

**BENICIA CITY COUNCIL
REGULAR MEETING AGENDA**

**City Council Chambers
January 17, 2012
7:00 PM**

*Times set forth for the agenda items are estimates.
Items may be heard before or after the times designated.*

I. CALL TO ORDER (7:00 PM):

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL.

B. PLEDGE OF ALLEGIANCE.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC.

A plaque stating the fundamental rights of each member of the public is posted at the entrance to this meeting room per section 4.04.030 of the City of Benicia's Open Government Ordinance.

IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

A. ANNOUNCEMENTS.

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

2. Openings on Boards and Commissions:

Building Board of Appeals
3 full terms
Open Until Filled

Solano Transportation Authority Pedestrian Advisory Committee
1 full term
Open Until Filled

3. Mayor's Office Hours:

Mayor Patterson will maintain an open office every Monday (except holidays) in the Mayor's Office of City Hall from 6:00 p.m. to 7:00 p.m. No appointment is necessary. Other meeting times may be scheduled through the City Hall office at 746-4200.

4. Benicia Arsenal Update:

B. APPOINTMENTS.

1. Appointment of Council Member Christina Strawbridge to the City Council Appointment Sub Committee for a one-year term ending January 31, 2013.

C. PRESENTATIONS.

D. PROCLAMATIONS.

V. ADOPTION OF AGENDA:

VI. OPPORTUNITY FOR PUBLIC COMMENT:

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the City Council from responding to or acting upon matters not listed on the agenda. Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN COMMENT.

B. PUBLIC COMMENT.

VII. CONSENT CALENDAR (7:20 PM):

Items listed on the Consent Calendar are considered routine and will be enacted, approved or adopted by one motion unless a request for removal or explanation is received from a Council Member, staff or member of the public. Items removed

from the Consent Calendar shall be considered immediately following the adoption of the Consent Calendar.

- A. Approval of Minutes of the Regular meeting of December 20, 2011 and the Special and Regular meetings of January 3, 2012. (City Clerk).**
- B. SUPPORT FOR ABAG FOCUS PROGRAM PRIORITY DEVELOPMENT AREA APPLICATION. (Public Works and Community Development Director)**

The Public Works and Community Development Department requests City Council support for an application to ABAG to establish a new employment based Priority Development Area (PDA) in Benicia, proposed in the northeast area of the City. In November of 2008, the City received approval from the ABAG Executive Board to establish Benicia's first PDA (not employment based) in the downtown along First Street (145 acres). This new application to establish a second PDA in the City would consist of approximately 925 acres. Approval by ABAG would make Benicia eligible for technical assistance and grants for projects such as specific or area plans, funding for related CEQA work, and for capital improvements related to transit, housing, parks and infrastructure. The goal of the FOCUS program is to reduce traffic by increasing transportation efficiency and expand mobility choices, promote economic and fiscal health, protect the environment and enhance existing neighborhoods.

Recommendation: Adopt a resolution supporting the designation of the Northern Gateway – Benicia Industrial Park Priority Development Area under the regional development and conservation strategy known as the FOCUS program, which is led by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) with support from the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC).

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

VIII. BUSINESS ITEMS (7:30 PM):

A public hearing should not exceed one hour in length. To maximize public participation, the council requests that speakers be concise and avoid repetition of the remarks of prior speakers. Instead, please simply state whether you agree with prior speakers.

A. CITY OF BENICIA HUMAN SERVICES FUND POLICY ON DISTRIBUTION OF FUNDS - OPERATING AND ENDOWMENT FUNDS. (Administrative Services Director and Interim Finance Director)

With recent fundraising efforts, the Human Services Board identified the need to have a policy that speaks to the distribution of donations to the Human Services Operating and Endowment Funds. Additionally, the policy addresses what shall occur when a grantee does not receive the intended grant funds, either due to the grantee declining funds or the Board withholding funds. The Board has worked with staff to develop the proposed policy that will be presented to Council for approval on January 17th.

Recommendation: Approve, by motion, the City of Benicia Human Services Fund Policy on Distribution of Funds – Operating and Endowment Funds.

B. SOLANO COUNTY MOBILE FIELD FORCE. (Police Chief)

On November 15, 2011, Mayor Paterson completed the first step of the City Council's "two-step" process by requesting that the issue of the Benicia Police Department's participation with the Solano County Mobile Field Force be agendized for discussion at a future council meeting. The City Council approved her request and so this item has been scheduled for the January 17th meeting.

Recommendation: Review the attached Mutual Aid Protocol.

C. Council Member Request to Agendize. (Council Member Schwartzman)

This is a request to discuss amending Chapter 1.40 of the Benicia Municipal Code to prohibit contacting a contributor by someone other than the candidate or campaign treasurer.

Recommendation: Consider Council Member Schwartzman's request to agendize this topic for a future City Council meeting.

D. Council Member Request to Agendize. (Council Member Schwartzman)

This is a request to consider an amendment that would add a provision to the voluntary Code of Fair Campaign Practices allowing soliciting at the Farmer's Market no closer than 50 feet from any of the entrances to the market.

Recommendation: Consider Council Member Schwartzman's request to agendize.

E. Council Member Request to Agendize. (Council Member Schwartzman)

This request is for the review and discussion of each body's mission, compliance with their respective mission, make up, possible changes, potential consolidations, adherence to codes, policies and Council expectations to include consideration of the current budget constraints and staff resources.

Recommendation: Consider Council Member Schwartzman's request to agendize.

F. Council Member Committee Reports:

(Council Member 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 the Council Members are made only by exception.)

- 1. Mayor's Committee Meeting.
(Mayor Patterson)
Next Meeting Date: February 15, 2012**
- 2. Association of Bay Area Governments (ABAG).
(Mayor Patterson and Council Member Strawbridge)
Next Meeting Date: April 16, 2012**
- 3. Finance Committee.
(Vice Mayor Campbell and Council Member Strawbridge)
Next Meeting Date: January 27, 2012**
- 4. League of California Cities.
(Mayor Patterson and Vice Mayor Campbell)
Next Meeting Date: January 31, 2012**
- 5. School Liaison Committee.
(Council Member Hughes and Council Member Strawbridge)
Next Meeting Date: TBD**
- 6. Sky Valley Open Space Committee.
(Vice Mayor Campbell and Council Member Schwartzman)
Next Meeting Date: February 1, 2012**
- 7. Solano EDC Board of Directors.
(Mayor Patterson and Council Member Strawbridge)
Next Meeting Date: January 18, 2012**

8. **Solano Transportation Authority (STA).**
(Mayor Patterson and Council Member Schwartzman)
Next Meeting Date: March 14, 2012

9. **Solano Water Authority-Solano County Water Agency
and Delta Committee.**
(Mayor Patterson and Vice Mayor Campbell)
Next Meeting Date: February 9, 2012

10. **Traffic, Pedestrian and Bicycle Safety Committee.**
(Vice Mayor Campbell and Council Member Schwartzman)
Next Meeting Date: TBD

11. **Tri-City and County Regional Parks and Open Space.**
(Vice Mayor Campbell and Council Member Schwartzman)
Next Meeting Date: March 12, 2012

12. **Valero Community Advisory Panel (CAP).**
(Mayor Patterson and Council Member Hughes)
Next Meeting Date: TBD

13. **Youth Action Coalition.**
(Council Member Strawbridge and Council Member Hughes)
Next Meeting Date: January 25, 2012

14. **ABAG-CAL FED Task Force-Bay Area Water Forum.**
(Mayor Patterson)
Next Meeting Date: March 2012

15. **SOLTRANS Joint Powers Authority.**
**(Mayor Patterson, Council Member Hughes
and Council Member Schwartzman)**
Next Meeting Date: January 19, 2012

IX. ADJOURNMENT (9:00 PM):

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 non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited

to no more than five 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.

Disabled Access or special Needs

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Anne Cardwell, 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 the meeting.

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.

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

Public Records

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at

the City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerk's Office.

CITY COUNCIL MEETING
BENICIA ARSENAL UPDATE

January 17, 2012

The update for this Council meeting will be a verbal update from the meeting below.

PUBLIC PARTICIPATION MEETING
BENICIA ARSENAL UPDATE
City Council Chambers
January 12, 2012
4:00 PM – 6:00 PM

- A. PURPOSE OF MEETING: Council Member Schwartzman – 5 minutes
To update the Arsenal stakeholders about the progress made so far.

- B. INTRODUCTION: Mayor Patterson – 5 minutes
 - a. City Introductions
 - b. Review Rules
 - c. Self Introductions

- C. DEPARTMENT OF TOXIC SUBSTANCES CONTROL – Presentation – 45 minutes
 - a. Review of Environmental Conditions at the Arsenal
 - b. Implications and Future Plans

- D. QUESTIONS - From the audience – 30 minutes

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF COUNCIL MEMBER CHRISTINA STRAWBRIDGE TO A CITY COUNCIL APPOINTMENT SUBCOMMITTEE FOR A ONE-YEAR TERM ENDING JANUARY 31, 2013

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Council Member Christina Strawbridge to a City Council Appointment Subcommittee by Mayor Patterson is hereby confirmed contingent on the adoption of the subcommittee resolution.

The above Resolution was approved by roll call by the City Council of the City of Benicia at a regular meeting of said Council held on the 17th day of January 2012 and adopted by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
December 20, 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 meeting to order at 7:06 p.m.

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

Diane Smikahl led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC

IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

A. ANNOUNCEMENTS

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

Ms. McLaughlin reported that Council met in Closed Session on 12/13/11 and 12/20/11, and did not take any action at either meeting.

2. Openings on Boards and Commissions:

Library Board of Trustees, 2 full terms
Application Due Date: January 13, 2012

Planning Commission, 3 full terms
Application Due Date: January 13, 2012

Arts and Culture Commission, 3 full terms
Application Due Date: January 13, 2012

Community Sustainability Commission, 1 full term
Application Due Date: January 13, 2012

Benicia Housing Authority Board of Commissioners, 2 full term
Application Due Date: January 13, 2012

Economic Development Board, 1 unexpired term
Application Due Date: January 13, 2012

SolTrans Public Advisory Committee, 3 full terms
Open Until Filled

Sky Valley Open Space Committee, 1 full term
Open Until Filled

Building Board of Appeals, 3 full terms
Open Until Filled

Solano Transportation Authority Pedestrian Advisory Committee,
1 full term, Open Until Filled

3. Mayor's Office Hours:

4. Benicia Arsenal Update:

Mayor Patterson reviewed the update report.

B. APPOINTMENTS

1. Resolution Approving Mayor's Appointments to Council Committees

RESOLUTION 11-145 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING MAYOR'S APPOINTMENTS OF MEMBERS OF THE CITY COUNCIL TO STANDING, AD HOC AND OUTSIDE AGENCY COMMITTEES

Council Member Hughes requested the distribution of appointments be balanced out. He requested his appointments to the Sky Valley Open Space Committee and the STA alternate be given to another Council Member.

After a discussion, Mayor Patterson made the following changes: Council Member Schwartzman would be the alternate on the STA, Vice Mayor Campbell would be the alternate to the SWA/SCWA, and Council Member Schwartzman would be on the Sky Valley Open Space Committee.

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

C. PRESENTATIONS

1. Report on the progress of the renovations of the Benicia Veterans Memorial Building - Ernie Gutierrez and Rose Lane

D. PROCLAMATIONS

1. IN RECOGNITION OF THE DEPLOYMENT AND RETURN OF THE 749th COMBAT SUSTAINMENT SUPPORT BATTALION

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, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

None

B. PUBLIC COMMENT

1. Mary Frances Kelly Poh - Ms. Kelly Poh discussed the City Bus Tour that the City used to do during the holidays. She would like the City to consider doing it next year.

VII. CONSENT CALENDAR:

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

Council pulled item VII.B for discussion.

A. APPROVAL OF MINUTES OF THE FIRST AND SECOND MEETINGS OF DECEMBER 6, 2011

On motion of Council Member Hughes, seconded by Council Member Strawbridge, Council approved the special and regular meeting minutes of December 6, 2011, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

B. ADOPT RESOLUTION IN SUPPORT OF MEASURE L, AN EXTENSION OF 1/8 CENT SALES TAX TO SUPPORT LIBRARY OPERATIONS IN SOLANO COUNTY.

RESOLUTION 11-146 - RESOLUTION SUPPORTING AN ORDINANCE EXTENDING ARTICLE XIV TO CHAPTER 11 OF THE SOLANO COUNTY CODE THAT IMPOSES A TRANSACTIONS AND USE TAX FOR COUNTYWIDE LIBRARY PROGRAMS TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION ON THE JUNE 5, 2012 BALLOT

Diane Smikahl, Library Director, reviewed the staff report.

Public Comment:

1. Bob Langston - Mr. Langston inquired about the amount realized in most recent closed fiscal year from the tax (approximately \$610,000).
2. Dana Dean - Ms. Dean discussed BUSD's 20% budget cuts. The City's Library is very important. She supported the proposed tax extension.
3. Kimble Goodman - Mr. Goodman spoke in support of the proposed tax extension.

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

C. REVIEW AND ACCEPTANCE OF THE INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 2011

On motion of Council Member Hughes, seconded by Council Member Strawbridge, Council reviewed and approved the Investment Report for the quarter ended June 2011, on roll call by the following vote:
Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

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

VIII. BUSINESS ITEMS:

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

RESOLUTION 11-147 - A RESOLUTION APPROVING THE NOVEMBER 1, 2011 TO OCTOBER 31, 2012 AMENDMENTS TO THE LABOR AGREEMENT WITH BENICIA PUBLIC SERVICE EMPLOYEES ASSOCIATION (BPSEA) PART-TIME UNIT

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

Public Comment:

None

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

B. VACATION OF A PORTION OF CITY PROPERTY ADJACENT TO 532 CAMBRIDGE DRIVE

RESOLUTION 11-148 - A RESOLUTION VACATING A PORTION OF THE PROPERTY ALONG THE EASTERN PROPERTY LINE OF 532 CAMBRIDGE DRIVE AND AUTHORIZING THE SALE TO THE ADJACENT PROPERTY OWNER

Charlie Knox, Public Works & Community Development Director, reviewed the staff report. He suggested Council add a statement recognizing that the additional piece of land could not be counted towards any future subdivision of the property.

