

**DRAFT RESPONSE TO GRAND JURY REPORT:  
Who's in charge? A Report on the City of Point Arena  
Report date: May 12, 2010  
Response date: June 28, 2010  
Submitted by Lauren Sinnott**

***The following consists of a restatement of the Grand Jury's Finding or Recommendation and the City of Point Arena's Response to each.***

***Grand Jury (GJ) Findings***

***Findings – Governance***

- |  |
|--|
| <ul style="list-style-type: none"><li>○ GJ FINDING 1. The City has a web site, <a href="http://www.cityofpointarena.com">www.cityofpointarena.com</a>, which is “user friendly”.</li></ul> |
|--|

CITY RESPONSE: The respondent **agrees** with the finding.

- |   |
|---|
| <ul style="list-style-type: none"><li>○ GJ FINDING 2. City Council meeting agendas and minutes are available on the web site.</li></ul> |
|---|

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: While the City of Point Arena desires to have all agendas and minutes easily accessible on our website at [www.cityofpointarena.com](http://www.cityofpointarena.com), we have only partially reached our goal. Agendas are not available on the city website. Minutes are mostly available for 2008–2010, though some meeting dates have broken links and these minutes are unavailable. Prior to 2008, the minutes are unavailable. In addition, the side bar on the homepage should list Agendas and Meeting Minutes, rather than the public having to access what material we do have through the link Council Meeting Information.

- |   |
|---|
| <ul style="list-style-type: none"><li>● GJ FINDING 3. Council meetings are held monthly, on the fourth Tuesday, at 6:00 p.m., at the Veteran's Hall in Point Arena and often last in excess of three hours.</li></ul> |
|---|

CITY RESPONSE: The respondent **agrees** with the finding.

- |   |
|---|
| <ul style="list-style-type: none"><li>● GJ FINDING 4. The City operates under a Mayor-Council system of government.</li></ul> |
|---|

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 5. The City is governed by a five member elected City Council, who serve a four year term, and are elected on a staggered basis every two years.

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 6. New Council members receive a handbook, which includes job descriptions. Training in the Brown Act, ethics, and sexual harassment is provided by the City's attorney.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: New Councilmembers now receive the handbook *City of Point Arena's Working Guidelines for Councilmembers*, which was adopted on 2-27-2007 (Smith, Cross, 5/0) as a primer. The 2-27-2007 Minutes state: "Attorney Brecher reminded the Council that this is a primer for how we conduct business; it's a directory, not mandatory structure." *The Working Guidelines* was presented to new councilmembers in January, 2009, after the election of November, 2008. The handbook provides descriptions of duties and responsibilities for the positions of Clerk/Administrator, City Attorney, and Council members among others. It outlines the city's powers and structure, as well as issues of conflict of interest and liability.

The Handbook does not include specific employee job descriptions. Job descriptions for Pier Facilities Manager, Pier Attendant, Maintenance Supervisor, Main Street Maintenance Person, Used Oil Recycling Program Director, Wastewater Treatment Plant Supervisor, City Clerk/Administrator, Grant administrator, Bookkeeper and Administrative Assistant were adopted in 2003 (Resolution No. 2003-29, A Resolution of the City Council of the City of Point Arena Establishing Employee Policies, in which they constitute Appendix A Position Descriptions.) This Resolution is not available on the City website, nor are other current Resolutions, though the City intends for them to be accessible online in the near future. (The Position Descriptions are attached at the end of this Response, as supporting documents.)

Additional responsibilities and authorities applying to the City Clerk, Wastewater Plant Supervisor (and Wastewater Plant Operator) are detailed in various California Codes and Regulations. (See also response to Finding #13.)

The City Attorney is charged with advising the City Council on legal matters and assisting the members in complying with all applicable laws while pursuing the best interest of the City. The Attorney advises Council on the Brown Act, ethics and sexual harassment matters as they arise. The Attorney participates in an orientation for new and returning members, but formal training in these areas, as required by law, are administered by professional entities as sources of formal training and certification. Councilmembers participate in these trainings.

- GJ FINDING 7. The Council members select a Mayor from their ranks for a two year term.

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 8. Each Council member is appointed by the Mayor as a Commissioner for one of the five City departments: Safety, Roads, Utility, Administration, and the Pier.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: While essentially true, the FINDING slightly misstates the City Council of Point Arena's Commissions, reconfigured in 1989 from fire, police, streets and sewer to the following which are part of the Municipal Code under TITLE 2: Administration:

[2.10.020 Commissions established.](#)

There are hereby established the following commissions with their duties and responsibilities as therein set forth:

- (1) Public works commission, whose function is to encompass matters pertaining to streets, sidewalks, curbs and gutters; buildings and grounds; parking and traffic control; and parks and recreation;
- (2) Utility commission, whose duties shall encompass matters pertaining to sewers and sewer treatment plant; water company; electric utility and undergrounding districts; telephone company; cable television service; satellite television antenna inspection; garbage disposal service; and solid waste management;
- (3) Public safety commission, encompassing matters pertaining to the administration of justice; fire protection; municipal insurance; risk management; and emergency services;
- (4) Pier commission shall encompass matters pertaining to the city's responsibility at the municipal pier and the surrounding waterfront area;
- (5) Administrative commission, whose duties shall be dealing with issues of a general administrative nature coordinating the council with city clerk/administrator; handling general administrative matters not otherwise assigned to any other commissioner; dealing with matters of intergovernmental liaison and making recommendations thereon to the full council. [Res. 6-89 § 3, 1989.]

Each commissioner is empowered to select an advisory committee, subject to approval by the full Council. For at least the past ten years the City Council of Point Arena has interpreted the role of the commissioner as that of liaison, not supervisor. The commissioner interacts with his/her department, assists when needed and communicates with the Council on behalf of the department. These points were reaffirmed in the Minutes of 1-06-2009 (see below).

In addition, the wording of FINDING 8 “A commissioner for one of the five departments” implies that each Councilmember is assigned to one commissionership. However, the city’s Municipal Code provides that the Mayor may, but is not required, to take on a commissionership. If the Mayor declines appointment to a commission, one of the remaining four Council members would be required to cover two commissionerships. The past and current Mayor have always held a commission, currently that of Administration.

