

**January 16, 2007  
BENICIA CITY COUNCIL  
CITY COUNCIL CHAMBERS  
REGULAR MEETING AGENDA**

**January 16, 2007**

**7:00 P.M.**

- **CALL TO ORDER:**
- **CLOSED SESSION:**
  - NONE
- **CONVENE OPEN SESSION:**
  - ROLL CALL
  - PLEDGE OF ALLEGIANCE
  - REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC
- **ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**
  - **ANNOUNCEMENTS:**
    - **Announcement of action taken at Closed Session, if any.**
    - **Openings on Boards and Commissions:**  
**People Using Resources Efficiently (PURE) Committee:**  
-One immediate opening
    - **Human Services Arts Board:**  
-One unexpired term to June 30, 2009
    - **Historic Preservation Review Commission**  
-Two full terms to February 28, 2011
  - **APPOINTMENTS:**
  - **PRESENTATIONS:**
  - **PROCLAMATIONS:**
- **ADOPTION OF AGENDA:**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
  - WRITTEN
  - PUBLIC COMMENT
- **CONSENT CALENDAR:**
  - **Approval of Minutes of December 19, 2006 and January 2, 2007. (City Clerk)**
  - **Second reading and adoption of an ordinance to make minor changes to Title 4 (Open Government). (City Attorney)**  
**The Commission requested various changes to the Open Government Ordinance. The changes presented are proposed to cleanup the ordinance to ensure consistency with the Brown Act and to make other clarifications.**

**Recommendation: Adopt the proposed ordinances amending various section of Title 4 (Open Government) of the Benicia Municipal Code as follows:**

- **The application to meetings with other local agencies (Section 4.08.040B);**
- **The voting requirement for urgent matters (Section (4.08.050D));**
- **Public comment by members of bodies (Section 4.08.090A);**

- The time for council action on records requests
    - Section 4.12.080D); and
    - Disclosure of economic conflicts by all bodies (Section 4.16.080A).
  - Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.
- **PUBLIC HEARINGS:**
  - Revocation of the Regency Cab Company operating permit and participation in the Taxi Scrip and Safe Ride Programs. (Finance Director)  
Regency Cab Company has discontinued operations of its taxi service since November 1, 2006. City staff have sent notices to the owner of Regency Cab Company and have not received any response. The owner is now in violation of Benicia Municipal Code Section 5.32.100(B) and the Agreement with the City regarding participation in the Benicia Breeze Taxi Scrip and Benicia Safe Ride Programs.

**Recommendation:** Adopt the attached resolution authorizing the revocation of the Regency Cab Company operating permit due to violation of Benicia Municipal Code Section 5.32.100(B), discontinuing operation for more than forty-eight hours, and the termination of their participation in the Benicia Breeze Taxi Scrip and Benicia Safe Ride Programs.

- Submittal of an application for 2006-2007 Community Development Block Grant Funding: Planning and Technical Assistance. (Community Development Director)  
The City has been asked by Affordable Housing Affiliation of Benicia (AHA) to submit an application for \$35,000 in federal Community Development Block Grant (CDBG) funds for the purpose of conducting a predevelopment planning and feasibility analysis for a proposed AHA/Community Action Council transitional/emergency housing project.

**Recommendation:** Adopt a resolution approving submittal of an application, as proposed by Affordable Housing Affiliation of Benicia, for funding from the 2006-2007 Community Development Block Grant Planning and Technical Assistance program for a specific project.

- **ACTION ITEMS:**
  - Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2006 and recognition of certificate of achievement for excellence in financial reporting for the 2004-05 Report. (Finance Director)  
The City of Benicia receives an annual independent audit of its financial records and, upon completion, produces a CAFR. This year's audit was conducted under the direction of Catherine Yuen, Shareholder at Maze and Associates, and presented to the Audit and Finance Committee (AFC) for consideration on January 5, 2007. The Audit and Finance Committee has reviewed the CAFR and recommends approval. The previous year's CAFR received an Award of Excellence from the Government Finance Officer's Association of the United

States and Canada. A comparison of the audited results with the amended budget is also presented in the staff report.