Council Member Hughes thanked Staff and the applicant for being patient during this two-year long process.

Council Member Schwartzman spoke in support of Staff's recommendation.

Public Comment:

1. Jim Stevenson - Mr. Stevenson inquired about the location of the property in question.
2. Rhonda Stewart - Ms. Stewart spoke in support of the proposed action. They had been working on the issue for three years.

Mayor Patterson and Staff discussed the issue of deed restrictions for the property. Staff suggested the 2,509 sq. ft. not be allowed to be counted in any future subdivision on the property.

Council Member Schwartzman and Staff discussed Staff's suggestion regarding the square footage.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted the Resolution, as amended, on roll call by the

following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

- C. PUBLIC HEARING TO CONSIDER ADOPTING A RESOLUTION APPROVING AND ADOPTING A NEGATIVE DECLARATION FOR THE FIRST AMENDMENT TO THE 1995 COUNTYWIDE SITING ELEMENT OF THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN; AND A RESOLUTION APPROVING AND ADOPTING THE FIRST AMENDMENT TO THE 1995 COUNTYWIDE SITING ELEMENT OF THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, DIRECTING STAFF TO IMPLEMENT AN ANNUAL DISPOSAL CAPACITY REPORTING REQUIREMENT, AND DIRECTING STAFF TO SEEK APPROVAL OF THE AMENDMENT BY THE CITIES WITHIN THE COUNTY AND BY THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)**

RESOLUTION 11-149 - A RESOLUTION STATING THAT THE NEGATIVE DECLARATION PREPARED BY THE COUNTY OF SOLANO IN CONNECTION WITH THE FIRST AMENDMENT TO THE COUNTYWIDE SITING ELEMENT OF THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN HAS BEEN REVIEWED AND CONSIDERED

RESOLUTION 11-150 - A RESOLUTION APPROVING AND ADOPTING THE FINAL DRAFT FIRST AMENDMENT TO THE COUNTYWIDE SITING ELEMENT OF THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, DIRECTING STAFF TO ESTABLISH AN ADDITIONAL REPORTING REQUIREMENT REGARDING LANDFILL CAPACITY, AND AUTHORIZING SUBMITTAL OF THE AMENDMENT TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Mayor Patterson asked Council to disclose any ex parte communications regarding this item, which there were none.

Narcisa Untal, Solano County Department of Resource Management, and Harry Englebright, Englebright & Associates, reviewed the report.

Council Member Hughes and Staff discussed the impact this would have on Staff time (minimal), and the impact on service providers (none).

Public Comment:

None

Mayor Patterson and Staff discussed the effect this would have on Measure E (there would be no change, regardless of the outcome of Measure E in the courts). They discussed to what extent it represents the Climate Action Plan strategies for reducing solid waste.

On motion of Council Member Strawbridge, seconded by Council Member Schwartzman, Council adopted Resolution 11-149, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted Resolution 11-150, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

D. COASTAL CONSERVANCY GRANT AWARD TO CITY OF BENICIA FOR BENICIA URBAN WATERFRONT RESTORATION PLAN

RESOLUTION 11-151 - A RESOLUTION APPROVING THE GRANT AGREEMENT BETWEEN THE CITY AND THE COASTAL CONSERVANCY FOR THE DEVELOPMENT OF THE BENICIA URBAN WATERFRONT RESTORATION PLAN, APPROPRIATING \$20,000 FROM THE PARK DEDICATION ACCOUNT TO SERVE AS THE GRANT MATCH AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

Council Member Strawbridge recused herself due to a conflict of interest.

Mario Giuliani, Acting Economic Development Manager, reviewed the staff report.

Mayor Patterson disclosed exparte communications. She also noted that she works with the Coastal Conservancy in her day job.

Vice Mayor Campbell and Staff discussed the schedule for construction phases, approximate cost (rough estimate \$1.4 - 1.6 million), Measure C Initiative, concerns regarding the high cost for design, limitations on what can be done in the area (Measure C Initiative), whether or not to address the storm drain issues, and whether or not some costs could be covered by the VIP Funds (most likely not).

Council Member Hughes and Staff discussed concerns regarding the financing of the project, previous waterfront restoration plan (it was addressed in a past Parks Master Plan), concerns regarding spending the \$20,000 on the design/plan and then not receiving the other funding, and the need for some assurance that the events that are currently being held on the First Street Green would still be able to be held (car show, events sponsored by Benicia Main Street, etc.).

Vice Mayor Campbell discussed concern regarding coming up with the design/plan, and not being able to use it.

Council Member Schwartzman and Staff discussed why the current plan had not

been updated or used, and the issue of sea level rise.

Mayor Patterson and Staff discussed the former plan, and whether it ever had CEQA on it (no), and whether the current grant would cover CEQA costs (yes).

Public Comment:

1. Mike Smith, President, Portside Village Homeowners Association - Mr. Smith discussed concerns regarding ensuring any action the City takes not add to their obligations or liabilities.
2. Susan Street - Ms. Street spoke in support of the proposed grant award.
3. Mary Frances Kelly Poh - Ms. Kelly Poh read a letter written by Sarah Johnson, expressing support for the proposed grant award.
4. Constance Beutel - Dr. Beutel spoke in support of the proposed grant award.
5. Mary Frances Kelly Poh - Ms. Kelly Poh spoke in support of the proposed grant award.
6. Steve Goetz - Mr. Goetz spoke in support of the proposed grant award.
7. Greg Davis - Mr. Davis read a letter written by Judy Donaldson, expressing support for the proposed grant award.
8. Sue Wickham - Ms. Wickham spoke in support of the proposed grant award.
9. Jim Stevenson - Mr. Stevenson spoke in support of the proposed grant award.
10. Citizen - The Citizen read a letter written by Lee Wilder Snyder and Craig Snyder, expressing support for the proposed grant award.
11. Bonnie Silveria - Ms. Silveria spoke in support of the proposed grant award. She and Staff discussed the issue of CEQA and the prior Parks Master Plan. If adopted, she hoped the Urban Waterfront Restoration would come to fruition. She hoped the public would be included in the process.
12. Sue Johnson - Ms. Johnson spoke in support of the proposed grant award.
13. Tony Shannon - Mr. Shannon spoke in support of the proposed grant award.
14. Jon Van Landschoot - Mr. Van Landschoot spoke in support of the proposed grant award.

Council Member Schwartzman discussed concerns regarding the claim that this would increase tourism, concern regarding timing (needs vs. wants), and concerns regarding the cost and the current budget constraints.

Mayor Patterson discussed Council Member Schwartzman's past concerns regarding the Community Center vote. She discussed the various plans that were drawn for the Community Center, and how the Community Center was finally finished. She discussed the Delta Recreation Plan's inclusion of Benicia. She discussed the importance of investing in Benicia.

Council Member Schwartzman clarified his previous vote for the Community Center.

Vice Mayor Campbell and Staff discussed the cost of the Marina Green. They discussed the possibility of using some of the grant money to do something

out there. Staff expressed concerns regarding changing the current scope of work with the current grant.

Mayor Patterson, Vice Mayor Patterson, and Staff discussed including having 'including construction drawings' included in the RFP.

Council Member Hughes expressed concern regarding the Mayor's possible violation of Council's Code of Conduct. He and Staff discussed the time sensitivity for acceptance of the grant, and where the money for Phase II of the program would come from.

Vice Mayor Campbell, Mayor Patterson, and Staff discussed the possibility of making modifications to some of the conditions within the agreement after acceptance. Staff expressed concern regarding not complying with the terms of the agreement. Mayor Patterson clarified that they intended to meet the terms of the agreement, but if there were funds left over, they wanted the option to redirect those dollars for construction costs.

Mayor Patterson stated she was looking for a motion to adopt the resolution accepting the grant, with the understanding of the discussion Council had, that if in the process of the RFP, specifying construction drawings as a component to that, and if there is money left over, Council could direct Staff to see if the money could be redirected for construction.

Mayor Patterson and Staff discussed the nature of the restrictions for the Park Dedication funds. Staff confirmed the money was currently allocated to the Jack London Park playground. The money could not be spent on anything that was not park related. The depot was considered park-related. There is currently a fund for improvements at the depot.

Council Member Schwartzman clarified that his issue with this was spending money on this in the current economic times. He inquired if the grant could be obtained without the City matching the funds. Staff confirmed the City's match was currently \$20,000.

Vice Mayor Campbell stated he would make the motion to adopt the resolution, as written. Council could take a shot at modifying it at a later date. Mayor Patterson seconded the vote.

Council Member Hughes discussed his concerns regarding funding for Phase II.

Staff discussed the timeline: if Council were to accept the grant this evening, that would begin the process for Staff to develop the RFP (released Jan/Feb), it would be brought back in March/April, then Council would make a commitment to spend the money. It is at that time Council could accept or reject the bids. They would not have accepted any money from the Conservancy yet, so if rejected, there would be no money to repay.

Mr. Kilger stated Staff could research what types of funds this project could qualify for.

Ms. McLaughlin clarified the scope of agreement. It does not specify construction.

Council Member Schwartzman suggested waiting to vote on this item until Council's questions were answered.

Vice Mayor Campbell did not want to risk losing \$140,000.

Council Member Hughes stated he would support it, however, he was prepared to vote against it in the future if his level of confidence regarding Phase II was not increased.

Mayor Patterson discussed the prior comments regarding violation of Council's Code of Conduct. Her comments were to point out an action of displaying a consistency and approach to things.

On motion of Vice Mayor Campbell, seconded by Mayor Patterson, Council adopted the Resolution, as presented, on roll call by the following vote:

Ayes: Patterson, Campbell, Hughes

Noes: Schwartzman

E. AWARD CONTRACT TO CENTER FOR SUSTAINABLE COMMUNITIES, SONOMA STATE UNIVERSITY, TO PROVIDE CLIMATE ACTION PLAN COORDINATOR SERVICES

RESOLUTION 11-152 - A RESOLUTION ACCEPTING THE PROPOSALS FOR THE CLIMATE ACTION PLAN COORDINATOR, AWARDDING THE CONSULTANT CONTRACT TO CENTER FOR SUSTAINABLE COMMUNITIES, SONOMA STATE UNIVERSITY, IN THE AMOUNT NOT- TO- EXCEED \$150,000 AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY

Charlie Knox, Public Works & Community Services Director, reviewed the staff report.

Council Member Schwartzman and Staff discussed the need for grant writing ability.

Mr. Hinds, The Center for Sustainable Communities, Sonoma State University, discussed the proposal they submitted. He had assumed that grant writing was part of the proposal. They would be submitting grant writing applications.

Vice Mayor Campbell and Mr. Hinds discussed their success rate with grant applications.

Public Comment:

1. Constance Beutel - Dr. Beutel spoke in support of the proposed resolution.

Council Member Schwartzman discussed how much staff time was involved in supporting the CSC. He stated he would make a motion to approve, with the amendment of adding a one-year review of the contract. He would like to see two reports to Council (one in three months, and a second one in twelve months) regarding how much staff time this freed up.

Council Member Hughes suggested the first report be presented to Council in six months, rather than three months. Council Member Schwartzman agreed with the six and twelve-month reviews.

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

F. Council Member Committee Reports:

1. **Mayor's Committee Meeting. (Mayor Patterson) Next Meeting Date: TBD**
2. **Association of Bay Area Governments (ABAG). (Mayor Patterson and Council Member Ioakimedes) Next Meeting Date: Spring General Assembly - April 19, 2012**
3. **Finance, Audit and Budget Committee. (Council Member Schwartzman and Vice Mayor Campbell) Next Meeting Date: December 16, 2011**
4. **League of California Cities. (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: TBD**
5. **School Liaison Committee. (Council Members Ioakimedes and Hughes) next Meeting Date: January 12, 2012**
6. **Sky Valley Open Space Committee. (Council Members Campbell and Hughes) Next Meeting Date: February 1, 2012**
7. **Solano EDC Board of Directors. (Mayor Patterson and Vice Mayor Campbell) Next Meeting Date: January 18, 2012**
8. **Solano Transportation Authority (STA). (Mayor Patterson and Council Member Ioakimedes) Next Meeting Date: December 14, 2011**

9. **Solano Water Authority-Solano County Water Agency and Delta Committee. (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: TBD**
10. **Traffic, Pedestrian and Bicycle Safety Committee. (Council Members Hughes and loakimedes) Next Meeting Date: January 19, 2012**
11. **Tri-City and County Regional Parks and Open Space. (Council Members Campbell and Hughes) Next Meeting Date: TBD**
12. **Valero Community Advisory Panel (CAP). (Council Member Hughes) Next Meeting Date: TBD**
13. **Youth Action Coalition. (Council Member Schwartzman and Vice Mayor Campbell) Next Meeting Date: TBD**
14. **ABAG-CAL FED Task Force-Bay Area Water Forum. (Mayor Patterson) Next Meeting Date: January 26, 2012**
15. **SOLTRANS Joint Powers Authority (Mayor Patterson and Council Member loakimedes) Next Meeting Date: TBD**

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 10:38 p.m.

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
January 03, 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 6:03 p.m.

II. **CONVENE OPEN SESSION:**

A. **ROLL CALL**

All Council Members were present.

