

MINUTES

CITY COUNCIL
CITY OF COSTA MESA

DECEMBER 13, 2004
SPECIAL MEETING

Mayor Monahan called the Special Meeting of the City Council of the City of Costa Mesa, held in Conference Room 1A of City Hall, to order at 4:30p.m.

PRESENT: COUNCIL MEMBERS: GARY C. MONAHAN
ALLAN R. MANSOOR
ERIC R. BEVER
LINDA W. DIXON
KATRINA A. FOLEY

ABSENT: COUNCIL MEMBERS: NONE

ALSO PRESENT: ALLAN L. ROEDER, CITY MANAGER
KIMBERLY HALL BARLOW, CITY ATTORNEY
JULIE FOLCIK, DEPUTY CITY CLERK
STEVE HAYMAN, ASSISTANT CITY MANAGER

PUBLIC COMMENTS

1. Robert Graham, Costa Mesa, questioned when discussion on the term of the Mayor and Commission appointments would be held; Mayor Monahan the matter may be discussed under the Policies and Procedures matter, but no decision or action would occur.

The Mayor asked if anyone else wished to address the City Council; there was no response and the Mayor declared the Public Comments Section of the agenda closed.

1. DISCUSSION OF CITY COUNCIL REORGANIZATION: City Manager Allan Roeder stated he believed this was a good opportunity to review a number of important housekeeping items with the new City Council and advised that the discussion would focus on the "how to's" of requirements described in the Municipal Code. Mr. Roeder emphasized there was more than one way to perform certain requirements/duties, and any changes to make the processes/procedures more efficient to accomplish those tasks would be welcomed. He advised that several staff members would be making presentations.

A. Review of Process/Procedures

1. Selection of Mayor and Mayor Pro Tem: Deputy City Clerk Julie Folcik reported that there had been an amendment in the Government Code to provide that the City Council shall meet and select from its number a Mayor and a Mayor Pro Tem at the next regular meeting following the declaration of the results of the General Municipal Election. She advised that each term was for one year and proceeded to describe the duties of the Mayor which includes presiding at meetings and signing instruments on behalf of the City and the duties of the Mayor Pro Tem which includes serving in the absence of the Mayor. Ms. Folcik stated that in non-election years, the City Council was required to meet and select a Mayor and Mayor Pro Tem at the first meeting in December.

Ms. Folcik reviewed the nomination process for selection of Mayor and Mayor Pro Tem, pointing out that as the last order of business of the current Mayor, the Mayor would direct the Deputy City Clerk to introduce and conduct the nomination process. The Deputy City Clerk would open the floor for nominations and request a second to each nomination made. At the conclusion of nominations, the public would be invited to

comment. Following public comment, a vote would be taken and if there is more than one nominee, the vote would be taken in the order that the nominations were received. Upon selection of the Mayor, the Mayor would open nominations for Mayor Pro Tem and follow the same process.

Mayor Monahan asked what the procedure would be if there was a desire by City Council to have the terms of Mayor and Mayor Pro Tem extended to two years. City Manager Roeder advised that the term is not spelled out in the Municipal Code and, therefore, was at the discretion of the City Council. Mr. Roeder stated if it was the City Council's intent to have two-year terms, it would be appropriate for the City Council to adopt a resolution, as recommended by the City Attorney and Deputy City Clerk, so specifying, prior to the next selection of Mayor and Mayor Pro Tem.

Mayor Monahan advised that he would be bringing the matter to the City Council in January, since he strongly supported a two-year Mayor's term. He expressed the belief that a Mayor needed two years to interact with other mayors, be active at the League of California Cities, and follow through with City matters.

2. Motions, Substitute Motions and Ruler of Order: City Attorney Kimberly Hall Barlow distributed a two-page handout detailing some of the common motions that City Council may make and the number of votes required for passage. Ms. Barlow emphasized the need for clear and articulate motions. Council colleagues need to understand the motion in order to determine if they wish to second the motion and how they will vote. In order to carry out Council action, staff needs a clear statement of the motion.