- GJ FINDING 9. Commission appointments are made at the discretion of the Mayor and recent changes appear to the GJ to have been punitive in nature, and made irrespective of job performance, knowledge, or experience in the department.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: As set forth in Point Arena’s Municipal Code:

TITLE 2: Administration

[2.10.060 Appointments – Vacancies.](#)

The above commission appointments shall be made by the mayor and vacancies shall be filled within 30 days. [Res. 6-89 § 7, 1989.]

The Mayors of Point Arena take these appointments very seriously. Appointing commissioners is one of the few special powers granted the position of Mayor apart from the powers of the members of the body. There are two very different forms of the Mayor-Council municipal government: the Strong-Mayor system and the Weak-Mayor system. In the Strong-Mayor system, typical of large US cities, the Mayor is elected directly by the voters and has broad executive power, with the ability to appoint and dismiss department heads without Council approval and minimal official public input. The Weak-Mayor system is more common in smaller cities, whether the city has a Manager or an Administrator. In these cities, including all four of Mendocino’s cities, the (weak) Mayor is chosen by the City Council from among its members and has few extraordinary powers. It is each City Council as a whole that has both legislative and executive authority.

In Point Arena the Mayor acts as chair of Council meetings, serves as the official face of the City for ceremonial purposes, in matters of public relations and promotion and the Mayor appoints commissioners. Commissions typically are assigned after an election and also must be filled within 30 days when any vacancy occurs, including a vacancy due to Councilmember resignation. Sometimes this gives rise to a reassignment of others as well, as a new Councilmember comes on the scene with a new set of qualifications. The assignments during the past year and a half have been most frequently made in response to

departmental/employee requests or because of particular abilities on the part of the Councilmember. In another case a Councilmember with extensive personnel experience was assigned because the multi-person department would benefit more from that type of support and had no need of technical help. In rare but serious cases, an assignment might be made to a commissionership with no associated employees because a Councilmember had taken individual unauthorized action that could expose the City to legal action. The reasoning behind these choices is often clear and stated, but sometimes it must remain veiled to protect the City itself and its employees. The current Mayor sought input from supervisors of all departments that underwent a change in commissioner, as well as the counsel of the current Vice-Mayor, who supported the reasoning behind the assignments.

- GJ FINDING 10. The City organizational chart has no City Manager or department heads. (See Appendix A)

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The FINDING is largely in error, although it is entirely correct that the city has no City Manager. First, the City has no official organizational chart. The organizational chart referenced in this Grand Jury Report as Appendix A does not exist in any adopted Resolution or Ordinance. It is a matter of concern that such an unauthorized illustration should appear in this report. It is perhaps related to another puzzling chart that is present currently on the City's website as part of an apparently unapproved version of the above-referenced *Working Guidelines for Councilmembers*, dated 11-10-2008, which has been altered in a few significant ways from the 2-27-2007 original. The original contained no such chart. Neither chart reflects the organizational structure of the City of Point Arena, but we will focus on the chart in the Grand Jury Report Appendix A.

Minutes from the Special City Council Meeting on January 6, 2009 reveal that the city's organizational structure neither underwent change at that time nor at any other in recent years:

Minutes 1-6-2009 Item 7. Discussion / Action regarding new Organizational structure – Dahloff said this chart reflects comments that came up by staff during employee evaluations, which had to do with clerk/administrator being the equivalent of a personnel supervisor so there would be one person who coordinates the personnel issues. Instead of the employee feeling like they didn't have anyone else to go to except the Council the City Administrator would coordinate that. The Council as a whole will remain the 'boss' of staff, but the Commissioners are not the bosses of anyone individually. Another item that came up during reviews was the question of whether staff reports should continue to be made by employees, or perhaps the Commissioner would be better to make the staff report after meeting with staff. This keeps the commissioners in the loop which would improve communication between employees and Council; it would also provide a buffer between staff and public. Staff would still be invited to attend

meetings to better respond to questions. Important for the Commissioner to be communicating with employees so if employees need to attend they will coordinate with employees. Safety Commissioner will meet with Chief Suddith and Sergeant Stefani to make reports to Council. Safety should also be the liaison with PARSAC. Treasurer should go from citizens with 2-way arrows. Bogdahn would like to see a closer relationship with the commissioner. Employees really appreciated being able to talk with Council during reviews. If commissioners were having regular meetings with staff the communications would be improved. Next Council should consider having staff reports being done by the Commissioners. **Council decided there will be no change to the organization structure.**

Subsequently, at the **City Council Meeting of 1-27-2009** which included an afternoon-long orientation of new and returning members conducted by the Clerk/Administrator and the City Attorney, the Clerk/Administrator presented a power-point lecture. Slides 15 and 16 caused consternation among several of us who pointed out factual errors. Slide 15 stated "Since there are no department heads or real supervisors in Point Arena, all City Staff report to and are managed by the Council as a whole." This is incorrect, as is borne out by our Position Descriptions of 2003 (Resolution 2003-29 Appendix A), by daily operations and the practice of years. Slide 16 was a third unapproved organizational chart that bore some resemblance to that of Grand Jury Appendix A and to the unapproved online chart. All three misrepresent the structure of Point Arena's staffing, failing to convey that the city has four departments, each of which has an employee in a supervising role with one or two employees working at their direction.

The city's four departments are the Wastewater Treatment Plant (Supervisor and Operator), the Pier (Facilities Manager and Pier Attendant/s), Public Works (Maintenance Supervisor and Street Maintenance Worker) and Administration (City Clerk/Administrator and Bookkeeper). These four departments are equals and none directs the other as to the operations for which they are responsible. The City Council as a body is the employer of the departments.

It is puzzling that the power point slide show with such inaccurate portrayals of our structure would ever be seen by the Grand Jury, let alone be relied upon, especially in the apparent absence of interviews with supervisors (or anyone) from Wastewater, Pier or Public Works and in the face of the official, adopted Position Descriptions of 2003.

It is accurate that the City of Point Arena has no City Manager. As the 2003 Position Descriptions, numerous published notices and adopted minutes, as well as the adopted *Working Guideline for Councilmembers* and multiple mentions in City documents reveal, the City of Point Arena has a City Clerk/Administrator. The position description is over one page long and is specific and detailed. (See attached supporting documents at the end of this Response.) The Position Description includes duties mandated by CA Government Code 40801-40814. The City has used this definition of this position since its passage and prior to 2003, the position was also that of City Clerk/Administrator, as revealed in minutes going back more than ten years. The previous Clerk/Administrator held the position for seventeen years, from 1989 to 2006.

