



Staff Report

File #: REPORT 20-0513, Version: 1

Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of August 11, 2020

DESIGNATION OF CITY NEGOTIATOR

(City Attorney Michael Jenkins)

Recommendation:

Staff recommends that the City Council adopt Resolution No. 20-XXXX establishing a policy for identification of the City's designated representatives for purposes of conducting a closed session under Government Code section 54957.6 relative to negotiations with represented and unrepresented employees.

Background:

Government Code Section 54957.6(a) provides that the City Council may hold a closed session for the purpose of giving direction to the City's designated representative relative to negotiations with the City's represented and unrepresented employees:

(a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

Government Code Section 54954.5(f) provides that the City's designated representative be identified on the closed session agenda and Government Code Section 54957.6 (a), quoted above, requires that the City's designated representative be identified prior to the closed session.

Analysis:

The Brown Act provisions quoted above require "identification" of the City's representative on the agenda but do not dictate the means by which the negotiator is selected. In October 2019, Councilmember Fangary expressed a preference for Council selection of the negotiator prior to identification of the negotiator on the closed session agenda.

Rather than revisit this issue in the future, it is recommended that the Council adopt the resolution attached to this report to establish a policy on designation of the City's representative. As noted in the policy, the Council reserves the right to change the designation if it chooses to do so.

Attachments:

1. Resolution identifying designated city labor negotiator

Respectfully Submitted by: Michael Jenkins, City Attorney

Concur: Suja Lowenthal, City Manager