



AGENDA July 15, 2019

CHARTER REVIEW COMMISSION
5:30 p.m.
Council Chambers
311 Vernon Street
Roseville, California

THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

Public Comment - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

Consent Calendar - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

Agenda Items - Speakers have five minutes to address items that are listed on the agenda.

Americans with Disabilities Act - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

Audio/Visual Presentations - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENTS
5. MINUTES
- 5.1. Minutes of Prior Meeting

Memo from City Clerk Sonia Orozco recommending the Charter Review

Commission members approve the minutes of the June 17, 2019 Charter Review meeting.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

6. REQUESTS/PRESENTATIONS

6.1. Local Bidding Preferences

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on research conducted regarding Local Bidding Preferences.

CONTACT: M. Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

6.2. Competitive Bid Threshold - City Manager Signing Authority

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on research conducted regarding the City of Roseville bid limit for contract amount.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

6.3. Compensation of Councilmembers and Mayor - Article 3 - Section 3.05 Follow-up Information

Memo from City Clerk Sonia Orozco and Assistant City Attorney Michelle Sheidenberger recommending the Charter Review members receive a presentation on Article 3 - Section 3.05 regarding Councilmember and Mayor compensation. The report and presentation are for information only and contains additional information as requested by the Commission.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

6.4. Charter Review Commission Members and Resident Proposals on Sections of Articles 7 and 8

Review and discussion on any sections of Articles 7 and 8 by Charter Review Commission members or members of the public.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

6.5. Staff Proposed Amendments to Charter Article 7 - Section 7.19 Independent Audit

Memo from Chief Financial Officer Dennis Kauffman recommending the Charter Review Commission approve proposed amendments to Section 7.19 of Article 7 regarding Independent Audit provisions.

CONTACT: Dennis Kauffman 916-774-5313 dkauffman@roseville.ca.us

6.6. Staff Proposed Amendments to Charter Article 8 - Sections 8.04 and 8.07 Personnel Rules and Classified and Unclassified Services

Memo from Human Resources Director Stacey Peterson recommending the Charter Review Commission approve proposed amendments to Section 8.04 of Article 8 regarding Personnel rules and Section 8.07 of Article 8 regarding Classified and unclassified services.

CONTACT: Stacey Peterson 916-774-5374 speterson@roseville.ca.us

7. ADJOURNMENT



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Minutes of Prior Meeting
Contact: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 5.1.

RECOMMENDATION

Recommend the Charter Review Commission approve the June 17, 2019 Charter Review Commission Minutes.

BACKGROUND

There is no background associated with this item. The request is to approve the minutes of the previous meeting. According to the Administrative Standards, the minutes may be approved by majority vote even if one or more of the voting members were not present at the meeting to which the minutes relate.

Respectfully Submitted,

Sonia Orozco, City Clerk

ATTACHMENTS:

Description

June 17, 2019 Charter Review Commission Minutes



MINUTES

June 17, 2019

CHARTER REVIEW COMMISSION

5:30 p.m.

Council Chambers
311 Vernon Street
Roseville, California
www.roseville.ca.us

1. CALL TO ORDER

Vice Chair Pete Constant called the June 17, 2019 Charter Review Commission meeting to order at 5:30 p.m.

2. ROLL CALL

Present: Frank, Viele, Dohner, Sanchez, Garrett, Constant
Absent: Cannon, Rohan, Brohman

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Pete Constant.

4. PUBLIC COMMENTS

No public comment received.

5. MINUTES

5.1. Minutes of Prior Meeting

Memo from Assistant City Clerk Audrey Byrnes and City Clerk Sonia Orozco recommending the Charter Review Commission approve the minutes of the May 20, 2019 Charter Review meeting.

CONTACT: Audrey Byrnes 916-774-5268 abyrnes@roseville.ca.us

No public comment received.

Motion by Paul Frank, seconded by Kristine Dohner, to approve the May 20, 2019 Charter Review Commission Minutes as presented. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

6. REQUESTS/PRESENTATIONS

6.1. Resign-to-Run and Anticipated Vacancy Provisions - Article 3 - Section 3.09

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on research conducted regarding Resign-to-Run and Anticipated Vacancy Provisions for City Councilmembers.

CONTACT: M. Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

City Clerk Sonia Orozco made the presentation to the Commission on the matrix outlining the items on the Consensus list and the Standalone or interrelated items list and informed members list would be updated following every meeting.

City Clerk Sonia Orozco introduced item 6.1 and spoke to the following:

- Current Charter Language
- Councilmember Vacancies
 - November 2010 approved Charter Amendment
 - Provided that a partial term served due to an appointment to a vacant city council seat does not count as a term
 - Passed but not codified after November election
 - Codified in May 2019 as follows:

Section 2.02 Elective officers - A partial term served due to an appointment to a vacant council seat does not count as a term for the purposes of this section.

Previous Commission member proposals were also outlined:

- Extend timeline to fill vacancies from 30 days to 45 days (no action taken on proposal)
- If appointed to a term of two years or more, individual would then only be eligible to be elected to one four (4) year term following an appointment (no action taken on proposal)

Resign-to-Run

Assistant City Attorney Michelle Sheidenberger made the presentation to the Commission outlining resign-to-run provisions summarizing such laws which require an officeholder to resign from their current public office in order to run for another public office.

Anticipated Vacancies

Assistant City Attorney Michelle Sheidenberger continued the presentation outlining anticipated vacancies.

Research was conducted in over 20 California charter cities. San Jose was the only city identified with advanced replacement language in their Charter. The provision is written to take action if a Council member knows they will vacate their seat in the near future as the anticipated vacancy language allows City

Council to initiate an appointment or election process to fill the vacancy.

Presentation outlined questions regarding the provision such as resignation methods, when the Council is triggered to initiate the appointment or election process, and irrevocable scenarios.

California Constitution

Assistant City Attorney Michelle Sheidenberger outlined conditions of holding public office in California and possible unlawful components of resign-to-run provisions:

- The right to seek public office is a fundamental right
- To seek and hold public office bears sensitive protection
- The right to seek public office and the right to the unrestricted exercise of the franchise are fundamental
- Based on the California constitution seeking and holding office should not be prohibited or curtailed with a resign-to-run provision

Anticipated vacancy provisions are different than resign-to-run as a member is not technically giving up their office but rather merely starting the process for council to fill their seat.

Public Comment on Resign-to-Run

Jimmy Franco - Tax Attorney at Ernst & Young - spoke to California Constitution and fundamental rights and levels of scrutiny with statement that just because something is a fundamental right doesn't mean you can't have a provision that limits a fundamental right as long as it meets a stricter level of scrutiny.

Public Comment on Anticipated Vacancies

Lisa Larkin - recommended the Commission develop language in the charter that the next highest vote getter in an election be appointed to fill vacancies.

Richard Roccucci - as a former council member spoke to opportunity to vote for next highest vote getter three times but was outvoted and further spoke in favor of studying how to fill vacancies if we already know a position or vacancy is forthcoming.

Motion by Paul Frank, seconded by James Viele, to place resign-to-run and advanced replacement on the outstanding items list. The motion was withdrawn.

Motion by Paul Frank, seconded by LaMills Garrett, to approve placing advanced replacement, along with sitting councilmembers who have been elected to other offices (resign after election), on the outstanding items list for future discussion. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

6.2. Grouping Charter Amendments on Ballot

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on grouping of Charter amendments on the ballot.
CONTACT: M. Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

Assistant City Attorney Michelle Sheidenberger made the presentation to the Charter Review Commission members and spoke to single subject rule which does not apply to charter amendments sponsored by a governing body. The rule provides that cities may group multiple technical charter amendments into one ballot measure. Technical changes must be provisions that are different, but reasonably related. Cities may also group amendments in one measure to reach a common theme. Once the Commission identifies proposed amendments, members and staff will discuss which items may be grouped together.

No public comment received.

Item for information only. No action taken.

6.3. City Treasurer - Article 2 - Section 2.12

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission receive a presentation on Article 2 - Section 2.12 regarding the City Treasurer.
CONTACT: M. Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

Assistant City Attorney Michelle Sheidenberger made the presentation to the Charter Review Commission members.

Current charter language of Section 2.12 was addressed.

The Commission had made previous comments regarding changing the designation of City treasurer to chief financial officer. Assistant City Attorney Michelle Sheidenberger reported that currently there is no staff member of the City of Roseville that has the exclusive title of City treasurer. The city has a Chief Financial Officer whose job description includes carrying out the duties of the treasurer. Bond counsel was contacted to check if there would be any unintended legal consequences of eliminating the title of City treasurer. Bond counsel conveyed there are California statutes that specifically refer to a treasurer executing bonds. If no treasurer, statutes require delegation of function in an authorizing resolution when Council approves bonds. As an alternative, the City Council could adopt an omnibus resolution declaring that for all purposes of State law, the Chief Financial Officer would be considered the City treasurer. Bond counsel recommended official delegation of City treasurer remain in the charter.

