



**MINUTES OF A REGULAR MEETING
SIGNAL HILL CITY COUNCIL**

April 19, 2011
7:00 p.m.

A Regular Meeting of the Signal Hill City Council was held in the Council Chamber of City Hall on April 19, 2011.

CALL TO ORDER – 6:00 p.m.

RECESS TO CLOSED SESSION

- a. A closed session was held pursuant to Government Code Section 54957.6, to discuss labor negotiations with the Signal Hill Employees' Association and the Signal Hill Police Officers Association.
- b. A closed session was held pursuant to Government Code Section 54956.8, to discuss real property negotiations, between the City of Signal Hill and Charles Reeder, of the CR Trust, regarding a private alley at the 1000 block of 32nd Street.
- c. A closed session was held pursuant to Government Code Section 54956.9(b)(3)(A), potential litigation in an undisclosed matter.

RECONVENE – 7:03 p.m.

ROLL CALL

PRESENT: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

ABSENT: NONE

PLEDGE OF ALLEGIANCE

Mayor Forester led the audience in the Pledge of Allegiance.

CLOSED SESSION REPORT

City Attorney reported on closed session items. Agenda item (a) was not discussed. Agenda items (b) and (c) were discussed, directions were given for further negotiations and no reportable action was taken.

PUBLIC BUSINESS FROM THE FLOOR

Bill Yochum, Signal Hill resident addressed Council regarding the Signal Hill Voice website and warned of misinformation projected on the site.

Matt Simmons, Signal Hill resident addressed Council regarding his website, Signal Hill Voice and issues regarding former Signal Hill employee, Dean Fazio as well as water issues in the City.

Carole Yochum, Signal Hill resident addressed Council regarding signalhillvoice.com and misinformation on the website.

Sandra Fox, Signal Hill resident addressed Council regarding an email she received regarding the water quality in the City and the dismissal of a former employee.

Maria Harris, Signal Hill resident addressed Council regarding former employee, Dean Fazio and personnel policy and procedures in Signal Hill (see attached statement).

City Attorney questioned Maria Harris regarding the information shared regarding Dean Fazio.

Aaron Moore, Signal Hill resident addressed Council regarding water quality issues and employment issues and requested a formal written response from Council.

Nancy Sciortino, Signal Hill resident addressed Council regarding water concerns.

City Manager addressed issues raised regarding water quality and announced an independent study was requested immediately after allegations were made and read a letter from the California Department Health Department dated April 11, 2011 stating the City is in compliance with regulations. A formal written report will be provided at the next Council meeting on May 3, 2011.

PRESENTATION(S)

- a. John Keisler, Bureau Manager for Long Beach Animal Care Services, gave a presentation on the increased coyote presence in the region.
- b. Mayor Forester presented the 1st Quarter Sustainability Award to Tom Polansky, Director of Facilities Management for Abode Communities, for installation of photovoltaic electric systems at the Las Brisas Community Center and Las Brisas II.

ORDINANCE(S)

- a. Adoption of Ordinance 2011-03-1423, Amending Title 20 of the Signal Hill Municipal Code Prohibiting the Establishment of New Storage Yards and Requiring New Maintenance Standards for Existing Storage Yards

City Manager presented the staff report.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Ordinance No. 2011-03-1423 approving Zoning Ordinance Amendment 10-04, amending Title 20 of the Signal Hill Municipal Code related to storage uses and storage yard fences by prohibiting new storage yards and requiring maintenance standards for existing outdoor storage yards and outdoor storage areas.

City Attorney read the title of Ordinance No. 2011-03-1423:

APPROVING ZONING ORDINANCE AMENDMENT 10-04, AMENDING TITLE 20 OF THE SIGNAL HILL MUNICIPAL CODE RELATED TO STORAGE USES AND STORAGE YARD FENCES BY PROHIBITING NEW STORAGE YARDS AND REQUIRING MAINTENANCE STANDARDS FOR EXISTING OUTDOOR STORAGE YARDS AND OUTDOOR STORAGE AREAS

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

PUBLIC HEARING(S)

- a. Zoning Ordinance Amendment – Prohibition of Medical Marijuana Dispensaries

City Attorney introduced Assistant City Attorney Jeff Malawy.

