

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY
OF THE CITY OF SOUTH PASADENA
CONVENED THIS 3RD DAY OF OCTOBER, 2012 7:19 P.M.
AMEDEE O. "DICK" RICHARDS, JR., COUNCIL CHAMBERS
1424 MISSION STREET**

**ROLL CALL, INVOCATION,
PLEDGE OF ALLEGIANCE**

Mayor Cacciotti convened the open session of the regular meeting of the South Pasadena City Council/Redevelopment Successor Agency (Agency) at 7:19 p.m. City Clerk/Agency Secretary Kilby called the roll. City Councilmembers/Agency Members present: Joe, Khubesrian and Schneider; Mayor Pro Tem/Agency Vice Chair Putnam; and Mayor/Agency Chair Cacciotti. Absent: None. Other Officials present: City Manager/Agency Executive Director Gonzalez; Assistant City Manager Straus; City Attorney/Agency Counsel Adams; Police Chief Payne; Fire Chief Wallace; Finance Director Thai; City Librarian Fjeldsted; Public Works Director Toor; Community Services Director Pautsch; Planning and Building Director Watkins; Transportation Manager Woods; Assistant Finance Director Batt; Deputy City Clerk Jimenez; and City Clerk Kilby.

South Pasadena High School Associated Student Body (ASB) Officers Peter Seo, Shannon Zheng, and Phoebe On-Yang led the Pledge of Allegiance.

**CLOSED SESSION
ANNOUNCEMENTS**

City Attorney Adams said that shortly after 6:00 p.m., Mayor Cacciotti called to order the regular meeting of the South Pasadena City Council and the Redevelopment Successor Agency. He reported that there was no one who wanted to speak on items on the Closed Session agenda. He said Mayor Cacciotti recessed the City Council meeting into Closed Session to address items on the agenda. The City Council met in a conference with legal counsel—existing litigation, allowed into Closed Session pursuant to Government Code Section 54956.9(a), Social Mobile Vendors Association v. City of South Pasadena. He said he provided the City Council with an update with regard to this litigation. The City Council made no decisions on the matter, he said. The City Council met on labor negotiations, he said, which is allowed into Closed Session pursuant to Government Code Section 54957.6, conference with

labor negotiators regarding all of the bargaining units of the City with the exception of the Fire Department Battalion Chiefs' Association. He said the City negotiators were City Manager Sergio Gonzalez and Legal Counsel Richard Kreisler, and that they provided the City Council (Council) with an update with regard to ongoing negotiations. However, he said, no final action was taken. He said the Council was not able to discuss Item #5, a personnel item, and Item #6, labor negotiations, with regard to the position of City Attorney. He said it is the intent of the City Council to complete Open Session before 10:00 p.m. and recess back into Closed Session to take up those items.

**PRESENTATION OF A
PROCLAMATION
DECLARING OCTOBER 3,
2012, AS "WALK OR BIKE
TO SCHOOL DAY"**

Mayor Cacciotti presented a proclamation declaring October 3, 2012, as "Walk or Bike to School Day" to Youth Commission Chair Ryan Nakakura and Commission Members Matthew Chen and Nour Mallat. They made remarks.

**PRESENTATION OF CERTI-
FICATES OF RECOGNITION
TO ELLEN DAIGLE, PEGGY
CHERNG, AND CYNTHIA
BENNETT, WHOSE BUSI-
NESSES WERE RECOG-
NIZED BY THE *LOS ANGE-
LES BUSINESS JOURNAL*, IN
AUGUST 2012, AS PART OF
THE 100 LARGEST WOMEN-
OWNED L.A. COUNTY-
BASED BUSINESSES
RANKED BY REVENUE**

Mayor Cacciotti presented a Certificate of Recognition to Cynthia Bennett (Cynthia Bennett & Associates) whose business was recognized by the *Los Angeles Business Journal*, in August 2012, as part of the 100 Largest Women-Owned L.A. County-Based Businesses Ranked by Revenue. Councilmember Khubesian presented a Certificate of Recognition to Ellen Daigle (Ellen's Silkscreening), whose business was also listed as one of the 100 Largest Women-Owned L.A. County-Based Businesses. Councilmember Joe acknowledged the contributions made by both recipients. Mayor Cacciotti said that honoree Peggy Cherng, whose business, Panda Restaurant Group, was also included on the *Los Angeles Business Journal* list, was unable to attend to accept a certificate.