Assistant City Attorney Michelle Sheidenberger provided three recommendations for modifications to Article 2 - Section 2.12 regarding City treasurer.

No public comment received.

Motion by Kristine Dohner, seconded by LaMills Garrett, to remove item 2.12 regarding City treasurer from future consideration. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

6.4. Public Outreach on Charter Review Process

Staff presentation on public outreach with options to inform residents on the opportunities to participate in the review process.

CONTACT: M. MacPherson 916-774-5455 macpherson@roseville.ca.us

Public Affairs and Communications Director Megan MacPherson made the presentation to the Charter Review Commission members and spoke on Op-ed article for publication in the Press Tribune and distribution to the Roseville Coalition of Neighborhood Associations and including it in e-newsletters and social media. As issues come into sharper focus, more specific outreach will be completed to let the public know what proposals are coming forward. The meetings are also televised and live streamed for the public.

Topics such as using FlashVote were discussed. Commissioners were suggested to share information which community members. Assistant City Attorney Michelle Sheidenberger cautioned members on "liking" other Commission members social media accounts.

No public comment received.

Item for information only. No action taken.

6.5. Charter Review Commission Members and Resident Proposals

Review and discussion on any sections of Articles 5 and 6 of the Charter.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

City Clerk Sonia Orozco spoke to letter submitted from Gary Miller. Since only items regarding Articles 5 and 6 were listed for member and resident proposals, Vice Chair Pete Constant suggested letter be included when topics in the letter are discussed as suggestions would be more relevant at that time.

No items of Articles 5 and 6 were addressed by the Commission members or members of the public.

No public comment received.

No action taken.

6.6. Staff Proposed Amendments to Charter Article 4 - Section 4.06

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission approve staff proposed amendments to Section 4.06 of Article 4 of the Charter regarding Council rules.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

City Clerk Sonia Orozco made the presentation to the Charter Review Commission members regarding proposed amendment to Section 4.06 of Article 4.

Current language was discussed.

Proposed amendment:
Section 4.06 Council rules.

The council shall determine its own rules and order of business subject to the following provisions. There shall be a journal of proceedings or minutes of all council meetings approved by the council ~~and signed by the mayor and City clerk~~ and to which the public shall have access at all reasonable times. Within seven (7) days after any regular or special council meeting, ~~a synopsis of the actions taken by the council at the meeting shall be posted~~ available on a bulletin board in the City hall, on the City's website, and within thirty (30) days after any regular or special council meeting, action minutes of the meeting shall be prepared by the City clerk and presented to the council for its approval.

No public comment received.

Motion by LaMills Garrett, seconded by James Viele, to approve revisions as presented and place Section 4.06 of Article 4 regarding Council rules (synopsis and minutes) on the consensus list. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

6.7. Staff Proposed Amendments to Charter Article 4 - Sections 4.01 and 4.02

Memo from Assistant City Attorney Michelle Sheidenberger and City Clerk Sonia Orozco recommending the Charter Review Commission approve proposed amendments to Section 4.01 and Section 4.02 of Article 4 regarding regular meetings and special meetings of the City Council.

CONTACT: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

City Clerk Sonia Orozco made the presentation to the Charter Review Commission members on proposed amendments to Sections 4.01 and 4.02 of Article 4.

Current language of Section 4.01 and Section 4.02 was discussed.

Proposed amendment:

Section 4.01 Regular meetings

The council shall hold regular meetings on the first and third Wednesday of each month; provided that, if a regular meeting date falls on a legal holiday, the meeting shall be held ~~the following day~~ at the same hour, same day the following week or may be canceled. ~~It shall~~ An agenda will provide by resolution for the time and place of ~~its~~ the meetings.

No public comment received.

Proposed amendment:
Section 4.02 Special meetings

Special meetings may be called by the City clerk, City manager, City attorney, ~~on the~~ or by written request of the mayor or any three (3) councilmembers by providing each councilmember with ~~twenty-four (24~~ at least seventy-two (72 hours' written notice, except that for time sensitive business, only twenty-four (24 hours' written notice is required. Written notice shall be served personally, electronically, or left at their each councilmembers' usual place of residence. and shall be publicly posted in accordance with the timeframes set forth in this section. Business transacted at any special meeting shall be limited to the subjects recited in the notice of such meeting.

No public comment received.

Motion by LaMills Garrett, seconded by Paul Frank, to approve revisions as presented and place Section 4.01 of Article 4 regarding Regular meetings on the consensus list and allow staff the flexibility to alter the language necessary while maintaining the intent of the proposal. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

Motion by LaMills Garrett, seconded by Robert Sanchez, to approve revisions consistent with suggested edits and allow staff the flexibility to alter the language necessary while maintaining the intent of the proposal on time sensitivity and place Section 4.02 of Article 4 regarding Special meetings on the consensus list. The Motion Passed.

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan

7. ADJOURNMENT

Motion by Kristine Dohner, seconded by LaMills Garrett, to adjourn the meeting at 7:18 p.m. The Motion .

Roll call vote: Ayes: Constant, Dohner, Frank, Garrett, Sanchez, Viele

Absent: Brohman, Cannon, Rohan



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Local Bidding Preferences
Contact: Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us
Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 6.1.

RECOMMENDATION

Recommend the Charter Review Commission receive a presentation on local bidding preferences and direct staff to:

1. Return with additional information and/or further language suggestions for local bidding preferences;
2. Approve the local bidding preferences language placed on the 2010 ballot and place the item on the consensus list;
3. Place the local bidding preferences item on the outstanding items list for future discussion; or
4. Remove item from future consideration.

BACKGROUND

In 2010, a charter measure was placed before the voters which would have added language to the Charter authorizing the City Council to adopt an ordinance establishing bidding preferences for businesses located within the City of Roseville. This measure did not in and of itself establish a local bidding preference, but was an enabling provision that would have allowed the City Council, if it so desired, to adopt a local bidding preference ordinance. The measure failed, with 57.26% voting “no” and 42.74 percent voting “yes”.

Constitutional Limitations

In order for local ordinances providing preferences to local firms to be valid, they must be able to withstand scrutiny under the Commerce Clause, the Privileges and Immunities Clause, and the Equal Protection Clause of the United States Constitution.

The Commerce Clause prohibits burdens on interstate commerce such as favoritism for local citizens and businesses. However, this clause does not apply when a state or local government acts as a “market participant.” This “market participant exception” means that when a state or local government acts in the market like a business or customer, rather than a regulator, the government may favor certain customers or suppliers. The government must be expending its

own funds in order to be considered a market participant rather than a regulator. Since the City would be acting as a “market participant” while utilizing any local bidding preferences to buy goods and services with its own funds, the Commerce Clause would not apply to prohibit such an ordinance.

The Privileges and Immunities Clause prevents states and local governments from discriminating against citizens of other states. This clause only protects individuals, however, and not corporations. Therefore, since local purchasing preferences affect corporations that sell goods, not individuals that sell goods, the Privileges and Immunities Clause also would not apply.

Finally, the Equal Protection Clause requires that no state or political subdivision deny to any person within its jurisdictions the equal protection of laws. Different levels of scrutiny are used by the courts in determining the validity of laws treating classes of persons differently depending on what categories the classification involves. For example, a law that distinguishes between persons of different races would receive the highest level of scrutiny. Since non-local vendors and contractors are not subject to the highest level of scrutiny, the test used by the courts asks whether the classification is rationally related to legitimate governmental purposes. In order to justify a local bidding preference which favors locals versus non-locals, the City must articulate a legitimate governmental interest, such as encouraging local industry or enhancing the local tax base.

However, the law is in flux in this area. In a Ninth Circuit case, the Court upheld San Francisco’s local business enterprise preference but stressed that it was doing so based on findings specific to San Francisco. The Court noted that local businesses seeking to enter into contracts with San Francisco are at a competitive disadvantage with businesses from other areas because of the higher administrative costs of doing business in San Francisco (e.g. higher taxes, higher rents, higher wages and benefits for labor, higher insurance rates, etc.). A city may rationally allocate its own funds to alleviate disadvantages suffered by local businesses, particularly when the city itself creates some of the disadvantages. However, few cities will be able to demonstrate the higher costs that are evident in the case of San Francisco. Plus, there are other impediments to local bidding preferences. For example, to the extent a project involves FEMA funds, FEMA regulations prohibit cities from imposing a local bidding preference.