**Recommendation: Approve the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2006 and authorize staff to distribute the document to recipient agencies.**

- Consideration of revenue options recommendations from the Audit & Finance Committee. (Finance Director)

The City Council asked the Audit and Finance Committee (AFC) to review the financial status of several City Funds and consider revenue options that would resolve various fiscal issues. The fiscal issues related to balancing the Marina Enterprise Fund, the Landscape and Lighting District Funds, the BUSD Field Maintenance Fund, and the consideration of establishing a First Street Green Park Fund and a Storm Water Enterprise Fund. The AFC recommended proceeding this fiscal year with a public outreach program to resolve funding issues in two Landscape and Lighting District Zones, Fleetside Industrial and East 2nd Street, and research the possibility of having Marina Area property owners create an assessment district to develop and maintain the First Street Green. The AFC deferred recommendations on the Citywide Residential District and other Funds pending further monitoring and research by staff.

**Recommendation: Consider information provided by staff and provide further direction, as needed.**

- **INFORMATIONAL ITEMS:**

- Reports from City Manager.
- Review of 2007 City Council Policy Calendar - Continued from January 2, 2007 City Council Meeting. (City Manager)

The proposed calendar for consideration of policy issues for 2007 has been drafted based on City Council Members' responses to the Policy Proposals Scheduling Worksheet and is now ready for City Council review.

**Recommendation: Review and provide direction, as needed.**

- Council Member Committee Reports.  
(Council Members serve on various internal and external committees on behalf of the City. Current agendas, minutes and meeting schedules, as available, from these various committees are included in the agenda packet. Oral reports by Council Members are made only by exception.)
  - Mayors' Committee Meeting (Mayor Messina)  
Next Meeting Date: January 17, 2007
  - Association of Bay Area Governments (ABAG) (Mayor Messina)  
Next Meeting Date: April 19, 2007 (General Assembly)

- **Audit & Finance Committee (Vice Mayor Schwartzman and Council Member Hughes)**  
Next Meeting Date: February 9, 2007
  - **League of California Cities (Mayor Messina)**  
Next Meeting Date: January 25, 2007
  - **School District Liaison (Council Members Whitney and Hughes)**  
Next Meeting Date: January 18, 2007
  - **Sky Valley Area Open Space (Council Members Patterson and Whitney)**  
Next Meeting Date: January 24, 2007
  - **Solano EDC Board of Directors (Mayor Messina)**  
Next Meeting Date: January 18, 2007
  - **Solano Transportation Authority (STA) (Mayor Messina)**  
Next Meeting Date: February 14, 2007
  - **Solano Water Authority/Solano County Water Agency (Mayor Messina)**  
Next Meeting Date: February 8, 2007
  - **Traffic, Pedestrian and Bicycle Safety Committee (Council Members Patterson and Hughes)**  
Next Meeting Date: January 18, 2007
  - **Tri-City and County Regional Parks and Open Space (Council Member Whitney)**  
Next Meeting Date: February 5, 2007 (Tentative date)
  - **Valero Community Advisory Panel (CAP) (Council Member Hughes)**  
Next Meeting Date: January 25, 2007
  - **Youth Action Task Force (Vice Mayor Schwartzman and Council Member Whitney)**  
Next Meeting Date: January 24, 2007
  - **ABAG/CAL FED Task Force/Bay Area Water Forum (Council Member Patterson)**  
Next Meeting Date: January 22, 2007
- **COMMENTS FROM COUNCIL MEMBERS:**
  - **ADJOURNMENT:**

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### **Public Participation**

**The Benicia City Council welcomes public participation.**

**Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on agendized and nonagendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.**

**Should you have material you wish to enter into the record, please submit it to the City Manager.**

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#### **Disabled Access**

**In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Diane O'Connell, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

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#### **Meeting Procedures**

**All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.**