In fact, the Grand Jury Report is fraught with inconsistencies and misunderstanding regarding the position of Point Arena's City Clerk/Administrator. The third sentence of the first paragraph of the Grand Jury summary is a case in point: "The organization is weakened by the lack of a designated City Administrator causing unrealistic and inappropriate responsibilities being placed on City Council members and the city clerk" when in fact, of course, the city does have an Administrator and furthermore, the City Clerk and the Administrator are one and the same person.

Another problem with FINDING 10 is that the chart in Appendix A of the Grand Jury's report does not reflect the organizational structure of a small, general law, mayor-council city. In most California mayor-council cities, usually small general law communities, as mentioned above, the council has substantial administrative as well as legislative power, with all department heads reporting directly to the council as a body, rather than to a strong-mayor or city manager or individual commissioners as the chart seems to suggest. Contrary to the Grand Jury Report Summary's first sentence, Point Arena is not a charter city, but a general law city. The City is pleased to see that this error has been corrected on the County of Mendocino's Grand Jury website, but we feel compelled to respond to the physical document before us. Much of the organizational relationship between the Council, Clerk, Treasurer, and City Attorney in the City of Point Arena is established in California Government Code 40601- 41805.

The City of Point Arena employs a City Attorney on a contract basis, rather than as a department supervisor. The City Treasurer is an elected position. An accurate organizational chart would show the Treasurer in a direct line "under" the Citizens and linked laterally to the City. The City Attorney could be linked only laterally to the City on the other side. The Commissioners are the Councilmembers and shouldn't be shown "under" the Council. The four department heads would be linked laterally to one another, as a group of equals, "under" the City Council as a body. And each non-supervising employee would appear linked by a vertical line "under" their supervisor.

- |  |
|--|
| <ul style="list-style-type: none"><li>• GJ FINDING 11. The City Clerk performs the work of a city manager without the authority or the compensation for that position.</li></ul> |
|--|

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The City Clerk/Administrator's job description and duties are clearly delineated. (Resolution 2003-29, Appendix A) The City Council has repeatedly, clearly and publicly affirmed its adherence to this job description and to its requirement that these duties be fulfilled. The City Council has not sought a City Manager and emphatically does not wish its City Clerk/Administrator to attempt to take on management of other departments. The City considers its independent but linked departments staffed by conscientious employees to be an excellent structure considering our size and the size of our budget. The City has a number of long-time employees who support the structure. Supervisors in three out of four departments feel that this structure works well for us and that adding a manager over them who had no

technical expertise in their realms would be an unnecessary expense for the city and would not enhance their ability to perform.

The City Clerk/Administrator position is currently set as salaried and full-time, paid at a rate equal to \$27.00/hr., which amounts to \$56,000/year. Although this compensation does not match that of a similar position in a larger city, it is a very good pay rate for our area, where professional white collar jobs are scarce. For example, a full-time, salaried Director at the Pacific Community Charter School earns about \$46,000/year.

With regard to this subject, it is informative to review a little history:

- The long-time previous City Clerk/Administrator performed this job as a slightly more than ¾ time hourly employee whose rate of pay at the end of 17 years was \$19.00/hour.
- Minutes of the Special Meeting on 6-17-2006 describe a discussion of budget amounts for City Clerk and Bookkeeper wages (Item 3) and the report from Closed Session recommending the offer to hire a bookkeeper candidate at a rate of \$15.00/hr. and a City Clerk/Administrator candidate at a rate of \$20.00/hr. (Item 5)
- Minutes of the City Council Meeting of 7-25-06 report the appointment and giving of the oath of Office to the current Clerk/Administrator, as recommended.
- The Agenda, packet materials and Minutes of the Regular City Council Meeting of 3-27-07 describe the following: Agenda Item 20. "City Clerk increase in pay and hours." The packet material for the item requests that the pay be moved from \$20.82/hr. to the "top of range - \$23.93/hr." and that the hours paid for the job be changed from 33.3 to 40. During the course of the ensuing discussion the Council agreed to raise the pay even higher, to \$25.00/hr., and agreed not only to go to 40 hours/week (full-time), but also to change the position from hourly to salaried. Councilmembers voiced concern over whether the budget could support this increase and concern over whether such a large increase for one employee was fair to grant without examining the pay rates of all others. The request was nonetheless granted and the position of City Clerk/Administrator, whose duties remained unchanged, went from an annual amount of approximately \$36,000 to an annual amount of \$52,000, an increase in over-all pay of about 43%.
- Currently, the position is paid at \$27.00/hr. for an annual amount of \$56,160.

Additionally, the rate of pay for the position of City Clerk/Administrator at \$27.00/hour is much higher than that of any other employee of the City. Until recently, all supervisors made a maximum of \$19.00/hr., such that the Clerk's position earned about 42% more than the equivalent positions in other departments. Now, the position of Wastewater Supervisor is paid at \$22.31/hr., but this is still significantly less than that of the Clerk/Administrator. The Pier and Public Works supervisor positions are paid at \$19.04/hr. Other employee pay rates range between about \$14.00 and \$16.75/hr.

The City of Point Arena finds that the position of City Clerk/Administrator is paid adequately given the circumstances of our unique tiny size, small budget and the over-all proportionately lower average pay/wage scale typical of the city's remote, rural location.



- GJ FINDING 12. The City has nine employees: two in administration, one supervisor and one staff member at the waste water plant, one supervisor and one staff member for public works, one supervisor and two staff members at the Pier.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: Although the city has at times had nine employees, currently (and at the time the Grand Jury Report was issued), the city has eight employees, two in each of the four departments.

- GJ FINDING 13. All City staff report to their Commissioner, who reports to the Council. Personnel evaluations are made by the entire Council, not by their immediate supervisor. Supervisors appear to be figureheads without real authority.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The FINDING is almost entirely in error. As has been described above, the Commissioners are liaisons with their departments and in no way have they been interpreted – at least since their reorganization in 1989 -- to be supervisory. All employees either report to a departmental supervisor or are a departmental supervisor. The four supervisors have concrete, specific responsibilities and duties which are set forth in the Position Descriptions. (Resolution 2003-29, Appendix A) The City does not consider the four supervisors to be “figureheads without real authority.” Not only do they direct their departments as the foremost technical expert in each of their areas, but they also report directly to the Council rather than to a management layer with authority but no expertise. Each has either one or two employees under their direction. In addition, the supervisors have serious, legal responsibilities, such as state-mandated wastewater requirements, fiscal reporting duties, and the oversight of a public facility where nature is the real boss and ocean conditions are a constant concern. The state, the county and the City of Point Arena have vested these employees with the authority to effectively carry out their duties.