Conclusion

Overall, a local bidding preference can be legally valid as long as the City is able to demonstrate with evidence that the preference is rationally related to a legitimate governmental purpose. It is recommended that in order to justify the preference, a study should be conducted in order to make that finding. For example, the study could be conducted in order to determine whether doing business in Roseville is more expensive than doing business in surrounding jurisdictions. The City of Riverside commissioned a study that found that: (1) purchasing products from local vendors allows for the money paid to circulate through the local economy longer; (2) every new dollar entering into the City creates from 1.97 to 2.61 times more total economic activity; (3) local vendors would tend to use other local vendors; (4) the Inland Empire is not as mature a region as L.A. and Orange Counties and thus local preferences would increase the maturity in the area; and (5) giving local vendors a five percent (5%) preference would be a modest way in which to stimulate and expand the City’s economy. However, it should be noted that any study relied upon by the City must be specific to the City of Roseville.

Because a study would be needed in order to justify a local bidding preference, staff recommends that if the Commission is interested in pursuing a change to the Charter to allow for

local bidding preferences, that it consider enabling language similar to what the voters considered in 2010, instead of simply placing a local bidding requirement directly into the Charter.

Here is the language considered in 2010:

Sec. 7.21. Bids for contracts; certified checks for bid bonds; performance bonds.

Competitive prices or bids for all purchases and public works and improvements shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest responsible bidder; provided, that the council may waive the bidding requirements prescribed in this section in the purchase of noncompetitive items or in case of an emergency, and may adopt by ordinance a modified competitive bidding procedure that includes a preference or advantage for bidders with a place of business located within the City of Roseville. Sealed bids shall be asked for in all transactions involving the expenditure of ~~ten thousand dollars (\$10,000.00)~~ nineteen thousand five hundred dollars (\$19,500.00) or more, and in the case of public works, the transaction evidenced by a written contract submitted to and approved by the council. Annually, at the same time the budget ordinance is adopted, the council may in that ordinance establish an inflation or deflation adjustment to the base of ~~\$10,000.00~~ \$19,500.00 to take economic changes into account. Such adjustment shall be determined utilizing reliable indicators or indices of price increases or decreases. Once adopted, the adjustment shall be added to or subtracted from the base of ~~\$10,000.00~~ \$19,500.00 so that sealed bids shall be asked for in all transactions involving the expenditure of the adjusted base. The council may reject any and all bids. In all transactions where sealed bids are required, the council may demand a deposit by each bidder in the form of a certified check or bid bond in an amount which shall be specified in the call for bids. The council may require a faithful performance or surety bond of the successful bidder. Calls for sealed bids shall be published in a newspaper of general circulation of the City, not less than five (5) days before the deadline for submission of bids, unless the council declares by resolution that an emergency exists. Detailed purchasing and contract award procedures shall be prescribed by ordinance.

This language would allow, but not require, the City Council at a later date to pursue a study and draft a local bidding ordinance accordingly.

Respectfully Submitted,

Michelle Sheidenberger, Assistant City Attorney

Sonia Orozco, City Clerk



CHARTER REVIEW COMMISSION COMMUNICATION

Title:	Competitive Bid Threshold - City Manager Signing Authority
Contact:	Sonia Orozco 916-774-5269 sorozco@roseville.ca.us Michelle Sheidenberger 916-774-5325 msheidenberger@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 6.2.

RECOMMENDATION

Recommend the Charter Review Commission receive a presentation on research conducted regarding the City of Roseville competitive bid limit and City Manager signing authority and direct staff to:

1. Return with additional information and/or further language suggestions for the competitive bid limit and City Manager signing authority;
2. Approve revisions and place competitive bid limit and City Manager signing authority on the consensus list;
3. Place the competitive bid limit and City Manager signing authority on the outstanding items list for future discussion; or
4. Remove item from future consideration.

BACKGROUND

The City of Roseville Charter includes provisions that a contract must be competitively bid and must be awarded to the lowest responsible bidder. The competitive bid provision serves three general purposes:

1. It is intended to ensure city taxpayers receive the benefit of the lowest obtainable price from a responsible contractor;
2. Competitive bidding provides contractors a level playing field on which to compete for city contracts;
3. It limits the discretion of contract-making officials in situations that are susceptible to fraud, favoritism, or other similar abuses.

Current Charter Language:

Sec. 7.21. Bids for contracts; certified checks for bid bonds; performance bonds.

Competitive prices or bids for all purchases and public works and improvements shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest responsible bidder; provided, that the council may waive the bidding requirements prescribed in

this section in the purchase of noncompetitive items or in case of an emergency. Sealed bids shall be asked for in all transactions involving the expenditure of nineteen thousand five hundred dollars (\$19,500.00) or more, and in the case of public works, the transaction evidenced by a written contract submitted to and approved by the council. Annually, at the same time the budget ordinance is adopted, the council may in that ordinance establish an inflation or deflation adjustment to the base of \$19,500.00 to take economic changes into account. Such adjustment shall be determined utilizing reliable indicators or indices of price increases or decreases. Once adopted, the adjustment shall be added to or subtracted from the base of \$19,500.00 so that sealed bids shall be asked for in all transactions involving the expenditure of the adjusted base. The council may reject any and all bids. In all transactions where sealed bids are required, the council may demand a deposit by each bidder in the form of a certified check or bid bond in an amount which shall be specified in the call for bids. The council may require a faithful performance or surety bond of the successful bidder. Calls for sealed bids shall be published in a newspaper of general circulation of the City, not less than five (5) days before the deadline for submission of bids, unless the council declares by resolution that an emergency exists. Detailed purchasing and contract award procedures shall be prescribed by ordinance.

Within this report the term "contract" is describing agreements subject to competitive bid provisions.

There are two elements that determine if the competitive bid limit applies to a particular contract. They include the type of the contract and its estimated price.

1. Types of contracts:

The Charter's competitive bidding limit applies to:

- Contracts for the sale, purchase, or rental of supplies, materials, or equipment
- Contracts for the construction, alteration, repair, or maintenance of real or personal property
- Contracts for professional services (not subject to Section 7.21 - generally use a Request for Proposal process for award). Procedures for professional services are outlined in Roseville Municipal Code Section 4.12.096.

2. Estimated price:

- The estimated price of the contract also determines if the competitive bid process is required
- Contracts over \$19,500.00 as outlined in the charter (Adjusted or inflated by the consumer price index per Charter Section 7.21.) Current bid limit for FY2019/20 is \$23,338.00.

Under California contract law, an invitation to bid is not an offer and no contractual relationship exists until the bid is accepted. (Civil. Code Section 1586). The consequence of this rule is that a governmental agency is free to reject any and all bids. Projects are governed by this traditional principle, which embraces a government's freedom to contract.

By contrast, virtually all public works contracts for general law cities in California are required to be competitively bid and awarded to the lowest responsible bidder (Reference California Public Contract Code Sections 10108, 10185, 20100 et seq., 20162, 20688.2, 20783.) These provisions of the Public Contracts Code do not apply to charter cities absent a charter provision requiring adherence.

There are numerous recognized circumstances where a public entity may be free to depart from the competitive bid requirements, including the following:

- Small projects that do not exceed the minimum bid threshold, which is generally \$5,000.00 (Public Contract Code Section 20162), but may vary by the agency. Roseville's current bid

limit is \$23,338.00)

- Projects where competitive bidding would not benefit the best interests of the agency, or is undesirable, impractical or impossible (*Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631, 635-636*)
- Emergency work or remedial measures (Public Contract Code Section 10101, subd. (b)).
- Certain instances where the public agency performs the work using their own internal employees (See Roseville Charter Section 7.23 *Determination as to which public works to be performed by City forces or contracts*)

In addition to the above exceptions, competitive bidding does not generally apply to design-build projects and private public partnerships. In a design-build project, the design and construction services are contracted by a single design-build contractor using "best value" procurement practices. This authorizes a public entity to select the design-build contractor whose proposal is deemed the best value based on specified performance, price and other criteria. Design-build allows agencies to award projects based on factors other than the bid amount itself. This process is a hybrid of professional services and contracting processes.

Governmental entities may jointly contract with other governmental agencies to undertake projects and purchase services or equipment. Under the Joint Powers Act, any city may enter into an agreement with one or more governmental units to exercise powers common to all parties. Under such an agreement, one governmental entity may solicit bids on behalf of itself and other governmental units that are parties to the agreement. Joint purchasing agreements should be made using a formal council action, such as a resolution. The competitive bidding requirements apply to the total amount of a joint contract, not to an individual participant's share. If the total amount of the contract is more than the cities competitive bidding threshold, and it is the type of contract that is subject to the competitive bidding law, sealed bids must be sought even if the city's share of the contract is less than the competitive bidding threshold. There are also options available to municipalities to participate in cooperative purchasing programs.