City Clerk read the form of notice.

City Manager introduced the Community Development Director who presented the staff report.

Mayor Forester asked Council if there was any discussion.

Council and Assistant City Attorney discussed moratorium.

Mayor Forester opened the public hearing at 8:02 p.m.

Mayor Forester invited anyone wishing to speak in favor of or in opposition to the moratorium to please come forward.

Matt Simmons, Signal Hill resident spoke in favor of the moratorium and asked for clarification regarding the law pertaining to adult strip clubs in the City.

Assistant City Attorney and Community Development Director answered questions raised by Mr. Simmons.

There being no further testimony, Mayor Forester asked Council for any further discussion.

Council continued discussions regarding the moratorium.

There being no further testimony, Mayor Forester closed the public hearing at 8:07 p.m.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Resolution No. 2011-04-5887 approving Negative Declaration 03/25/11(1), relative to Zoning Ordinance Amendment 11-02, a request to amend the Signal Hill Municipal Code by listing 'Medical Marijuana Dispensary' as a prohibited use in all Commercial and Industrial Zoning Districts, specific plan areas and as home occupations in Residential Zoning Districts in the City of Signal Hill.

Assistant City Attorney read the title of Resolution No. 2011-04-5887:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING NEGATIVE DECLARATION 03/25/11(1), RELATIVE TO ZONING ORDINANCE AMENDMENT 11-02, A REQUEST TO AMEND THE SIGNAL HILL MUNICIPAL CODE BY LISTING 'MEDICAL MARIJUANA DISPENSARY' AS A PROHIBITED USE IN ALL COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SPECIFIC PLAN AREAS AND AS HOME OCCUPATIONS IN RESIDENTIAL ZONING DISTRICTS IN THE CITY OF SIGNAL HILL

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was moved by COUNCIL MEMBER NOLL and seconded by VICE MAYOR HANSEN to waive further reading and introduce Ordinance No. 2011-04-1424 approving Zoning Ordinance Amendment 11-02, a request to amend the Signal Hill Municipal Code by listing 'Medical Marijuana Dispensary' as a prohibited use in all zoning districts including Chapter 20.20, entitled "Commercial Districts," Chapter 20.30, entitled "SP-10, Pacific Coast Highway Specific Plan," Chapter 20.32, entitled "SP-12, Freeway Self-Storage Specific Plan," Chapter 20.39, entitled "SP-19, General Industrial Specific Plan," Chapter 20.40, entitled "SP-1, Town Center East Specific Plan," Chapter 20.45, entitled "SP-3, Town Center West Specific Plan," Chapter 20.47, entitled "SP-4, Auto Center Specific Plan," Chapter 20.49, entitled "SP-6, Commercial Corridor Specific Plan," and prohibiting the use as a home occupation in all Residential Zoning Districts under Chapter 20.04 "definitions."

Assistant City Attorney read the title of Ordinance No. 2011-04-1424:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-02, A REQUEST TO AMEND THE SIGNAL HILL MUNICIPAL CODE BY LISTING 'MEDICAL MARIJUANA DISPENSARY' AS A PROHIBITED USE IN ALL ZONING DISTRICTS INCLUDING CHAPTER 20.20, ENTITLED "COMMERCIAL DISTRICTS," CHAPTER 20.30, ENTITLED "SP-10, PACIFIC COAST HIGHWAY SPECIFIC PLAN," CHAPTER 20.32, ENTITLED "SP-12, FREEWAY SELF-STORAGE SPECIFIC PLAN," CHAPTER 20.39, ENTITLED "SP-19, GENERAL INDUSTRIAL SPECIFIC PLAN," CHAPTER 20.40, ENTITLED "SP-1, TOWN CENTER EAST SPECIFIC PLAN," CHAPTER 20.45, ENTITLED "SP-3, TOWN CENTER WEST SPECIFIC PLAN," CHAPTER 20.47, ENTITLED "SP-4, AUTO CENTER SPECIFIC PLAN," CHAPTER 20.49, ENTITLED "SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN", AND PROHIBITING THE USE AS A HOME OCCUPATION IN ALL RESIDENTIAL ZONING DISTRICTS UNDER CHAPTER 20.04 "DEFINITIONS"

