

MINUTES - MORRO BAY CITY COUNCIL
CLOSED SESSION – SEPTEMBER 13, 2010
CITY HALL CONFERENCE ROOM - 5:00 P.M.

Mayor Peters called the meeting to order at 5:00 p.m.

PRESENT:	Janice Peters	Mayor
	Carla Borchard	Councilmember
	Rick Grantham	Councilmember
	Noah Smukler	Councilmember
	Betty Winholtz	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney

CLOSED SESSION

MOTION: Councilmember Grantham moved the meeting be adjourned to Closed Session. The motion was seconded by Councilmember Winholtz and unanimously carried. (5-0)

Mayor Peters read the Closed Session Statement.

CS-1 GOVERNMENT CODE SECTION 54957.6; CONFERENCE WITH LABOR NEGOTIATOR. Conference with City Manager, the City's Designated Representative, for the purpose of reviewing the City's position regarding the terms and compensation paid to the City Employees and giving instructions to the Designated Representative.

CS-2 GOVERNMENT CODE SECTION 54956.8; REAL PROPERTY TRANSACTIONS. Instructing City's real property negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property as to 4 parcels.

- Property: Salt Building - Lease Site 65-66/65W-66W
Negotiating Parties: Imani and City of Morro Bay.
Negotiations: Lease Terms and Conditions.
- Property: Virg's Landing - Lease Site 113W
Negotiating Parties: Moore and Neil and City of Morro Bay.
Negotiations: Lease Terms and Conditions.
- Property: Embarcadero Grill - Lease Site 86-86W
Negotiating Parties: Caldwell and City of Morro Bay.
Negotiations: Lease Terms and Conditions.
- Property: Outrigger - Lease Site 87-88/87W-88W
Negotiating Parties: V. Leage and City of Morro Bay.
Negotiations: Lease Terms and Conditions.

The meeting adjourned to Closed Session at 5:00 p.m. and returned to regular session at 5:30 p.m.

MOTION: Councilmember Borchard moved the meeting be adjourned. The motion was seconded by Councilmember Smukler and unanimously carried. (5-0)

The meeting adjourned at 5:30 p.m.

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VETERANS MEMORIAL HALL - 6:00 P.M.

Mayor Peters called the meeting to order at 6:00 p.m.

PRESENT:	Janice Peters	Mayor
	Carla Borchard	Councilmember
	Rick Grantham	Councilmember
	Noah Smukler	Councilmember
	Betty Winholtz	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Bridgett Kessling	City Clerk
	Eric Endersby	Harbor Operations Manager
	Susan Lichtenbaum	Harbor Business Manager
	Rob Livick	Public Services Director
	Tim Olivas	Police Chief
	Susan Slayton	Administrative Services Director
	Dylan Wade	Utilities/Capital Projects Manager
	Joe Woods	Recreation & Parks Director

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS &
PRESENTATIONS

CLOSED SESSION REPORT - City Attorney Robert Schultz reported the City Council met in Closed Session, and no reportable action under the Brown Act was taken.

PUBLIC COMMENT

Natalia Merzoyan stated she toured the “PERC” facility in Santa Paula, and explained its process which she found to be brilliant. Ms. Merzoyan said she is mystified that this process is not being chosen for Morro Bay.

Robert Davis, San Luis Bicycle Club, reported on the 39th Annual Lighthouse Bicycle Run along Highway One on September 25th.

William Yates clarified the City Council is reviewing both the PERC facility and the plans presented for the upgrade to the City’s Wastewater Treatment Plant. He also referred to Items D-1 (Authorization to Replace a Wastewater Collections Systems Operator III) and D-2 (Authorization to Fill the Associate Planner Position at the Assistant Planner Level) acknowledging the importance of replacing these positions and noting they already are budgeted positions. Mr. Yates encouraged the City Council to approve filling the Wastewater Collections Systems Operator III and Assistant Planner positions.

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John Barta referred to Item D-3 (Review of Draft Amendment to Chapter 12.08 of the Morro Bay Municipal Code Adding a Landmark Tree Section and Approval of a Revised Master Street Tree List) stating people love trees but do not like regulations, and what is proposed are more regulations. He also referred to the PERC facility noting there is no hard offer on the table from PERC.