Research was conducted in multiple general law and charter cities for their respective bid limits. The following table denotes the cities and their bid threshold:

City (C - charter) (G- General Law)	Size of City	Household Median Income	2018/2019 Budget Revenue (R) Expenditures (E)	Full Service City	Bid Limit
Antioch (G)	112,968	\$70,696	\$128,562,706 (R) \$136,135,158 (E)	No	\$50,000.00
Citrus Heights (G)	86,291	\$80,100	\$59,570,912 (R) \$59,608,160 (E)	No	\$100,000.00
Elk Grove (G)	167,965	\$83,141	\$74,931,917 (R) \$74,558,567 (E)	No	\$50,000.00
Folsom (C)	77,246	\$102,692	\$211,348,867 (R) \$206,129,066 (E)	No	\$60,220.00
Berkeley (C)	119,915	\$66,237	\$418,702,033 (R) \$441,615,096 (E)	No	\$50,000.00
Carlsbad (C)	112,930	\$112,930	\$337,450,675 (R) \$342,334,296 (E)	No	\$35,000.00
Fresno (C)	522,053	\$51,800	\$261,900.00 (R) \$249,673.00 (E)	No	\$100,000.00
Hayward (C)	158,985	\$68,138	\$309,483,000 (R) \$315,264,000 (E)	No	\$75,000.00
Lincoln (G)	47,339	\$78,647	\$80,154,107 (R) \$87,385,218 (E)	No	\$35,000.00

Modesto (C)	211,903	\$56,493	\$448,460,361 (R) \$498,733.876 (E)	No	\$50,000.00
Oceanside (C)	175,948	\$60,487	\$441,485,864 (R) \$397,822,375 (E)	No	\$50,000.00
Richmond (C)	110,378	\$67,102	\$337,767,925 (R) \$351,673,571 (E)	No	\$10,000.00
Rocklin (G)	60,351	\$84,121	\$80,402,900 (R) \$86,443,000 (E)	No	\$50,000.00
Vallejo (C)	117,322	\$68,692	\$226,857,860 (R) \$236,818,324 (E)	No	\$100,000.00
Roseville (C)	137,213	\$78,446	\$526,274,762 (R) \$514,095,529 (E)	Yes	\$23,338.00

In respect to producing staff reports to be placed on the City Council agenda for authorization for the City Manager to sign professional service agreements, purchase orders, contract amendments, and general service agreements the following table denotes the number of items that would not have appeared on the City Council agenda if the bid limit was either \$50,000.00 or \$100,000.00:

City Council Agenda Items	Calendar Year 2017 Items Not Appearing On Agenda if Bid Limit Increased	Calendar Year 2018 Items Not Appearing On Agenda if Bid Limit Increased
If Bid Limit/City Manager Signing Authority was under \$50,000.00 Dollar Amount Associated with Items	58 items Dollar amount: \$1,866,587.00	62 items Dollar amount: \$1,794,645.00
If Bid Limit/City Manager Signing Authority was \$50,001.00 to \$100,000.00 Dollar Amount Associated with Items	56 items Dollar amount: \$3,994,766	56 items Dollar amount: \$4,171,649
Total Items on Agenda/Agreements that City Manager Would Have Had Signing Authority	114* out of 771 items	118* out of 693 items

**Agenda items do not include out-of-state travel requests, street closure requests, budget adjustments, council discretionary fund requests or 5-10 multi-year agreements*

The cost associated with production of a City Council staff report is approximately \$2,500.00 including the staff time to author the report, supervisor approval, Department Head approval, Executive Team approval including the Assistant City Manger, Chief Financial Officer, City Attorney, City Manager and the City Clerk and additional time to process the documents following City Council action.

Cost Savings for Agenda Items Not Requiring City Council Authority	Calendar Year 2017	Calendar Year 2018
If Bid Limit/Signing Authority was under \$50,000.00	58 items \$145,000.00	62 items \$155,000.00
If Bid Limit/Singing Authority was \$50,001.00 to \$100,000.00	56 items \$140,000.00	56 items \$140,000.00
Savings Per Fiscal Year	114 items \$285,000.00	118 items \$295,000.00
Total Savings Over Two Calendar Years		\$580,000.00

Option 1

Sec. 7.21. Bids for contracts; certified checks for bid bonds; performance bonds.

Competitive prices or bids for all purchases and public works and improvements shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest responsible bidder; provided, that the council may waive the bidding requirements prescribed in this section in the purchase of noncompetitive items or in case of an emergency. Sealed bids shall be asked for in all transactions involving the expenditure of ~~nineteen thousand five hundred dollars (\$19,500.00)~~ fifty thousand dollars (\$50,000.00) or more, and in the case of public works, the transaction evidenced by a written contract submitted to and approved by the council. Annually, at the same time the budget ordinance is adopted, the council may in that ordinance establish an inflation or deflation adjustment to the base of ~~\$19,500.00~~ \$50,000.00 to take economic changes into account. Such adjustment shall be determined utilizing reliable indicators or indices of price increases or decreases. Once adopted, the adjustment shall be added to or subtracted from the base of ~~\$19,500.00~~ \$50,000.00 so that sealed bids shall be asked for in all transactions involving the expenditure of the adjusted base. The council may reject any and all bids. In all transactions where sealed bids are required, the council may demand a deposit by each bidder in the form of a certified check or bid bond in an amount which shall be specified in the call for bids. The council may require a faithful performance or surety bond of the successful bidder. Calls for sealed bids shall be published in a newspaper of general circulation of the City, not less than five (5) days before the deadline for submission of bids, unless the council declares by resolution that an emergency exists. Detailed purchasing and contract award procedures shall be prescribed by ordinance.

Option 2

Sec. 7.21. Bids for contracts; certified checks for bid bonds; performance bonds.

Competitive prices or bids for all purchases and public works and improvements shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest responsible bidder; provided, that the council may waive the bidding requirements prescribed in this section in the purchase of noncompetitive items or in case of an emergency. Sealed bids shall be asked for in all transactions involving the expenditure of ~~nineteen thousand five hundred dollars (\$19,500.00)~~ one hundred thousand dollars (\$100,000.00) or more, and in the case of public works, the transaction evidenced by a written contract submitted to and approved by the council. Annually, at the same time the budget ordinance is adopted, the council may in that ordinance establish an inflation or deflation adjustment to the base of ~~\$19,500.00~~ \$100,000.00 to take economic changes into account. Such adjustment shall be determined utilizing reliable indicators or indices of price increases or decreases. Once adopted, the adjustment shall be added to or subtracted from the base of ~~\$19,500.00~~ \$100,000.00 so that sealed bids shall be asked for in all transactions involving the expenditure of the adjusted base. The council may reject any and all bids. In all transactions where sealed bids are required, the council may demand a deposit by each bidder in the form of a certified check or bid bond in an amount which shall be specified in the call for bids. The council may require a faithful performance or surety bond of the successful bidder. Calls for sealed bids shall be published in a newspaper of general circulation of the City, not less than five (5) days before the deadline for submission of bids, unless the council declares by resolution that an emergency exists. Detailed purchasing and contract award procedures shall be prescribed by ordinance.

Option 3

Choose a different amount for sealed bids or different method for establishing the bid limit.

Option 4

Make no changes to the current bid amount.

Respectfully Submitted,

Sonia Orozco, City Clerk

Michelle Sheidenberger, Assistant City Attorney

ATTACHMENTS:

Description

Chief Financial Officer - Recommendation for 7.21 Bid Threshold to \$50,000

Article VII. Fiscal Administration

Section	Proposed Revision
7.01 Fiscal Year	No change
7.02 Budget Procedure	No change
7.03 Budget review; hearings and adoption.	No change
7.04 Interested citizens to be heard at budget hearing	No change
7.05 Revision and final adoption of budget; copy for inspection	No change
7.06 Appropriations; transfers	No change
7.07 Reserved	No change
7.075 Utility reserve fund	No change
7.08 Capital outlay fund; taxation for public improvement	No change
7.09 Tax system	No change
7.095 Reserved	No change
7.10 Limit of levy; purpose of levy; manner of making special assessments	No change
7.11 Power to incur indebtedness	No change
7.12 Advertisement and sale of bonds	No change
7.13 Preparation and record of bonds	No change
7.14 Unissued bonds	No change
7.15 Budget control	No change
7.16 Depository	No change
7.17 Repealed	No change
7.18 Actions against the City	No change
7.19 Independent audit	<p>Recommended changes: The council shall provide for a running <u>an annual</u> audit of all the City accounts and books of the City by a firm of <u>independent</u> certified public accountants who are in no other way connected with the City government. Such The accountant or accountants <u>firm</u> shall be <u>retained subject to the restrictions and limitations prescribed by state law</u> employed at the beginning of the fiscal year for a minimum of two (2) years and a maximum of four (4) years. A comprehensive audit shall be made covering each fiscal year The accountant or accountants so employed shall to assure that the <u>City's financial transactions, accounts and records are maintained in accordance with the requirements of the City Charter, state and federal laws and generally accepted accounting principles.</u> examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and of such other officers,</p>

	employees, departments and agencies of the City government as the council may require. A comprehensive audit shall be made covering each fiscal year; Such audit report shall be submitted to the council and shall be open to public inspection. (Amended by General Municipal Election on November 2, 2010; amended April 13, 1982).
7.20 Purchasing and contracts	No change
7.21 Bids for contracts; certified checks for bid bonds; performance bonds	<u>Recommend changing bid limit to \$50,000</u>
7.22 Contracts with other public jurisdictions	No change
7.23 Determination as to which public works to be performed by City forces or contracts	No change
7.24 Approval of contracts by City attorney	No change

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CHARTER REVIEW COMMISSION COMMUNICATION

Title: Compensation of Councilmembers and Mayor - Article 3 - Section 3.05 Follow-up Information
Contact: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us
Michelle Sheidenberger 916-774-5325 mscheidenberger@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 6.3.