B. **PLEDGE OF ALLEGIANCE**

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

III. **OPPORTUNITY FOR PUBLIC COMMENT:**

A. **WRITTEN COMMENT**

B. **PUBLIC COMMENT**

None

IV. **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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Subdivision (b) of Government Code Section 54957)

Title: City Attorney

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code Section 54957)

Titles: City Manager

V. ADJOURNMENT:

Mayor Patterson adjourned the Closed Session meeting at 6:50 p.m.

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
January 03, 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 6:58 p.m.

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

Mayor Patterson 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 reported that Council did not take any action during Closed Session.

2. Openings on Boards and Commissions:

Library Board of Trustees, 2 full terms
Application Due Date: January 13, 2012

Planning Commission, 3 full terms
Application Due Date: January 13, 2012

Arts and Culture Commission, 3 full terms
Application Due Date: January 13, 2012

Community Sustainability Commission, 1 full term
Application Due Date: January 13, 2012

Benicia Housing Authority Board of Commissioners, 2 full term
Application Due Date: January 13, 2012

Economic Development Board, 1 unexpired term
Application Due Date: January 13, 2012

SolTrans Public Advisory Committee, 3 full terms
Open Until Filled

Sky Valley Open Space Committee, 1 full term
Open Until Filled

Building Board of Appeals, 3 full terms
Open Until Filled

Solano Transportation Authority Pedestrian Advisory Committee,
1 full term - Open Until Filled

3. Mayor's Office Hours:

4. Benicia Arsenal Update:

Mayor Patterson reviewed the report.

B. APPOINTMENTS

C. PRESENTATIONS

D. PROCLAMATIONS

V. ADOPTION OF AGENDA:

Staff requested that item VII.C be amended to reflect the cancellation of the November 6, 2012 Council meeting, as it is a national election day.

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

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

Two items received from citizens (copies on file).

B. PUBLIC COMMENT

1. Karen Burns - Ms. Burns discussed the issue of the bicycle racks being removed in the Downtown area. They have still not been removed. (Staff noted that the replacement racks were on backorder.)
2. Judith Judson - Ms. Judson discussed concerns regarding the goats in the Southampton area, and the destruction they are causing to the land and the wildlife. She submitted photographs documenting her concerns.

Mayor Patterson asked Staff to look into Ms. Judson's concerns and present their findings to Council. Council discussed the issue, and by consensus, agreed to have Staff provide Council with updates on the goat issues, however, they did not want staff to spend time re-evaluating the use of the goats.

VII. CONSENT CALENDAR:

Item VII.C was amended, per the adoption of the agenda, canceling the 11/6/12 Council meeting.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved the Consent Calendar, as presented, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

A. APPROVAL OF MINUTES OF THE SPECIAL MEETINGS OF DECEMBER 12, 2011 AND DECEMBER 20, 2011

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved the minutes of the Special meetings of December 12, 2011, and December 20, 2011, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

B. REVIEW AND ACCEPTANCE OF THE INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 2011

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved, by motion, the acceptance of the investment report for the quarter ended September 2011, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

C. ADOPTION OF THE 2012 CITY COUNCIL REGULAR MEETING CALENDAR

Per Staff's request during the adoption of the agenda, Council amended the 2012 City Council regular meeting calendar to reflect the cancellation of the 11/6/12 meeting (due to the national election).

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved, by motion, 2012 City Council regular meeting calendar, as amended, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

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

VIII. BUSINESS ITEMS:

A. REVIEW OF PLANNING COMMISSION DECISION REGARDING THREE VINYL WINDOWS AT 410 WEST J STREET

Staff reviewed Mayor Patterson's request to rescind her call-up of this item.

Mayor Patterson reviewed her request to call up the review of the Planning Commission decision regarding three vinyl windows at 410 West J Street. After she called the item up for review, she received satisfactory information from Staff, documentation, meetings, etc. that convinced her she had no interest in overturning the Planning Commission's ruling. Because of the timing of the agenda, the item had to remain on tonight's agenda.

Mayor Patterson asked if anyone in the audience wanted to hear the item as an appeal of the Planning Commission's decision.

Ms. Karen Burns indicated she wished to hear the item as an appeal.

Charlie Knox, Public Works & Community Development Director, reviewed the staff report.

Public Comment:

1. Karen Burns - Ms. Burns discussed concerns regarding the Planning Commission's decision.
2. Bob Langston - Mr. Langston discussed concern regarding the erosion of personal property rights. He suggested placing the information regarding historic homes on the property deed so that it is clear to all buyers what they are getting in to.
3. Bob Surrat - Mr. Surrat spoke in support of the Planning Commission's ruling. He discussed the issue of guidelines and recommendations vs. rules.
4. Peter Baker - Mr. Baker spoke in support of the Planning Commission's

ruling. However, he felt that in general, the HPRC and Planning Commission should make recommendations, and Council should make final determinations.

5. Diane Reed - Ms. Reed spoke in support of the Planning Commission's ruling.
6. Gary Smith - Mr. Smith spoke in support of the Planning Commission's ruling.
7. Donna Sheehan - Ms. Sheehan reviewed the letter she submitted to Council (copy on file). She spoke in opposition to the Planning Commission's ruling.
8. Dennis Lowry - Mr. Lowry discussed the issue of encroachment on personal property rights, as documented in his letter to Council (copy on file). He discussed concerns regarding the conflicting Benicia Municipal Codes regarding HPRC and Planning Commission duties. He discussed concerns regarding possible Brown Act violations.
9. Claudia Fraser - Ms. Fraser discussed her concerns regarding the processes in place that have led to the current situation with her windows at 410 West J Street.
10. Jim Gossman - Mr. Gossman spoke in support of the Planning Commission's ruling.

Vice Mayor Campbell asked for a point of order. He asked Staff to clarify what action could be taken as a result of the item being called up.

Mayor Patterson reviewed the three choices: 1) take no action and uphold the Planning Commission's ruling, 2) take action to uphold the Planning Commission's ruling, or 3) take action to support the request for rescinding by the Mayor.

Council Member Hughes discussed the issue of personal property rights. He was willing to offer a motion to uphold the Planning Commission's ruling.

Council Member Schwartzman discussed concern regarding the guidelines, and the need to make them clearer. He did not think any action needed to be taken. He discussed the need to put the window issue on the policy calendar for discussion.

Vice Mayor Campbell did not agree with dealing with this issue as a call-up. Council could look at the issue as a policy. He discussed the issue of guidelines being nebulous and flexible.

Council Member Strawbridge discussed the need to better communicate to the citizens regarding homes in the historic district. She discussed the issue that was brought up regarding placing the information on the deeds.

Mayor Patterson discussed the need for continuing education on the issue. She discussed the issue of looking into policy, revisiting the guidelines, etc.

Mayor Patterson confirmed the Planning Commission's ruling would stand as-is.

Mr. Kilger discussed the issue of a follow-up workshop with the HPRC and the State Office of Historic Preservation. Staff was not prepared to start a lengthy evaluation with large community input at this time. If that were Council's desire, he would like to talk to the HPRC and put together a work plan. He reviewed the Planning Commission and Staff's recommendations on the vinyl window issue. The Downtown Conservation Plan needs to be updated. He would be happy to set up some meetings, however, the budget, labor negotiations, and several major projects are underway. Council and Staff need to have more of a dialogue on the issue, prior to getting into the meetings.

Mayor Patterson suggested going forward with the workshop. Council should put the potential policy discussion on the calendar, so it doesn't fall through the cracks. Council will wait to see what Staff comes back with from the HPRC regarding an update on the Downtown Historic Plan.

Vice Mayor Campbell discussed incentives or waiving fees regarding historic home renovations.

Council Member Schwartzman asked for clarification on the purpose of the meeting with the State Office of Historic Preservation. Staff clarified that it would be to get an update of where the City is, and have an opportunity to lay these issues out, in terms of the current system, but not necessarily come to any conclusions.

Mayor Patterson clarified that it was somewhat of a refresher course from the State. The City had one in the past, and it was very helpful.

Staff confirmed that based on tonight's discussion, the commissions and staff need clarification from Council on their expectations. Staff would come back and give Council a status report after the meeting with the State.

Council Member Hughes clarified that it would not be a workshop, but a meeting. He would expect the City to ask the State for clarifications on the dos and don'ts of the guidelines. Then, Staff could come back and present their findings to Council.

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:36 p.m.

AGENDA ITEM
CITY COUNCIL MEETING DATE - JANUARY 17, 2012
CONSENT CALENDAR

DATE : January 5, 2012

TO : City Manager

FROM : Public Works and Community Development Director

SUBJECT : **SUPPORT FOR ABAG FOCUS PROGRAM PRIORITY DEVELOPMENT AREA APPLICATION**

RECOMMENDATION:

Adopt a resolution supporting the designation of the Northern Gateway – Benicia Industrial Park Priority Development Area under the regional development and conservation strategy known as the FOCUS program, which is led by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) with support from the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC).

EXECUTIVE SUMMARY:

The Public Works and Community Development Department requests City Council support for an application to ABAG to establish a new employment based Priority Development Area (PDA) in Benicia, proposed in the northeast area of the City. In November of 2008, the City received approval from the ABAG Executive Board to establish Benicia's first PDA (not employment based) in the downtown along First Street (145 acres). This new application to establish a second PDA in the City would consist of approximately 925 acres (see attached map). Approval by ABAG would make Benicia eligible for technical assistance and grants for projects such as specific or area plans, funding for related CEQA work, and for capital improvements related to transit, housing, parks and infrastructure. The goal of the FOCUS program is to reduce traffic by increasing transportation efficiency and expand mobility choices, promote economic and fiscal health, protect the environment and enhance existing neighborhoods.

BUDGET INFORMATION:

This action would not impact the City budget.

GENERAL PLAN:

Relevant General Plan goals and policies:

- Goal 2.5 – Facilitate and encourage new uses and development, which

provide substantial and sustainable fiscal and economic benefits to the City and the community while maintaining health, safety, and quality of life.

- Goal 2.6 – Attract and retain a balance of different kinds of industrial uses to Benicia.
 - Policy 2.6.1 – Preserve industrial land for industrial purposes and certain compatible “service commercial” and ancillary on site retail uses.
- Goal 2.17 – Provide an efficient, reliable, and convenient transit system.
- Goal 2.18 – Encourage the provision of convenient rail service to Benicia with a station near the Benicia Bridge.
 - Policy 2.18.1 – Work with BART, Caltrans, BCDC, the Solano Transportation Authority, and MTC in planning a rail station near the Benicia – Martinez Bridge.
 - Program 2.18.A – Consider mixed use, commercial and industrial uses that complement the train station.
 - Program 2.18.B – Plan for convenient auto and transit access to and auto parking at the train station to encourage its use.

STRATEGIC PLAN:

Relevant Strategic Issues and Strategies:

- Issue #3 – Strengthening Economic and Fiscal Conditions
- Issue #4 – Preserving and Enhancing Infrastructure
 - Strategy #4 – Provide adequate funding for ongoing infrastructure needs

ENVIRONMENTAL REVIEW:

The application is exempt from the California Environmental Quality Act per CEQA Guidelines Section 15306, which applies to resource evaluation activities.

BACKGROUND:

FOCUS is a development and conservation strategy involving ABAG, MTC, BAAQMD, and BCDC to channel population growth in areas near transit in established communities to conserve the region’s natural resources.

Participation in the program by a city requires establishing one or more PDAs, which must be:

- 100 acres or larger;
- within an existing urbanized area;
- subject to plans to increase affordable and mixed use housing; and
- within ½-mile of a rail station, ferry terminal, or high frequency bus or rapid transit corridors.

This proposed second PDA for Benicia presents an opportunity to secure funds to complement the City's economic development planning efforts in the industrial area. The intent is to stimulate a jobs rich employment center characterized by connected and complete streets, fixed transit, bus service, access to everyday needs, and parkland amenities. The requirements for establishing an employment based PDA include:

- a density of 25 jobs per gross acre or greater than 0.5 Floor Area Ratio (FAR);
- areas currently served by transit or have planned transit service (existing or planned fixed rail, demonstrated high frequency bus with 20 minute headways during peak weekday commute hours, or shuttle service to fixed rail) and support other modes of transportation (Transportation Demand Management, improved walking or biking, and reduced parking requirements);
- plans for a mix of uses, services, and amenities for employees;
- housing near the employment center; and
- a lower jobs per household average than the regional average of 1.25

This proposed employment center PDA satisfies this criteria.

Implementation of SB 375 in the form of the Sustainable Communities Strategy is likely to prioritize future planning and transportation funding toward PDAs. It is key that Benicia position itself by promoting its strength as an employment center and gain designation for the industrial park as a PDA so that it can compete in good standing for future funding and grant opportunities.

PDAs approved by ABAG qualify to compete for technical and financial assistance; as shown in the following table.

Example of Tools and Incentives Package for Designated Areas

TECHNICAL ASSISTANCE	FINANCIAL ASSISTANCE
Policy Development	New Area or Specific Plans
Photo Simulations	CEQA Review
Local Workshops, Tours	Transportation Projects (including pedestrian and bicycle)
	Housing Projects
	Water/Sewer Capacity
	Parks and Urban Greening
	Streetscape Improvements

The application was submitted to ABAG on December 16, 2011 and the deadline to submit resolutions in support of PDA applications is January 30, 2012. ABAG's

Executive Board is scheduled to review and adopt proposed PDAs on March 15, 2012.

