

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
September 28, 2011

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 Closed Session meeting to order at 6:00 p.m.

A. ROLL CALL

All Council Members were present.

B. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC:

C. OPPORTUNITY FOR PUBLIC COMMENT:

1. WRITTEN COMMENT:

2. PUBLIC COMMENT:

II. CLOSED SESSION:

**A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9**

Number of potential cases (1)

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

Agency negotiators: City Manager, Administrative Services Director

Employee organizations: City Manager, City Attorney, Benicia Senior Management Group, Benicia Middle Management Group, Local 1, Benicia Public Service Employees' Association (BPSEA), Benicia Police Officers Association (BPOA), Benicia Firefighters Association (BFA), Benicia Dispatchers Association (BDA), Police Management, Unrepresented.

C. ADJOURNED CLOSED SESSION MEETING

Mayor Patterson adjourned the Closed Session meeting at 6:55 p.m.

III. CONVENE OPEN SESSION:

Mayor Patterson called the Open Session to order at 7:04 p.m.

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Chief Bidou led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC:

IV. ADOPTION OF AGENDA:

On motion of Vice Mayor Schwartzman, seconded by Council Member Hughes, Council adopted the Agenda, as presented, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Ioakimedes
Noes: (None)

V. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

One item (copy of PowerPoint presentation for item VI.B).

B. PUBLIC COMMENT

1. Stan Golovich - Mr. Golovich discussed the issue of the City's energy. He spoke in support of the City having a wind energy park.
2. Todd Matthews - Mr. Matthews discussed the Benicia City Firefighters' support for Cancer Awareness Week. They would be selling t-shirts to raise money for the cause.

VI. BUSINESS ITEMS:

A. APPROVE THE 2011-12 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BENICIA AND THE BENICIA PUBLIC SERVICE EMPLOYEES ASSOCIATION (BPSEA)

RESOLUTION 11-120 - A RESOLUTION APPROVING THE JULY 1, 2011 TO JUNE 30, 2012 AMENDMENTS TO THE LABOR AGREEMENT WITH

BENICIA PUBLIC SERVICE EMPLOYEES ASSOCIATION (BPSEA)

Anne Cardwell, Administrative Services Director, reviewed the staff report.

Public Comment:

1. Bob Langston - Mr. Langston inquired about the length of the contract (1-year).

On motion of Council Member Campbell, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes
Noes: (None)

B. UNILATERAL IMPLEMENTATION OF CHANGES IN WAGES, HOURS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN BENICIA FIREFIGHTERS ASSOCIATION (BFA)

RESOLUTION 11-121 - A RESOLUTION APPROVING UNILATERAL IMPLEMENTATION OF CHANGES IN WAGES, HOURS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE BENICIA FIREFIGHTERS ASSOCIATION (BFA)

Brad Kilger, City Manager, Anne Cardwell, Administrative Services Director, and Dania Torres-Wong, reviewed the staff report, and a PowerPoint presentation (copy on file).

Public Comment:

1. Ken Abrahams - Mr. Abrahams spoke in opposition to the proposed resolution.
2. Todd Matthews - Mr. Matthews spoke in opposition to the proposed resolution.
3. Citizen - The citizen spoke in opposition to the proposed resolution.
4. Benicia Firefighter - The firefighter spoke in opposition to the proposed resolution.
5. Benicia Firefighter - The firefighter spoke in opposition to the proposed resolution.
6. Ken Schwartz - Mr. Schwartz spoke in opposition to the proposed resolution.
7. Jed Matcham - Mr. Matcham spoke in opposition to the proposed resolution.
8. Carl Lunstead - Mr. Lunstead spoke in opposition to the proposed resolution.
9. Bob Langston - Mr. Langston spoke in opposition to the proposed resolution.
10. Lori Brinkerhoff - spoke in opposition to the proposed resolution.
11. Roman Martinez - Mr. Martinez spoke in opposition to the proposed resolution.
12. Rich Collins - Mr. Collins spoke in opposition to the proposed resolution.

13. Benicia Paramedic - The paramedic spoke in opposition to the proposed resolution.
14. Benicia Firefighter - The firefighter spoke in opposition to the proposed resolution.
15. Delaina Horner - Ms. Horner spoke in opposition to the proposed resolution.
16. Carl Lunstead - Mr. Lunstead spoke in opposition to the proposed resolution.
17. Vince Parga - Mr. Parga spoke in opposition to the proposed resolution.
18. Arlan Williams - Mr. Williams spoke in opposition to the proposed resolution.
19. Adam Williams - Mr. Williams spoke in opposition to the proposed resolution.

Mayor Patterson asked Staff to clarify the issue of the \$600,000 in reductions identified by the firefighters, the bargaining process (why a decision needed to be made tonight), and the rules that were set for Council's interaction with the bargaining groups.

Council and Staff discussed the difficult budget issues that the City is facing. They thanked the firefighters and their families for being at the meeting. They stressed that they valued their dedication and efforts.

Council Member Ioakimedes disclosed ex parte communications.

On motion of Council Member Campbell, seconded by Council Member Hughes, Council adopted the Resolution, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes

Noes: Ioakimedes

VII. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 9:22 p.m.

Lisa Wolfe, City Clerk