RECOMMENDATION

Recommend the Charter Review Commission receive a presentation on Article 3 - Section 3.05 regarding Councilmember and Mayor compensation and direct staff to:

1. Return with additional information and/or further language suggestions for Councilmember and Mayor compensation;
2. Approve revisions and place Councilmember and Mayor compensation on the consensus list;
3. Place Councilmember and Mayor compensation on the outstanding items list for future discussion; or
4. Remove item from future consideration.

Note: Article 3 - Section 3.05 was placed on the outstanding items list for future discussion at the May 20, 2019 Charter Review Commission meeting. The report is back before the Charter Review Commission members as additional information was requested.

BACKGROUND

Original Staff Report information provided as background:

Issue Summary

The topic of compensation for elected officials has been brought before the Charter Review Commission in both the 2000 and 2010 reviews. The idea to increase compensation was suggested by former elected officials and members of the community. Circa 1990's, the councilmembers were paid \$150 per month and the mayor received \$250. At the November 2000 election, the voters approved a ballot measure to increase council and mayor salaries to \$600 per month for council with an additional \$50 for the mayor based on the city's population of 75,000 residents.

Current Charter provision Article Section 3.05 regarding compensation of council members and mayor reads as follows:

a. The council may enact an ordinance providing that each member of the council shall receive a salary, the amount of which shall be determined by the following schedule:

1. If the City's population is between 50,000 and 75,000 persons, inclusive, the salary shall be five hundred dollars (\$500) per month for each councilmember, and the mayor shall receive an additional amount of fifty dollars (\$50) per month.

2. If the City's population exceeds 75,000 persons, the salary shall be six hundred dollars (\$600) per month for each councilmember and the mayor shall receive an additional fifty dollars (\$50) per month.

b. Councilmembers may, upon order of the council, be reimbursed for reasonable and necessary expenses actually incurred in the service of the City. (Amended by General Municipal Election on November 2, 2010: amended by General Municipal Election on November 7, 2000: amended by General Municipal Election on November 5, 1985: Res. No. 240.)

The salaries indicated above were established based on salaries enumerated in the California Government Code.

For comparison, General Law Cities follow Title 4 of the California Government Code Division 3. Part 1. General [36501-36525] as follows:

36516(a) (1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2). The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month

(B) In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.

(F) In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance. As of January 1, 2019, the Department of Finance reported Roseville's population at 139,643.

Additionally, Section 4 of Government Code states the salary of a councilmember may be increased beyond the amount provided in the statute by an ordinance or by an amendment to an ordinance, however, amendment to Roseville's current councilmember/mayor salaries would require a Charter amendment and a vote of the electorate.

If approved by the electorate, Government Code Section 36516.5 stipulates a change in compensation does not apply to a councilmember during his/her term of office; however, the prohibition expressed in the statute shall not prevent adjustment of all members of the council

serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of his/her beginning a new term of office. Stated differently, when one or more member begins a new term of office, the City may implement a change in compensation and benefits once a Charter amendment is approved.

In a number of Charter cities, voters set salary terms for elected officials over and above what is enumerated in the Government Code. Government Code 36516 also allows voters in a general law cities to establish a different rate of compensation, which may only be increased or decreased by a vote of the people.

Members of the City Council are currently not eligible for health benefits, vision and dental coverage, or life insurance.

Below is a comparison of salary and benefits of local jurisdictions in the greater Placer County region.

Local Jurisdictions Elected Officials Compensation & Benefits Comparison

City	General Law - G - C	Size of City	Annual Base Pay Mayor - M Council - C	CALPERS (Retirement) Percent & Annual Other	Monthly Medical Insurance (Family or Single)	Dental -D Vision -V Life Ins - L (Family or Single)	Car Allowance Cell Phone Allowance or Internet Credit Other
Roseville	C	139,643	M \$7,800 C \$7,200	CALPERS Opt in 8% Contribution of \$39 out of Mayor/Council Pay	None	None	\$52 Internet \$35 Phone Stipend
Citrus Heights	G	86,291	M&C \$6,300	CALPERS 2.7%@55	Single - \$600 if opt out \$600 goes into a deferred comp account	D - Single Included in medical premium V - Single included in medical premium L - up to \$100,000	\$2,000 limit credit card to be used while on official travel or official business
Elk Grove	G	167,965	M&C \$9,600	CALPERS Classic 2%@55 Hired after 1/1/13 2%@62	Family - \$1,989.59 if opt out of medical \$650 deposited into deferred comp account	D - Family included in medical premium V - Family included in medical premium L - up to \$300,000	Deferred Comp- City will match 100% of officials contribution up to 3%
Folsom	C	77,246	M \$8,760 C \$7,560	PEPRA Classic 2.7%@55 New 2.0%@62	Family - up to \$1,506	D - Family \$160.20 V - Single \$22.04	None
Lincoln	G	47,339	M&C \$7,680	CALPERS Minimum Employer Contribution at \$115 per month	Family - up to \$1,850	D - Family included in medical premium V- Family included	None

						in medical premium L - up to \$10,000	
Rocklin	G	60,351	M&C \$8,220	None	None	None	None

Comparable Jurisdictions by Population Elected Officials Compensation & Benefits Comparison

City	General Law - G Charter - C	Size of City	Annual Base Pay Mayor - M Council - C	CALPERS (Retirement) Percent & Annual Other	Monthly Medical Insurance (Family or Single)	Dental - D Vision - V Life Ins - L (Family or Single)	Car Allowance Cell Phone Allowance or Internet Credit Other
Antioch	G	112,968	M&C \$11,652	City pays \$122 for PERS minimum employer contributions	Family- \$1,303 opt out any used funds split 50/50 between city and employee	Family D - \$183 per month V - \$34 per month L - \$12,000	Car \$450 per month for Mayor \$350 per month for members Cell Phone \$50 per month
Berkeley	C	119,915	M \$51,912 C \$35,038	CALPERS -2.7% @ 55 Classic New member must opt into CALPERS and pay employee contribution	Family - Full Kaiser Premium	D - Full Delta Dental V - none L - \$25,000	Mileage at Standard IRS rate - \$0.54.5 per mile
Carlsbad	C	112,930	M \$25,826 C \$24,626	CALPERS -2.0% @ 62 formula with 3 years average earnings for final calculation	Family - choice of several medical plans up to Kaiser minimum opt out unused funds received as income	D - No V - No L - two times annual base salary	Car Allowance Mayor \$5,400 per year Council \$4,200 per year Cell Phone \$549 per year
Concord	G	129,707	M&C \$15,600	CALPERS - Tier I 2.5% @ 55 Official pays 8% Tier II 2.0% @ 55	Official Only - \$662.01	D - \$40.30 per month V - \$11.20 per month L - twice	Mileage at Standard IRS rate - \$0.54.5 per mile

				Official pays 7% Reform 2% @ 62		annual salary	
Corona	G	164,595	M&C \$9,600	CALPERS- contribution is 8% of base salary paid by official	Family - \$1,517.36	L - coverage up to \$50,000	Mileage at Standard IRS rate - \$0.54.5 per mile
Hayward	C	158,985	M \$39,959 C \$24,975	CALPERS -2.5@ 55 Classic 2.0@ 62 New Employer 26.388% Official 8%	Family - Up to \$1,906.81 If opt out \$500 income in lieu of medical	D - \$128.84 V - \$58.06 L - 1x annual salary	Car Allowance Mayor only \$1,728 per year
Modesto	C	211,903	M \$43,200 C \$24,000	PARS - Official contributes 3.75% and City contributes 3.75%	No Medical	D - No V - No L - No	None
Oceanside	C	175,948	M \$21,528 C \$19,728	PEPRA - Officials elected/appointed after 1/1/13 subject to PEPRA. Each members retirement varies based on time on Council	Family - Full Cost of Kaiser of United Healthcare	Family - D - DeltaDental V - Vision Service Plan L - 1 times annual base salary	Expense Allowance Mayor \$400 per month Council \$350 per month
Richmond	C	110,378	M \$46,500 C \$16,830	CALPERS Official pays 8% and city pays 11.20% 2% @ 62	Family - Up to \$1,906.81	Family - D - Delta Dental \$122.46 V - Vision Service Plan \$18.34 L - \$25,000	Additional stipends for agency meetings
Vallejo	C	117,322	M \$22,800 C \$14,700	CALPERS - 2% @ 62 split between employer and official	Family - PEMCHA \$300 - City difference of 75% of Kaiser	Family - D - \$116.66 V - \$24.10 L - None	None

The Eighth Edition Model City Charter, a publication of the National Civic League states “councilmembers are part-time officials and do not direct city departments. Council salary level depends on a variety of factors specific to each community, including the part-time nature of the position and the emphasis on policy-making rather than administration.” The publication goes on to reject the setting of the actual amount of compensation in the charter except for the salary of the first council after the charter goes into effect. The delay in the effective date of any salary increases provides some protection from criticism from the community. Additionally the document explains that “the city should provide extra compensation for the mayor because, in addition to regular responsibilities, the mayor has significant intergovernmental and ceremonial responsibilities.”

