

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
July 24, 2012

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

**I. CALL TO ORDER:**

Mayor Patterson called the meeting to order at 6:01 p.m.

**II. CLOSED SESSION: WILL BE HELD DIRECTLY FOLLOWING THE OPEN SESSION AT APPROXIMATELY 7:00 P.M.**

**III. CONVENE OPEN SESSION:**

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Mario Giuliani led the Pledge of Allegiance.

**C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC.**

**IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**

**A. ANNOUNCEMENTS**

Mr. Kilger introduced Ms. Karan Reid, the City's new Finance Director.

**1. Mayor's Office Hours:**

**B. APPOINTMENTS**

- 1. Appointment of Council Member Alan Schwartzman to the City Council Appointment Sub Committee for a one-year term ending July 31, 2013.**

**RESOLUTION 12-95 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF COUNCIL MEMBER ALAN SCHWARTZMAN TO A CITY COUNCIL APPOINTMENT SUBCOMMITTEE FOR A ONE-YEAR TERM ENDING JULY 31, 2013**

On motion of Mayor Patterson, Council adopted Resolution 12-95, on roll call by

the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

**C. PROCLAMATIONS**

**1. In Recognition of National Night Out**

**V. ADOPTION OF AGENDA:**

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Agenda, as presented, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Two handouts (copies on file).

**B. PUBLIC COMMENT**

1. Susan Street - Ms. Street thanked Staff for the work that was done behind City Hall, as it improved the aesthetics of the area.

**VII. BUSINESS ITEMS:**

**A. AMENDING MEETING LOCATION FOR REGULAR CITY COUNCIL MEETINGS AND THE APPOINTMENT PROCESS FOR COMMITTEES**

**ORDINANCE 12- - AN ORDINANCE AMENDING SUBSECTION OF SECTION 2.04.010 (MEETING TIME AND PLACE) OF CHAPTER 2.04 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE IS AMENDED TO DESIGNATE THE MEETING LOCATION FOR THE FOURTH TUESDAY REGULAR MEETINGS**

**RESOLUTION 12-96 - A RESOLUTION ADOPTING THE RULES OF PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS**

Heather McLaughlin, City Attorney, reviewed the staff report.

Staff discussed changing language in the ordinance from 'shall' to 'may'.

Vice Mayor Campbell and Staff discussed the proposed meeting location change

(more informal workshop setting), concern regarding not video taping the fourth Tuesday meetings, and concern regarding the ranking process.

Council Member Hughes and Staff discussed support for the workshop setting for the fourth Tuesday meeting, as well as support for the proposed ranking process.

Council Member Schwartzman and Staff discussed support the informal workshop setting (remote video taping is too costly). He supported the proposed ranking system.

Staff clarified that the audio file of the fourth Tuesday meetings could be posted on the City's website and linked to the agenda.

Council Member Strawbridge expressed support for the location change for the fourth Tuesday meeting. She expressed support for putting the audio file of those meetings on the City's website.

Public Comment:

1. Constance Beutel - Ms. Beutel spoke in support of the proposed meeting location change for the fourth Tuesday meetings. She preferred the current appointment process as opposed to the proposed changes.
2. Susan Street - Ms. Street discussed the possibility of allowing the public to have input on what items are discussed at the fourth Tuesday workshop meetings.

Mayor Patterson stated that the audio files of the fourth Tuesday meetings should be linked to the agenda on the City's website. Staff will continue to look into ways of video taping the meetings that take place at the Community Center. Regarding the appointment process, she suggested continuing the item, and allow for community input. She expressed support for receiving comments from the appointment subcommittee members.

Council Member Hughes expressed support for the proposed changes.

Vice Mayor Campbell expressed concern regarding the ranking process.

Council Member Schwartzman expressed support for the proposed changes.

Mayor Patterson summarized the changes to the resolutions: changing the language from 'shall' to 'may', clarifying that any council member may interview candidates (and include a cautionary note about Brown Act). She wondered if it would be better to separate the ranking process from the action being taken (to be discussed later).

Staff clarified that one change was not mentioned was on page 35 (Section B - Membership Selection, deleting resolution 10-99. By making the proposed changes, it is no longer needed.

Mayor Patterson asked if there was a motion to make the changes to the proposed resolution, as well as separate the ranking process.

Council Member Hughes did not feel the need to separate the ranking process. He made a motion to approve the introduction of the ordinance. He also made a motion to approve the resolution with the following edits: changing 'shall' to 'may', changing the wording on the voting order (as requested by the Mayor, and removing the reference to resolution 10-99. Mayor Patterson asked if he would be willing to include her suggestion to add the sentence regarding 'any council member may interview a candidate.' Council Member Hughes agreed that would be part of the motion, providing that Staff would come up with some reasonable language.

Anne Cardwell, Administrative Services Director, reviewed the handout regarding the Board and Commission Openings Notification Process (July 24, 2012).

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved the Introduction and First reading of the above Ordinance, as amended, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Hughes

Noes: Campbell

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 12-96, as amended, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Hughes

Noes: Campbell

## **VIII. CLOSED SESSION:**

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

**Agency negotiators: City Manager, Administrative Services Director**

**Employee organization: Benicia Firefighters Association (BFA).**

### **B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Subdivision (b) of Government Code Section 54957)**

**Title: City Attorney.**

### **C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**(Subdivision (b) of Government Code Section 54957)**

**Title: City Manager.**

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting to Closed Session at 6:54 p.m.

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Lisa Wolfe, City Clerk