Taylor Newton referred to Item D-3 stating this report is based on recommendation from the tree committee. He said he does not consider the recommendations to be regulations but to be guidelines. Mr. Newton stated the goal was to get people involved with the City and the environment and try to put a positive in this current world we live in.

Jim Hayes referred to Item D-1 stating the Wastewater Collections Systems Operator III position is one of the most environmentally responsible positions in the City, and must be filled based on laws and guidelines that are set by the State.

Dorothy Cutter expressed support for Item D-3.

Grant Crowl read a political satire referring to the Wastewater Treatment Plant upgrade.

Mayor Peters closed the hearing for public comment.

Mayor Peters called for a break at 6:41 p.m.; the meeting resumed at 6:50 p.m.

A. CONSENT CALENDAR

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING OF AUGUST 23, 2010; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

MOTION: Councilmember Grantham moved the City Council approve Item A-1 of the Consent Calendar. The motion was seconded by Councilmember Winholtz and carried unanimously. (5-0)

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 562 INCREASING THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FROM 2% TO 3%; (CITY ATTORNEY)

City Attorney Robert Schultz stated in order to initiate the process of increasing the assessment from 2% to 3%, the City Council on July 12, 2010 adopted a Resolution of Intention indicating its intention to increase the assessment for the benefit of tourism

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promotion and marketing in the City of Morro Bay. Following the adoption of the Resolution of Intention and consistent with statutory requirements, notification was published and mailed to area businesses and property owners, notifying the owners and other interested members of public key actions, such as a public meeting, a protest hearing, introduction of Ordinance to establish the assessment, and the final adoption of Ordinance to increase the assessment. Mr. Schultz recommended the City Council move for introduction and first reading of Ordinance No. 562, by number and title only.

Mayor Peters opened the hearing for public comment.

Joan Solu, Tourism Business Improvement District Chair and hotelier, stated the hoteliers are supportive and interested in helping with their fair share. She said transient occupancy tax reports show there has been a slight increase, which is encouraging. Ms. Solu stated the hoteliers continue to support local events and festivals as well as the Visitors and Conference Bureau, which is the #1 referral to the website morrobay.org.

Mayor Peters closed the public comment hearing.

MOTION: Councilmember Grantham moved the City Council approve Ordinance No. 562 increasing the Morro Bay Tourism Business Improvement District assessment from 2% to 3% for first reading and introduction. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

City Manager Andrea Lueker read Ordinance No. 562 by number and title only.

C. UNFINISHED BUSINESS – None.

D. NEW BUSINESS

D-1 AUTHORIZATION TO REPLACE A WASTEWATER COLLECTIONS SYSTEMS OPERATOR III; (PUBLIC SERVICES)

Utilities/Capital Projects Manager Dylan Wade stated at the August 23, 2010 Council meeting, authorization to replace the Collection System Operator III was brought forward and rejected by the majority of the Council. The functions performed by the Collection System Operator III are a critical part of maintaining the system. With this position being an important succession planning step to the Division, filling this position becomes even more critical to ensure adequate management and supervision of the day to day activities. By making the choice to delay this hiring, either the functions that are legally required to perform do not occur, or the City must look to outsource these activities. Under fiscal impacts, even at the Collections System Operator III level, there are significant cost savings to be had by performing these activities in-house versus contracting them out at prevailing wage. Operating while potentially pulling resources from other Divisions and foregoing leave can only be seen as a stop gap measure, but will not work as a long term solution.

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Staff is also preparing an on-call contract with a local firm that can provide a qualified Collections System Operator. Mr. Wade recommended the City Council authorize the replacement of the Wastewater Collections Systems Operator III.

Councilmember Borchard stated she would like to authorize this replacement; however, she would like to start negotiating with the employee units now instead of later, and would like to consider tiered-benefits.

Councilmember Smukler agreed he would also support negotiations to begin with the employee units. He said he would have preferred a more moderate option to consider assisting with staff's pressures in obtaining their goals, but also allowing Council to stay responsive to its citizens' and budget demands.

Councilmember Grantham stated he was supportive the last time to fill this vacancy. He said there are mandates to be upheld, and it is imperative that Council supports replacing this vacant position. Councilmember Grantham agreed that a tiered-benefit package needs to be addressed.

Councilmember Winholtz stated she would like to postpone hiring this person until negotiations have begun.

Mayor Peters stated the citizens expect public health and safety. She said this department needs the manpower to maintain an aging facility, and this position has been budgeted. Mayor Peters stated she is supportive of opening up negotiations.

