attorney Lew spoke of previous Charter review efforts, and offered to prepare a memo identifying said items as a jumping off point for the committee. She noted that previous amendments had been presented via separate ballot measures, and added that committee members could also identify areas for consideration.

Member Irish inquired about committee member communication with staff, which triggered a lengthy discussion regarding how committee inquiries and requests for information should be handled. The committee explored a variety of options, which included communications solely with the City Manager; handling of all inquiries through the Chair; and direct contact with department heads. Member Hardin spoke in opposition to restricting committee communications with City staff, and Vice Chair Giraudi spoke in favor.

COMMITTEE ACTION: MOVED by Member Irish, SECONDED by Member Stowe that the Committee direct all questions to the City Manager. The motion carried unanimously.
M.O. 04-091113

City Attorney Lew shared with the committee a substantial list of Charter amendments which had been identified to date. Following Ms. Lew’s presentation, Chair Bailey suggested the prioritization of the issues identified. Member Stowe suggested pensions, and the committee concurred that it would be the first area of interest considered. Ms. Lew indicated that she would draft a memo identifying those changes required by law, and identified as “housekeeping” issues for consideration by the committee as well.

Committee e-mail communication was discussed, and a consensus was reached that a committee e-mail address would be created through which committee members could receive agendas and communications from staff and members of the public. City Attorney Lew advised the committee members not to participate in discussions via e-mail which could qualify as a serial meeting.

Committee member introductions took place.

ORAL COMMUNICATIONS

- Brock Neeley, inquired whether information provided by the City Attorney would be made public with the agenda packets.
- Barry Caplan, spoke in favor of the creation of individual city e-mail addresses for committee members in lieu of one committee e-mail address.

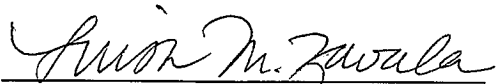
OTHER MATTERS


- The committee agreed that one City e-mail address be created which would then route automatically to each member.

- Chair Bailey stressed the importance of being cognizant of the timeline.
- The next meeting was scheduled to take place in two weeks at 5:30 p.m.

ADJOURNMENT

The committee adjourned at 8:30 p.m. to the meeting of September 25, 2013.


Luisa M. Zavala, Deputy City Clerk


Allan Bailey, Chair