Ms. Barlow advised that a request to amend a motion must be seconded by the second of the original motion. If the original maker of the motion accedes to the amendment, the second must also accede, or the original motion remains on the floor. A substitute motion, if properly seconded, takes precedence over the original motion and is voted upon prior to the original motion. If the substitute motion passes, there is no need to vote on the original motion; if it fails, then a vote on the original motion is taken. For clarification purposes, Ms. Barlow stated the maker of the motion can voluntarily amend the motion by request, but the second must accede to it. Point of clarification should be discouraged by the presiding officer, since it tends to lead to lack of clarity of the motion and difficulty in understanding the speaker's intent. In response to the Mayor, City Attorney Barlow stated that comments about the motion should occur after the motion is made and seconded.

3. Regulations Governing Regular Meetings, Special Meetings, Closed Sessions and Study Sessions: City Attorney Barlow noted that the City Council holds regular meetings on the first and third Mondays of the month, as established by ordinance and meetings are held within the boundaries of the City. Ms. Barlow noted there are exceptions with certain requirements to be met, including noticing.

Ms. Barlow advised that a Public Comment section of the agenda must be provided to allow the public to address any item on or off the agenda which is within the subject matter jurisdiction of the City Council, however no action may be taken. Ms. Barlow stated the agenda must be posted at least 72 hours prior to a meeting and that no action may be taken on an item not on the agenda unless the matter arose subsequent to the posting of the agenda and a unanimous vote of less than the full Council present or by a 2/3's majority vote (4/5's in reality) determines that immediate action is necessary and that the matter arose subsequent to the posting of the agenda.

Ms. Barlow explained that a special meeting may be held at any time that is not a regular meeting and may be called by action of the City Council or by the presiding officer (Mayor) on at least 24 hours' notice. The notice and agenda must be posted 24 hours prior to the meeting. Only those items listed on the agenda may be considered and acted upon at the special meeting. Members of the public must be allowed to speak on any item on, not off, the agenda. Ms. Barlow distributed copies of the Municipal

Code relating to special meetings and study sessions and noted that the call and notice in the Municipal Code mirrors what is in the Government Code.

Ms. Barlow noted that there are two types of emergency meetings. There are those meetings that can be called within less than 24 hours but with at least one hour's notice and deals with matters considered emergencies but not posing an immediate threat to public health or safety that notice can't be given. The Government Code specifies work stoppages, crippling activity or other activity severely impairing public health or safety, or both, as determined by a majority vote of the Council to be of those types. One hour's notice is given telephonically to the press. If it was a dire emergency and one hour's notice would prevent necessary action, then the one hour's notice could be dispensed with, as long as compliance with other Code provisions is met. Such situations would include terrorist attacks, imminent threat of a terrorist attack, mass destruction, etc. In response to the Mayor, Ms. Barlow advised that emergency meetings may be called by the City Manager or the Mayor and at the meeting the first item of business is a declaration of emergency by a majority of the City Council.

Ms. Barlow explained that study sessions are set by the Municipal Code and include regularly scheduled ones on the second Monday of the month and ones held one hour prior to regular meetings. Ms. Barlow advised that the study session prior to a regular meeting is limited to receiving information that arose after distribution of the agenda packet and asking questions. Council Member Foley questioned the difference between the two study sessions. City Manager Roeder noted that the provision to allow only the receiving of updated information/correspondence or the asking of clarification questions at the one-hour study session prior to the regular meeting was added a number of years ago. The City Council at that time had expressed concern about the public perception of such meetings and wanted to limit the sessions. City Attorney Barlow pointed out that the regularly scheduled study sessions on the second Monday of the month was for the purpose of staff bringing items to the City Council for discussion, debate, and points of view, with action to be taken as a subsequent regular meeting.