MOTION: Mayor Peters moved the City Council authorize the replacement of the Wastewater Collections Systems Operator III. The motion was seconded by Councilmember Grantham.

Councilmember Winholtz stated this is not about the Wastewater Treatment Plant it is about the Collection System, which operated with four people prior to adding the fifth person and she would like to wait a few months before replacing that fifth position.

Councilmember Borchard requested the motion include to direct staff to begin the negotiation process.

Mayor Peters stated she would make a separate motion.

VOTE: The motion carried with Councilmember Winholtz voting no. (4-1)

MOTION: Mayor Peters moved the City Council direct staff to begin negotiations for new contracts. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

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D-2 AUTHORIZATION TO FILL THE ASSOCIATE PLANNER POSITION AT THE ASSISTANT PLANNER LEVEL; (PUBLIC SERVICES)

Public Services Director Rob Livick stated with only one permanent planner, the Planning Manager, administering the duties of the Planning Division and the Building Division, it is literally impossible to continue operating under these conditions without placing the City at considerable risk due to a number of factors including, but not limited to, compliance with the State Permit Streamlining Act, timeframes set forth in the California Environmental Quality Act, Coastal Development Permits, analysis of development proposals, plan check accuracy, planning inspections, code compliance, business license review, zoning inquires and general public assistance. Several times in the past the concept of outsourcing planning services has come up as a potential solution. Several times in the past the concept of outsourcing planning services has come up as a potential solution. In this regard, last year staff obtained a proposal from a consultant that has familiarity and experience with Morro Bay to handle the processing on four projects of varying complexity, which estimated cost was \$29,340. Recently there have been a number of advanced planning projects under consideration. Generally current planning projects take priority over advance projects as they are applicant sponsored and represent immediate development or new business opportunities. As such it is often difficult to find windows of time to work on advance projects and many times the projects become fractionalized and take many years to complete. Staffing the Planning Division with two full-time planners would help in providing a fixed number of hours available for both current and advanced projects. Mr. Livick recommended the City Council authorize the hiring of the recently vacated position of the Associate Planner at the Assistant Planner level.

Councilmember Winholtz stated she would be more likely to support this if it was a promotion.

Councilmember Grantham stated he is supportive of authorizing the hiring of the Assistant Planner position.

Councilmember Smukler stated it is difficult to support this position because he is aware of potential customers who were not well-received by the planning department. He said he will reluctantly support authorizing this position.

Councilmember Borchard agreed that she has also received comments from members in the community who are being challenged in getting things accomplished in the planning department. Councilmember Borchard stated she is concerned if it is a timing issue, and does not want to slow the process down so she will support the hiring of this position; however, she does want to expedite the negotiation process to address benefits.

Mayor Peters stated it is important to encourage the positive attitude in the working environment of the planning department right now and to have someone that may be interested and has one year experience is vital. Mayor Peters said she will support to authorize the hiring of this position.

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MOTION: Councilmember Grantham moved the City Council authorize the hiring of the recently vacated position of the Associate Planner at the Assistant Planner level. The motion was seconded by Councilmember Smukler and carried unanimously. (5-0)

D-3 REVIEW OF DRAFT AMENDMENT TO CHAPTER 12.08 OF THE MORRO BAY MUNICIPAL CODE ADDING A LANDMARK TREE SECTION AND APPROVAL OF A REVISED MASTER STREET TREE LIST; (PUBLIC SERVICES)

Public Services Director Rob Livick stated an ad-hoc volunteer tree committee was formed to review and update the City's policies and procedures as they relate to trees. The tree committee has been working on revisions to the Master Street Tree list, and other tree lists along with a revision to the City's Municipal Code to include provisions for the recognition and preservation of landmark trees. The committee is currently discussing regulations regarding trees on private property, and has also proposed an update to the Master Street Tree list. The committee has reviewed the subject of landmark trees and has made recommendations for modifying the City's Municipal Code to recognize and protect these landmark trees. The committee has concluded that trees have an essential role supporting Morro Bay's economic and physical health and are a key element in Morro Bay's famous scenic beauty and wildlife habitat. Landmark tree recognition, designation, protection, and proactive maintenance is an important step in establishing valuable control measures to preserve our history as the City of Morro Bay evolves in the future. A new definition "Specimen Tree" is also being suggested, which would be defined as a tree that obviously belongs to a particular category but is of particular interest due to its individual distinguishing characteristics, such as color, texture, scent, or other pleasures it provides. Mr. Livick recommended the City Council approve the revised Master Street Tree list, endorse the other lists as suggestions, and review the proposed modifications to the Municipal Code, and direct staff to return with an ordinance as proposed or with modifications for first reading and introduction.