**PRESENTATION OF THE
2011-12 ANNUAL REPORT OF
THE PARKS AND
RECREATION COMMISSION**

Mike Gin, Vice Chair, Parks and Recreation Commission, presented the Commission's 2011-12 Annual Report. Mayor Pro Tem Putnam reported on a new "senior playground" concept and asked that the article he was reading from be forwarded to Commissioner Gin.

**EMPLOYEE HIGHLIGHT:
SERGIO SOLORZANO,
LIBRARY**

City Manger Gonzalez introduced Library employee Sergio Solorzano, who made a presentation about his duties at the Library. He responded to questions.

**COUNCILMEMBERS'
COMMENTS (3 MINUTES
EACH)**

Councilmember Joe announced the upcoming Moon Festival. He expressed concern about recent comments made by Police Chief Payne via the Nixle public safety notification system. He objected to the system being used for what he described as a possible political tool. He asked the City Manager to address this issue, and to provide guidelines to the staff on the proper use of the Nixle system for any alert—advisory or community. This was seconded by Mayor Cacciotti.

Mayor Pro Tem Putnam announced an upcoming Dumpster Day. He discussed the controversial issue regarding food trucks, which he said had been raised by local restaurants at a recent City Council meeting. He said he has asked the City Manager and the Executive Director of the Chamber of Commerce to work together in keeping local restaurants advised about the issue. He announced the availability of tax relief for those who experienced uninsured losses from the November 2011 windstorm. He said the City Clerk's Office will have information about the application process.

He said a recent *Wall Street Journal* article pointed out the dangers of "texting while parenting." He said there has been an increase in children's injuries due to parents being distracted by texting.

Councilmember Schneider requested that the City Council reconsider its resolution setting the start time of meetings. He said that the Council is often running short of time due to the business of the Closed Session, which he said is held just prior to the Open Session. He said the City Council might want to adjust the start time of the Closed Session and/or the Open Session. This was seconded by Mayor Pro Tem Putnam.

Councilmember Schneider requested that the City Council consider cancelling the regular City Council meeting scheduled for Thanksgiving Eve, November 21, 2012. Councilmember Joe asked to amend the motion to ask the City Council to also consider cancelling the Closed Session for the regular City Council meeting scheduled for December 19, 2012. Councilmember Schneider accepted the friendly

amendment and included both requests in his motion. Mayor Pro Tem Putnam seconded the motion.

Councilmember Schneider said he received a letter from the City of Los Angeles LA-32 Neighborhood Council dated May 1, 2012, objecting to one of the City's policies regarding the multi-mode low-build alternative. He said that this letter deserves a response from the City Council. He requested that the City Council investigate and discuss the issue at the next meeting, seconded by Councilmember Joe.

Councilmember Khubesrian announced upcoming forums related to the upcoming November General Election. She expressed support for Proposition 37, which she said concerns labeling genetically modified foods. She thanked former South Pasadena Farmer's Market Manager Greta Dunlap, who recently resigned, on a job well done. She described Ms. Dunlap's many contributions and efforts to improve the Market. Councilmember Joe concurred.

Mayor Cacciotti announced an upcoming meeting October 15, 2012, to focus on the design of a pedestrian and bicycle path along the Arroyo from Pasadena to South Pasadena.

Mayor Cacciotti requested that background materials on grants received from the South Coast Air Quality Management District for electric vehicle charging stations be remanded to the Natural Resources and Environmental Commission. He said he wanted direction on station location and specifications, e.g., size, shape, and accessibility issues for the disabled. This was seconded by Councilmembers Schneider and Khubesrian.

Mayor Cacciotti expressed appreciation to staff for its work to organize the recent SR-710 Forum. He reported on recent developments on the issue. He announced an upcoming event honoring Ray Bradbury.

**CITY MANAGER
COMMUNICATIONS**

City Manager Gonzalez introduced Assistant City Manager Straus, who explained details of the upcoming strategic planning session on November 3, 2012. Mayor Cacciotti invited the public to participate.

City Manager Gonzalez introduced Public Works Director Toor, who he said made it possible to award a contract for the Wilson Reservoir Replacement Project (Item #16) tonight. He said he wanted to thank Director Toor publicly. Mr. Toor said that the City is undertaking \$15 million worth of improvements over the next three to five years.