Regarding performance evaluations, the City Municipal Code states the following:

TITLE 2: Administration – Chapter 2 Personnel Policies  
2.40.230 Annual review.

Employees will be evaluated by the city council, annually at their anniversary date. Prior to the evaluation, employees will be reviewed by their commissioners utilizing the employee evaluation form provided for in the appendix. The council will consider the recommendations and the evaluation of the commissioner and adopt it or modify it, in its discretion. The evaluation as adopted or ratified by the council as a whole will be placed in the employee’s personnel file. [Res. 2003-29, 2003.]

The City has built upon and expanded this framework at least since the performance evaluations held on 9-25-2006. (See Clerk Report item regarding evaluation structure, City Council Meeting, 9-12-2006)

The City's Employment Performance Evaluation form has the following introduction:

"The purpose of a performance review is to give you and your supervisor a chance to reflect on the last year, give and get feedback, and develop a plan of action for continued improvement. The review process is meant to be a key component of your long-term learning and growth as an employee, as well as a chance for the City of Point Arena to enhance its work.

Please fill out this form to begin your discussion with your supervisor on your performance for the last year. As you complete it, try to think about the whole year and not just the last couple of months. Write down your honest and objective assessment, not something you think you should say based on what others might expect. Work to remember both your accomplishments and the areas in which you did not excel as much as you desired. Your Supervisor will use a separate copy of this form when completing his/her evaluation of your performance during the review period."

As this reveals, and as the practice of years has borne out, all City employees complete a self-evaluation. Supervisors complete an evaluation of employees under their direction in their department. Each commissioner completes an evaluation of the department supervisor with which he/she is liaison. Then, as stated in the City's Municipal Code, the City Council conducts evaluations of each employee, including non-supervisors. These are held in Closed Session as part of a series of Special Meetings. As stated above, the City Council will consider the recommendations of the commissioner or supervisor's evaluation and adopt them or modify them, at its discretion.

The great value in this process is two-fold. First, the City Council maintains excellent communication with every employee. The Closed Session allows each employee to freely express his/her thoughts, frustrations, ideas, inspiration concerning his/her position and anything that impinges on his/her work performance. The Council has always learned as much as it has instructed in these sessions. Many good ideas have flowed out of them. Secondly, there is a check-and-balance inherent in the employee dealing with a group of five councilmembers. **No single supervisor or single commissioner or councilmember could easily impose personal bias in this scenario.**

It shall be a goal of the city to modify the wording regarding performance evaluations contained in the Personnel Policies as part of our ongoing Municipal Code update process.

- GJ FINDING 14. Employees establish their own schedules without supervision. There is no shared work calendar that would allow for work schedule coordination and communication.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The FINDING is almost entirely in error. As outlined above, the city's four departments are independent, but interlinked equals. Perhaps the Grand Jury misinterpreted the lack of a single over-all supervisor to mean a lack of scheduling and failed to perceive the scheduling, coordination and communication that occurs within each department:

- At the Pier, the Pier Facilities Manager (supervisor) sets his department's schedule in coordination with his employee/s. The Pier has official hours (7am to 4pm, with 12-1pm closed for lunch), which are maintained unless inclement weather would prevent boat launches and permit the Pier office to close, saving the City money. The Facilities Manager works with his employee/s to keep track of over-all hours worked by each for insurance purposes. All department-relevant meetings or appointments are recorded on the Pier calendar and phone messages are noted. The department maintains a daily log book with a page for each day that includes a checklist of tasks and an area for comments regarding what he/she accomplished, how and when, so each employee knows what is going on and can look back throughout the month and beyond. An example of the Daily Log is included in the Appendix of this Response for your reference.
- At the Wastewater Treatment Plant, the plant supervisor establishes a schedule with his employee. All department-relevant meetings or appointments are recorded on the Wastewater calendar. The plant's functioning is guided by the *Point Arena Wastewater Facility Operations and Maintenance (O&M) Manual*. Many tasks are performed daily, while others including long-term maintenance are on a different schedule worked out between the supervisor and the operator. The Wastewater Supervisor directs his department with care since his responsibility and state-mandated requirements are great.
- At Public Works, the department supervisor sets the department's schedule and works with the employee under his direction. Daily, monthly, yearly and seasonal tasks are well understood by these two veteran employees.
- In the Administrative Department, the supervisor (the City Clerk/Administrator) directs the administrative affairs of the city in accordance with the Position Description. The supervisor directs the activities of the City Bookkeeper and works closely with the City Treasurer, as well as with the Mayor, Vice-Mayor, other Councilmembers, and with the City's employees within the scope of the job's administrative assistance to the other departments. The City Clerk/Administrator coordinates relevant activities among departments when they arise and is charged with advising the departments of Council

actions and directives. This supervisory position, like the others, enjoys a large amount of autonomy within the scope of assigned duties.

- GJ FINDING 15. Employees fill out their own timecards and are issued payroll checks by the clerk without supervisory verification.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: Employees work with their supervisors regarding scheduling. Supervisors approve any changes to the schedule of each department. Employees do submit their own timecards to the City Bookkeeper at the Administrative office. Commissioners may approve time cards, but this is not a requirement, since many commissioners may not be present consistently at the office throughout the month. The Bookkeeper tracks employee hours with regard to benefits requirements, holiday pay, sick time, etc. The City Clerk/Administrator has developed a graphic presentation of each employee's hours worked, paid and budgeted for inclusion in the monthly Clerk Report at Council meetings. If there were a misstatement of hours or false inflation of time worked on the part of an employee, it is at the administrative level that it would probably first be detected, especially with the clear visual evidence of the monthly chart in which the "worked" and "paid" bars for that employee would quickly extend past the "budgeted" bar. (See an example of the City Clerk/Administrator's monthly Budgeted Personnel Update in the Appendix - Supporting Documents which follows this Response.)