Determining if Roseville's elected officials are defined as "part-time" in the discharge of their duties is difficult. In addition to their regular responsibilities of representing the Roseville citizens,

the members also participate in 31 auxiliary board, commissions, or committees throughout the Placer and Sacramento County region. Examples of the auxiliary bodies include the Northern California Power Agency, the Regional Water Authority and the Sacramento Area Council of Governments, and many other high priority organizations. Even though the positions are split up between the elected officials, each organization requires ample preparation and participation in representing Roseville's interests.

Health Benefits for City Bargaining Units

Bargaining Unit	Health Benefit Per Month*
International Brotherhood of Electrical Workers	\$1,575
Local 39 Stationary Engineers	\$1,575
Management Confidential	\$1,575
Roseville Police Officers Association and Roseville Police Association	\$1,575
Roseville Fire Fighters	\$1,575

*\$30 increase in 2020 and 2021

Reasonable Expenses

Section 3.05 of the Charter also indicates that Councilmembers, upon order of the Council, may be reimbursed for reasonable and necessary expenses incurred in the service of the City, but the Charter does not describe or define reasonable expenses. Reasonable expense could include the following:

- Registration fees and applicable materials for meetings and/or conferences
- Lodging at a conference facility
- Meals (any meals not provided as part of a conference) based on a per diem basis or reimbursement basis
- Non-conference meals (meals are not allowed unless conducting official city business and meals purchased for a group of people is conditionally allowed provided that the purchase of such group meal is a legitimate business expense for the city and a detailed receipt for the meal is attached listing attendees and business discussed
- Air transportation and ground transportation to and from conferences or City Council authorized business trips (air transportation should be coach only)
- Rental vehicles
- Tipping (luggage handlers, food servers or other appropriate attendants)
- Any tolls or mass transit fees or parking charges

The expenses above are outlined for all city personnel in Administrative Regulation 6.11. However, the Charter Review members can determination if the expenses should listed in the Charter.

Proposed Edit to Section 3.05

A written request was submitted to modify Section 3.05 as follows which eliminates the 50,000 to 70,000 population provision as Roseville's population has exceeded this amount:

a. The council may enact an ordinance providing that each member of the council shall receive a salary, the amount of which shall be determined by the following schedule:

1. ~~If the City's population is between 50,000 and 75,000 persons, inclusive, the salary~~

~~shall be five hundred dollars (\$500) per month for each councilmember, and the mayor shall receive an additional amount of fifty dollars (\$50) per month.~~

~~2.~~ 1. If the City's population exceeds 75,000 persons, the salary shall be six hundred dollars (\$600) per month for each councilmember and the mayor shall receive an additional fifty dollars (\$50) per month.

b. Councilmembers may, upon order of the council, be reimbursed for reasonable and necessary expenses actually incurred in the service of the City. (Amended by General Municipal Election on November 2, 2010: amended by General Municipal Election on November 7, 2000: amended by General Municipal Election on November 5, 1985: Res. No. 240.)

Additional information Requested

Charter Review Commission member consensus to bring additional information on annual amounts of compensation, household medium income of jurisdictions, number of seats on the City Council, and annual budget information. A table of local jurisdiction comparisons, along with comparisons of comparable jurisdictions in population to the City of Roseville is attached to this report.

Respectfully Submitted,

Sonia Orozco, City Clerk

Michelle Sheidenberger, Assistant City Attorney

ATTACHMENTS:

Description

Additional Information_Councilmember and Mayor Compensation_July 2019

Local Jurisdictions Comparisons – Demographics, Elected Officials Compensation/Benefits

						ANNUAL					
City	General Law (G) Charter (C)	Size Of City	Household Median Income	Full Service	# on Council	Base Pay Mayor (M) Council (C)	2018/2019 Budget Revenue (R) Expenditures (E)	CALPERS (Retirement) Percent & Annual Other	Medical Insurance (Family or Single)	Dental (D) Vision (V) Life Ins (L) Family or Single	Allowances: Car Cell Phone Internet Credit Other
Roseville	C	139,643	\$78,446	Yes	5	\$7,800 (M) \$7,200 (C)	\$526,274,762 (R) \$514,095,529 (E)	CALPERS Opt in 8% Contribution of \$468 out of Mayor/Council Pay	None	None	\$624 Internet \$420 Phone
Citrus Heights	G	86,291	\$80,100	No	5	\$6,300 (M & C)	\$59,570,912 (R) \$59,608,160 (E)	CALPERS 2.7%@55	Single \$7,200 if opt out \$7,200 goes into a deferred comp account	D - Family included in medical premium V - Family included in medical premium L - up to \$100,000	\$2,000 limit credit card to be used while on official travel or official business
Elk Grove	G	167,965	\$83,141	No	5	\$9,600 (M & C)	\$74,931,917 (R) \$74,558,567 (E)	CALPERS Classic 2%@55 Hired after 1/1/13 2%@62	Family - \$23,875 if opt out of medical \$7,800 deposited into deferred comp account	D - Family included in medical premium V - Family included in medical premium L - up to \$300,000	Deferred Comp- City will match 100% of officials contribution up to 3%
Folsom	C	77,246	\$102,692	No	5	\$8,760 (M) \$7,560 (C)	\$211,348,867 (R) \$206,129,066 (E)	PEPRA Classic 2.7%@55 New 2.0%@62	Family - up to \$18,072	D - Family \$1,922 V - Single \$264	None
Lincoln	G	47,339	\$78,647	No	5	\$7,680 (M & C)	\$80,154,107 (R) \$87,385,218 (E)	CALPERS Minimum Employer Contribution at \$1,380	Family - up to \$22,200	D - Family included in	None

										medical premium V- Family included in medical premium L - up to \$10,000	
Rocklin	G	60,351	\$84,121	No	5	\$8,220 (M & C)	\$80,402,900 (R) \$86,443,000 (E)	None	None	None	None

Comparable Jurisdictions in Population Comparisons – Demographics, Elected Officials Compensation/Benefits

City	General Law (G) Charter (C)	Size of City	Household Median Income	Full Service	# on Council	ANNUAL					
						Base Pay Mayor (M) Council (C)	2018/2019 Budget Revenue (R) Expenditures (E)	CALPERS (Retirement) Percent & Annual Other	Monthly Medical Insurance (Family or Single)	Dental (D) Vision (V) Life Ins (L) Family or Single	Allowances: Car Cell Phone Internet Credit Other
Antioch	G	112,968	\$70,696	No	5	\$11,652 (M & C)	\$128,562,706 (R) \$136,135,158 (E)	City pays \$15,636 for PERS minimum employer contributions	Family - \$15,636 opt out any used funds split 50/50 between city and employee	Family D - \$2,196 V - \$408 L - \$12,000	Car: \$5,400 (M) \$4,200 (C) Cell Phone \$600
Berkeley	C	119,915	\$66,237	No	9	\$51,912 (M) \$35,038 (C)	\$418,702,033 (R) \$441,615,096 (E)	CALPERS - 2.7% @ 55 Classic New member must opt into CALPERS and pay employee contribution	Family - Full Kaiser Premium	D - Full Delta Dental V - none L - \$25,000	Mileage at Standard IRS rate - \$0.54.5 per mile