**REORDERING OF AND
ADDITIONS TO THE
AGENDA**

City Manager Gonzalez said that Item #20, approval of a resolution authorizing the transmittal of the Due Diligence Review to the Oversight Board, is required. He requested moving this item to the Consent Calendar. Mayor Cacciotti determined that there were no public comment cards submitted for this item. Without objection, Mayor Cacciotti said that this item was moved to the Consent Calendar (#20), which will follow Consent Calendar Item #15.

**ITEMS REMOVED FROM
THE CONSENT CALENDAR**

Councilmember Schneider requested that Item #9, Minutes, be removed from the Consent Calendar for separate consideration.

**APPROVAL OF PREPAID
WARRANTS IN THE
AMOUNT OF \$1,430,058.94,
GENERAL CITY
WARRANTS IN THE
AMOUNT OF \$286,605.56
AND PAYROLL IN THE
AMOUNT OF \$398,358.33**

By roll call vote (5 ayes), the City Council approved Prepaid Warrants #175000-175049 in the amount of \$1,430,058.94, General City Warrants #175050-175183 in the amount of \$286,605.56, and payroll 09-28-12 in the amount of \$398,358.33, for a total of \$2,115,022.83. Sitting as the Successor Agency to the Community Redevelopment Agency, the City Council approved Redevelopment Successor Agency warrants for \$62,061.77 (included in above total).

(Putnam, Khubesrian)

**AUTHORIZE CITY
MANAGER TO EXECUTE
SUBRECIPIENT
AGREEMENT BETWEEN
THE COUNTY OF LOS
ANGELES AND THE CITY
OF SOUTH PASADENA FOR
GRANT YEAR 2011
HOMELAND SECURITY
GRANT PROGRAM**

By roll call vote (5 ayes), the City Council approved the proposed agreement and exhibits between the City of South Pasadena and the County of Los Angeles for the FY 2011 Homeland Security Grant Program; and authorized the City Manger to execute the agreement and all related documents, including contract amendments.

(Putnam, Khubesrian)

**RESOLUTION NO. 7244
APPROVING FINAL
PARCEL MAP NO. 71502
FOR 1253 HUNTINGTON
DRIVE**

By roll call vote (5 ayes), the City Council approved Resolution No. 7244, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 71502, and authorized the recordation of the Final Map with the Los Angeles County Recorder's office.

(Putnam, Khubesrian)

**RECEIVE AND FILE COPY
OF SUPPLEMENTAL LAW
ENFORCEMENT SERVICES
FUNDS (SLEF) ANNUAL
EXPENDITURE REPORT
FOR FISCAL YEAR 11-12**

By roll call vote (5 ayes), the City Council received and filed the Supplemental Law Enforcement Services Funds (SLEF) Annual Expenditure Report for Fiscal Year 11-12.

(Putnam, Khubesrian)

**RESOLUTION NO. 7245
TO SUSPEND BUSINESS
LICENSE OF KING SPA,
INC., LOCATED AT 1318
HUNTINGTON DRIVE,
SOUTH PASADENA,
PURSUANT TO SOUTH
PASADENA MUNICIPAL
CODE SECTIONS 18.35
THROUGH 18.38, FOR 15
DAYS COMMENCING ON
NOVEMBER 1, 2012**

By roll call vote (5 ayes), the City Council approved Resolution No. 7245, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, RENDERING A DECISION ON THE BUSINESS LICENSE REVOCATION COMPLAINT AGAINST KING SPA LOCATED AT 1318 HUNTINGTON DRIVE, memorializing the action the City Council took on September 19, 2012, suspending the business license of King Spa, Inc., located at 1318 Huntington Drive, for 15 days beginning November 1, 2012.

(Putnam, Khubesrian)

**SECOND READING AND
ADOPTION OF
ORDINANCE NO. 2236
TO INCREASE THE
NUMBER OF MEMBERS OF
THE PUBLIC SAFETY
COMMISSION FROM FIVE
TO SEVEN AND TO
INCREASE THE NUMBER
OF REGULAR MEETINGS
FROM SIX TO A MAXIMUM
OF TEN PER YEAR**

By roll call vote (5 ayes), the City Council read by title only for second reading, waiving further reading, and adopted Ordinance No. 2236, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SECTIONS 2.40 (CREATION) AND 2.42 (MEETINGS) OF ARTICLE IVB (PUBLIC SAFETY COMMISSION) OF CHAPTER 2 (ADMINISTRATION) OF THE SOUTH PASADENA MUNICIPAL CODE RELATING TO THE COMPOSITION AND MEETING SCHEDULE OF THE PUBLIC SAFETY COMMISSION.

