



**CITY OF COSTA MESA
CHARTER COMMITTEE MEETING
AGENDA
Wednesday, August 28, 2013, 6:00 p.m.
CITY HALL
EMERGENCY OPERATIONS CENTER
77 FAIR DRIVE, COSTA MESA**

FACILITATORS: Dr. Kirk Bauermeister, Dr. Mike Decker

CHARTER COMMITTEE MEMBERS: Ron Amburgey, Brett Eckles, William Fancher, Tom Graham, Gene Hutchins, Kerry McCarthy, Mary Ann O'Connell, Henry Panian, Tom Pollitt, Lee Ramos, Andrew Smith, Kevin Tobin, Harold Weitzberg

LEGAL COUNSEL: Kimberly Hall Barlow, Yolanda Summerhill

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Welcome
5. Public Comments: *Members of the public wishing to comment will be given two minutes to speak.*
6. Review of Minutes - July 24, 2013 and August 14, 2013
7. Charter Issue
 - [City Name and Boundaries](#)
 - Public Contracts: [Transparency](#) and Openness, Quality, Retention, Firewall, [Prevailing Wage](#)
 - [Governance](#): Districting, Equal Representation, Polarization, Local Control, Minority, Compensation, Firewall
8. Discussion of Chair and Vice Chair
9. Information Requests
10. Meeting Summary
11. Agenda Building for September 11, 2013
12. Adjournment to Wednesday, September 11, 2013, 6:00 p.m.

If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714)754-5221 or e-mail Brenda.Green@costamesaca.gov. Any documents provided to a majority of the Committee Members regarding any item on this agenda will be made available for public inspection during normal business hours at the City Clerk's Office at City Hall located at 77 Fair Drive, 1st Floor, Costa Mesa. In addition, such documents may be posted on the city's website at www.costamesaca.gov

In compliance with California law and the Americans with Disabilities act, if you need disability-related accommodations, including auxiliary aids or services in order to participate in the meeting, please contact the City Clerk at (714)754-5221. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to accommodate your requests.

City of Costa Mesa

Charter Committee

Definitions

Charter: A charter is a written document, approved by the electorate, which operates as a "constitution" for the adopting city. Charters act as instruments of limitation on the broad power of charter cities over matters of municipal affairs.¹

Transparency: Do members of the public have sufficient information regarding the City's public contracting.

Openness: Are all contractors given the opportunity to bid on projects?

Retention: Currently, the contractor awarded the contract receives only 95% of the payments due on a progress basis, with the remaining 5% "retained" by the City to insure that the project gets completed as required. This retention amount is paid to the contractor upon substantial completion of the project. Should the City require an amount greater than 5%?

Firewalling: Are there sufficient firewalls between the City Council and staff in public contracting?

Quality: Are there sufficient safeguards to ensure the quality of work by public contractors?

Prevailing Wages: The prevailing wage rate is the basic hourly rate paid on public works projects to a majority of workers engaged in a particular craft, classification or type of work within the locality and in the nearest labor market area (if a majority of such workers are paid at a single rate). If there is no single rate paid to a majority, then the single or modal rate being paid to the greater number of workers is prevailing.²

¹ California Municipal Law Handbook, § 1.13(b)

² <http://www.dir.ca.gov/OPRL>