

January 2, 2007

The Priority Project Update Scheduled for the January 2, 2007 City Council Special Meeting has been cancelled and will be rescheduled for a future meeting.

The Closed Session, originally scheduled for 6:00 pm, will begin at 6:45 pm.

The Regular City Council Meeting will begin directly following the Closed Session, at approximately 7:00 pm.

BENICIA CITY COUNCIL

CITY COUNCIL CHAMBERS

SPECIAL MEETING AGENDA

January 2, 2007

6:00 P.M.

- **CALL TO ORDER:**
- **CONVENE OPEN SESSION:**
 - **ROLL CALL**
 - **PLEDGE OF ALLEGIANCE**
 - **REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
 - **WRITTEN**
 - **PUBLIC COMMENT**
- **CLOSED SESSION:**
 - **CONFERENCE WITH LABOR NEGOTIATOR**
(Government Code Section 54957.6 (a))
Agency negotiators: City Manager and Human Resources Director
Employee organizations: Benicia Middle Management Group, Public Employees Union - Local 1, and Benicia Public Service Employees' Association
- **RECONVENE OPEN SESSION:**
- **INFORMATIONAL ITEMS:**
 - **Update on Priority Projects. (City Manager)**

This update on priority projects covers the "Top Ten" list of City Council Priority Projects. Staff will brief Council on the progress of each of the projects since the last review on October 3, 2006. Staff will focus their comments on changes, significant project delivery issues, and estimated completion dates.

Recommendation: Informational report only, no action necessary.

- **ADJOURNMENT:**

BENICIA CITY COUNCIL

CITY COUNCIL CHAMBERS

REGULAR MEETING AGENDA

January 2, 2007

7:00 P.M.

- **CALL TO ORDER:**
- **CLOSED SESSION:**

- TO BE HELD AT 6:00 P.M., PRIOR TO THE REGULAR MEETING
- **CONVENE OPEN SESSION:**
 - ROLL CALL
 - PLEDGE OF ALLEGIANCE
 - REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC
- **ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**
 - **ANNOUNCEMENTS:**
 - Announcement of action taken at Closed Session, if any.
 - Openings on Boards and Commissions:
 - People Using Resources Efficiently (PURE) Committee:
 - One immediate opening
 - Human Services Arts Board:
 - One unexpired term to June 30, 2009
 - Historic Preservation Review Commission:
 - Two full terms to February 28, 2011
 - **APPOINTMENTS:**
 - Open Government Commission:
 - Lois Requist - One unexpired term to November 30, 2009
 - **PRESENTATIONS:**
 - **PROCLAMATIONS:**
- **ADOPTION OF AGENDA:**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
 - WRITTEN
 - PUBLIC COMMENT
- **CONSENT CALENDAR:**
 - Introduction and first reading of ordinances to make minor changes to Title 4 (Open Government). (City Attorney)
The Commission requested various changes to the Open Government Ordinance. The changes presented are proposed to cleanup the ordinance to ensure consistency with the Brown Act and to make other clarifications. There is no fiscal impact from these changes.

Recommendation: Introduce the proposed ordinances amending various sections of Title 4 (Open Government) of the Benicia Municipal Code as follows:

- The application to meetings with other local agencies (Section 4.08.040B);
- The voting requirement for urgent matters (Section 4.08.050D);
- Public comment by members of bodies (Section 4.08.090A);
- The time for council action on records requests (Section 4.12.080D); and
- Disclosure of economic conflicts by all bodies (Section 4.16.080A).
- Second reading of an ordinance adding a new Chapter 1.36 (Voluntary Code of Fair Campaign Practices) to Title 1 (General Provisions) of the Benicia Municipal Code. (City Attorney)

The proposed ordinance establishes a Voluntary Code of Fair Campaign Practices for candidates for City offices. There is no real fiscal impact from these changes.

Recommendation: Adopt the proposed ordinance adding a new Chapter 1.36 (Voluntary Code of Fair Campaign Practices) to Title 1 (General Provisions) of the Benicia Municipal Code.