(Putnam, Khubesrian)

**APPROVAL OF
RESOLUTION NO. 7246 SA
AUTHORIZING THE
TRANSMITTAL OF THE
DUE DILIGENCE REVIEW
TO THE OVERSIGHT
BOARD**

By roll call vote (5 ayes), the City Council, seated as the Successor Agency to the South Pasadena Community Redevelopment Agency, approved Resolution No. 7246 SA, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF SOUTH PASADENA, AUTHORIZING SUCCESSOR AGENCY STAFF TO TRANSMIT THE DUE DILIGENCE REVIEW TO THE OVERSIGHT BOARD AND TO OTHER STATE AGENCIES PURSUANT TO THE HEALTH AND SAFETY CODE.

(Putnam, Khubesrian)

**APPROVAL OF THE
MINUTES OF THE
REGULAR MEETING OF
SEPTEMBER 19, 2012**

Councilmember Schneider requested that the wording of one section of the minutes from the September 19, 2012, meeting related to the motion approved by the City Council on water rates and water budget rate models be modified (page 237 of minutes). He said the wording of a statement about meter size/fixed charges/variable costs, etc., should be changed. He said the statement: “. . . using the tiered by meter size model and a 50% fixed costs to variable costs ratio . . .” should be restated. It is not a ratio, he said, but a total of fixed costs to total costs. City Clerk Kilby agreed to confer with Finance Director Thai and make the changes. Councilmember Schneider said it was just a matter of conveying the right meaning.

By roll call vote (5 ayes), the City Council approved the minutes of the regular meeting of September 19, 2012, as amended.

(Putnam, Schneider)

**PUBLIC COMMENT
Upcoming political forums**

Diana Mahmud, no address stated, announced upcoming forums for candidates and propositions on the November 6, 2012, General Election ballot. She responded to questions.

**AWARD OF CONTRACT TO
PACIFIC HYDROTECH
CORPORATION IN THE
AMOUNT OF \$7,869,900 FOR**

Public Works Director Toor presented the staff report on the award of contract to Pacific Hydrotech Corporation in the amount of \$7,869,900 for the Wilson Reservoir Replacement Project. He said this

**THE WILSON RESERVOIR
REPLACEMENT PROJECT**

project will take two years. He responded to questions.

Mayor Pro Tem Putnam requested that City staff review its standard contract template to consider modifying the provision for \$500/day in liquidated damages and to consider increasing the amount for large projects.

Mayor Cacciotti requested that drought-tolerant plants be utilized in the landscaping; Public Works Director Toor said that any plans must be approved by the City of San Gabriel, where the reservoir is located. He said staff will work with that City and the contractor.

Carrie Adrian, 602 Garfield Avenue, Chair, Finance Committee, complimented Public Works Director Toor for his efforts on the project. She said that the Committee, which was concerned with the cost of water should the Wilson Reservoir fail, brought this issue to the City Council, and is the reason the Committee proposed obtaining water bonds to complete water infrastructure projects. On behalf of the Finance Committee, she expressed pleasure that the project is progressing.

By roll call vote (5 ayes), the City Council reviewed the proposed Mitigated Negative Declaration and awarded a construction contract to Pacific Hydrotech Corporation for the Wilson Reservoir Replacement Project; rejected all other bids received; and authorized the City Manager to enter into a contract with Pacific Hydrotech Corporation for a not-to-exceed amount of \$7,869,900, in substantially the same form as that proposed.

(Putnam, Schneider/Khubesrian)

Mayor Cacciotti requested that large-sized photographs of the City's reservoirs and other infrastructure facilities be displayed at the upcoming November 3, 2012, strategic planning session.

Councilmember Joe said that a representative from Congressperson Judy Chu's office and Bill Steele, from the Bureau of Reclamation, have toured the

reservoirs and may be able to assist with some funding.

