

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
FEBRUARY 15, 2006

The special meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 4:00 p.m. on Tuesday, February 15, 2006, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Whitney, and Mayor Messina

Absent: Vice Mayor Schwartzman (arrived after Closed Session began)

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

ANNOUNCEMENT OF CLOSED SESSION:

Lisa Wolfe, City Clerk, read the announcement of Closed Session.

OPPORTUNITY FOR PUBLIC COMMENT:

1. Jeff Davidson – Mr. Davidson spoke on behalf of the BFA. He discussed the latest negotiations between the BFA and the City. At the last negotiation meeting, neither the Fire Chief nor Assistant Fire Chief was present. Negotiations should not have taken place without proper representation. The Firefighter's have not had a contract for 220 days. They are not being treated fairly. They want to be treated with kindness and respect. One Firefighter has already left the City's employment. Another firefighter is on his way out. The current situation is not good for the morale of the new hires. The current application period has been open longer than any other. He urged Council to give direction to Staff to settle the negotiations at tonight's closed session.

CLOSED SESSION:

**A. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6(a))**

Agency negotiators: City Manager, Human Resources Director, Bill Avery of Avery & Associates

Employee organization: Benicia Firefighters Association

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code Section 54957.9)

Name of cases:

City of Benicia v. Benicia Harbor Corporation and Benicia Harbor Corporation v. City of Benicia

Togonon v. City of Benicia

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9)

Number of potential cases: 1

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

ADJOURNMENT:

Mayor Messina adjourned the meeting at 4:07 p.m.

Lisa Wolfe, City Clerk