Attachments:

- Proposed Resolution
- Exhibit A – Map of Proposed PDA
- PDA Application Submitted to ABAG

RESOLUTION NO. 12-

A RESOLUTION OF THE BENICIA CITY COUNCIL AUTHORIZING THE DESIGNATION OF THE NORTHERN GATEWAY PRIORITY DEVELOPMENT AREA UNDER THE FOCUS PROGRAM

WHEREAS, the Association of Bay Area Governments and the Metropolitan Transportation Commission in coordination with the Bay Area Air Quality Management District and Bay Conservation and Development Commission have undertaken a regional planning initiative called FOCUS; and

WHEREAS, FOCUS program goals support a future regional development pattern that is compact and connected; and

WHEREAS, the regional agencies seek local government partners to create specific locations where growth can be appropriately accommodated, known as Priority Development Areas; and

WHEREAS, the proposed Employment Center PDA meets all of the following criteria: (a) contains a density of 25 jobs per gross acre or greater than 0.5 FAR; (b) is served by transit (existing or planned fixed rail, demonstrated high frequency bus with 20 minute headways during peak weekday commute hours, or shuttle service to fixed rail) and supports other modes of transportation (required Transportation Demand Management, improved walking and biking, and reduced parking requirements); (c) is planned for a mix of uses, services, and amenities for employees; (d) is proximate to sufficient housing to merit resources supporting an exclusively employment development area; (e) and has a lower existing jobs per household than the regional average of 1.25 (1.16); and

WHEREAS, local governments in the nine-county San Francisco Bay Area are eligible to apply for designation of an area within their community as a priority development area; and

WHEREAS, the regional agencies are committed to securing incentives and providing technical assistance to designated priority development areas so that positive change can be achieved in communities working to advance focused growth.

NOW, THEREFORE, BE IT RESOLVED, THAT the City Council of the City of Benicia hereby supports designation of the Northern Gateway – Benicia Industrial Park Priority Development Area (as depicted in Exhibit A) under the FOCUS program.

* * * * *

On motion of Council Member _____, seconded by Council Member _____, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 17th day of January, 2012 and adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Elizabeth Patterson, Mayor

ATTEST:

Lisa Wolfe, City Clerk

PROPOSED PRIORITY DEVELOPMENT AREA NORTHERN GATEWAY- BENICIA'S INDUSTRIAL PARK

VII.B.7



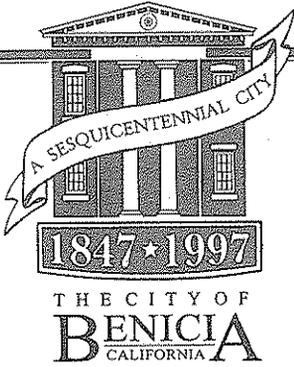
ZONING MAP LEGEND:

- OS OPEN SPACE
- PS PUBLIC & SEMI-PUBLIC
- RS SINGLE FAMILY RESIDENTIAL • 0 - 7 DU/ACRE
- RM MEDIUM DENSITY RESIDENTIAL • 8 - 14 DU/ACRE
- RH HIGH DENSITY RESIDENTIAL • 8 - 21 DU/ACRE
- PD PLANNED DEVELOPMENT
- CC COMMUNITY COMMERCIAL
- CO OFFICE COMMERCIAL
- CG GENERAL COMMERCIAL
- CD DOWNTOWN COMMERCIAL
- CW WATERFRONT COMMERCIAL
- IG GENERAL INDUSTRIAL
- IW WATER RELATED INDUSTRIAL
- IP INDUSTRIAL PARK

GENERAL LEGEND:

- Proposed Boundary
- Lot / Property Line
- Street / Road / Highway Right-of-Way Line
- Shore Line / Edge of Water Body
- Northeast Benicia City Ride (Route 22)
- Fairfield/Suisun Transit System Solano Express (Route 40)

SUISUN BAY



December 16, 2011

Association of Bay Area Governments
101 Eighth Street
Oakland, CA 94607-4756
Attn: Jackie Reinhart

RE: Application for Priority Development Area Designation

Dear Ms. Reinhart:

The City of Benicia is excited to submit the enclosed application to establish the *Northern Gateway – Benicia Industrial Park Priority Development Area* under the FOCUS program. The required resolution will be approved by Benicia's City Council on January 17, 2012 and submitted to you by January 30, 2012.

If you have any questions concerning this application, please do not hesitate to contact me at (707) 746-4277.

Sincerely,

Lisa Y. Porras, AICP, Senior Planner
Planning Division
Public Works and Community Development Department

Encl: Priority Development Area Application

Part 1 – APPLICANT INFORMATION & AREA DETAILS

FOCUS

a development and conservation strategy
for the San Francisco Bay Area

Application for Priority Development Area Designation

Enter information in the spaces provided and submit the requested attachments.

Part 1 - APPLICANT INFORMATION & AREA DETAILS		
Attach resolution showing local support for involvement in FOCUS		
a. Lead Applicant -City/County	City of Benicia	
Contact Person	Lisa Porras	
Title	Senior Planner	
Department	Public Works and Community Development	
Street Address	250 East L Street	
City	Benicia	
Zip Code	94510	
Phone Number	(707) 746-4277	
Fax Number	(707) 747-1637	
Email	lporras@ci.benicia.ca.us	
b. Area Name and Location	Northern Gateway - Benicia's Industrial Park (At HWY 680 at Lake Herman Road in the north to East Channel Road/Bayshore Road in the south, and bounded by Southern Pacific Railroad to the east, and Lake Herman Road to the west.	
c. Area Size (minimum acreage = 100)	925	
d. Public Transit Serving the Area (existing and planned). From this list, please identify at least one route that has minimum 20-minute headways.	Existing bus service is provided by SolTrans and FAST (Fairfield and Suisun Transit). Routes include Benicia Breeze Route 22 and FAST Route 40. Route 40 provides a 17 minute headway in the morning during peak commute times. In addition riders can also transfer at Industrial Way and Park Road on to Route 22, which leads to Downtown Benicia.	
e. Place Type (Identify based on the Station Area Planning Manual or from others in Application Guidelines)	EMPLOYMENT CENTER	
	Current Conditions (Year: 2011)	Future Goal (Horizon Year: 2040)
f. Total Housing Units	2	140
g. Total Jobs	6,500	11,600
h. Net Project Density (New Housing)	-	equal to RH standards (1 unit per 2,000 sf)
i. Minimum/Maximum FARs (New Employment Development)	IL max FAR = 0.8; IG max FAR = 1.0; CG max FAR = 1.2; IP max FAR 0.6	no changes expected

Part 2 – ADDITIONAL AREA INFORMATION		
	Yes	No
a. Is the proposed priority area currently recognized in the General Plan (i.e., called out as TOD, infill etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FOCUS is a regional, incentive-based development and conservation strategy for the San Francisco Bay Area. FOCUS is led by the Association of Bay Area Governments and the Metropolitan Transportation Commission in coordination with the Bay Area Air Quality Management District and the Bay Conservation and Development Commission. It is partially funded by a regional blueprint planning grant from the State of California Business, Transportation, and Housing Agency.

b. Have other plans (any targeted planning efforts including specific plans, precise plans, area plans, and supporting environmental studies) been developed within the last 15 years that cover the priority area? Note: If yes, please attach brief list of individual planning efforts and date completed (including web links to electronic versions if available). In the list, identify the primary plan for the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Is the proposed priority area within the boundaries of a redevelopment area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part 3 – MAPS OF PRIORITY DEVELOPMENT AREA

Attach map(s) showing the proposed boundaries, land use designations and zoning, major transit services, and any other relevant information about the proposed priority area. In your electronic submission, please include GIS files of the PDA boundaries, if available. Photos of current conditions in the priority area are optional.

Part 4 – NARRATIVE

Attach separately a maximum two-page (8½ x 11 with 12 point font) narrative that addresses the following questions and provides any other relevant information.

- What is the overall vision for this area? How does the vision align with the place type selected (See Place Type Development Guidelines p. 18-19 in Station Area Planning Manual)?
- What has to occur in order to fully realize this vision and place type? What has occurred in the past 5 years?
- Describe relevant planning processes, and how community members were involved in developing the vision and/or plan for the area.
- Describe how this priority area has the potential to be a leading example of smart growth for the Bay Area.

Part 5 – POTENTIAL ASSISTANCE REQUESTED (check all that apply)
 Note: Assistance is not being offered at this time. This information will aid the development of tools and incentives for designated areas.

TECHNICAL ASSISTANCE	REQUEST FOR PLANNING GRANTS	REQUEST FOR CAPITAL GRANTS
<input type="checkbox"/> Assistance with policies to implement existing plan <input checked="" type="checkbox"/> Assistance with photo- simulations to depict future conditions <input type="checkbox"/> Assistance with local workshops and tours <input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Funding for new area-wide specific plan or precise plan <input type="checkbox"/> Funding to update existing area-wide specific plan or precise plan <input checked="" type="checkbox"/> Funding for EIR to implement existing area-wide plan <input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Funding for transportation projects (including pedestrian/bicycle) <input type="checkbox"/> Funding for housing projects <input type="checkbox"/> Funding for water/sewer capacity <input checked="" type="checkbox"/> Funding for parks/urban greening <input checked="" type="checkbox"/> Funding for streetscape improvements <input type="checkbox"/> Other:

Part 6 – INFRASTRUCTURE BUDGET FOR PRIORITY AREA

Attach a completed Excel file on the FOCUS website for entering information about infrastructure needs and funding sources.

Part 7 – FOR EMPLOYMENT CENTER PLACE TYPE PROPOSALS ONLY

Please provide the following information for the entire jurisdiction.

	Current Conditions (Year: 2011)	General Plan (Horizon Year: 2040)
Total Jobs	12,169	19,420
Total Households	10,442	10,590
Total Employed Residents	14,279	TBD

E-mail this completed application form and attachments requested to FOCUS@abag.ca.gov, and mail one hard copy of this application and attachments requested to the Association of Bay Area Governments, Attn: Jackie Reinhart, P.O. Box 2050, Oakland, CA 94604-2050. Please contact Jackie Reinhart, ABAG Regional Planner, at JackieR@abag.ca.gov or 510-464-7994 with questions about the application.

FOCUS is a regional, incentive-based development and conservation strategy for the San Francisco Bay Area. FOCUS is led by the Association of Bay Area Governments and the Metropolitan Transportation Commission in coordination with the Bay Area Air Quality Management District and the Bay Conservation and Development Commission. It is partially funded by a regional blueprint planning grant from the State of California Business, Transportation, and Housing Agency.

Part 2 – ADDITIONAL AREA INFORMATION

PART 2 – ADDITIONAL AREA INFORMATION

b. Have other plans been developed within the last 15 years that cover the priority area?

1. Business Development Action Plan

A Call to Action for a Sustainable Economic Future

August, 2011 - DRAFT

[http://www.ci.benicia.ca.us/vertical/Sites/%7B3436CBED-6A58-4FEF-BFDF-5F9331215932%7D/uploads/Final Draft Assessment w Corrected Cover 091411.pdf](http://www.ci.benicia.ca.us/vertical/Sites/%7B3436CBED-6A58-4FEF-BFDF-5F9331215932%7D/uploads/Final_Draft_Assessment_w_Corrected_Cover_091411.pdf) - Adobe Acrobat Pro Extended.pdf

2. Environmental Assessment/Environmental Impact Report for the Benicia Intermodal Transportation Station

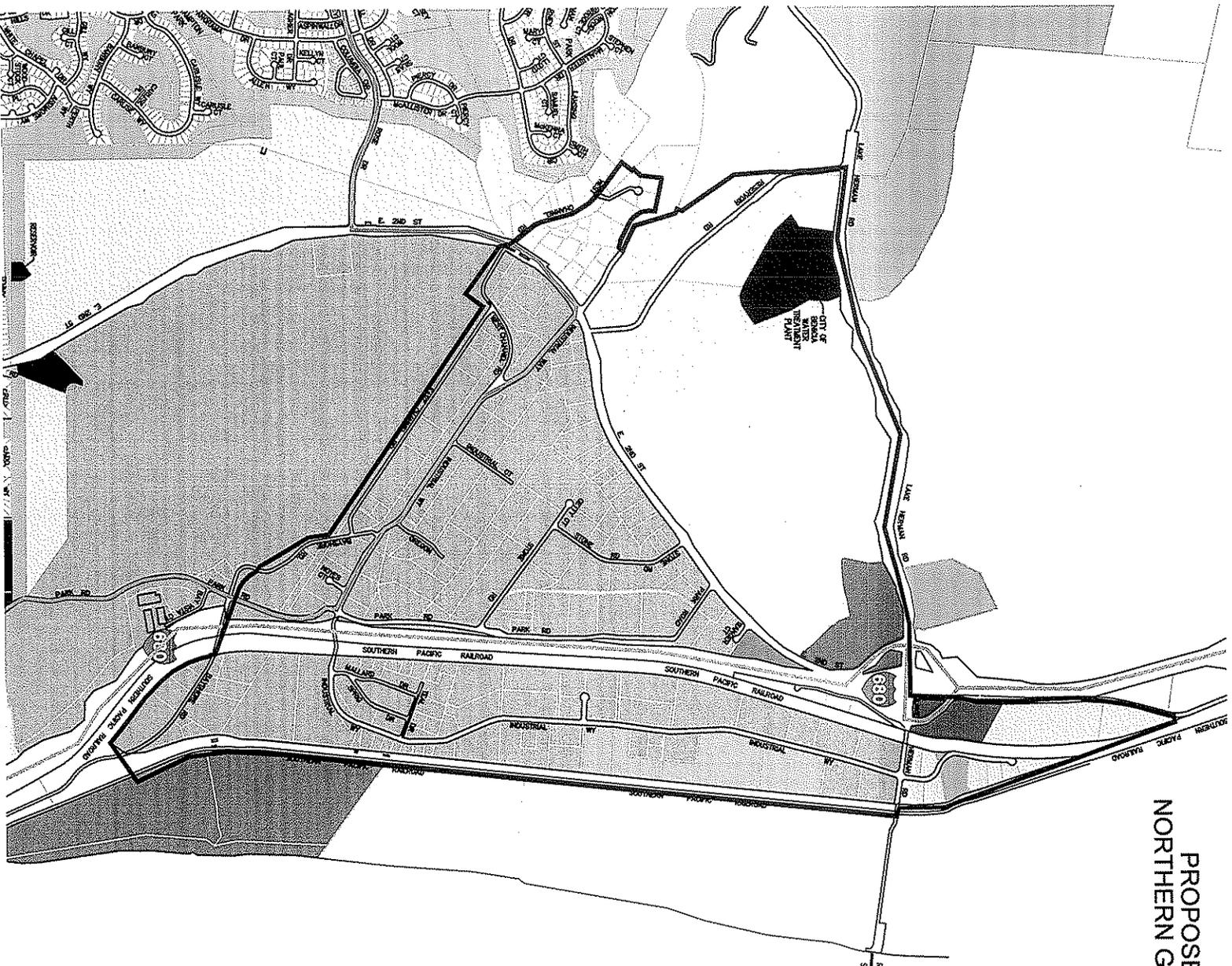
May, 2004

(hardcopy only)