Carlsbad	C	112,930	\$113,217	No	5	\$25,826 (M) \$24,626 (C)	\$337,450,675 (R) \$342,334,296 (E)	CALPERS - 2.0% @ 62 formula with 3 years average earnings for final calculation	Family - choice of several medical plans up to Kaiser minimum opt out unused funds received as income	D - No V - No L - two times annual base salary	Car: Mayor \$5,400 Council \$4,200 Cell Phone \$549
Concord	G	129,707	\$76,335	No	5	\$15,600 (M&C)	\$100,301,000 (R) \$102,523,000 (E)	CALPERS - Tier I 2.5% @ 55 Official pays 8% Tier II 2.0% @ 55 Official pays 7% Reform 2% @ 62	Official Only - \$7,944	D - \$484 V - \$134 L - twice annual salary	Mileage at Standard IRS rate - \$0.54.5 per mile
Corona	G	164,595	\$85,669	No Elec only	5	\$9,600 (M&C)	\$351,320,531 (R) \$317,477,213 (E)	CALPERS - contribution is 8% of base salary paid by official	Family - \$18,208	L - coverage up to \$50,000	Mileage at Standard IRS rate - \$0.54.5 per mile
Hayward	C	158,985	\$68,138	No	7	\$39,959 (M) \$24,975 (C)	\$309,483,000 (R) \$315,264,000 (E)	CALPERS - 2.5 @ 55 Classic 2.0 @ 62 New Employer 26.388% Official 8%	Family - up to \$22,882 If opt out \$6,000 income in lieu of medical	D - \$1,546 V - \$697 L - 1x annual salary	Car: \$1,728 Mayor only
Modesto	C	211,903	\$56,493	No	7	\$43,200 (M) \$24,000 (C)	\$448,460,361 (R) \$498,733,876 (E)	PARS - Official contributes 3.75% and City contributes 3.75%	No Medical	D - No V - No L - No	None
Oceanside	C	175,948	\$60,487	No	5	\$21,528 (M) \$19,728 (C)	\$441,485,864 (R) \$397,822,375 (E)	PEPRA - Officials elected/appointed after 1/1/13 subject to PEPRA. Each members retirement varies based on time on Council	Family - Full Cost of Kaiser of United Healthcare	Family - D - Delta Dental V - Vision Service Plan L - 1 times annual base salary	Expense Allowance Mayor \$4,800 Council \$4,200

Richmond	C	110,378	\$67,102	No	7	\$46,500 (M) \$16,830 (C)	\$337,767,925 (R) \$351,673,571 (E)	CALPERS Official pays 8% and city pays 11.20% 2% @ 62	Family - Up to \$22,882	Family - D - Delta Dental \$1,470 V - Vision Service Plan \$220 L - \$25,000	Additional stipends for agency meetings
Vallejo	C	117,322	\$68,692	No	7	\$22,800 (M) \$14,700 (C)	\$226,857,860 (R) \$236,818,324 (E)	CALPERS - 2% @ 62 split between employer and official	Family - PEMCHA \$3,600 - City difference of 75% of Kaiser	Family - D - \$1,400 V - \$289 L - None	None



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Charter Review Commission Members and Resident Proposals on Sections of Articles 7 and 8

Contact: Sonia Orozco 916-774-5269 sorozco@roseville.ca.us

Meeting Date: 7/15/2019

Item #: 6.4.

RECOMMENDATION

This portion of the agenda is for Charter Review Commission members or members of the public to suggest proposals for potential changes to any sections of Articles 7 and 8 of the Roseville City Charter.

BACKGROUND

There is no background associated with this item.

Respectfully Submitted,

Sonia Orozco, City Clerk



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Staff Proposed Amendments to Charter Article 7 - Section 7.19 Independent Audit
Contact: Dennis Kauffman 916-774-5313 dkauffman@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 6.5.

RECOMMENDATION

Recommend the Charter Review Commission receive a presentation on Section 7.19 of Article 7 of the Charter regarding Independent Audit and direct staff to:

1. Return with additional information and/or further language suggestions for Section 7.19 of Article 7 of the Charter regarding Independent Audit;
2. Approve revisions and place Section 7.19 of Article 7 of the Charter regarding Independent Audit on the consensus list;
3. Place Section 7.19 or Article 7 of the Charter regarding Independent Audit on the outstanding items list for future discussion; or
4. Remove item from future consideration.

BACKGROUND

Current Charter Language

Section 7.19 Independent audit.

The council shall provide for a running audit of all accounts and books of the City by a firm of certified public accountants who are in no other way connected with the City government. Such accountant or accountants shall be employed at the beginning of the fiscal year for a minimum of two (2) years and a maximum of four (4) years. The accountant or accountants so employed shall, examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and of such other officers, employees, departments and agencies of the City government as the council may require. A comprehensive audit shall be made covering each fiscal year; such audit report shall be submitted to the council and shall be open to public inspection.

Rationale for Proposed Amendment

The recommended changes to the language are based on the Government Finance Officers Association (GFOA) *Best Practice - Audit Procurement* and recent California legislation which

provides that "state and local governmental entities obtain independent audits of their financial statements, and single audits, if required based on the entity's use of federal or state grant funds, performed in accordance with the appropriate professional auditing standards. Properly performed audits play a vital role in the public sector by helping to preserve the integrity of the public finance functions, and by maintaining citizens' confidence in their elected leaders." See attachment entitled Government Finance Officers Association *Best Practice - Audit Procurement* for additional detailed recommendations. In summary, the document outlines GFOA's audit procurement calling for a minimum contract length of five years.

Proposed Amendment

Section 7.19 Independent audit.

The council shall provide for ~~a running~~ an annual audit of all ~~the City accounts and books of the City~~ by a firm of independent certified public accountants who are in no other way connected with the City government. ~~Such~~ The accountant or accountants firm shall be retained subject to the restrictions and limitations prescribed by state law. ~~employed at the beginning of the fiscal year for a minimum of two (2) years and a maximum of four (4) years.~~ A comprehensive audit shall be made covering each fiscal year ~~The accountant or accountants so employed shall to assure that the City's financial transactions, accounts and records are maintained in accordance with the requirements of the City charter, state and federal laws and generally accepted accounting principles.~~ examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and of such other officers, employees, departments and agencies of the City government as the council may require. ~~A comprehensive audit shall be made covering each fiscal year;~~ Such audit report shall be submitted to the council and shall be open to public inspection.

Respectfully Submitted,

Dennis Kauffman, Chief Financial Officer

ATTACHMENTS:

Description

Government Finance Officers Association Best Practice - Audit Procurement



BEST PRACTICE

Audit Procurement

BACKGROUND:

The Government Finance Officers Association (GFOA) has long recommended that state and local governmental entities obtain independent audits of their financial statements, and single audits, if required based on the entity's use of federal or state grant funds, performed in accordance with the appropriate professional auditing standards. Properly performed audits play a vital role in the public sector by helping to preserve the integrity of the public finance functions, and by maintaining citizens' confidence in their elected leaders.

RECOMMENDATION:

GFOA makes the following recommendations regarding the selection of auditing services:

- The scope of the independent audit should encompass not only the fair presentation of the basic financial statements, but also the fair presentation of the financial statements of individual funds and component units. Nevertheless, the selection of the appropriate scope of the independent audit ultimately remains a matter of professional judgment. Accordingly, those responsible for securing independent audits should make their decision concerning the appropriate scope of the audit engagement based upon their particular government's specific needs and circumstances, consistent with applicable legal requirements.
- Governmental entities should require in their audit contracts that the auditors of their financial statements perform their audits in accordance with the audit standards promulgated in the U.S. Government Accountability Office's Government Auditing Standards. Government Auditing Standards, also known as Generally Accepted Government Auditing Standards (GAGAS), provide a higher level of assurance with regard to internal control than Generally Accepted Audit Standards (GAAS), which are fully incorporated into GAGAS.
- Governmental entities should enter into multiyear agreements of at least five years in duration when obtaining the services of independent auditors. Such multiyear agreements can take a variety of different forms (e.g., a series of single-year contracts), consistent with applicable legal requirements. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear agreements can also help to reduce audit costs by allowing auditors to recover certain "startup" costs over several years, rather than over a single year.
- Governmental entities should undertake a full-scale competitive process for the selection of independent auditors at the end of the term of each audit contract, consistent with applicable legal requirements. While there is some belief that auditor independence is enhanced by a policy requiring that the independent audit firm be replaced at the end of each multiyear agreement, unfortunately, the frequent lack of competition among audit firms fully qualified to perform public-sector audits could make a policy of mandatory audit firm rotation

counterproductive. In such cases, it is recommended that a governmental entity actively seek the participation of all qualified firms, including the current auditors, assuming that the past performance of the current auditors has proven satisfactory. Where audit firm rotation does not result from this process, governments may consider requesting that senior engagement staff, such as engagement partners and senior managers, be rotated to provide a fresh perspective. Except in cases where a multiyear agreement has taken the form of a series of single-year contracts, a contractual provision for the automatic renewal of the audit contract (e.g., an automatic second term for the auditor upon satisfactory performance) is inconsistent with this recommendation.