In general, the City of Point Arena understands the high level of trust bestowed on senior employees and enjoys the benefit of these employees' work ethic and honesty. Actual verification of hours worked is not a practical endeavor, unless the City hires someone simply to drive around checking on employee activity every day. Our departments and Council rely on the more effective measure of whether the work is getting done. However, the City also recognizes that the current process could be improved by submitting to departmental supervisors a related monthly tally and total of each employee's hours budgeted, scheduled, worked and paid. In addition, the Pier supervisor has suggested a punch-clock as a simple way to accurately record employee hours at his facility.

### ***Findings – Finance***

- FINDING 16. Budgets are often adopted three to five months after the beginning of the fiscal year.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: This has certainly happened before, as it does with other entities, including the state of California, the volatility of whose budgetary process has partly been the cause of our own delays. Yet we strive to pass each year's budget, which is necessarily a moving target

and a roadmap rather than a binding contract in the sense that realities contained within it may change, before the beginning of the fiscal year (July 1). This year we have already passed our budget, at the Regular City Council Meeting on May 25, 2010 (Item 17 M/S/C (Oropeza, Sinnott 4/0)). As usual, we made adjustments so that we are working with a balanced budget. The budget discussion is always a complicated one and often takes place over the course of several meetings.

One recent change which has made these discussions smoother is the formation of an advisory Finance Committee (Resolution 2009-14 approved on July 28, 2009) consisting of the Pier, Wastewater and Public Works supervisors, the City Clerk/Administrator (who is charged within the scope of her job description with preparing the budget), the City Treasurer and the Mayor. The Finance Committee meets quarterly and provides an informal setting where department heads can come to a better understanding of the budget as a whole and can discuss the needs of their areas. Forming a finance or budget committee was a desire among several Councilmembers and our past Treasurer for a period of years. Now that it is up and running, it has helped smooth the budget process.

- FINDING 17. The auditor, contracted by the City, has been the same individual for over 20 years.

CITY RESPONSE: The respondent **agrees** with the finding.

- FINDING 18. The current revolving loan fund manual is unclear and contradictory. The loan application states that the maximum is \$150,000, whereas, the manual states the maximum amount is \$50,000.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: Whereas the accumulated material relating to the City of Point Arena's loan funds and the history of the funds is certainly confusing, the city does not have a single "loan fund manual." The Grand Jury is possibly referring to the packet of materials which prospective borrowers receive.

In 1988, the City of Point Arena, working with the Mendocino Development Corporation (MDC), set up a Revolving Loan Program for Small Business loans and for Housing Rehabilitation loans. The money ultimately originated from the state's Community Development Block Grant (CDBG) program. Over quite a few years, many loans were issued and the money was "cycled" and "recycled" many times. Most loans were good, but some were failures and were granted partly in the face of community pressure. This included the worst loan, to a local restaurateur using restaurant equipment as collateral for a \$43,000 loan as his business was near collapse. (Reference: former Mayor and Councilmember Dahlhoff's Report regarding this loan.)

In 2003, the city updated the program income plan and its guidelines in anticipation of applying for a micro-enterprise grant. Normally these guidelines would supersede the older ones, but upon analysis of the requirements of the grant, the city decided it could not reasonably perform the necessary functions and did not take the grant. It has been determined that legally the original money has been used for its intended purpose and is now available for other purposes in addition to making loans. It has also become apparent to the other Mendocino City Councils as well as to some among the Point Arena City Council that carrying out these loan programs is complicated and often an emotional ordeal. Fort Bragg recently contracted with an outside entity to administer its loan program. Ideally the city would reapply for new funds from the Department of Housing and Community Development for the purpose of loans.

### **Findings – Services**

- GJ FINDING 19. Water is provided by Point Arena Waterworks, Inc., a private company.

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 20. There are 198 parcels within the city limits.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: There are 291 parcels within the city limits.

- GJ FINDING 21. The wastewater treatment plant serves 149 connections, with 50 undeveloped lots.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding

CITY COMMENTS: The subject of FINDING 21 merits a more detailed and accurate description. The 2006 *Wastewater System Study* produced by Coastland Civil Engineering states that the City's wastewater system serves 106 residential, 35 commercial and 16 institutional accounts, for a total of 157 connections. Commercial and institutional users such as businesses and schools are charged at a rate based on a unit called an Equivalent Single Family Dwelling (ESD). A single family residence is charged one ESD. The entire wastewater system serves a total of 325 ESDs including all three types of account. The 2000 Census indicated the population of Point Arena to be 474 persons residing in 227 homes. During the course of the two LCP Implementation Workshops held on 11-13-2006 and 11-27-2006, during which the Council and attendees conducted a meticulous parcel-by-parcel calculation of actual possible maximum residential build-out and existing as well as future sewer and water capacities, it was established that the City sewer system serves 215 total residential units. (The remaining 12 out of the 227 total would be homes with septic systems not connected to

City Wastewater.) Additional data indicates that the 157 connections are located on 177 parcels and that the City has 33 vacant parcels. The result of the above-referenced Workshops determined that in real terms, when maximum density allowed by acreage in each zone is overlaid with actual parcel-by-parcel development constraints such as steep terrain, unstable soils and environmentally sensitive areas (ESHAs) as well as other factors such as lot size, shape and access, AND if every parcel in the City that could be developed was developed to the maximum possible extent, there could be as many as 461 new residential connections, in addition to the current 215. This scenario is extremely unlikely to occur in the foreseeable future considering Point Arena's slow to non-existent growth rate subsequent to several major population reductions over the decades. However that ultimate maximum of 676 is in the range of the City's sewer capacity, which is stated in the Point Arena LCP to equal 643 Total Residential Build-out.