Part 3 – MAPS OF PRIORITY DEVELOPMENT AREA

PROPOSED PRIORITY DEVELOPMENT AREA
 NORTHERN GATEWAY - BENICIA'S INDUSTRIAL PARK

VII.B.17



ZONING MAP LEGEND:

- OS OPEN SPACE
- PS PUBLIC & SEMI-PUBLIC
- RS SINGLE FAMILY RESIDENTIAL - 0 - 7 DUPLICATES
- RM MEDIUM DENSITY RESIDENTIAL - 8 - 14 DUPLICATES
- RH HIGH DENSITY RESIDENTIAL - 15 - 21 DUPLICATES
- PD PLANNED DEVELOPMENT
- CC COMMUNITY COMMERCIAL
- CO OFFICE COMMERCIAL
- CS GENERAL COMMERCIAL
- CD DOWNTOWN COMMERCIAL
- CW WATERFRONT COMMERCIAL
- IL LIMITED INDUSTRIAL
- IG GENERAL INDUSTRIAL
- IW WATER RELATED INDUSTRIAL
- IP INDUSTRIAL PARK

GENERAL LEGEND:

- PROPOSED BOUNDARY
- LOT / PROPERTY LINE
- STREET / ROAD / HIGHWAY RIGHT-OF-WAY LINE
- SHORE LINE / EDGE OF WATER BODY
- NORTHEAST BENICIA CITY RIDE (ROUTE 22)
- FARFIELD/SUISUN TRANSIT SYSTEM SOLANO EXPRESS (ROUTE 40)

Part 4 – NARRATIVE

What is the overall vision for this area?

The 925-acre *Northern Gateway – Benicia Industrial Park Priority Development Area* (PDA) presents a tremendous opportunity to transform Benicia’s industrial area into a jobs rich employment center characterized by connected and complete streets, fixed transit, bus service, access to everyday needs, and parkland amenities. The area is situated along the HWY 680 and the Capitol Corridor Amtrak line and has access to HWY 780. Benicia foresees this PDA as a regional destination to “cleantech” industries and green collar jobs as well as serving as an alternative point of entry to reach Benicia’s tourism attractions, including the waterfront and downtown. In addition, growth in workforce serving uses are envisioned to provide access to everyday worker needs. Cleantech and green collar jobs would be complemented with a mix of live-work housing, artists studios, cultural institutions, small markets and convenience stores, restaurants, hotels, bed and breakfast accommodations, and retail, all of which are allowed by right or with a use permit in Benicia’s industrial and commercial zoning districts. Four primary capital projects for this PDA have been identified: (1) a new transit hub at Industrial Way and Park Road, (2) pedestrian improvements, such as proper sidewalks, street trees, street lights, and a full complete streets program for Industrial Way and Park Road, the primary thoroughfares, (3) an improved public access trail for Sulphur Springs Creek to connect with the Bay Trail and to streets and pathways leading into the Industrial Park, and (4) a new Capital Corridor Commuter Train Station along HWY 680. With a new transit stop along the Capitol Corridor line, Benicia would be positioned as a regional rail destination for business and commerce while helping to offset greenhouse gas emissions from automobiles. The proposed PDA already has infrastructure in place that will enable it to transform into successful, multi-point walkable districts that will enhance everyday business operations and provide amenities for its workforce. In addition, complementing this employment center is Benicia’s Downtown PDA, which provides a rich housing supply and additional employment opportunities and tourism. Together, Benicia’s proposed employment center PDA and the existing downtown PDA will create a complete and connected community while becoming a regional jobs destination for outlying areas and reducing commutes to the inner Bay Area. Altogether, these efforts aim to facilitate development of new and expanding businesses in a setting that provides alternative means of travel into and out of the employment center and beyond.

How does the vision align with the place type selected?

The land proposed for this PDA is already zoned for industrial and commercial uses. Zoning Districts within the employment center include IL (Light Industrial), IG (General Industrial), IP (Industrial Park), and CG (General Commercial) with maximum floor area ratios of 0.8, 1.0, 0.6, and 1.2 respectively. Two bus routes traverse the industrial park, which include FAST Route 22 (serviced by Fairfield and Suisun Transit), and SolTrans Route 40 connecting passengers to BART. Route 40 provides 17-minute headways during peak hour commutes, and Route 22 has morning and afternoon/early evening routes that connect passengers to Route 40 and downtown Benicia. The vision includes providing pedestrian and bike facilities throughout the area and transforming Industrial Way and Park Road into complete streets with connectivity to the downtown PDA. In addition, when the Benicia City Council adopted the Downtown Mixed Use Master Plan, it demonstrated its willingness to reduce parking standards not only in downtown, but citywide. Reduced parking standards support higher density, mixed use development and would be consistent with the employment center place type criteria. Currently, the IG, IL, CG, and IP allow for a mix of uses that support a strong industrial base; such uses include live work and artist studio housing types, small markets and convenience stores, ATMs, restaurants and cafés, cultural institutions, retail, hotels and bed and breakfast accommodations, and auto rental for instance. These uses would provide basic needs for the workforce. Currently, housing in close proximity can be found off of East 2nd Street and Rose Drive in the Southampton neighborhood, as well as in Benicia’s Historic Arsenal, and the downtown PDA. Finally, the jobs/household ratio for the entire jurisdiction of Benicia is 1.16 jobs for each household, which is less than the existing jobs/household regional average of 1.25.

What has to occur in order to fully realize this vision and place type? What has occurred in the past 5 years?

To establish a train stop, collaborative efforts between Southern/Union Pacific, Solano Transportation Authority, Metropolitan Transportation Commission and Capitol Corridor Joint Powers Authority must be renewed and refocused. Design drawings were developed in 2002, but now funding must be obtained. It's clear that sufficient densities will be necessary to support transit. Access to local and regional bus service is available, but service needs to be expanded and more readily accessible for regional commuters. Street modifications to improve overall connectivity, safety, and walkability are needed to make pedestrian and bicycle accessibility a feasible option for travel to, from, and within the PDA. Adequate park and ride facilities would also need to be part of any future transit station and bus transit hub. Such parking facilities must allow motorists to drive to the station, quickly find a parking space and then walk or ride public transit to jobs, basic needs, commercial activities, and to access restaurants and entertainment in Benicia's downtown. Complementing this effort, Benicia has secured 1.2 million of RM2 funds to support the multi-modal facility (transit hub) at Industrial Way and Park Road. In addition, the City has committed resources towards a Business Development Action Plan (currently under review).

Describe relevant planning processes, and how community members were involved in developing the vision and/or the plan for this area.

During the last General Plan update, citizens discussed the possibility of a rail stop in Benicia, which ended up as policy in the General Plan directing the City to work with Caltrans, Bay Conservation and Development Commission, Solano Transportation Authority, and the Metropolitan Transportation Commission. In addition, citizens support policies to improve the Sulphur Springs Creek Trail, and develop a comprehensive system of pedestrian and bike routes that link employment centers to housing, commercial activities, and schools and parks. Another City policy is to provide safe and direct access to the Industrial Park as well as increased bus route service.

Describe how this priority area has the potential to be a leading example of smart growth for the Bay Area.

Benicia's Industrial Park is in many ways the economic engine in Benicia, as well as a significant employment center in Solano County. Benicia's industrial area is second only to Fairfield's in square footage in Solano County. Despite its successes, the Industrial Park does not benefit from transit offered by the Bay Area Rapid Transit District (BART) nor Amtrak. Currently, BART does not have plans to extend its infrastructure north of the Carquinez Strait. However, Amtrak operates on existing lines that run right through the proposed PDA. This presents an extraordinary opportunity for Benicia. If a transit stop and transit bus hub are both realized, citizens and commuters will be able to access a wide range of Bay Area destinations, including airports for travel virtually anywhere, without having to rely on the automobile.

To be successful, Benicia will have to channel more growth and development in this pre-existing urbanized area at densities that support transit. As a PDA, Benicia's Industrial Park can position itself to become an example of how an existing employment center can undergo retrofit in a way that makes it more sustainable, more walkable, and provide a true sense of place for not just residents, but workers, who spend much of their time in a workplace setting. Because the existing Benicia Downtown PDA provides a dense housing and jobs land use pattern, it can connect in a meaningful way with the Northern Gateway – Benicia Industrial Park PDA to create a balanced community. Achieving this balance will serve as an example of Smart Growth not only in the ABAG region, but also beyond.

**Part 5 – POTENTIAL ASSISTANCE REQUESTED
(refer to application)**

**Part 6 – INFRASTRUCTURE BUDGET FOR PRIORITY
AREA**

FOCUS PDA Assessment Survey

PDA Overview

PDA Name:

Northern Gateway - Benicia's Industrial District

PDA Jurisdiction:

City of Benicia

PDA Key:

[Redacted]

Primary PDA Contact Name:

Lisa Porras

Primary PDA Contact Phone:

(707) 746-4277

Primary PDA Contact Email:

lporras@ci.benicia.ca.us

Primary PDA Plan Name:

N/A

enter name exactly as stated on application form
enter as "Oakland," not "City of Oakland"
to be entered by ABAG staff

Please indicate the name and contact information for the person responsible for completing this section of the survey, if different from the Primary PDA Contact.

NAME
PHONE
EMAIL

Lisa Porras
(707) 746-4277
lporras@ci.benicia.ca.us

Project Type	Description
Streetscape Improvements	Sidewalk widening, bulb-outs, cross walk enhancements, audible signal modification, mid-block crossings; new striping for bike lanes and road diets; pedestrian street lighting; medians, pedestrian refuges; pedestrian way-finding signage; street furniture; permanent bike racks, street tree and planters; on-site stormwater management and permeable paving
Connectivity Projects	Class 1 bicycle/pedestrian paths; pedestrian/bicycle bridges
Station Improvements	Plazas, station access, pocket parks at station, wayfinding signage
Shuttles & Other Public Transportation	Major public transit improvements or expansion (if city has major involvement)
Parking Structures	TOD parking facilities (structured or below-grade)
Transportation Demand Management	Transit pass program (TransLink®); Car share and ride share programs
Road Improvements	New roads or road modifications needed for access to/through the PDA, e.g. a new road to cut through super-block, etc; do not include re-paving projects
Land Assembly / Site Acquisition / Land Banking	
Environmental Cleanup	
Non-Transportation Infrastructure / Utilities	Water, sewer, electric/gas infrastructure upgrades; water supply upgrades
Affordable Housing	Publicly-funded component (subsidies) or in-lieu fee-funded component of affordable housing; do not include privately-funded affordable housing
Parks	Pocket parks, plazas, ball fields, etc.
Schools	School construction, expansion, or rehabilitation
Public Facilities	Libraries; community centers; healthcare facilities; etc.

TOTAL SOURCES		\$	47.00	\$	0.21
Short term 0-5 years; Medium term 5-10; Long term 10+ Costs in Millions, Operating Costs Annual (20 year)					
Please indicate the name and contact information for the person responsible for completing this section of the survey, if different from the Primary PDA Contact.		NAME	Lisa Porras		
		PHONE	(707) 746-4277		
		EMAIL	lporras@ci.benicia.ca.us		

AGENDA ITEM
CITY COUNCIL MEETING DATE - JANUARY 17, 2012
BUSINESS ITEMS

DATE : January 9, 2012

TO : City Manager

FROM : Administrative Services Director and
Interim Finance Director

SUBJECT : **CITY OF BENICIA HUMAN SERVICES FUND POLICY ON
DISTRIBUTION OF FUNDS – OPERATING AND ENDOWMENT
FUNDS**

RECOMMENDATION:

Approve, by motion, the City of Benicia Human Services Fund Policy on Distribution of Funds – Operating and Endowment Funds.

EXECUTIVE SUMMARY:

With recent fundraising efforts, the Human Services Board identified the need to have a policy that speaks to the distribution of donations to the Human Services Operating and Endowment Funds. Additionally, the policy addresses what shall occur when a grantee does not receive the intended grant funds, either due to the grantee declining funds or the Board withholding funds. The Board has worked with staff to develop the proposed policy that will be presented to Council for approval on January 17th.

BUDGET INFORMATION:

The proposed policy will provide a mechanism for donations to the Human Services Fund that are in excess of what is projected for a particular fiscal year to be deposited and available to the Board in future fiscal years, when there may be a shortfall relative to actual donations v. projected donation. It also provides guidance as to how deal with grant funds that are not issued to a grantee.