**APPROVAL OF AN
AMENDMENT TO THE
ARROYO SECO GOLF
COURSE OPERATIONS
MANAGEMENT AGREE-
MENT WITH DONOVAN
BROS. GOLF, LLC**

Community Services Director Pautsch presented the staff report on the approval of an amendment to the Arroyo Seco Golf Course Operations Management Agreement with Donovan Bros. Golf, LLC. She and City Attorney Adams responded to questions.

Diana Mahmud, no address stated, raised questions about the agreement. She said a contract is not typically renewed midway through the term. She asked why the project was not reviewed by the Parks and Recreation Commission.

City Manager Gonzalez provided background on the issue. He said the City Council initially approved a 48-month agreement, in anticipation that it would convert to a lease agreement, not a management agreement. In the intervening year, he said, staff has determined that a management agreement would be more favorable to the City. That is why the agreement is being brought back now, he said. The original lease option is being abandoned.

By roll call vote (5 ayes), the City Council remanded the proposed amendment to the Arroyo Seco Golf Course Operations Management Agreement with Donovan Bros. Golf, LLC, to the Parks and Recreation Commission for its review and recommendations. Following this, the City Council directed that the amendment be returned to the City Council for reconsideration.

(Joe, Khubesrian)

**FIRST READING AND
INTRODUCTION OF AN
ORDINANCE TO AMEND
THE SOUTH PASADENA
MUNICIPAL CODE
RELATING TO PENALTIES
FOR THE UNLAWFUL
REMOVAL, RELOCATION,
AND TRIMMING OF
PROTECTED TREES**

Senior Planner Mayer presented the staff report on the proposed ordinance to amend the South Pasadena Municipal Code relating to penalties for the unlawful removal, relocation, and trimming of protected trees. He responded to questions. Mayor Pro Tem Putnam expressed appreciation to City Prosecutor Joan Jenkins; he said that she made recommendations for some of the changes that are included in the proposed amended tree ordinance and provided prosecutorial advice to the City Council. Councilmember Schneider asked how the new ordinance would be

made known to developers. City Manager Gonzalez said a variety of avenues would be utilized to communicate the changes.

By roll call vote (5 ayes), the City Council read by title only for first reading, waiving further reading, and introduced AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 34 (TREES AND SHRUBS), ADDING: SECTION 34.7.5 RELATED TO REPLACEMENT TREES; AMENDING SECTION 34.1 (DEFINITIONS); AMENDING SECTION 34.12 (PENALTIES); AMENDING SECTION 34.3 (VIOLATIONS); AND AMENDING CHAPTER 36 (ZONING) WITH THE ADDITION OF SUB SUBSECTIONS "I-IV" TO SECTION 36.410.020 (B)(1)(A)(2) (PLANNING CLEARANCES REQUIRED) OF THE SOUTH PASADENA MUNICIPAL CODE RELATING TO PENALTIES FOR THE UNLAWFUL REMOVAL, RELOCATION, AND TRIMMING OF PROTECTED TREES IN THE CITY OF SOUTH PASADENA.

(Putnam, Schneider)

Mayor Cacciotti requested that a card or similar handout be provided to violators of the noise ordinance.

**APPROVAL OF PROPOSED
WATER RATES; SET A
PUBLIC HEARING DATE
ON DECEMBER 5, 2012; AND
APPROVAL OF THE
PUBLICATION OF THE
PROPOSITION 218 NOTICE
FOR WATER RATES**

Finance Director Thai presented the staff report on the proposed water rates and related issues. He and City Manager Gonzalez responded to questions.

Diana Mahmud, no address stated, Member, Natural Resources and Environmental Commission, said she did not understand why multi-family residences cannot be included in the water budget. She cautioned against treating customers in different ways. She expressed concern about the way staff has implemented the recommendation of the Water Council and the City Council to implement the "pass-throughs" under the Government Code. She said she has not seen an interpretation of a "pass-through" as being what is over and above what is assumed to be the case. She said it is easier to adjust the rates as the data on rate increases becomes

available. She said currently there is insufficient information upon which to make a determination that the rates are reasonable. She made related remarks. She urged the City Council to involve the Natural Resources and Environmental Commission in future projects of this type.

Werner Hintzen, 1816 Via Del Rey, said changing from bimonthly to monthly billing will result in a 13-month cash flow in 2013, or an 8 1/3% increase. It will also disadvantage those with fluctuating usage, he said. Together, he said, this results in a 9% increase in cash revenues. He asked whether these factors were considered in proposing 2013 rates.