Council Member Foley expressed the desire to be able to engage in dialogue on agenda items during the one-hour study sessions, rather than limiting the sessions to review only. She noted that at the regularly scheduled monthly study sessions, the discussion seems to be for future projects. Mayor Monahan reiterated that the study session was limited because a prior City Council heard comments that accused them of making decisions at the dinner study session and not at the dais. He stated that he hesitated to expand the dinner study session to include discussion because he did not want the public to perceive the City Council was debating an agenda item out of the public's purview. Council Member Foley pointed out that both Council meetings and study sessions are noticed and posted for the public's edification.

Mayor Pro Tem Mansoor pointed out that the City Council receives their agenda packet sufficiently in advance of the meeting which allows time for reading the material and discussing an item with the City Manager, if necessary, and in his opinion the public perception outweighed the need to discuss agenda items before the regular meeting. He agreed with Mayor Monahan that the study session should be for reviewing information/correspondence received after agenda packets were distributed and for asking questions.

Council Member Dixon stated that with her first two years on the City Council, study sessions included discussion and sharing of ideas and concerns, which she found very beneficial. Council Member Dixon expressed that the dialogue that occurred in the dinner session provided an understanding of other Council Members' concerns and helped the regular meeting run smoothly.

As a member of the public at the time the change was made to the Municipal Code relating to the dinner study session, Council Member Bever advised most people did not know there was a dinner study session, nor where it was held. He stated people felt there was secrecy to those meetings. Council Member Bever stated that perhaps more

publicity about the dinner study sessions, including where they are held, would help denounce those claims of secrecy.

Council Member Foley reiterated her position that allowing discussion at the dinner study sessions would allow Council Members an opportunity to hear the views and perspectives of the other Council Members prior to the regular meeting, since they were bound by the constraints of the Brown Act.

In response to Mayor Monahan, City Attorney Barlow suggested that the matter of study sessions be agendized for a regular study session where she could present the constraints and limitations of the Brown Act. The City Council could then determine how they would conduct study sessions and if a change was necessary to the Municipal Code, she would prepare an ordinance to reflect Council direction.

City Attorney Kim Barlow pointed out some of the major areas that could be considered in Closed Sessions: Pending and Anticipated Litigation, Employee Discipline/Release, labor negotiations, real estate negotiations, and security plans (in particular building security). For clarification purposes, Mayor Monahan asked if the City Council could hold a Closed Session relating to real estate negotiations where no escrow was involved. Ms. Barlow answered in the affirmative, noting that the real property negotiators and the address/location of the property would have to be identified on the agenda.

Relating to Closed Sessions, Council Member Dixon suggested that they be held at 4:30 or 5:00 prior to the dinner study session and regular meeting. Matters agendized for Closed Session are far too important to be considering at midnight or one or two o'clock in the morning. The Mayor stated that was an excellent idea. City Manager Roeder stated that from staff's perspective, that was a welcomed idea and that holding Closed Session after the regular meeting at that time was to accommodate scheduling conflicts of City Council Members.

Council Member Dixon stated that she hears from the public that the City Council allows its meetings to go into the early morning hours before decisions are made and it discourages public participation. She suggested that the issue of when meetings should end be agendized for a study session. Mayor Monahan agreed and noted the issue had been discussed a couple of years ago and if the City Council wished to make a change, the matter should be discussed again. The Mayor cautioned they should also consider the fact that a member of the public sits through five hours of a meeting only to be continued because his/her item will not be heard before midnight. There were many issues to be considered, i. e., the question of when the matter will be heard, two weeks hence, under Old Business at the next meeting, etc. The Mayor believed much more discussion was necessary before changing the Municipal Code.

Mayor Monahan stated he believed placement of the Public Comments section of the agenda should also be discussed, given the fact that it is sometimes 8:30 p.m. before they start considering agenda items.