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CITY MANAGER REPORTS

a. Status Report on the Cherry Avenue Widening Project

City Manager introduced the Deputy City Manager who presented the staff report.

Council asked questions and discussed the project.

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER WARD to receive and file.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Council Member Ward left Council Chamber at 8:15 p.m. and returned at 8:18 p.m.

b. Annual General Plan 2010 Progress Report

City Manager introduced the Community Development Director who presented the staff report.

It was moved by COUNCIL MEMBER WARD and seconded by VICE MAYOR HANSEN to authorize staff to submit the Annual Progress Report to the Governor's Office of Planning and Research and the Department of Housing and Community Development.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

c. Support for SCAG's "Business Friendly Principals"

City Manager presented the staff report.

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER WILSON to waive further reading and adopt Resolution No. 2011-04-5888 in support of "Business Friendly Principals" as part of SCAG's development of a Southern California Economic Growth Strategy.

Assistant City Attorney read the title of Resolution No. 2011-04-5888:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, IN SUPPORT OF "BUSINESS FRIENDLY PRINCIPLES" AS PART OF SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT'S DEVELOPMENT OF A SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

d. Mid-Year 2010-2011 Budget Review

Chair Noll called the Redevelopment Agency to order at 8:40p.m.

City Manager spoke about the mid-year budget review and introduced the Finance Director who presented the staff report.

Council thanked the Finance Director and commented on the state of the economy and discussed the budget.

Maria Harris, Signal Hill resident addressed Council in support of the City Manager's comments regarding the state of the economy and the SCAG's business growth approach.

Matt Simmons, Signal Hill resident addressed Council regarding the budget.

It was motioned by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to approve the recommended adjustments to the various program revenues and expenditures for Fiscal Year 2010-11 contained in Exhibit B.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

It was motioned by VICE CHAIR WARD and seconded by MEMBER HANSEN to receive and file.

The following vote resulted:

AYES: CHAIR NOLL
VICE CHAIR WARD
MEMBER FORESTER
MEMBER HANSEN
MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Chair Noll recessed the Redevelopment Agency at 9:12 p.m.

e. Scheduling the Budget Workshop Meeting

City Manager presented the staff report.

Council discussed a date for the budget workshop and decided on May 24, 2011.

CONSENT CALENDAR

a. Resolution Approving the Engineer's Report and Declaring Intention to Levy Assessments for Landscape and Lighting Maintenance District No. 1

Summary: Landscape and Lighting Maintenance District No. 1 was formed in 1992 to pay for the maintenance of common landscaped areas within the California Crown Tract. Annually, the City Council must initiate proceedings to renew the levy and collection of special assessments for the District. This resolution declares the Council's intention to levy and collect assessments and approves the Engineer's Report.

Recommendations: 1. Waive further reading and adopt Resolution No. 2011-04-5889 declaring its intention to levy and collect assessments for Landscape and Lighting Maintenance District No. 1 for fiscal year 2011-12 and approving the Engineer's Report. 2. Set the Public Hearing for June 7, 2011.

b. Request for Budget Adjustment for Emergency Water Pipeline Repairs

Summary: Staff is requesting to transfer \$13,600 into the Water Divisions Repair Services account to cover the cost of a recent emergency repair on the City's water transmission main.