Councilmember Winholtz expressed concern with eliminating the Blue-Gum Eucalyptus from the Open Space and Park Area list because that is what dominates our State Park and it is within the City boundaries. She also does not want to eliminate the Monterey Pine from the Open Space and Park Area list because those that are still remaining still have some resilience. Councilmember Winholtz read a determination on the Monterey Pine from Richard Hawley President of Green Space in Cambria who also came up with a variety that was hardy enough to resist the pitch canker disease.

Councilmember Smukler would like to add Coast Live Oak (*Quercus agrifolia*) and Channel Islands Oak (*Quercus tomentella*) to the Private Residence list. He said the City does not have the resources to cut down trees that are not on the list, especially healthy trees. Councilmember Smukler stated it is important that there is a canopy tree growing in the downtown district of the City, which will take years to accomplish.

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Mayor Peters stated she does agree removing the Blue Gum Eucalyptus from the Open Space and Park Area list because it does create problems and it is not native; however, she would like to maintain the Monterey Pine on the Master Tree list if planted in the right place.

MOTION: Councilmember Winholtz moved the City Council accept the changes to the Ordinance as presented with the addition of the definition of Specimen Tree as Item (H); and, the mandatory list be accepted as is, and the second list include the Monterey Pine and Blue Gum Eucalyptus. The motion failed due to lack of a second.

MOTION: Councilmember Borchard moved the City Council accept the changes to the Ordinance as presented with the addition of the definition of Specimen Tree as Item (H); and, the mandatory list be accepted as is, and the second list include the Monterey Pine. The motion was seconded by Councilmember Grantham.

Councilmember Smukler requested to amend the motion to include the Monterey Pine (*Pinus radiata*) to the Parks and Open Space and Master Tree lists; and, add the Coast Live Oak (*Quercus agrifolia*) and Channel Islands Oak (*Quercus tomentella*) Private Residence and Greywater Tree lists; the amendment was accepted by Councilmember Borchard and Councilmember Grantham.

VOTE: The motion carried with Councilmember Winholtz voting no. (4-1)

D-4 REQUEST TO APPROVE A RESPONSE TO THE GRAND JURY REGARDING
SOLAR ENERGY; (ADMINISTRATION)

City Manager Andrea Lueker stated on June 22 2010, the City received a report prepared by the San Luis Obispo County Grand Jury entitled “To Go Solar or Not To Go Solar”. The Grand Jury report originated from a perceived lack of information and direction in the County on the topic of renewable energy, with the appearance that the County and surrounding cities are not utilizing the full potential of solar energy. Ms. Lueker recommended the City Council direct staff to send the attached letter to the Presiding Judge of San Luis Obispo County Superior Court responding to the Grand Jury reports entitled “To Go Solar or Not to Go Solar”.

Council reviewed the draft letter and made some amendments.

MOTION: Mayor Peters moved the City Council direct staff to send the letter as amended by Council to the Presiding Judge of San Luis Obispo County Superior Court responding to the Grand Jury reports entitled “To Go Solar or Not to Go Solar”. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

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D-5 AUTHORIZATION FOR THE CITY OF MORRO BAY TO ACT AS THE LEAD APPLICANT FOR THE JOINT SUSTAINABLE COMMUNITIES PLANNING GRANT (PROPOSITION 84) FOR THE GRANT APPLICATION ENTITLED “SMALL CITIES OF SAN LUIS OBISPO COUNTY CLIMATE ACTION PLAN”; (PUBLIC SERVICES)

Public Services Director Rob Livick stated through Proposition 84 and the State’s Strategic Growth Council, grant funds are available for a variety of local sustainable planning projects. In a cooperative effort the cities of Arroyo Grande, Atascadero, Grover Beach, Paso Robles, Pismo Beach and Morro Bay have developed a proposal entitled “Small Cities of San Luis Obispo County Climate Action Plan”. The scope of the work includes developing a model Climate Action Plan toolbox, developing a CAP for each city tailored to their individual issues, developing and conducting a regional public engagement program and developing model General Plan amendment policies. The grant application guidelines indicate that collaborative, regional applications will have a competitive edge and thus all the small cities agreed to utilize a collaborative approach. However, one city does need to step forward and become the applicant for the application. The group has requested that the City of Morro Bay take this role. Mr. Livick recommended the City Council adopt Resolution 45-10 authorizing the City of Morro Bay to act as the lead agency for the Joint Sustainable Communities Planning Grant for the grant application entitled “Small Cities of San Luis Obispo County Climate Action Plan”.