Mayor Pro Tem Mansoor stated he agreed with Council Member Dixon, but believed they need to be reasonable in their application of the rule. If the entire meeting can be concluded within 15 minutes or so after midnight, the City Council should be able to vote to continue and finish the meeting.

Council Member Foley stated she would also like the City Council to consider starting the meetings one hour earlier and at times when there are too many items to be considered at one meeting, that they consider having additional meetings.

Council Member Bever suggested that the City Council adopt a policy to agendize major issues with large public interest earlier in the meeting. He cautioned the City Council about starting meetings at 5:30 p.m., noting most people who have been active in their government, work and would not be able to get to a meeting that early. He warned of the negative public perspective it might invoke.

Mayor Monahan suggested that the City Council consider holding regular meetings on Tuesdays. He pointed out some of the benefits: 1) Reduction of staff scheduling conflicts between Planning Commission and City Council meetings on Mondays. 2) Additional day for studying agenda items, and 3) Questions relating to agenda items can be answered all day on Mondays and most of the day on Tuesdays. Council Member Foley requested that when the City Council considered the matter that staff provide them with a list of other community meetings held on Tuesdays which might create a conflict.

City Attorney Barlow stated that she would look at policies, regulations and the Code to ensure there was no conflict. City Manager Roeder stated that when they looked at the possibility before, it appeared it would work well in terms of use of facilities and allocation of staff resources. Council Member Bever stated that as a member of the public, he found that attending Planning Commission and City Council meetings and overlapping study sessions on Mondays to be problematic; you just couldn't be in two places at the same time. He favored consideration of the change in meeting days.

4. Overview of Agenda Process: Deputy City Clerk Julie Folcik explained that the agenda process for regular meetings commences two weeks prior to the City Council meeting. Seven days prior to the meeting, all documents, including staff reports, ordinances, and resolutions must be submitted by 2:00 p.m. to the City Clerk's Office. An agenda and supporting documentation is prepared for the City Manager's review. The City Manager communicates with department staff to ask questions, clarify agenda items, make revisions, etc. Changes/revisions are submitted to the City Clerk and one week prior to the meeting a preliminary agenda is prepared for distribution to the City Council and Departments for review. Following any revisions, the agenda is finalized and agenda packets assembled for distribution to the City Council on Wednesdays and to the public on Thursdays. Agenda and packets for study sessions are prepared the Thursday, and distributed the Friday, before the study session.

5. Placement of Items on City Council Agenda: City Manager Roeder distributed a handout to the City Council and the public outlining the process for placing items on a City Council agenda. Mr. Roeder advised that he and staff do try to balance out the number of items on any given agenda, but they are bound by Code to bring certain matters to the City Council within a certain time frame, and some agenda may be fuller than others. Mr. Roeder pointed out that on ceremonial presentations (proclamations/ recognitions), a Council Member is requested to advise the Deputy City Clerk or him 12 days prior to the meeting any item they wish included on that portion of the agenda. Under New Business items, an individual Council Member should advise the Deputy City Clerk or him of the item they wish placed on the agenda. Staff will prepare a staff report summarizing the matter, but it is up to the individual Council Member to make and articulate their recommendation to the City Council for possible placement of the matter on a future agenda.

Rehearings and appeals must be formally submitted, in writing and signed, and must be filed within a seven-day time frame. Mr. Roeder stated staff would be happy to assist in crafting language for the request for rehearing or appeal, but it must be signed by the individual Council Member(s). Council Member Foley requested consideration of changing the policy to accept a signed fax request. The City Manager responded they would be happy to look into it.