Recommendation: Approve the budget adjustment transferring \$13,600 from the Water Divisions Account No. 008.570.515.377 into Account No. 008.570.515.325.

c. Award of Contract Extension for Concrete and Asphalt Maintenance

Summary: The Public Works Department supplements its maintenance operations by utilizing a contractor to construct concrete and asphalt repairs to City streets and sidewalks. This contract enables Maintenance Operations to better respond to the ongoing needs to repair damaged or deteriorated curbs, gutters, sidewalks, wheelchair ramps and utility patches. Staff is recommending a contract extension with Lovell Construction, Inc. with no rate increase.

Recommendation: Authorize the City Manager to execute an extension to the Amended Contract Services Agreement for Concrete and Asphalt Maintenance with Lovell Construction, Inc. in a form approved by the City Attorney. The three-year extension is allowed under the current amended contract upon mutual agreement of the City and Contractor with no increase to the unit prices charged by the contractor.

d. Amendment to the Contract Services Agreement with W.G. Zimmerman Engineering, Inc.

Summary: The City hired W.G. Zimmerman Engineering, Inc., (WGZE) to serve as the Traffic City Engineer and provide professional traffic engineering services in June 2004. A new three-year contract with WGZE was approved in May 2009. Staff recommends an amendment to the Contract Services Agreement to help cover the costs associated with the preparation and submittal of applications for grant funds for transportation improvement projects.

Recommendation: Authorize the City Manager to renew the Contract Services Agreement for professional traffic engineering services, in a form approved by the City Attorney, increasing the contract sum for FY 2010-11 to a total of \$90,000 and a total of \$40,000 for FY 2011-12.

e. Contract Services Agreement for Contract City Engineering Services with RKA Consulting Group

Summary: The Public Works Department has utilized the services of RKA Consulting Group to serve as the City's contract City Engineer since 2003. Staff is recommending renewal of the Contract Services Agreement with RKA Consulting Group to continue providing City Engineer services.

Recommendation: Authorize the City Manager to enter into a Contract Services Agreement between the City of Signal Hill and RKA Consulting Group to provide professional City Engineer engineering services in a form approved by the City Attorney.

- f. Approval of the Engineering and Traffic Study for Speed Limits on Walnut Avenue Between Burnett Street and Willow Street and Introduction of an Ordinance Amending Chapter 10.40 of the Signal Hill Municipal Code Relating to Speed Limits

Summary: Staff is recommending approval of an engineering and traffic study that supports reducing the speed limit of Walnut Avenue between Burnett and Willow Streets from 40 mph to 35 mph. Staff is also recommending introducing an ordinance amending the Municipal Code to reflect the speed limit change.

Recommendation: 1. Approve the Engineering and Traffic Survey for Speed Limits on Walnut Avenue between Burnett Street and Willow Street. 2. Waive further reading and introduce Ordinance 2011-04-1425 amending a portion of Chapter 10.40 of the Signal Hill Municipal Code relating to the speed limit on Walnut Avenue between Burnett Street and Willow Street.

- g. Schedule of Investments

Summary: The Schedule of Investments is a listing of all surplus funds invested for both the City and the Redevelopment Agency as of the date shown on the report.

Recommendation: Receive and file.

- h. Warrant Register Dated April 19, 2011

Summary: The Warrant Register is a listing of all general checks issued since the prior warrant register and warrants to be released upon City Council approval.

Recommendation: Authorize payment of Warrant Register dated April 19, 2011.

- i. Minutes of the Following Meeting(s)

- Special Meeting of the City Council and Redevelopment Agency, March 29, 2011.
- Regular Meeting of the City Council, April 5, 2011.

Recommendation: Approve.

Mayor Forester requested pulling item (a) from the Consent Calendar.

It was moved by COUNCIL MEMBER NOLL and seconded by VICE MAYOR HANSEN to approve the Consent Calendar items (b) through (i).

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER NOLL
COUNCIL MEMBER WARD
COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Council Member Wilson left Council Chamber at 9:14 p.m.

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD to waive further reading and adopt Resolution No. 2011-04-5889 declaring its intention to levy and collect assessments for Landscape and Lighting Maintenance District No. 1 for fiscal year 2011-12 and approving the engineer's report.