- FINDING 22. There is a \$4,400 connection fee for new wastewater service.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: Though substantially correct, the FINDING is not entirely accurate. The \$4,400 fee is an "impact fee" rather than a "connection fee." The \$4,400 sewer impact fee applies to each usage unit -- Equivalent Single Family Dwelling (ESD) -- when a connection permit is required for a use not currently served. A connection to the wastewater system for one single family residential development for example would cost \$4,400, a single connection serving a two family residential development would cost \$8,800, and commercial and institutional hook-ups would be charged according to formula. (Point Arena Municipal Code 13.10.010 – 13.10.080)

- FINDING 23. The City's wastewater plant is approximately 30 years old. The sludge pond, which has never been dredged, is as much as 85 percent full. The wastewater plant has been out of compliance with State regulations for many years.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The wastewater system of Point Arena dates to the 1930s, when – according to anecdotal accounts – it was built as a WPA project with hand-dug sewer mains during the Great Depression. The system was very simple and, in the manner of those days, discharged directly into Arena Creek. There were more inhabitants of the City at that time, including many along the cove road, adjacent to the creek, where there was a thriving trailer park. The system was modernized in 1979. The old ponds were dredged and the sludge cleaned out. The ponds were enlarged and lined with first clay and then bentonite, and contained by concrete walls. The aerators, chlorination system, percolation ponds and the

modern central facility were built/installed. Sewage was now treated and effluent no longer flowed into any body of water. This engineered upgrade and extension project was funded by a Clean Water grant and the system thence forward was regulated by the State Water Resources Control Board.

The plant's *O&M Manual* guides daily and long-term operations, tests, maintenance, and compliance measures. It is regularly updated to comply with Water Quality requirements. Current staff has been working on a new computerized program that will help structure and schedule maintenance and operational procedures.

The removal of sludge from the ponds has become an increasingly expensive prospect over the decades during which the process has been delayed. Sludge removal should happen every ten years and ours has not been dredged in about 30 years (since the 1979 rebuild), due in part to the reluctance of past Councils to raise rates sufficiently to fund the process.

It is incorrect to state that "The sludge pond, which has never been dredged, is as much as 85 percent full." There are two ponds, and currently, the primary pond (E) is 30-33% full of sludge. The secondary pond (W) is approximately 20% full. If the Grand Jury had consulted with any employee from the wastewater department, this might have been understood.

It is also incorrect to state that "The wastewater plant has been out of compliance with State regulations for many years." We are occasionally out of compliance seasonally, particularly during dry months or years. We have had more trouble in the last few years because they have been draught years and our system did not receive the flush-out effect of heavy rains, which keeps us in compliance. It's important to note, as well, that when we are out of compliance, it is a suspended solids measure, which frequently will elevate due not only to waste solids, but also to the naturally occurring algae in our ponds which is "consuming" the actual waste. So the failed test is sometimes due to the solution itself. In actual fact, our plant is a small, simple and efficient system appropriate to the tiny size of our community. Its most urgent need is the long overdue sludge removal, after which chlorine consumption will go down and pond efficiency will go up. The collection system (of mains and laterals) is partly modernized, but also largely old and unimproved, especially where laterals are located on private property and are the responsibility of the parcel holder. Improvement of this system is a long-term goal.

- GJ FINDING 24. The City is seeking a \$3.77 million grant/loan from the United States Department of Agriculture, (USDA), to fund pond dredging and plant remediation. The urgently needed dredging is estimated to cost \$200,000.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: While the city is seeking to fund its wastewater improvement project with this possible loan/grant from USDA Rural Development, assisted by the firm of Winzler & Kelly, it is important to clarify the FINDING. The sludge removal is an absolute commitment on our part and will occur whether or not this application is granted. Also, the term "remediation" is most accurately applied to the project of lateral replacement, which is complicated because



laterals are owned by each private property owner. Sewer line repairs and replacement are also needed, but another important component of the project is the acquisition of land or an easement for the existing spray fields. The city is moving forward with this project and has selected the above-mentioned consulting firm for their success with small utilities across coastal California and for their track record in finding funding.

- GJ FINDING 25. The wastewater rates were raised effective April 1, 2006, June 22, 2007, and November 11, 2008. The current monthly rate is \$45.00.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: Although the FINDING was accurate at the time of the Grand Jury Report, the City is compelled to clarify that as of the Regular City Council Meeting on 5-25-2010, with the approval of Ordinance 211, the sewer monthly rate per ESD is now \$49.00, in accordance with the 2006 Coastland *Wastewater System Study* recommendation.

- GJ FINDING 26. Residential wastewater fees are collected through the Mendocino County Tax Collector's office.

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 27. The City has complied with Proposition 218 requirements for notice of rate changes.

CITY RESPONSE: The respondent **agrees** with the finding.

- GJ FINDING 28. The wastewater enterprise system<sub>1</sub> had an operating loss of \$19,737 for the fiscal year ended June 30, 2008, the latest audit available. The operation of the wastewater enterprise is reported to be breaking even in 2009.

<sub>1</sub> Generates its own revenue from rate payers, development impact fees, grants, and loans.

CITY RESPONSE: The respondent **agrees** with the finding

- GJ FINDING 29. The City owns the local pier, also an enterprise, which operated at a loss of \$88,863 for the fiscal year ended June 30, 2008.

CITY RESPONSE: The respondent **disagrees wholly or in part** with the finding.

CITY COMMENTS: The figure is confusing and does not represent the financial health of the City-owned and operated Pier Facility. The figure arrived at by the Grand Jury may be related to the fact that payroll for Pier employees is paid out of the General Fund (GF) for reasons of efficiency, cost savings and clearer accounting. The Pier reimburses the GF for these funds. There was a period, prior to current accounting staffing, when the "Due To" amount owed by the Pier to the GF for payroll was allowed to accumulate for far too long and appeared to put the pier in the red. This has been paid off and current accounting and administrative staff as well as the present and the previous Treasurers have designed a system of fund transfer which is kept current and is easier to understand. Accumulated depreciation has occurred which also could account for the figure arrived at in the FINDING. The City understands the need to set aside funds for capital improvement, much of which may also be funded through state and federal grant sources.

In general, the Point Arena Pier, one of the city's two Enterprise Funds (that is, the separate City facilities which earn money, along with the Wastewater Treatment Plant), is in good financial health. The staff is efficient and conscientious about not working when weather precludes boat launching and daily tasks are done and long-term projects do not require attention. The 2009-2010 budget total for Pier wages and benefits was only \$47,350, while the actual outgoing amount for wages and benefits was \$36,050 for the entire year. This is a lean operation, staffed by talented and qualified employees who do most of their own equipment maintenance, rebuilding and repair themselves at a cost savings to the city. They also deal with the public and handle our recycling facility. During the 2009-2010 fiscal year, the Pier budgeted income was \$96,350, with \$102,120 actually coming in during the fiscal year (largely due to an excellent urchin season and other fish poundage). Budgeted expenses for the year were \$138,350 and actual expenses for the year were \$84,118. Thus, it was a very good year, during which the Pier also saw the rebuilding and upgrade of its main hoist from a 5 to 6 ton capacity. It is a reality that the fishing industry is not what it used to be, but our Pier Facilities Manager has been and continues to be dedicated to finding ways to maintain this important regional ocean access point.

