

## Jennifer Bergstrom

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**Subject:** FW: Special council meeting 8/26/2020 Agenda item 6A

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**From:** Dennis Lowry <[DLowry@ci.benicia.ca.us](mailto:DLowry@ci.benicia.ca.us)>  
**Sent:** Thursday, August 20, 2020 6:58 PM  
**To:** Lisa Wolfe <[LWolfe@ci.benicia.ca.us](mailto:LWolfe@ci.benicia.ca.us)>  
**Subject:** Special council meeting 8/26/2020 Agenda item 6A

Ms. Wolfe,

I have long believed that the Council has wrongly used the Closed Session portion of the Brown Act as it pertains to employee performance evaluations and wish to bring the matter to the Council's attention.

It is my understanding that the proper government code is 54957(b)(1) which requires that the "title of the employee *being* evaluated" must be listed in the meeting agenda not the title of the employee evaluator.

Otherwise, I feel it might convey the wrong impression of our City Manager who seems to receive evaluations during every closed session discussing employee evaluations.

Lastly, it is my understanding that 54957.1(a)(5) requires that the public be made aware of the status of said evaluation including the notion that a satisfactory or outstanding evaluation impacts (affects) the employment status of said employee. I believe both areas of closed meetings are in need of review and hopefully improvement.

Thank you for forwarding this email to the Mayor and City Council.

Dennis Lowry

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