Assistant City Attorney read the title of Resolution No. 2011-04-5889:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2011-12 AND APPROVING THE ENGINEER'S REPORT

The following vote resulted:

AYES: MAYOR FORESTER
VICE MAYOR HANSEN
COUNCIL MEMBER NOLL
COUNCIL MEMBER WARD

NOES: NONE

ABSENT: NONE

ABSTAIN: COUNCIL MEMBER WILSON

It was moved by VICE MAYOR HANSEN and seconded by COUNCIL MEMBER NOLL to set the public hearing for June 7, 2011.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD

NOES: NONE

ABSENT: NONE

ABSTAIN: COUNCIL MEMBER WILSON

Council Member Wilson returned to Council Chamber at 9:15 p.m.

PUBLIC BUSINESS FROM THE FLOOR

Gloria Nava, Signal Hill resident addressed Council and requested additional material for meetings the Council sits as board members be posted at the library and expressed concern regarding the employee issue and potential lawsuits.

Assistant Fire Chief Heinzl addressed Council and asked if there were any questions or concerns and announced how many compliments the department receives from residents regarding their service.

COUNCIL AGENDA--NEW BUSINESS

Council Member Noll reported on the Revenue Taxation Policy Committee Meeting he attended on Friday, April 8th.

Council Member Ward complimented the Community Services department on the great job with the library and encouraged residents to go by and check it out.

Council Member Wilson spoke about the contradiction between government and private businesses and reminded everyone of the vast difference between them.

Council Member Wilson inquired about the power lines on Orizaba.

City Manager announced Southern California Edison has been working on a series of upgrades and will check on the area mentioned.

Vice Mayor Hansen complimented the library staff on the recent reconfiguration of space at the library and encouraged residents to go to the library.

Vice Mayor Hansen announced she will not be attending the next Council meeting and spoke about the recent employee issue as well as water concerns and reminded everyone of the immediate response by the City after allegations were made by a former employee.

Mayor Forester announced residents may recycle household batteries in the lower level lobby of city hall. For additional information please call (562) 989-7355.

Mayor Forester announced two vacancies are open for all three Commissions – Civil Service, Parks & Recreation and Planning. Signal Hill residents are encouraged to apply.

Mayor Forester announced the next Mayor’s Cleanup is on Saturday, April 30th from 9:00 a.m.-12:00 p.m. at the Northwest corner of Spring Street and California Avenue. For more information please call (562) 989-7340.

Mayor Forester announced the dedication of Reservoir Park on Wednesday, April 27th at 6:00 p.m. Please call (562) 989-7330 for additional information.

Mayor Forester announced Spring Fest will be held at Signal Hill Park on Saturday, April 23rd from 9 a.m.–Noon. Please call (562) 989-7330 for additional information.

Mayor Forester announced the Bulky Item Pickup is scheduled for April 25-29, for large items such as appliances, mattresses and furniture. Please call (562) 597-0608 for additional information.

Mayor Forester thanked the library staff for doing such an excellent job.

Mayor Forester echoed Council Member Wilson and Council Member Hansen’s comments regarding the budget and encouraged those with concerns to get educated.

ADJOURNMENT

It was moved by COUNCIL MEMBER NOLL and seconded by COUNCIL MEMBER WARD, to adjourn tonight’s meeting to the next regular meeting to be held on Tuesday, May 3, 2011 at 7:00 p.m., in the Council Chamber of City Hall, 2175 Cherry Avenue, Signal Hill, CA, 90755.

The following vote resulted:

AYES: MAYOR FORESTER
 VICE MAYOR HANSEN
 COUNCIL MEMBER NOLL
 COUNCIL MEMBER WARD
 COUNCIL MEMBER WILSON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MAYOR FORESTER adjourned the meeting at 9:43 p.m.