6. Processing Constituent Requests and Complaints: Assistant City Manager Steve Hayman explained the City receives complaints/concerns via telephone, emails, faxes, letters, and voice mail, and noted the City Council may also. When received, the jurisdictional department is contacted for an investigation and response to the matter. If a Council Member receives a complaint/ concern, the City Manager is comfortable with him/her contacting the department directly, since City policy requires departments to advise the City Manager about the matter. Mr. Hayman advised that a complete tracking system is in place whereby a complaint/concern is tracked from receipt to resolution, including status notations if an issue cannot be

resolved immediately. The public is encouraged to put their complaint/ concern in writing since it provides the most clarity for resolving the issue.

During a City Council meeting, comments are made, and staff makes notes of them if they require further follow-up. Mr. Hayman advised the morning after the City Council meeting staff meets and reviews those comments and assigns the appropriate department for follow-up.

In response to Council Member Bever, Mr. Hayman stated they would create and provide to the City Council Members a matrix showing typical complaints/concerns and the jurisdictional department.

In conclusion, Assistant City Manager Hayman stated that copies of responses to any complaint/concern is provided to the entire City Council for informational purposes.

B. Appointments, Training and Support:

1. Review of Committee Assignment Procedure: City Manager Roeder distributed a handout reflecting City appointment opportunities and a description of the duties of each. He advised that the City Council is requested annually to prioritize their selection of committees on which they would be interested in serving. Mr. Roeder requested that the completed list be returned to his office by December 20th, so he can present the selections to the Mayor for assignments.

Mr. Roeder referred to the sheet which reflected regional appointment opportunities. He stated he would be happy to provide more detailed information about each to any interested Council Member. Mr. Roeder emphasized the importance of Costa Mesa being represented on regional boards, such as a transportation, housing, energy, or environmental, since they make decisions that affect Costa Mesa. City Manager Roeder noted the City had not had extensive participation in regional governance and encouraged the City Council Members to consider serving. He noted the names of a few former Mayors and Council Members who serve or have served on a regional board/commission. In response to Council Member Dixon, Mr. Roeder stated he would provide Council Members with the dates and times of the meetings of the various regional boards.

2. Upcoming Training Opportunities: City Manager Allan Roeder advised there were a number of training opportunities that, like any profession, would provide Council Members with education, training, and professional development to help them better work together as a City Council and to better serve the community. He encouraged them to give serious thought to these training opportunities.

3. Council Member Budgets: City Manager Roeder advised that \$2,000 per Council Member for training and professional development, funding for three Members to attend the upcoming Mayors and Council Members Academy, Annual League Conference, Orange County Division League meetings are included in the Council Member Budgets. He noted that only one Council Member could attend this year's Annual League Conference in Long Beach, so the remaining funds would be available for other training opportunities.

In response to Mayor Monahan, City Manager Roeder advised that funding for unscheduled meetings, like a recent trip to Sacramento by the Mayor who votes at the General Assembly of the League to consider a proposal by the Governor which ultimately became Prop 1A on the ballot, would be budgeted elsewhere in the City Budget.

The City Manager expressed his appreciation for the opportunity to discuss the foregoing matters with the City Council and noted he would be placing certain matters on future agenda.

2. PROPOSED ORDINANCE NO. 04-17 AND AMENDMENT OF CITY COUNCIL POLICY NOS. 000.2 AND 000.2.5 RELATING TO APPOINTMENT OF THE PLANNING

COMMISSION AND PARKS AND RECREATION COMMISSION MEMBERS: The Deputy City Clerk introduced each item and read the titles of an urgency ordinance and a regular ordinance.

City Attorney Kim Barlow advised the proposed ordinances were the result of recent City Council direction to revise the Planning Commission and Parks and Recreation Commission Appointment process. Ms. Barlow noted there were two proposed ordinances, one an urgency ordinance in the event the City Council wished to have the ordinance effective immediately, and a regular ordinance in the event of a challenge to the urgency ordinance on the basis of the findings of urgency. She noted the City Council could adopt one and/or both ordinances. Ms. Barlow noted that in reviewing the two Council policies, it was obvious that they needed to be revised also.