STRATEGIC PLAN:

Relevant Strategic Goals and Strategies:

- Strategic Issue #3: Strengthening Economic and Fiscal Conditions
 - Strategy #4: Manager City Finances Prudently

BACKGROUND:

During the Fall of 2011, the Board identified some issues relative to 1) how donations are accounted for in the Board's financials, 2) allocation to and distribution from the Human Services Endowment Fund and 3) what occurs in the event a grant is not issued to a grantee.

The first issue the Board wished to address with a new policy is regarding donations to the Human Services Fund, and specifically, what occurs when the amount of donations raised exceeds what was projected/granted for the current fiscal year. In light of the Board's recent increased fundraising efforts, this is more likely to occur now. Further, in these difficult economic times, the Board expressed concerns regarding not having a "safety net" in the event that the projected donations do not come in at a sufficient level to fund the human services grants. Upon review of this issue with the City's Finance staff, the Board has recommended in the draft policy that the Board will have an Operating Reserve. The intent of the Human Services Fund Operating Reserve is to provide a mechanism, separate and apart from the Endowment Fund, for donations that are in excess of what is projected for a particular fiscal year to be deposited and readily available to the Board in future fiscal years when there may be a shortfall relative to actual donations v. projected donations.

The Board also agreed that in the event there is a shortfall in donations that exceeds the Operating Reserve, then the Board will review the circumstances and make a recommendation to the City Council regarding utilizing the Human Services Endowment Fund to cover that shortfall. Further, additional changes were made to the existing Endowment Fund policy language, and incorporated as part of this broader financial policy, which included noting that all funds donated or gifted to the Human Services Fund shall be deposited into the Operations Fund, unless specifically dedicated by written instruction to be deposited into the Endowment Fund. Additionally, the proposed policy notes that each year, the Board shall authorize the transfer of a portion of the Operating Reserve from the prior fiscal year to the Endowment Fund as soon as the final ledger is closed by the Finance Director, typically no later than November of each year. The amount to be transferred shall be determined annually by the Board and is subject to ratification by the City Council.

The above-noted recommendations are made with the goal of achieving increased financial flexibility for the Board in terms of funding grants that are based partially on projected donations each year, as well as providing a consistent mechanism to continue funding the Human Services Endowment Fund. The goal of the Endowment Fund, per the existing policy, is to maintain a fund balance of no less than one year's combined grant awards. Whereas the Operating Reserve is envisioned as a source to help alleviate a shortfall between projected and actual donations, the intent of the Endowment Fund is

that if the City was unable to fund the Human Services fund in a given fiscal year, the Board and City Council would have alternate funding to pull from to help support current grantees.

Finally, the Board also recommends the following in the event a grant is not issued to a grantee in the future, whether due to the grantee declining funds or the Board withholding funds:

“...if adequate time remains in the fiscal year, the Board will forward a request to the City Council to redistribute to other grantee(s). If there is not adequate time to redistribute the funds, or if the amount is minimal, then the City’s contribution will be returned to the General Fund, and the remaining funds will be placed in the Human Services Operating Reserve.”

Attachment:

- Proposed City of Benicia Human Services Fund Policy on Distribution of Funds – Operating and Endowment Funds

City of Benicia Human Services Fund
Policy on Distribution of Funds – Operating and Endowment Funds

Approved by Human Services Board on January 9, 2012
Ratified by Benicia City Council on _____

The following policy describes how the Human Services Operating Fund / Operating Reserves and the Endowment Fund are managed relative to the allocation of funds to the Human Services Fund.

I. Human Services Operating Fund and Reserves

A. Authorization

i. This policy shall guide the management of the Human Services Operating Fund and Operating Reserves in accordance with the City of Benicia Municipal Corporation rules and regulations pertaining to gifts and donations.

B. Definition

i. Operating Reserves are “surplus” funds from the Operating Fund that accumulate from year to year.

ii. The intent of the Human Services Fund Operating Reserve is to provide a mechanism for donations that are in excess of what is projected for a particular fiscal year to be deposited and available to the Board in future fiscal years when there may be a shortfall relative to actual donations v. projected donations.

C. Administration

i. The Benicia City Treasurer or their designee shall implement separate accounting codes to ensure the proper accounting of all Operating Fund and Operating Reserve activity.

ii. The appointed Chair of the Human Services Board or their designee shall review the accounting activity of the Operating Fund and Operating Reserve and develop reporting standards that are to be reviewed by the Board no less than annually.

D. Allocation and Distribution

i. All funds donated or gifted to the Human Services Fund shall be deposited into the Operations Fund unless dedicated by written instruction to be deposited into the Endowment Fund (see Endowment Fund - Section II).

ii. The Board shall authorize the transfer of a portion of the Operating Reserve Donations from the prior fiscal year to the Endowment Fund on an annual basis as soon as the final ledger is closed by the Finance Director, typically no later than November each year. The amount to be transferred shall be determined annually by the Board and is subject to ratification by the City

Council (see Endowment Fund - Section II).

iii. The remaining balance of the Operating Reserve (i.e., less whatever amount is transferred to the Endowment Fund) will remain in the Operating Reserve and be available for future fiscal years when there may be a shortfall relative to actual donations v. projected donations.

iv. If there is a shortfall in donations that exceeds the Operating Reserve, then the Board will review the circumstances and make a recommendation to the City Council regarding utilizing the Endowment Fund to cover that shortfall.

II. Endowment Fund

A. Authorization

i. This policy shall guide the collection, investment and expenditures of the Human Services Endowment Fund in accordance with the City of Benicia Municipal Corporation rules and regulations pertaining to gifts and donations.

B. Administration

i. The Benicia City Treasurer or their designee shall implement separate accounting codes to ensure the proper accounting of all Endowment Fund activity.

ii. The Benicia City Treasurer or their designee shall invest the undesignated reserves in accordance with the guidelines established in the City of Benicia Investment Policy.

iii. The appointed Chair of the Human Services Board or their designee shall review the accounting activity of the Endowment Fund and develop reporting standards that are to be reviewed by the Board no less than annually.

C. Allocation and Distribution

i. All funds donated or gifted to the Human Services Fund shall be deposited into the Operations Fund, unless dedicated by written instruction to be deposited into the Endowment Fund.

ii. The Board shall authorize the transfer of a portion of the Operating Reserve Donations from the prior fiscal year to the Endowment Fund on an annual basis as soon as the final ledger is closed by the Finance Director, typically no later than November each year. The amount to be transferred shall be determined annually by the Board and is subject to ratification by the City Council.

iii. The Endowment Fund shall maintain a combined fund balance of no less than one year's combined grant awards based on budget expectations provided by the Finance Director.

iv. Upon attaining the required fund balance, a majority of Board members may vote to disburse the excess balance from the Endowment Fund, subject to ratification by the City Council.

v. Short term loans from the Endowment Fund to a currently-approved grantee may be considered by the Board on a case-by- case basis. A majority of Board members may vote to loan these funds, subject to ratification by the City Council.

vi. If there is a shortfall in donations that exceeds the Operating Reserve, then the Board will review the circumstances and make a recommendation to the City Council regarding utilizing the Endowment Fund to cover that shortfall

III. Policy for Unutilized Grant Funds

A. In the event a grant is not issued to a grantee, whether due to the grantee declining funds or the Board withholding funds, if adequate time remains in the fiscal year, the Board will forward a request to the City Council to redistribute to other grantee(s).

B. If there is not adequate time to redistribute the funds, or if the amount is minimal, then the City's contribution will be returned to the General Fund, and the remaining funds will be placed in the Human Services Operating Reserve. The calculation of the amount to be returned to the General Fund will be based upon the current fiscal year budget. For example, if the General Fund contributes 85% of the funds granted by the City for the current fiscal year, and the remainder is via donations, then 85% of the unutilized grant funds would return to the General Fund and the remaining 15% would be place in the Human Services Operating Reserve.

IV. Policy Modification and Review

A majority of Board members must recommend changes to the Policy and forward the recommended changes to the City Council for ratification.

**AGENDA ITEM
CITY COUNCIL MEETING DATE - JANUARY 17, 2012
BUSINESS ITEMS**

DATE : January 9, 2012
TO : City Manager
FROM : Police Chief
SUBJECT : **SOLANO COUNTY MOBILE FIELD FORCE**

RECOMMENDATION:

Review the attached Mutual Aid Protocol.

EXECUTIVE SUMMARY:

On November 15, 2011, Mayor Paterson completed the first step of the City Council's "two-step" process by requesting that the issue of the Benicia Police Department's participation with the Solano County Mobile Field Force be agendaized for discussion at a future council meeting. The City Council approved her request and so this item has been scheduled for the January 17th meeting.

BUDGET INFORMATION:

There is no budget impact associated with this item.

STRATEGIC PLAN:

N/A

BACKGROUND:

On November 15, 2011, Mayor Paterson completed the first step of the Council's "two-step" process, by requesting, and receiving Council approval, to have the issue of the Benicia Police Department's participation with the Solano County Mobile Field Force agendaized on a future council meeting.

Mayor Patterson's initial questions (both documented on the attached Council Member Requested Agenda Item form and oral discussion during the November 15, 2011 Council Meeting) primarily address Council notification, Council authorization, Solano County Mobile Field Force participation criteria, logistics, reimbursement, liability, etc. In an attempt to answer these questions and provide a general understanding of law enforcement mutual aid, the attached Mutual Aid Protocol Outline is being provided to the Council. This document was internally developed considering a compilation of resources in response to the significant public interest surrounding Law Enforcement Mutual

Aid. While the outline was not produced in response to this “two-step” request, it is being presented in this venue as it provides a good summary of law enforcement's process relative to emergency operations.

Attachments:

- Council Member Requested Agenda Item
- Mutual Aid Protocol Outline

APPENDIX A: COUNCIL MEMBER REQUESTED AGENDA ITEM

Requested by: Elizabeth Patterson

Desired Initial Council Meeting Date: November 15, 2011

Desired Date for Second Step or Policy Calendar Review: ASAP

Deadline for Action, if any: before next deployment of police officers to another jurisdiction.

Problem/Issue/Idea Name: Solano County Mobile Field Force

Description of Problem/Issue/Idea:

Two issues should be discussed and future direction determined. It is necessary to agendize this in a timely manner because of current events which may require Benicia participation.

1. To what extent should the council be informed about city employees being deployed to other jurisdictions. This is a need to know policy discussion. To what extent were there be any reason for council authorization? Future agenda item would provide examples of other jurisdictions’ policies, and standards of procedure.
2. To what extent should council consider criteria for participation in the Solano County Mobile Field Force. For instance, what is each of the participating city departments (Police and Fire, others?) existing criteria for responding to requests: distance, number of employees, length of commitment, nature of commitment, source of reimbursement (federal homeland security funds or FEMA or other), incident requiring response (fire, riots, trials, funerals, general strikes and other) liability, and history.

The council and public may have other questions that could be addressed for this agenda item.

COUNCIL DIRECTION

- No Further Action
- Schedule for Second Step on _____
- Schedule for Policy Calendar Review on _____
- Refer to: Staff _____
 Commission _____
 Board _____
 Committee _____

Date Due: _____

Mutual Aid Protocol

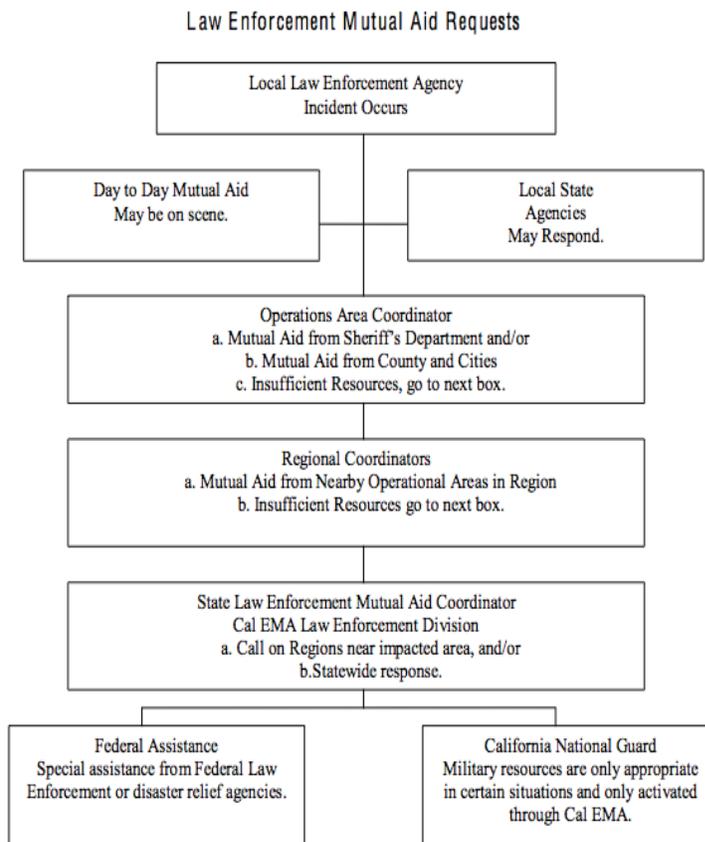


The Mutual Aid System

- Mutual Aid System is an extension of the concept of “neighbor helping neighbor.”
- Established in 1961, has been used to restore order during emergencies, including civil unrest and to provide assistance to local agencies during other unusual events.
- Component of Standardized Emergency Management System, based on four organizational levels: cities, counties, regions and the State.
- The state is divided into seven Law Enforcement Mutual Aid Regions.
- The County Sheriff serves as the Regional Mutual Aid Coordinator.

The Mutual Aid System

- The basic concept provides that within the operational area, adjacent or neighboring law enforcement agencies will assist each other.
- Should the event require assistance from outside the county, the region will provide requested assistance to the impacted county.
- If the combined resources of the region are insufficient to cope with the incident, the Regional Coordinator contacts the State Law Enforcement Mutual Aid Coordinator at Cal EMA.



