

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
November 02, 2010

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 7:07 p.m.

**II. CLOSED SESSION:**

**III. CONVENE OPEN SESSION:**

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Rick Knight led the Pledge of Allegiance.

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

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

**A. ANNOUNCEMENTS**

**1. Announcement of action taken at Closed Session, if any.**

Ms. McLaughlin announced that Council met to discuss five items: Council did not hear item V.A, Item V.B - Council received information from Staff, Item V.C - Council received information from Staff, V.D - Council received information from Staff, and item V.E - Council gave direction to Staff.

**2. Openings on Boards and Commissions:**

Sky Valley Open Space Committee:  
One unexpired term to January 31, 2011

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

**B. APPOINTMENTS**

**1. Appointment of Michael T. Clarke to the Finance, Audit and Budget Committee for an unexpired term to January 31, 2013.**

On motion of Mayor Patterson Council adopted the Resolution, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

RESOLUTION 10-142 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MICHAEL T. CLARKE TO THE FINANCE, AUDIT & BUDGET COMMITTEE FOR AN UNEXPIRED TERM ENDING JANUARY 31, 2013

**2. Appointment of Anthony Shannon to the Open Government Commission for an unexpired term to January 31, 2013.**

On motion of Mayor Patterson Council adopted the Resolution, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

RESOLUTION 10-143 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF ANTHONY SHANNON TO THE OPEN GOVERNMENT COMMISSION FOR AN UNEXPIRED TERM ENDING JANUARY 31, 2013

**C. PRESENTATIONS**

**D. PROCLAMATIONS**

**1. In Recognition of Steve Schueler**

**2. Welcoming Dario Caracappa to Benicia**

**V. 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, loakimedes

Noes: (None)

Mr. Erickson confirmed there were no changes to the Agenda.

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Mayor Patterson stated there was one item: a revision to a staff report that was placed on the dais as well as the back table.

**B. PUBLIC COMMENT**

None

**VII. CONSENT CALENDAR:**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council adopted the Consent Calendar, as amended, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

Council pulled items VII-C, VII-D, and VII-E.

**A. Approval of Minutes for Special Meetings of October 12, 2010 and October 19, 2010, and Regular Meeting of October 19, 2010**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council approved the Minutes, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

**B. GRANTING OF AUTHORITY TO THE CITY TREASURER FOR DEPOSITING AND WITHDRAWING OF CITY MONIES IN THE LOCAL AGENCY INVESTMENT FUND**

**RESOLUTION 10-144 - A RESOLUTION AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND**

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

**C. REVIEW AND ACCEPTANCE OF THE INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 2010**

Council Member loakimedes discussed the investment-earning chart on page VII-C-5. He and Staff discussed the change to the report (per handout - copy on file).

On motion of Vice Mayor Schwartzman, seconded by Council Member loakimedes, Council accepted the investment report for the quarter ending June 2010, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

**D. APPROVE THE JULY 1, 2010 TO JUNE 30, 2012 AMENDMENTS TO THE LABOR AGREEMENT WITH PUBLIC EMPLOYEES UNION, LOCAL #1**

**RESOLUTION 10-145 - A RESOLUTION APPROVING THE JULY 2, 2010 TO JUNE 30, 2012 AMENDMENTS TO THE LABOR AGREEMENT WITH PUBLIC EMPLOYEES UNION, LOCAL 1**

Jim Erickson, City Manager, reviewed the staff report.

Public Comment:

Rick Ernst - Mr. Ernst discussed concerns regarding the Memorandum of Understanding. He discussed concerns regarding sick time, PTO, and vacation accrual. He was not sure if 3.5 % was sufficient enough of a decrease in pay. He also discussed concerns regarding the amount of salary and benefits the City pays its employees.

Larry Fullington - Mr. Fullington discussed concern regarding the salary and benefit costs to the City, and why the City did not ask its employees for a larger pay cut.

Council Member loakimedes discussed the current status of the City's reserve fund. He was concerned about the inflammatory statements being made regarding bankruptcy.

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

**E. APPROVE THE SALARY AND BENEFITS FOR UNREPRESENTED CONFIDENTIAL EMPLOYEES**

RESOLUTION 10-146 - A RESOLUTION APPROVING SALARY AND BENEFITS FOR UNREPRESENTED EMPLOYEES

Public Comment:

Rick Ernst - Mr. Ernst discussed concerns regarding the issue of bankruptcy, the City's reserve fund, and concern regarding the cities that the City of Benicia is being compared to for benchmarks.

Council Member Campbell clarified budget information for the City of Yucaipa, as quoted by Mr. Ernst.

Council Member loakimedes clarified information in the proposed agreement regarding salary increases and salary surveys.

Staff discussed the City's reserve funds with respect to salaries, and other budget adjustments. The City has a balanced budget at this time.

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

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

**VIII. PUBLIC HEARINGS:**

**IX. ACTION ITEMS:**

**A. APPOINTMENT OF NEW CITY MANAGER**

**RESOLUTION 10-147 - A RESOLUTION APPOINTING A CITY MANAGER**

Mayor Patterson reviewed the staff report.

**Public Comment:**

Rick Ernst - Mr. Ernst discussed concern regarding the salary the new city manager will be paid. He suggested looking for someone who was a basic manager.

Citizen - the citizen discussed language in the city manager's contract addressing early exit from his contract and clarification on retirement benefits.

Council Member Hughes discussed comments made by Mr. Ernst regarding the required skill set for a city manager.

Council Member Campbell discussed the process Council went through in choosing the new city manager.

Mayor Patterson discussed the detailed and lengthy process Council went through in choosing the new city manager.

On motion of Council Member Hughes, seconded by Vice Mayor Schwartzman, Council adopted the Resolution, on roll call by the following vote:  
Ayes: Patterson, Schwartzman, Hughes, loakimedes  
Noes: Campbell

**X. INFORMATIONAL ITEMS:**

**A. City Manager Reports**

**XI. COUNCIL MEMBERS REPORTS:**

**XII. ADJOURNMENT:**

Mayor Patterson adjourned the meeting at 8:14 p.m.

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Lisa Wolfe, City Clerk