MOTION: Councilmember Grantham moved the City Council adopt Resolution 45-10 authorizing the City of Morro Bay to act as the lead agency for the Joint Sustainable Communities Planning Grant for the grant application entitled “Small Cities of San Luis Obispo County Climate Action Plan”. The motion was seconded by Councilmember Winholtz and carried unanimously. (5-0)

D-6 DISCUSSION ON AMENDING COUNCIL POLICIES AND PROCEDURES IN REGARD TO CALLING CLOSED SESSION; TO ALL REAL PROPERTY CONTRACTS GOING TO CLOSED SESSION PRIOR TO OPEN SESSION; IN REGARD TO COUNCIL LIAISONS TO ADVISORY BOARDS; AND, IN REGARD TO CITY COUNCIL INPUT ON HIRING AND EVALUATION OF DEPARTMENT HEADS; (CITY ATTORNEY)

City Attorney Robert Schultz stated the City Council requested staff to provide a report on adding to and amending sections of the Council Policies and Procedures Manual regarding calling closed session, real property contracts going to closed session prior to open session, Council appointments to advisory boards and City Council input on hiring and evaluation of Department Heads. Mr. Schultz recommended the City Council review the amendments provided, and direct staff to return to the City Council with a resolution amending the Council Policies and Procedures Manual in regard to calling closed session; to all real property contracts going to closed session prior to open session; in regard to Council liaisons to Advisory Boards; and, in regard to City Council input on hiring and evaluation of Department Heads.

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The City Council discussed the following procedures:

CALLING CLOSED SESSION

1.3.10 CLOSED SESSION MEETINGS (closed to the public)

- 1.3.10.1 Closed Session Meetings may be called by the majority of the Council and are regulated pursuant to the Brown Act. The most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the City or compromise the privacy interests of employees. Closed sessions should be conducted keeping those narrow purposes in mind.

Councilmember Winholtz and Councilmember Smukler stated they would prefer a Closed Session meeting be called by two members of Council.

Councilmember Borchard and Councilmember Grantham stated they prefer a Closed Session meeting be called by a majority of Council

MOTION: Mayor Peters moved the City Council approve Section 1.3.10 (Closed Session Meetings) of the Council Policies and Procedures Manual as presently written. The motion was seconded by Councilmember Borchard and carried with Councilmember Smukler and Councilmember Winholtz voting no. (3-2)

REAL PROPERTY TRANSACTIONS

4.2.8 CLOSED SESSIONS MAY BE HELD TO DISCUSS:

- 4.2.8.1 Real Property. The purchase, sale, exchange or lease of real property with the City's negotiator; the real property and the person(s) with whom the City may negotiate must be announced in open session prior to the closed session. (GC54956.8). Prior to any final closed session on Real Property, Council will be provided with a copy of the draft agreement.

Councilmember Winholtz stated she would like it to be mandatory for all real property transactions to go to Closed Session meeting prior to being heard in open session.

Council agreed that all real property transactions shall come before them in Closed Session.

COUNCIL LIAISONS TO ADVISORY BOARDS

6.2 OTHER COUNCIL REPRESENTATION, SUBCOMMITTEES

6.2.1 COUNCIL LIAISON ASSIGNMENTS

~~The Mayor shall have discretion to assign individual Members of Council to a liaison role with Community organizations or events. At the Mayor's discretion, an additional Council Member can be appointed for each such liaison assignment.~~ **The City Council shall assign a** Council liaison ~~shall be assigned~~ to each of the following advisory boards: Recreation & Parks Commission, Harbor Advisory Board, Public Works Advisory Board, Community Promotions Committee, and Tourism Business Improvement District Advisory Board.

The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, members ~~may elect to~~ **should either** attend commission meetings ~~periodically to observe the activities of the advisory body or simply~~ **or watch the meeting broadcasts, and** maintain communication with the commission ~~chair~~ on a regular basis.