- **Approve the July 1, 2006 to June 30, 2010 amendments to the Labor Agreement with the Benicia Middle Management Group. (Human Resources Director)**

The City concluded negotiations with the Benicia Middle Management Group on November 16, 2006. The Middle Management Group consists of 16 incumbents. This group is comprised of our Plant/Division Superintendents, Deputy Fire Chiefs, Assistant Directors, and Public Services Librarian positions. The additional budget impact for FY 2006/2007 will be approximately \$16,961.

Recommendation: Adopt the resolution approving the amendments to the July 1, 2006 through June 30, 2010 Labor Agreement with the Benicia Middle Management Group.

- **Approval of the July 1, 2006 to June 30, 2010 Memorandum of Understanding with the Public Employees Union, Local 1. (Human Resources Director)**

The City recently concluded negotiations with the Public Employees Union, Local 1. The Local 1 Unit comprises the City's Professional, Confidential and Supervisory Classifications. This Unit has 37 incumbents. This group is comprised of our Technical, Analytical, Confidential and Supervisory employees. The Agreement is a compilation of the originally separate 2005-2006 Professional/Confidential and Supervisory Agreements. The additional budget impact for FY 2006/2007 will be approximately \$24,986.

Recommendation: Adopt the resolution approving the July 1, 2006 through June 30, 2010 Memorandum of Understanding with the Public Employees Union, Local 1.

- **Approval of the July 1, 2006 to June 30, 2011 amendments to the Memorandum of Understanding with the Benicia Public Service Employees' Association. (Human Resources Director)**

The City concluded negotiations with the Benicia Public Service Employees' Association (BPSEA) on December 11, 2006. BPSEA is our largest organized unit consisting of 78 full time employees. The proposed resolution outlines the amendments to the Memorandum of Understanding. The additional budget impact for FY 2006/2007 will be approximately \$44,025.

Recommendation: Adopt the resolution approving the amendments to the July 1, 2006 through June 30, 2011 Memorandum of Understanding with the Benicia Public Service Employees' Association.

- **Authorization of the purchase of four police vehicles and one utility truck. (Police Chief)**

This action will allow for replacement of five of the Police Department's oldest and highest mileage vehicles. The purchase price of the vehicles through the California General Services Bid Contract is \$111,556. The money for the acquisitions has been set-aside in the Vehicle Replace Fund and appropriated for use in the FY 2006-07 Municipal Budget.

Recommendation: Adopt the resolution authorizing the purchase of four (4) police patrol vehicles and one (1) utility truck for the Police Department through the California Department of General Services Procurement Division's Statewide Vehicle Contracts utilizing Vehicle Replacement Funds.

- **Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.**

- **PUBLIC HEARINGS:**

- **ACTION ITEMS:**

- **INFORMATIONAL ITEMS:**

- **Reports from City Manager.**
- **Review of 2007 City Council Policy Calendar. (City Manager)**
The proposed calendar for consideration of policy issues for 2007 has been drafted based on City Council Members' responses to the Policy Proposals Scheduling Worksheet and is now ready for City Council review.

Recommendation: Review and provide direction, as needed.

- **COMMENTS FROM COUNCIL MEMBERS:**

- **Consideration of whether an individual should be permitted to serve on more than one City board and/or commission - Continued from December 19, 2006 City Council Meeting. (Vice Mayor Schwartzman)**
Vice Mayor Schwartzman has requested that the Council agendize the issue of whether an individual should serve on more than one board and/or commission for a future Council meeting.

Recommendation: Determine whether to agendize for a future City Council meeting.

- **Consideration of Council Member attendance and participation at City Board and Commission meetings. (Council Member Whitney)**
Council Member Whitney has requested that the Council agendize the issue of Council Members attending and participating in City Board and Commission meetings.

Recommendation: Determine whether to agendize for a future City Council meeting.

- **ADJOURNMENT:**

Public Participation

The Benicia City Council welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on agendized and nonagendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.

Should you have material you wish to enter into the record, please submit it to the City Manager.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Diane O'Connell, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.