The Mutual Aid System

- PLANNED EVENTS, such as concerts, parades, fairs, etc. are the responsibility of local agencies.
- If any event, planned or spontaneous, appears that it may result in a request for mutual aid, an early call to the Cal EMA Law Enforcement Division is encouraged.
- The branch will assign staff to directly work with the jurisdiction to assist in plans development.

Notable Events Involving System

- Northern California Floods
- Firestorms of 2003 and 2007
- Transportation accidents/ air crashes
- Watts Riots/ Huntington Beach “Surf” riot
- People’s Park – Berkeley Civil Unrest
- Loma Prieta Earthquake
- Several Environmental Protests
- Los Angeles Civil Unrest
- Polly Klaas
- SWAT Incident Hollister “Wild Bunch” Motorcycle Events
- Regional SWAT Mutual Aid Callout for Fresno Deputy’s Killer
- Mehserle trial/ verdict (Oakland civil unrest/ protest)

Mutual Aid Authority

The statewide mutual aid system is an outgrowth of the California Disaster and Civil Defense and the Master Mutual Aid Agreement (1950), is supported by the California Emergency Plan and by extension, the Law Enforcement Mutual Aid Plan.

The agreement is detailed in:

1. **Governor's Executive Order W-9-91;**
2. **Government code: 8550, 8569, 8615-8619 and 8668**
3. **California Emergency Plan**
4. **The Master Mutual Aid Agreement. The Emergency Management Assistance Compact (EMAC);an interstate mutual aid agreement.**

LIABILITY ISSUES

- **The Emergency Services Act** provides law enforcement agencies limited immunity from liability when responding in support of a mutual aid request.
- Courts have regularly found that the “state must take the steps necessary to quell an emergency, it must be able to act with speed and confidence without fear of incurring tort liability.”
- The Act’s immunities are broader than the general immunities provided for discretionary governmental actions, i.e., for decisions made by the City Council, or Board of Supervisors regarding policy matters.
- Also, the protections afforded by the Act generally supplement the other statutory liability protections that may apply to the routine law enforcement role, such as immunities for failure to enforce the law.

LIABILITY ISSUES

The liability protections of the Act extend to mutual aid provided during a declared state of emergency and non-emergency periods.

The best way that a law enforcement agency can assure that its actions are protected by the Act is to:

- Act in accordance with this plan
- Respond based upon a request by the Operational Area, Regional, or State Law Enforcement Mutual Aid Coordinator
- Act in accordance with your local emergency plan
- Verify that your department's plans and procedures are consistent with this plan.

WHAT IS MUTUAL AID:

1. When a chief or Sheriff determines that an unusual occurrence may become or is already beyond the control of local law enforcement resources.
2. The Police Chief has responsibility to request mutual aid from the Operational Area Mutual Aid Coordinator.
3. Mutual Aid requests and response are not dependent on a declaration of local emergency.

MUTUAL AID ESSENTIALS (requesting agency)

1. Reasonable commitment of requesting agency resources prior to the initiation of a mutual aid request.
2. This does not require the jurisdiction to have expended all personnel resources.
3. It does assume that the agency has reasonably committed the majority of available, on-duty personnel to the incident. (50% rule)

MUTUAL AID ESSENTIALS

4. Generally, the responsible local law enforcement official of the jurisdiction requesting mutual aid shall remain in charge.
5. The jurisdiction in charge shall coordinate all actions with responding law enforcement agencies to ensure an effective application of forces.
6. **The responding agencies follow their own policies and procedures.**

Definitions within mutual aid

- **"Local Emergency"** means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by a variety of incidents.

Definitions within mutual aid

- **Unusual Occurrence:** An event involving potential or actual personal injury or property damage arising from incidents such as natural and manmade disasters, acts of terrorism, and civil unrest.
- **Day-to-Day Mutual Aid:** During the course of normal law enforcement smaller incidents occur that may require immediate assistance, Officers from nearby jurisdictions may respond to these emergencies on without a formal mutual aid request.

Mutual Aid Facts

- Mutual aid is the voluntary sharing of personnel and resources when a department cannot sufficiently deploy its own resources to respond to an unusual occurrence.
- Mutual aid can become mandatory at the option of the Governor.
- Generally, there is no reimbursement for providing mutual aid.

Mutual Aid Facts

- Proclamation of a local emergency is not necessary before requesting law enforcement mutual aid.
- Mutual aid requires the approval of the chief law enforcement officer of the requesting jurisdiction.
- Agencies responding to mutual aid follow their own policies.

Agency requesting aid responsibility

1. Identifying numbers and types of mutual aid resources.
2. Identifying specific missions for mutual aid responder.
3. Advising responders what equipment they should bring.
4. Establishing an assembly area for responding resources.
5. Identifying communications channels.
6. Designating a liaison officer to facilitate a coordination of resources.
7. Preparing a situation briefing.
8. Providing logistical support such as food, lodging, etc.

Responding agency responsibility

1. Properly equipped personnel.
2. When possible, assigning a supervisor to maintain unit integrity.
3. Completing response rosters.
4. Dispatch personnel to the staging area.
5. Providing relief for assigned personnel at protracted events.
6. Record keeping.

Benicia PD Staffing Response to OPD mutual aid request

- **First request for Mutual Aid on Oct. 25, 2011**
 - Sent 6 Officers 10 hour deployment
 - 1 Sergeant/ 5 Officers
 - 30 overtime hours
- **Second request for Mutual Aid on Nov. 2, 2011**
 - 6 Officers mobilized, mutual aid request cancelled prior to arriving in Oakland
 - 1 Lieutenant/ 1 Sergeant/ 5 Officers
 - 24 overtime hours

Solano County response to OPD request for mutual aid

- Several different deployment periods starting on 10/25/11
- 750 Officers requested from region
- 57 officers were deployed from Solano County
 - Solano Sheriff, Vallejo , Fairfield , Vacaville , Suisun City , Dixon , Benicia

Mobile Field Force

The Mobile Field Force team is trained to respond to a variety of situations to include; natural disaster scenes, civil unrest and riot control, response to hazardous materials and Weapons of Mass Destruction incidents and support tactical operations

Benicia Police Mobile Field Force Team

- Established in 2010
- Equipment and training is funded through a Homeland Security Grant
- Comprised of 6 officers
- Part of a Solano County regional team

APPENDIX A: COUNCIL MEMBER REQUESTED AGENDA ITEM

Requested by: **Council Member Schwartzman**

Desired Initial Council Meeting Date: January 17, 2011

Desired Date for Second Step or Policy Calendar Review: _____

Deadline for Action, if any: _____

Problem/Issue/Idea Name: **Amendment to Chapter 1.40 of the Benicia Municipal Code Communications with Contributors.**

Description of Problem/Issue/Idea:

During this past election two monetary contributors were harassed by a member of the public. Agendizing this item is to allow council to discuss amending Chapter 1.40 of the Benicia Municipal Code to prohibit contacting a contributor by someone other than the candidate or campaign treasurer.

COUNCIL DIRECTION

- No Further Action
- Schedule for Second Step on _____
- Schedule for Policy Calendar Review on _____
- Refer to: Staff _____
Commission _____
Board _____
Committee _____

Date Due: _____

APPENDIX A: COUNCIL MEMBER REQUESTED AGENDA ITEM

Requested by: **Council Member Schwartzman**

Desired Initial Council Meeting Date: January 17, 2011

Desired Date for Second Step or Policy Calendar Review: _____

Deadline for Action, if any: _____

Problem/Issue/Idea Name: **Amendment to Chapter 1.36 of the Benicia Municipal Code- Political Free Zones.**

Description of Problem/Issue/Idea:

The weekly Farmer's Market is a time and place for citizens of Benicia to shop locally for organic and other locally grown foods. Many families visit the Farmer's Market on a regular basis not only for the produce but to purchase from the other vendors, shops and restaurants and to socialize. Campaigning inside the market is not allowed. During this past election a candidate and committee set up a booth and/or solicitor(s) at locations by both First Street entrances to the market virtually preventing unencumbered access to the market by citizens. These locations were technically outside the market, but just barely. Had more than one candidate opted to solicit in these locations the entrances would have been essentially blocked making visiting the market an uncomfortable experience for most Benicians. This amendment would add a provision to the Voluntary Code of Fair Campaign Practices allowing soliciting at the Farmer's Market no closer than 50 feet from any of the entrances to the market.

COUNCIL DIRECTION

- No Further Action
- Schedule for Second Step on _____
- Schedule for Policy Calendar Review on _____
- Refer to: Staff _____
- Commission _____
- Board _____
- Committee _____

Date Due: _____

APPENDIX A: COUNCIL MEMBER REQUESTED AGENDA ITEM

Requested by: **Council Member Schwartzman**

Desired Initial Council Meeting Date: January 17, 2011

Desired Date for Second Step or Policy Calendar Review: _____

Deadline for Action, if any: _____

Problem/Issue/Idea Name: **Board, Commission, Committee review**

Description of Problem/Issue/Idea:

Review of City Boards, Commissions and Committees. It has been years since a review of the City's Boards, Commissions and Committees has been done. This request is for the review and discussion of each body's mission, compliance with their respective mission, make up, possible changes, potential consolidations, adherence to codes, policies and Council expectations to include consideration of the current budget constraints and staff resources.

COUNCIL DIRECTION

- No Further Action
- Schedule for Second Step on _____
- Schedule for Policy Calendar Review on _____
- Refer to: Staff _____
 Commission _____
 Board _____
 Committee _____

Date Due: _____

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012
TO : Mayor Patterson
FROM : City Manager
SUBJECT : **MAYORS' COMMITTEE MEETING**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

The Mayors' Committee meetings are held on the third Wednesday of each month at 6:30 pm. The Mayors' Committee Meeting was held on December 7, 2011, at the Hilton Garden Inn, 2200 Gateway Court in Fairfield. The agenda from the meeting, and the minutes from the July 20, 2011 meeting were previously attached. Due to scheduling conflicts, there is not a quorum for the January Mayor's Committee meeting. The next meeting will be February 15, 2012.

AGENDA ITEM
CITY COUNCIL MEETING: January 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 9, 2012

TO : Mayor Patterson
Council Member Strawbridge

FROM : City Attorney

SUBJECT : **ABAG COMMITTEE MEETING**

The following information is provided for your committee report at the January 17, 2012 council meeting:

- The next meeting is the Spring General Assembly on Thursday, April 19, 2012.
- The location of the General Assembly has not been announced yet.
- The topic has not been finalized yet.

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 9, 2012

TO : Council Member Campbell
Council Member Strawbridge

FROM : Interim Finance Director

SUBJECT : **FINANCE COMMITTEE REPORT**

The following information is provided for your committee report at the Council meeting.

The Finance Committee held a meeting on December 16, 2011. The draft minutes from that meeting are attached for your review. The next meeting will be held on January 27, 2012. The agenda for January 27, 2012 meeting is also attached.

Attachment:

- December 16, 2011 Meeting Draft Minutes
- January 27, 2012 Meeting Agenda

FINANCE COMMITTEE
****DRAFT** SPECIAL MEETING MINUTES**
DECEMBER 16, 2011 - 8:00AM

1. Call to Order at 8:05 AM

Attended by Chairperson Dennis Lowry, Vice Chairperson Lee Wines, Committee Members: Michael Clarke, Larry Grossman; Council Members Tom Campbell, Alan Schwartzman; Treasurer Bob Langston; Staff present: Interim Finance Director Bill Zenoni. Members of the public present: Dan Miceli and JB Davis. Absent: Committee Member Chris Carvalho.

2. Notice to the Public

Advised by Chairperson Lowry

3. Approval of Agenda

Approved by consensus

4. Approval of Minutes from the meeting held on November 18, 2011

Minutes amended to more accurately reflect Committee discussion regarding desired format for future monthly financial reports. Minutes, as amended, approved by consensus.

5. Review Monthly Warrant Register for November 30, 2011

The Committee reviewed the accounts payable detail report for the month of November. The Committee asked questions on several items paid. The warrant register was approved by consensus.

6. Review Monthly Financial Report for November, 2011

The Committee reviewed the Statement of Revenues, Expenditures and Appropriations for the month ended November 30, 2011. The Committee expressed interest in having the budget for General Fund revenues and expenditures broken down by month as a tool in analyzing the City's fiscal position. Chairperson Lowry presented a General Fund Budget Summary report he had prepared which compared actual year to date revenues and expenditures to anticipated amounts through November 30th and the resulting modified General Fund deficit. The Committee discussed several budget items including the status of property tax and sales tax revenue, the reporting of principal and interest expense on outstanding debt and the projected salary savings from approved labor concessions. Bill Zenoni explained that staff was currently reviewing the status of General Fund revenues and expenditures as part of the mid-year budget analysis and would be providing a comprehensive status report to the Committee at the January meeting.

7. Review of the September 30, 2011 Investment Report

The Committee reviewed the Investment Report for the quarter ended September 30, 2011. The Committee reminded staff of their interest in extending the average maturity of the investment portfolio beyond the current two year period in order to take advantage of higher long term interest rates. The September 30, 2011 Investment Report was approved by consensus.

8. Review Solid Waste Franchise Fee Agreement

The Committee reviewed the revenue provisions included in Section 4.02 of the City's collection services agreement with Allied Waste. The Committee specifically discussed the franchise fee revenue, vehicle impact fee revenue, franchise extension fee, recyclables revenue cost sharing and the negotiation assistance fee payment. The Committee requested

that staff further analyze the franchise fee revenue received to date to ensure that franchise fee revenue is being submitted in accordance with the provisions of the agreement.

9. Review Meeting Calendar

The Committee discussed items to be included on the January 27, 2012 meeting as well as future Committee agenda items.