Members should be sensitive to the fact that they are not participating members of the commission, but are there rather to create a linkage between the City Council and the commission. In interacting with commissions, Council Members are to reflect the views of the Council as a body. Being a Commission liaison bestows no special right with respect to Commission business.

MOTION: Mayor Peters moved the City Council approve Section 6.2 (Council Liaisons to Advisory Boards) of the Council Policies and Procedures Manual as amended. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

6.3.3 COUNCIL MEETINGS

6.3.3.1 Members of an advisory board are free to appear and give testimony before Council using the public microphone, after identifying whether they are speaking as a representative of the advisory board or as a private citizen.

6.3.3.2 Reports to Council must be in written form.

6.3.3.3 Advisory boards will provide quarterly **written or oral** reports to the City Council on a rotating member basis.

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MOTION: Mayor Peters moved the City Council approve Section 6.3.3 (Council Meetings) of the Council Policies and Procedures Manual as amended. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

COUNCIL INPUT ON HIRING DEPARTMENT HEADS

The Morro Bay Municipal Code Section 2.12.090 provides the following:

It shall be the duty and responsibility of the city manager to and he/she shall appoint, remove, promote and demote any officers and employees of the city, except the city attorney, subject to the provisions of Chapter 2.32 and resolutions, rules and regulations adopted pursuant thereto.

However, in the past there has been City Council input in both the hiring of Department Heads and evaluations of Department Heads. Staff presents the following verbiage for inclusion in the Council Policies and procedures:

5.5 INPUT ON HIRING AND EVALUATION OF DEPARTMENT HEADS

5.5.1 HIRING

In an outside recruitment situation where the City Manager is hiring a Department Head, the City Council, as a group will be invited to an informal social setting, such as lunch, to meet the top candidates for the position. Following the event, Council members will provide the City Manager with any comments regarding the candidates prior to the final decision of the City Manager.

Councilmember Grantham stated he is in opposition of placing this section in the Council guidelines because the City Council is not a part of the hiring process and it is micromanaging.

Councilmember Winholtz stated she does not agree with Councilmember Grantham's request to remove section 5.5.1 (Hiring) because it is valuable for Council to know what kind of candidates are coming to the City.

Councilmember Smukler agreed with Councilmember Winholtz that the department head positions are prominent positions in the community, and this is an informal way for the City Council to have interaction with candidates and to offer the City Manager with comments.

In an internal recruitment situation, the City Manager will provide the hiring plan to the City Council in a closed session, and Council members will have an opportunity for comments, prior to final hiring.

Councilmember Borchard requested to remove the words "In an internal recruitment situation," in this paragraph.

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5.5.2 INPUT ON EVALUATION OF DEPARTMENT HEADS

Prior to the City Manager's completion of the annual evaluation of each Department Head (usually in December of each year), the City Council will be asked to submit in writing any comments, **that will remain confidential**, they would like the City Manager to consider in regard to the performance of the Department Head.

MOTION: Mayor Peters moved the City Council approve 5.5 (Input on Hiring and Evaluation of Department Heads) of the Council Policies and Procedures Manual as amended. The motion was seconded by Councilmember Winholtz and carried with Councilmember Borchard and Councilmember Grantham voting no. (3-2)

D-7 LETTER REGARDING THE REGISTRATION FEE TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING; (COUNCIL)

Councilmember Winholtz stated the League of California Cities holds its annual business meeting at the end of its annual conference each September. The annual business meeting is an opportunity for cities to vote on resolutions that form policy. To attend the annual meeting and participate in voting, a city's designated voter must pay to attend at least the last day of the conference. Councilmember Winholtz stated the fee to vote should be eliminated or greatly reduced, and suggested sending a letter to the County Mayors monthly meeting for discussion. If it is received favorably, then a similar letter or resolution should be sent onto the Channel Counties Division of the League of California Cities to be discussed at a quarterly meeting.

MOTION: Councilmember Winholtz moved the City Council send the proposed letter to the San Luis Obispo County Mayors for their review. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

E. DECLARATION OF FUTURE AGENDA ITEMS

Councilmember Winholtz requested to agendaize a discussion on amending the City tree list.

ADJOURNMENT

The meeting adjourned at 9:13 p.m.

Recorded by:

Bridgett Kessling
City Clerk