In response to the Mayor, City Attorney Barlow noted that Section 1 of the urgency ordinance recites the findings of necessity, given there are currently only three members of the Planning Commission. She noted that the urgency ordinance would take effect immediately and then the City Council would be able to schedule Planning Commission appointments earlier than the first meeting in February. If the regular ordinance is adopted, it would be introduced for first reading this evening, second reading or adoption would occur at the next City Council meeting, become effective 30 days from the date of adoption, and City Council could schedule appointments at their first meeting in February.

In response to further Council questioning, City Attorney Barlow stated under the regular ordinance, the City Council could make Planning Commission appointments at their February 6, 2005 meeting and with the urgency ordinance, appointments could be made on January 3, 2005, or the Council could elect to follow the current policy and appoint at the second meeting in January. If the City Council wished to adopt the urgency ordinance, Ms. Barlow recommended that they adopt the urgency ordinance first and then the regular ordinance.

Council Member Dixon apologized for not understanding at the last meeting that the Mayor's and Mayor Pro Tem's appointments would retain their seats under the existing ordinance. Council Member Dixon stated she believed that if the City Council did not interview the candidates and have an opportunity to discuss their backgrounds to see who would best serve the City, they would be moving backward. She pointed out that 75 percent of the cities in California have each City Council Member appoint their commissioner, noting several local cities. Council Member Dixon stated that the City Council is a diverse group and if each Council Member appointed a commissioner, that diversity would continue on the Planning Commission. She urged the City Council to retain the existing ordinance whereby each Council Member would make an appointment.

City Manager Roeder noted that applications are to be received by December 21st. The following day copies of all applications, including resumes and letters, would be provided to the City Council. He advised that they are in the process of gathering information from other cities on their appointment processes and would be providing a report containing from three to five recommendations for a selection process, if the City Council changes the Code from individual appointments to majority appointments. Mr. Roeder stated that the City Council should determine the process before making appointments.

Council Member Foley suggested that if the City Council goes to majority appointment, she would hope that appointments would be by a 5-0 vote to demonstrate the City Council was desirous of having balance on the commissions.

Mayor Monahan said he would be working toward that, but given the fact that all five commission positions are open, it might be difficult to accomplish. Typically, the terms are staggered, and in fact if the Code changed, he would lobby for staggered terms.

Mayor Pro Tem Mansoor related the process used to fill the unexpired term of Council Member Robinson. He noted there was disagreement on who should be appointed, but

eventually the Council agreed on an appointment. When the vote was taken, it was a 5-0 vote. Mayor Pro Tem Mansoor stated there would be a public discussion on all applicants at a Council meeting and that the public expects some disagreement among the Council Members. He believed that was healthy and that the Council could work together and make final decisions.

Council Member Foley encouraged the City Council to set up a process whereby they could have a dialogue about the candidates before the meeting. Otherwise, she was concerned that the process could get messy with motions and seconds flying and no seconds to motions, resulting in the possible wrong declaration of the appointment of a candidate. She urged and requested that such a process be set up.

Council Member Dixon recalled a public meeting held in Conference Room 1A when two commission vacancies were to be filled. She reported that the candidates were all present and were requested to sit outside until called for their interview. Although they could have refused to leave the room, since it was a public meeting, they did not. The press remained in the room and listened to each interview. At the conclusion of the interviews, the City Council held a discussion on the candidates and the Council arrived at a consensus, resulting in a good balance on the commission. City Manager Roeder confirmed Council Member Dixon's recollection. He also noted that the City Council could screen down the number of applications and interview the most qualified candidates.

Council discussion ensued about the need to interview all applicants, since Council Members may be very familiar with the applicant's community service. Council Member Dixon stated their names could be added to the list of candidates to be discussed after the interviews were completed, or if they were desirous, they could be interviewed also. The City Council also discussed when interviews could be conducted.