---

## Recommendations

The following Recommendations have been implemented and attached, as required, is a summary describing the implemented actions:

- |  |
|--|
| <ul style="list-style-type: none"><li>▪ <b>GJ Recommendation 2.</b> the City Council conduct sessions to build team work and promote understanding of City departments. (Findings 6-9)</li></ul> |
|--|

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: The City Council of Point Arena conducts fairly frequent Workshops and Special Meetings to study issues and promote

understanding on the part of members, staff and the public. For example, a Workshop on City finances was conducted by the City Auditor, City Clerk/Administrator and Treasurer and attended by Council and the public; Special Meetings were held to study how to approach major wastewater improvements, a Public Forum on the Housing Element of the General Plan was held to promote awareness and solicit public input; a multi-day process was held for the Point Arena Community Action Plan studying circulation, livability, mobility issues, open space and economic health; a transportation workshop was held; a two-day Workshop to specifically calculate current conditions and total build-out numbers with respect to water and sewer capacity was conducted; an extensive Workshop devoted to a planned major development was held where public input helped shape the project, to name a partial list.

Teamwork is enhanced not only through commissioner/department interaction but also through committee participation (Finance, Personnel and the Design Review Board).

- **GJ Recommendation 6.** the appointments [Commissioners] shall be based on background, experience, knowledge and skill; not on favoritism or by punitive action. The appointments should last for at least one year. (Finding 9)

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: To the knowledge of this Council, commissionerships have never been awarded punitively or for favoritism. They are always awarded on the basis of the skills and strengths of the Councilmember and the needs/desires of the department. Typically they last longer than one year. In rare but serious instances, a change may be warranted to protect the interests of the City and the rights of its employees.

- **GJ Recommendation 7.** Council committee meetings be held and reports prepared prior to Council meetings to facilitate effective use of meeting time. (Findings 3, 9)

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: Committee meetings do happen and work is performed before Council meetings. Typically a condensed version of a committee's findings will be presented at Regular City Council meetings, but sometimes – especially with Design Review Board (DRB) recommendations, other members of Council may want to work through planning details. The City desires to make effective use of meeting time. At the same time, the Grand Jury is gently reminded that this is public governance in action. We and other legislative bodies in America are prohibited by the Brown Act (in California) and other laws from doing back room deals and conducting business behind the scenes. To conduct business in public takes a little time. The City will strive to do its best while allowing the public its' say and while deliberating actions in the public forum.

- **GJ Recommendation 8.** the city budgets be adopted at the beginning of each fiscal year based on reasonable assumptions of revenue and expenses, and updated

quarterly. (Findings 16-17)

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: This recommendation has been implemented. The budget for Fiscal Year 2010-2011 was adopted before the beginning of the fiscal year, on May 25, 2010 and the City's Finance Committee, formed in July, 2009, meets quarterly.

- **GJ Recommendation 11.** the City file the final application for the USDA grant/loan funding. (Findings 23-24)

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: This recommendation is being implemented. The firm of Winzler & Kelly is under contract with the City for the Preliminary Engineering Report (PER), which was necessary to enter into the USDA program, and we are fully moving forward on wastewater improvements and pursuing USDA funding. The final application will be submitted once the PER is complete.

- **GJ Recommendation 12.** the City continues to monitor the Pier's financial status, to develop revenue, and assure financial stability, or consider privatization to eliminate the burden on the general fund. (Finding 29)

CITY SUMMARY DESCRIBING IMPLEMENTED ACTIONS: This recommendation has been implemented in that the city always has tracked Pier revenue and the Pier Facilities Manager has consistently worked towards developing revenue through traditional avenues and by more creative ideas, such as the Harbor Festival and selling cookbooks filled with local recipes. The city's current mayor helped negotiate an increase of 25% in fish poundage revenue from our distributor.

Please refer to FINDING 29 above regarding the actual financial health of the Pier and the error of the assumption inherent in this recommendation. In other words, the Pier – as it has been staffed and run for at least the last ten years -- is not a burden on the General Fund. It is a self-sustaining operation that earns income and pays its own bills and debts.

The Grand Jury is mistaken, furthermore, in foreseeing a benefit – either to the city or the public -- of privatization of the pier. The city has access to sources of funds – grants and loans – that a private owner does not. Our pier staffing is efficient and conscientious. Creaming a profit layer for a private owner off the top of gross revenues would not advance the condition of the facility. The Pier is an important public asset and should be kept in public hands.

**The following Recommendations have not yet been implemented but will be implemented in the future, and attached, as required, is a time frame for the implementation:**

- **GJ Recommendation 9.** the Revolving Loan Fund Manual and application be updated, corrected, and posted on the City website. (Findings 1, 18)

CITY TIMEFRAME FOR IMPLEMENTATION: Clarifying what we will and won't do and updating our process regarding the Revolving Loan Funds for small businesses and housing rehabilitation is a priority of the City. Discussion and action regarding the possibility of contracting out loan underwriting is on the same agenda (June 22, 2010) as this Grand Jury Response and likely will play out over the next several meetings. We are exploring a possible relationship with the firm selected by the County and the City of Fort Bragg following a joint Request For Proposals (RFP) to administer their revolving loan programs. We must also determinedly pursue more grant money to fund future loaning, rather than relying solely on existing funds which have been used many times over. The best approach is to keep applying for new money. As the City's Housing Element update is nearing approval in the later part of this year, the City will begin the process of applying for grant funds for its restructured loan programs from the Department of Housing and Community Development. All new structuring of these programs, policies and guidelines shall be on the City website.

By August 2010 the City shall make a decision regarding contracting underwriting.

By December 30, 2010, the City shall develop and adopt guidelines.

By January 31, 2011, the City shall post these to the city website.

---

**The following recommendations require further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.**

- **GJ Recommendation 4.** the City establish and maintain a web-based calendar for work schedule coordination available to all City staff. (Findings 14-15)

CITY EXPLANATION AND TIMEFRAME: Many things need to be improved about the city website, primarily publication of all Minutes, especially as far back as 2000; all Agendas going back to 2000 and further if possible; the City Position Descriptions (Resolution 2003-29 Appendix A), a complete list of Ordinances with full text; a complete list of Resolutions with full text; and improving the navigability of the site. All website content should consist of existing adopted material or be approved by the City Council.