- Professional standards allow independent auditors to perform certain types of nonaudit services for their audit clients. Any significant nonaudit services should always be approved in advance by a governmental entity's audit committee. Furthermore, governmental entities should routinely explore the possibility of alternative service providers before making a decision to engage their independent auditors to perform significant nonaudit services.
- The audit procurement process should be structured so that the principal factor in the selection of an independent auditor is the auditor's ability to perform a quality audit. Price should not be allowed to serve as the sole criterion for the selection of an independent auditor, rather an independent auditor should have a demonstrated commitment to the state and local government audit practice.

Notes:

Contract Issues for Governmental Audits - The AICPA State and Local Government Expert Panel and GFOA worked together to develop this joint article intended to educate both governments and their auditors about clauses in contracts and engagement letters in the governmental environment that may not meet AICPA professional standards and that may create uncertainty about the auditor's independence.

References:

- *CPA Audit Quality: A Framework for Procuring Audit Services*, U.S. Government Accountability Office, August 1987.
- *Governmental Accounting, Auditing and Financial Reporting (GAAFR)*, Stephen J. Gauthier, GFOA, 2012.



CHARTER REVIEW COMMISSION COMMUNICATION

Title: Staff Proposed Amendments to Charter Article 8 - Sections 8.04 and 8.07
Personnel Rules and Classified and Unclassified Services
Contact: Stacey Peterson 916-774-5374 speterson@roseville.ca.us

Meeting Date: 7/15/2019
Item #: 6.6.

RECOMMENDATION

Recommend the Charter Review Commission receive a presentation on Section 8.04 and 8.07 of Article 8 of the Charter regarding Personnel rules and Classified and unclassified services and direct staff to:

1. Return with additional information and/or further suggestions for Section 8.04 and 8.07 of Article 8 of the Charter regarding Personnel rules and Classified and unclassified services;
2. Approve revisions and place Section 8.04 and 8.07 of the Charter regarding Personnel rules and Classified and unclassified services on the consensus list;
3. Place Section 8.04 and 8.07 of the Charter regarding Personnel rules and Classified and unclassified services on the outstanding items list for future discussion; or
4. Remove item from future consideration.

BACKGROUND

Current Charter Language

Section 8.04 Personnel rules.

It is the intention of this article to provide for a merit system of employment in City service. The council shall enact by ordinance a set of rules governing classified municipal employment which shall, among other things, provide:

- a. For the classification of all positions in the classified service.
- b. For open, free and competitive examinations to test the relative fitness of applicants for such positions, and or reasonable publication and public advertisement of all examinations and for promotion based upon competitive examinations or records of efficiency, character, conduct and seniority, or upon examination and record.
- c. For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing on the examination and for the certification of those on the appropriate list to the manager or department heads for appointment to fill vacancies and for the manner in which appointments shall be made from such list.

- d. For the period of time in which eligible lists shall continue in effect.
- e. For a period of probation not to exceed one (1) year, both on original and promotional appointments, before the appointment is made permanent, during which time, in the case of an original appointment, the probationer may be discharged or, in the case of a promotion, returned to a position of their former classification by the head of the department of office in which employed. Provided, however, that no period of absence from work, leave, or limited duty assignment shall be credited toward completion of the probationary period, nor shall any overtime or additional work beyond normal working hours be credited towards completion of the probationary period.
- f. For the rejection of candidates of eligibility who fail to comply with a bona fide occupational qualification in regard to age or sex or who fail to comply with a qualification standard which is job-related and consistent with business necessity; or who have been convicted of a crime which adversely affects their qualification for the position applied for; or who have attempted any deception or fraud in connection with an examination for employment by the City.
- g. For the employment without examination of provisional employees, in cases of emergency pending appointment from an eligible list, but no such provisional employment shall continue for more than thirty (30) days after the establishment of an eligible list for the position held, and in no event for more than ninety (90) days.
- h. For transfer from one (1) position to a similar position in the same class and grade, for reinstatement after resignation, layoff or reduction in class or grade.
- i. For the discipline of employees by suspension, demotion, discharge or other actions not inconsistent with the provisions of this article.
- j. For the certification to the chief finance officer of the City of names and classifications of all persons legally employed in the City service, without which certifications this officer shall not authorize the issuance of salary paychecks.

Rationale for Proposed Amendment to Section 8.04

The recommended change would allow for the adoption of a personnel rule to allow the director to waive the formal exam process where there are fewer than five (5) qualified candidates who applied and the list of qualified (i.e., those who met the minimum qualifications) would be listed alphabetically on the eligible list. The change will allow for efficiencies in the administration of exams.

Proposed Amendment to Section 8.04

Section 8.04 Personnel rules.

It is the intention of this article to provide for a merit system of employment in City service. The council shall enact by ordinance a set of rules governing classified municipal employment which shall, among other things, provide:

- a. For the classification of all positions in the classified service.
- b. For open, free and competitive examinations to test the relative fitness of applicants for such positions, and or reasonable publication and public advertisement of all examinations and for promotion based upon competitive examinations or records of efficiency, character, conduct and seniority, or upon examination and record.
- c. For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing on the examination, except if waived or modified in the personnel rules, and for the certification of those on the appropriate list to the manager or department heads for appointment to fill vacancies and for the manner in which appointments shall be made from such list.
- d. For the period of time in which eligible lists shall continue in effect.

- e. For a period of probation not to exceed one (1) year, both on original and promotional appointments, before the appointment is made permanent, during which time, in the case of an original appointment, the probationer may be discharged or, in the case of a promotion, returned to a position of their former classification by the head of the department of office in which employed. Provided, however, that no period of absence from work, leave, or limited duty assignment shall be credited toward completion of the probationary period, nor shall any overtime or additional work beyond normal working hours be credited towards completion of the probationary period.
- f. For the rejection of candidates of eligibility who fail to comply with a bona fide occupational qualification in regard to age or sex or who fail to comply with a qualification standard which is job-related and consistent with business necessity; or who have been convicted of a crime which adversely affects their qualification for the position applied for; or who have attempted any deception or fraud in connection with an examination for employment by the City.
- g. For the employment without examination of provisional employees, in cases of emergency pending appointment from an eligible list, but no such provisional employment shall continue for more than thirty (30) days after the establishment of an eligible list for the position held, and in no event for more than ninety (90) days.
- h. For transfer from one (1) position to a similar position in the same class and grade, for reinstatement after resignation, layoff or reduction in class or grade.
- i. For the discipline of employees by suspension, demotion, discharge or other actions not inconsistent with the provisions of this article.
- j. For the certification to the chief finance officer of the City of names and classifications of all persons legally employed in the City service, without which certifications this officer shall not authorize the issuance of salary paychecks.

Current Charter Language

Section 8.07 Classified and unclassified services.

The employments in the City service are hereby divided into the classified and unclassified service. The unclassified service shall consist of (a) officers elected by the people and persons appointed to fill vacancies in elective offices; (b) the members of boards and commissions as provided by this charter; (c) the City manager, assistant City manager, City attorney, deputy, associate or assistant attorneys, and the heads of one or more departments as provided for in this charter; (d) persons employed in a professional or scientific capacity to conduct or complete a special inquiry, investigation, examination or project, not to exceed thirty-six (36) months full-time employment or equivalent without a break of at least three (3) months; (e) persons employed for a temporary, seasonal or special purpose for a period not to exceed fifteen hundred (1,500) hours employment or the equivalent thereof in any twelve (12) month period; (f) reserve firefighters and reserve police officers and (g) disaster service workers whether recruited or conscripted. The classified service shall comprise all positions not specifically included in the unclassified service.

Rationale for Proposed Amendment to Section 8.07

The recommendation is to update language of Section 8.07 in the Charter to be consistent with the Personnel rules (RMC Section 3.00.200) which currently states that assistant department heads are unclassified.

Proposed Amendment to Section 8.07

The employments in the City service are hereby divided into the classified and unclassified service. The unclassified service shall consist of (a) officers elected by the people and persons appointed to fill vacancies in elective offices; (b) the members of boards and commissions as provided by this charter;

(c) the City manager, assistant City manager, City attorney, deputy, associate or assistant attorneys, **and** the heads of one or more departments, and all persons holding an assistant department head position who were hired or promoted to that position after March 5, 2014, as provided for in this charter; (d) persons employed in a professional or scientific capacity to conduct or complete a special inquiry, investigation, examination or project, not to exceed thirty-six (36) months full-time employment or equivalent without a break of at least three (3) months; (e) persons employed for a temporary, seasonal or special purpose for a period not to exceed fifteen hundred (1,500) hours employment or the equivalent thereof in any twelve (12) month period; (f) reserve firefighters and reserve police officers and (g) disaster service workers whether recruited or conscripted. The classified service shall comprise all positions not specifically included in the unclassified service.

Respectfully Submitted,

Stacey Peterson, Human Resources Director