MOTION: Council Member Foley moved to adopt regular Ordinance No. 04-17 and to waive further reading. **MOTION FAILED FOR LACK OF A SECOND.**

MOTION: Council Member Mansoor moved to adopt the following entitled urgency Ordinance No. 04-17 and to waive further reading. Council Member Monahan seconded the motion for purpose of discussion.

ORDINANCE NO. 04-17: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLES 2, 12 AND 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING CITY COUNCIL APPOINTMENT OF COMMISSIONS, BOARDS AND COMMITTEES.

Mayor Monahan stated that if an urgency ordinance is not adopted, appointments could not be made until February and there was an urgent need for a full Planning Commission as soon as possible.

Council Member Dixon stated she could not support the motion until an interview and selection process was in place.

Council Member Bever stated that regardless of what appointment methodology was used, an urgency ordinance was necessary, and he would support it.

Council Member Foley stated she could not support the urgency ordinance because she believed it was bad policy, there was no urgency, that Planning Commission decisions could be appealed to the City Council, and the Parks and Recreation Commission could postpone their one meeting in January.

Council Member Monahan withdrew his second to the motion to adopt the urgency ordinance.

MOTION: Council Member Monahan moved to adopt the following entitled regular Ordinance No. 04-17. Council Member Mansoor seconded the motion.

ORDINANCE NO. 04-17: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLES 2, 12 AND 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING CITY COUNCIL APPOINTMENT OF COMMISSIONS, BOARDS AND COMMITTEES.

Council Member Foley asked if the Mayor would amend his motion to include a process to interview a select number of candidates. Council discussion ensued relating to a date.

AMENDED MOTION: Council Member Monahan amended his motion to introduce Ordinance No. 04-17, waive further reading, and to agendize for January 3, 2005, the process by which interviews would be conducted and appointments made. Council Member Mansoor agreed with the amendment.

A roll call vote was taken on the amended motion. Council Members Dixon and Foley voted "NO". MOTION CARRIED.

MOTION: Council Member Monahan moved to amend Council Policy No. 000-2 pertaining to Boards and Commissions and to amend Council Policy 000-2.5 pertaining to Planning Commission and Parks and Recreation Commission appointments. Council Member Bever seconded the motion.

Council Member Dixon asked if the maker of the motion would amend his motion to include limiting the terms of commissioners to two terms like Members of the City Council.

Council Member Bever questioned if Council Member Dixon meant two four-year terms. If the City Council was moving away from individual appointments, the term of a commissioner would not be concurrent with any one Council Member. Council Member Bever noted that a Council Member could serve two four-years, be absent from office for eighteen months and then seek election again to the City Council.

Council Member Dixon responded her intent was to limit commissioners to two four-year terms. Being off the commission for eighteen months and then again seeking appointment to the commission would be acceptable to her.

A brief discussion ensued and the City Attorney recommended that she be permitted to research the matter, since it may involve an amendment to the Municipal Code, and to answer the City Council's questions properly. She suggested the matter be placed on a future agenda for discussion.

Mayor Monahan stated he would be happy to agendize the question of commission term limits for a future meeting after the City Attorney has had an opportunity to research the issue, but he would not add term limits to his motion. He stated he understood and supported term limits for the City Council, but questioned them for commissioners.

A roll call vote on the foregoing motion was taken. MOTION UNANIMOUSLY CARRIED.

3. COUNCIL COMMENTS

Several Members of the City Council expressed their wishes for a happy holiday season in whatever tradition one celebrated it.

4. RECESS—CLOSED SESSION—EMPLOYEE OF THE MONTH: The Mayor declared the meeting recessed into Closed Session at 6:52 p.m., to discuss the employee of the month.

AFTER RECESS AND ADJOURNMENT: The Mayor reconvened the meeting, with all Council Members present, and declared it adjourned at 7:02 p.m.

Respectfully submitted,

JULIE FOLCIK, DEPUTY CITY CLERK

GARY C. MONAHAN, MAYOR