A web-based calendar is probably a good idea, certainly for official events, relevant meetings and similar items. A work schedule would probably also be useful, but department supervisors should advise council on whether and how this would best work.

Website improvements shall begin immediately and shall be finished by Dec. 31, 2010.

- **GJ Recommendation 10.** the City follow accepted business practice by replacing the auditor this fiscal year and every three to five years thereafter. (Finding 17)

CITY EXPLANATION AND TIMEFRAME: The City is under contract with our current auditor through 2011. The words of this Response document do not carry the authority to accept the Grand Jury's recommendation. The matter is one that has been raised by a Councilmember and the practice of changing auditors on a regular basis has merit. Yet taking the recommended action would not guarantee a better result and may well cost more than we currently spend. In addition, there is value in an auditor who knows us well and knows where to look to make sure our house is in order. This is an issue the council shall study within the next six months.

By Dec. 31, 2010, the City Council will decide on an approach.

---

**The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, attached, as required is an explanation therefore:**

- **GJ Recommendation 1.** That the City adopts the Council-Manager form of administration, i.e., the elected Council provides political leadership and makes policy while the City Manager-Administrator directs city departments in carrying out policy.

CITY EXPLANATION: The following Recommendation will not be implemented because the City finds this recommendation not to be warranted and does not deem it to be reasonable.

There are two ways to look at implementing this request: either the City would fill and fund a brand new position, the Manager-Administrator, in addition to the City Clerk, or the City would fill a new position, the Manager-Administrator, who would also be the City Clerk. In accordance with state law, the City must have a City Clerk, who performs the duties enumerated in California Government Code 40801-40814 in addition to other tasks. Looking at the second scenario first, the job title would have to become something like City Clerk-City Manager.

Hiring a qualified career City Manager might normally require \$85,000 - \$110,000/year, as opposed to the \$56,000/year we currently pay the Clerk/Administrator. Point Arena, because of its tiny size, would be a fairly easy job for an experienced manager, and living on the coast can be a plus, so it is possible we might attract such a person. However, the successful applicant would also have to be willing to act as his/her own secretary and perform such tasks as answering the phone, taking minutes, posting notices and setting up the VFW Hall for Council meetings. This is assuming that the Grand Jury's recommendation does not imply hiring support staff for the new position, which would increase the additional money we would have to find from a range of \$30K - \$55K to a range of an additional \$50K - \$75K. Either prospect seems unreasonable, especially in a time of shrinking revenues nationwide.

If the decision were made to hire a City Manager-Administrator in addition to employing a City Clerk, the council would have to reconsider and reshape the City Clerk/Administrator position to encompass only the duties of a City Clerk and shift the administrative duties over to the new manager position. The Clerk position's pay would likely be reduced, since the current relatively high rate of pay is given in return for the breadth of duties and autonomy inherent in the current position and City structure (where the Clerk is the administrative boss, rather than reporting to a higher administrative boss.) Even if the Clerk position were paid \$40,000/yr., for example, we would still have to come up with the additional amount of about \$70,000 - \$95,000/yr.

These options are simply not reasonable for budgetary reasons. We don't have that much extra money. And if we did, we should probably target more urgent areas of need.

However, it is possible, even likely, that any of these positions could be filled for less, given the current economy and the scarcity in Point Arena of white collar jobs. Since the workload under discussion is currently carried out by a full-time employee (1 FTE or full-time equivalent) and was done previously by a .83 FTE employee, let us imagine that the Grand Jury's recommendation were followed by employing 1.5 FTE. For example, if the positions of a  $\frac{3}{4}$ -time City Clerk and a  $\frac{3}{4}$ -time City Manager-Administrator were offered tomorrow at the beginning hourly rates of \$17 and \$25 respectively (or \$26,520/year and \$39,000/year respectively) it is extremely likely that they would be filled. This would amount to a total expense of \$65,520/year plus benefits, or only about \$10,000/year more than we currently spend on a single position.

However, there would also be the problem of the "revolving door." Clerks and Managers would come on board here for the experience, training and title to put on their resume, and then try to get hired elsewhere at a higher rate.

But the strongest reason not to implement any version of this City Manager recommendation is that our departments are not in need of direction. It appears from unsolicited public comments on the part of several staff members that not one employee from the Pier, Wastewater or Public Works was interviewed by the Grand Jury and none from these departments has expressed a desire for more supervisory oversight or a concern that interdepartmental communication is difficult. The City's department supervisors know what needs to be done in their departments. In areas where departments need to communicate, this is done easily directly. In areas where there is a need for inter-departmental coordination, such as the City's benefits package, the City Clerk/Administrator carries out the task. The City also has the newly formed advisory Finance Committee, where all four department heads, the Treasurer and the Mayor meet quarterly to discuss the budget. We also have the newly formed advisory Personnel Committee composed of two Councilmembers with extensive personnel experience. It has been called upon frequently to advise on personnel questions and stands ready to confidentially help or hear any employee.

The City's long-standing structure works well partly because of our small size. And it can be seen as affording the benefit of autonomy to our departments. In general, our supervisors make far less than their counterparts who direct much larger departments in bigger cities. **The autonomy to run their departments to the best of their abilities without passing each decision through layers of supervision is seen by most as an advantage of the job.**

- **Recommendation 3.** the Council adopts a new position of City Manager-Administrator.

CITY EXPLANATION: The recommendation will not be implemented because it is not warranted and it is not deemed reasonable. See above discussion of Recommendation 2.

- **GJ Recommendation 5.** the Council replace Commissioners with working committees of two council members for each City department.

CITY EXPLANATION: The recommendation will not be implemented because it is not warranted. The city finds the Commissioner system to be effective. Doubling the workload of Council members who already wear numerous hats would decrease the effectiveness of the commissioner system, rather than enhance it.



**City of Point Arena Grand Jury Response Appendix -- Supporting Documents:**

Point Arena Position Descriptions (Resolution 2003-29 Appendix A) (14 pages)

Pier Daily Log (2 pages)

April 2010 WWTP Monthly Report (4 pages)

Example of City Clerk/Administrator's monthly Budgeted Personnel Update included in Regular City Council packets (1 page)