Larry Forester
Mayor

Attest:

Kathleen L. Pacheco
City Clerk

April 19, 2011

Background

In March 2011 the following occurred:

- A probationary employee was fired after filing a complaint of unsafe working conditions with CalOSHA. (Fazio, 3/30/2011 letter)
- CalOSHA inspected the city's water facilities for compliance with State law governing safe employee working conditions. A report is pending. (CalOSHA telephone conversation, 4/18/2011)
- Several issues were raised by this same employee regarding water safety (Fazio, 3/30/2011; SHEA Grievance memo, 3/21/2011)

Regardless of what your opinion may be about the former employee at the center of this issue, the fact remains that:

- The water the city delivers to its customers may not be reliably safe, and
- The working conditions and practices under which some water operation employees are asked to perform may result in a fatality.

These issues raise questions and doubts about the caliber of the city's water operations and management.

This employee, serving his probationary period, was fired under a cloud of suspicion related to these issues. Before firing him, these issues should have been thoroughly investigated and a careful process followed. Instead, city management appears to have rushed to get rid of him. In that rush, management created serious doubts about management's ability to be levelheaded, fair and just. It created the possibility of the use of management retaliation.

There are city personnel procedures that give supervisors more time to make termination decisions when conditions warrant. In the case of a probationary employee:

A department head may recommend, and the city manager may extend, an employee's probationary period by a maximum of six months, in three-month increments. (2.80.400 Probationary Period, B)

There was time to properly manage this situation. But, that is now water under the bridge. What the city now faces is possible serious exposure to litigation

The Issues

From the perspective of Signal Hill water users, residents and taxpayers, there are two issues related to this case that should be addressed in order for us to regain confidence that our city government has high quality, professional management.

The issues are:

- 1) Management's apparent use of retaliation against an employee
- 2) Faulty use of the employee performance evaluation system

Management Retaliation

Not only do we, Signal Hill residents and taxpayers, have water safety and fiscal liability questions and doubts related to city water operations, we also have to face the negative effects of the apparent use of management retaliation against employees.

Management retaliation creates a chilling effect throughout city government. It's asking for trouble to use this technique as a managerial control over employees. It smothers employee initiative, it forces problems underground, it destroys the trust that employees need to work effectively with each other, and of course, trust in management.

Signal Hill residents and taxpayers need to be assured that:

- Management supervisory policies, procedures and practices are designed and used in a manner that is fair and just as well as empower employees to use their initiative and competencies in their service to the public.

To achieve this, we, Signal Hill residents and taxpayers, strongly urge the City Council to direct the city manager to hire an independent third party (management consultant) to assess current managerial conditions under which all employees work and identify those conditions that deter employees and management in the use of their knowledge, skills, initiative and commitment to provide high quality service at a professional level. And make recommendations for improvements.

Employee Performance Evaluation System

Apparently, supervisors use the existing employee performance evaluation system inconsistently and inappropriately. Among the red flags raised in this case is the report that a six-month employee performance evaluation was made almost at the end of the 12-month probationary period. The content of this evaluation, as reported, also appears to be arbitrary and capricious.

Again, Signal Hill residents and taxpayers are left with questions and doubts about the use of appropriate evaluation practices. If employees and managers are to achieve excellence in their job performance, they must receive timely and helpful evaluations. To do otherwise is to let the entire city organization fall to the lowest common denominator – lackluster performance.

This must be remedied and confidence regained that employees are being treated fairly and justly. We, the Signal Hill community, also must be reassured that city employees are receiving appropriate guidance.

To achieve this, we strongly urge the City Council to direct the city manager to:

- Hire an independent third party to assess the city's employee performance evaluation system to insure that it is designed to provide a fair, balanced and useful evaluation of their job performance. And, that the evaluation be designed to strengthen employee job performance.

Finally, we urge the City Council to act on these matters quickly so as keep problems from becoming more complex and magnified. From a practical point of view, to ignore these issues is also asking for trouble.

We look forward to positive action on these critical issues.

Sincerely,

Maria Harris
Signal Hill Resident

A handwritten signature in cursive script, appearing to read "Maria Harris", written in dark ink.