Questions and discussion followed. City Manager Gonzalez, Finance Director Thai, and Sudhir Pardiwala, Vice President, Raftelis Financial Consultants, Inc., responded to questions. Commissioner Mahmud provided additional public comment, stating that the water budget model is vulnerable to legal challenge because of the disparate way it treats residential customers—single-family vs. multi-family. She said the “pass-through” as written may not be legal. Following further discussion, she said that if the City builds in a simple assumption for the increases for the debt service, rate increases will be needed on an annual basis only because rates will automatically adjust with the wholesale cost increases and inflation.

By roll call vote (5 ayes), the City Council approved the proposed water rates; set a public hearing date of December 5, 2012, to consider the proposed water rates; and approved the publication of the Proposition 218 notice for 2013-2015 water rates, with minor language modifications and a recalculation of pass-through charges based on actual increases rather than projected increases. In the section of the proposed Proposition 218 notice relating to pass-through rate increases, the City Council made the following wording changes [deletions shown in strike through; additions shown in underline]: “The agencies that provide wholesale water to the City are projecting rate increases each of the next three years. Pursuant to Government Code 53756, this proposal passes through increases in

wholesale water rates ~~that are in excess of the assumptions used to calculate rates.~~ and cost increases at the City due to inflation. This proposal will allow pass-through cost increases at the City due to inflation ~~that are in excess of the assumptions used to calculate rates.~~ and due to increases in water purchase costs. The inflationary increase will be based on the All Urban Consumer Price Index for the Los Angeles area for the previous calendar year.”

The City Council directed that the Proposition 218 increases be recalculated to reflect this change in the pass-through charges and that the Proposition 218 notice to all property owners and water customers be revised to reflect the change. The City Council directed that multi-family residences be billed as single-family residential structures (not commercial), and that the proposed rate chart on the Proposition 218 notice be modified to reflect this.

The City Council directed that the City continue bimonthly billing for one year, switching to monthly billing in year two, unless the water-efficiency model is not adopted by the City Council. In that case, the City Council directed that bimonthly billing continue.

Prior to the December 5, 2012, hearing, the City Council directed staff to return to the City Council with an analysis of the full pass-through option, along with other options, with the understanding that during the hearing on December 5, 2012, the City Council can choose to adopt the proposed provisions or approve a lower rate, or implement the rate increase for one year instead of for the proposed and noticed three-year period.

The City Council directed that at the end of the first year, the proposed water rates and related issues be remanded to the Natural Resources and Environmental Commission for analysis and recommendations.

(Putnam, Khubesrian)

**RECEIVE AND FILE THE
FOURTH QUARTER
FINANCIAL REPORT FOR
THE ARROYO SECO GOLF
COURSE**

Due to the late hour, this item was postponed.

**A SUMMARY LIST OF
EXISTING CITY PROPERTY
LEASES AND
PROFESSIONAL SERVICE
AGREEMENTS AND
CONTRACTS**

Due to the late hour, this item was postponed.

**RECESS TO CLOSED
SESSION**

Mayor Pro Tem Putnam made a motion to recess into Closed Session, seconded by Councilmember Khubesian. No objections were voiced. The City Council recessed at 10:38 p.m. and left the Council Chambers to reconvene in the City Hall City Manager's Conference Room, Second Floor.

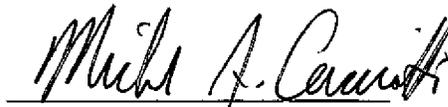
ADJOURNMENT

City Manager Gonzalez reported out of Closed Session that the City Council recessed back into Closed Session at approximately 10:40 p.m. to discuss Items #5 and #6 on the Closed Session agenda. With regard to item #5, related to the performance evaluation of the City Attorney, which is allowed into Closed Session pursuant to Government Code Section 54957(b)(1), he said that the City Council did not take up this item and directed that this be brought back to the next City Council meeting. With regard to Item #6, related to labor negotiations with the City Attorney, unrepresented employee, which he said is allowed into Closed Session pursuant to Government Code Section 54957.6, the City Council provided direction to the City Manager and took no final action on this item.

The meeting was adjourned by Mayor Cacciotti at 11:05 p.m.



Sally Kilby
City Clerk



Michael A. Cacciotti
Mayor