10. Public Comment

Dan Miceli requested clarification on the financing arrangement for the City's solar energy projects. Council Member Schwartzman explained that the City issued \$13.2 million in certificates of participation to fund the energy conservation projects and that the lease payments on this financing would be funded from projected savings in reduced energy costs.

11. Adjournment

There be no further business, the meeting was adjourned at 10:08 AM.

The FIN... helping to steady the course through challenging financial waters.

**FINANCE COMMITTEE
SPECIAL MEETING AGENDA
COMMISSION ROOM
JANUARY 27, 2012 - 8:00AM**

1. Call to Order

2. Notice to the Public

3. Approval of Agenda

4. Approval of Minutes from the meeting held on December 16, 2011

5. Review of Audited Financial Statements for Fiscal Year Ended June 30, 2011

Katherine Yuen of Maze & Associates will provide the Committee with an overview of the independent audit of the City's financial statements and will present the Comprehensive Annual Financial report (CAFR) for the fiscal year ended June 30, 2011.

Recommendation: Accept Report and Forward to the City Council

6. Discussion of Assembly Bill 646

Staff will provide an overview of the provisions of Assembly Bill 646 addressing impasse procedures for local public employee organizations.

Recommendation: Information only. No action requested.

7. Review Warrant Registers for Month of December 2011

A monthly audit of payments to vendors that supply services to the City of Benicia. Members of the Finance Committee review the warrant register and request that further information be provided by staff as necessary. It is encouraged that committee members submit their questions to the Finance Director prior to the meeting.

Recommendation: Review Warrant Registers

8. Review Status of Intermodal Fund

The Committee requested that information be provided on the status of the City's Intermodal Fund.

Recommendation: Review and comment.

9. Review Monthly Financial Report for December, 2011

The Finance Committee reviews monthly financial reports. The agenda packet will include the General Fund report, with an electronic file of all funds provided via email.

Recommendation: Review Monthly Financial Report

10. Review FY 2011/12 MidYear Budget Analysis

Staff has prepared an analysis of revenues and expenditures as of the end of the first half of the 2011/12 fiscal year, with updated projections through the end of the fiscal year and proposed budget adjustments which will be presented to the City Council for consideration.

Recommendation: Review FY 2011/12 MidYear Budget Analysis

11. Review Meeting Calendar

Review meeting calendar for the 2012 calendar year and identify future Finance Committee discussion topics.

Recommendation: Provide suggestions and timing of future Agenda topics

12. Public Comment

13. Adjournment

The FIN... helping to steady the course through challenging financial waters.

Public Participation

The Benicia Finance Committee 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 Finance Committee allows speakers to speak on non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. 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 Finance Committee.

Should you have material you wish to enter into the record, please submit it to the Finance Director.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Human Resources Department, 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.

Meeting Procedures

All items listed on this agenda are for Committee 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 Finance Committee.

Pursuant to Government Code Section 65009, if you challenge a decision of the Finance Committee in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Finance Committee at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the Finance Committee is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

Posted at City Hall on January 20, 2012 at 4 PM by the Assistant Finance Director.

**AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS**

DATE : January 10, 2012

TO : Mayor Patterson
Vice Mayor Campbell

FROM : City Manager

SUBJECT : **LEAGUE OF CALIFORNIA CITIES**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

The North Bay Division will hold it's first Division meeting of 2012 on Tuesday, January 31st hosted by the City of Vacaville at the Vacaville Opera House.

A flyer announcing the event is attached.

Attachments:

- North Bay Division General Membership Meeting Announcement



**NORTH BAY DIVISION
MEMBER CITIES**

MARIN COUNTY

BELVEDERE
CORTE MADERA
FAIRFAX
LARKSPUR
MILL VALLEY
NOVATO
ROSS
SAN ANSELMO
SAN RAFAEL
SAUSALITO
TIBURON

NAPA COUNTY

AMERICAN CANYON
CALISTOGA
NAPA
ST. HELENA
YOUNTVILLE

SOLANO COUNTY

BENICIA
DIXON
FAIRFIELD
RIO VISTA
SUISUN CITY
VACAVILLE
VALLEJO

SONOMA COUNTY

COTATI
HEALDSBURG
ROHNERT PARK
SANTA ROSA
SEBASTOPOL
SONOMA
WINDSOR

OFFICERS

PRESIDENT

JOHN DUNBAR
MAYOR - YOUNTVILLE

FIRST VICE PRESIDENT

VACANT

SECOND VICE PRESIDENT

KATHLEEN SHAFFER
COUNCILMEMBER- SEBASTOPOL

PAST PRESIDENT

CURTIS HUNT
COUNCILMEMBER- VACAVILLE

DIVISION DIRECTOR

ALICE FREDERICKS
COUNCILMEMBER - TIBURON

STAFF

NANCY HALL BENNETT
REGIONAL PUBLIC AFFAIRS
MANAGER

NORTH BAY DIVISION GENERAL MEMBERSHIP MEETING

Hosted by the City of Vacaville

Tuesday, January 31, 2012

The Vacaville Opera House
560 Main Street, 2nd Floor
Vacaville, California 95688

Welcome Reception 6:00 pm

Keynote Speaker 6:30 pm

Dinner Buffet and Business Meeting 7:00 pm

Keynote Speaker:
Secretary of Corrections and Rehabilitation,
Matthew Cate

Election of North Bay Division First Vice President

Dinner Buffet to include:

Thick Sliced Tri Tip with caramelized onions, BBQ Grilled Chicken Breast, Scalloped Potatoes, Green Beans with Bacon and Onion and Tomato, Grilled Vegetables with Tarragon Aioli and Spring Mix with honey-basil vinaigrette. Fresh baked Rolls & Butter and a Variety of Homemade Cheesecake.

- Cash Bar -

Please RSVP by Friday, January 13th to:
Michelle Dahme at
mdahme@yville.com or 707.944.8851

Please make checks payable to North Bay Division/LCC

Pay at the door or mail check for \$40:

North Bay Division /LCC
Accounting Dept.
1400 K Street, Suite 400
Sacramento, CA 95814

Questions? Please contact Nancy Hall Bennett, (415) 302-2032

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012

TO : Council Member Strawbridge
Council Member Hughes

FROM : City Manager

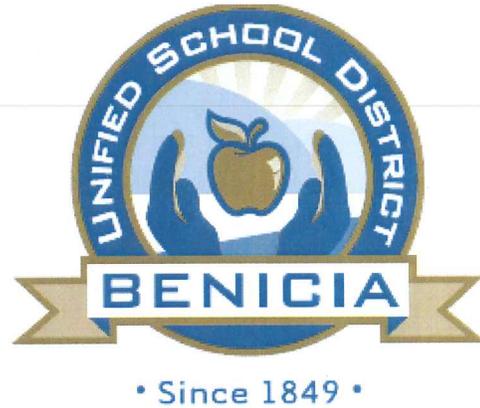
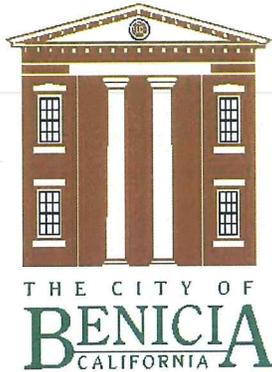
SUBJECT : **CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

This committee meets quarterly in the Benicia Unified School District meeting room. The minutes from the meeting held on September 15, 2011 are attached. A meeting was held on January 12, 2012 and the agenda for that meeting is attached. The meeting schedule for the year has not been established.

Attachments:

- September 15, 2011 Minutes
- January 12, 2012 Meeting Agenda



**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE
MINUTES**

Benicia Community Center, Program Room 2

September 15, 2011 8:30-10:00am

- I. Call to Order and Pledge of Allegiance:** Brad Kilger, City Manager of the City of Benicia, called the meeting to order at 8:41 a.m.
 - A. Present:**
 - Brad Kilger – City Manager
 - Mike Ioakimedes – City Council Member
 - Mike Dodson – Parks and Community Services Director
 - Mario Giuliani – Economic Development/Parks and Community Services
 - Andrew Bidou – Chief of Police
 - Janice Adams – Superintendent of Schools
 - Dana Dean – School Board Member
 - Rosie Switzer – School Board Member
 - Roy Owens – Supervisor of Maintenance and Facilities, BUSD

- II. Reference to the Fundamental Rights of the Public and Public Comment**

Kilger noted the fundamental rights of the public. There was no public comment.

- III. Consent Calendar**
 - A. Approval of Minutes of the Regular Meeting June 23, 2011**

On a motion by Ioakimedes, seconded by Adams, the minutes were approved as submitted.

- IV. Business Items**
 - A. 2012 Meeting Dates**

The Committee set the next meeting for Thursday, December 15th at 8:30 a.m. at the Community Center. The Committee agreed to reschedule setting the 2012 meeting calendar to that meeting.

 - B. Update and Discussion on Marketing for the City and the District**

Giuliani discussed the City's tourism and business marketing efforts and highlighting the City's great schools and test scores. Giuliani was advised to work with Jensen to obtain any information needed in the marketing effort.

Minutes

Benicia City Council / School Board Liaison Committee

C. BHS/City Joint Use Agreement and Upgrades to existing sports facilities

Giuliani discussed the Joint Use Agreement and advised the amendments to the cell tower lease at the Middle School are based on action by the Council a year ago when funding for maintenance to school fields was cut (over \$100,000 for two BUSD fields). The renegotiated lease will bring in enough revenue to maintain the fields. Dean recommended the amendments go to the BUSD Board for approval.

Adams advised a group of motivated parents are interested in updating the sports complex at Benicia High. It is estimated at \$4 million for facility and safety upgrades. Dotson discussed the benefit to the community to have all weather fields and advised the City has researched and will provide information with the School District is ready. Dotson also discussed maintenance and replacement requirements. The group discussed including the bleachers, concession stands, and baseball fields in the project and the use of funding from a sustainability grant. Adams advised a facilities meeting will be set and will include the City.

D. Discussion regarding the possible increase in use of methamphetamine in the community.

Switzer advised there has been discussion in the community that there seems to be an increase in the use of methamphetamine in the city.

Bidou advised it exists but at a decreased level, however, use of prescription medication has increased. The City sponsors prescription disposal drop-off events quarterly. The Police Department is continuing to do stings for alcohol sales on a regular basis and will put something together to send home to parents. Jensen was advised to follow-up with Lt. Green at the Police Department.

V. Future Agenda Items

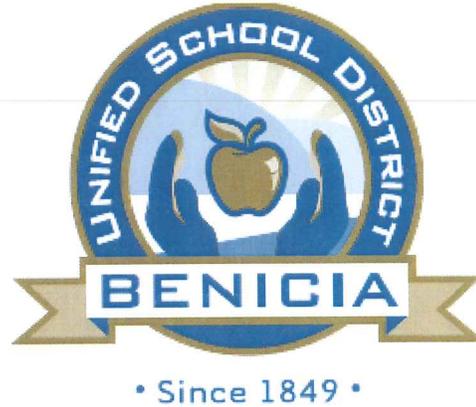
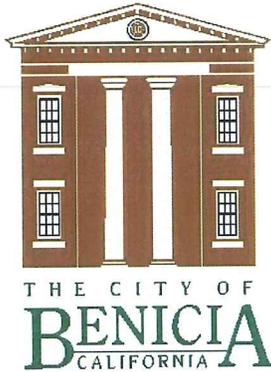
Adams discussed the efforts of Phil Joy to raise funds to support additional School District crossing guards. The Committee discussed circulation around schools.

Dean and the Committee discussed the success of the new student center at the High School causing fewer students to leave campus during lunchtime. Dean asked to be provided with information on the amount the City spends on the School District. The Committee discussed collaboration between the City and School District.

Ioakimedes advised this would be his last meeting, as he will be leaving office and advised he will suggest SolTrans speak with the School District when discussing school routes.

VI. Adjournment

The meeting was adjourned at 9:45 a.m.



**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE
AGENDA**

**Benicia Community Center, Program Room 2
370 East L Street
January 12, 2012 8:30-10:00am**

- I. Call to Order and Pledge of Allegiance**
 - A. Present:**

- II. Reference to the Fundamental Rights of the Public and Public Comment**

- III. Consent Calendar**
 - A. Approval of Minutes of the Regular Meeting September 15, 2011**

- IV. Business Items**
 - A. 2012 Meeting Dates**

The committee will discuss meeting dates for 2012. (Deferred from the 09/15/11 meeting.)

 - B. Upgrades to existing sports facilities**

The committee will discuss parent requests for improvements to the BHS sports complex.

 - C. BHS/City Joint Use Agreement**

The committee will discuss the Joint Use Agreement relative to the new cell tower lease.

 - D. Discussion regarding City funding support to BUSD.**

Board member Dean asked at the last meeting that this item be agendized for committee discussion.

- V. Future Agenda Items**

- VI. Adjournment**

**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE
AGENDA**

**Benicia Community Center, Program Room 1
370 East L Street**

Public Participation

The City Council/School Board Liaison Committee 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/School Board Liaison Committee allows speakers to speak on 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/School Board Liaison Committee.

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

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Anne Cardwell, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for City Council/School Board Liaison Committee 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/School Board Liaison Committee.

**AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS**

DATE : January 10, 2012

TO : Vice Mayor Campbell
Council Member Schwartzman

FROM : City Manager

SUBJECT : **SKY VALLEY OPEN SPACE COMMITTEE**

The following information is provided for your committee report at the January 17, 2012 Council meeting.

There have been no meetings since the last report.

The next scheduled meeting will occur on Wednesday, February 1, 2012.

**AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS**

DATE : January 9, 2012

TO : Mayor Patterson
Council Member Strawbridge

FROM : City Manager

SUBJECT : **SOLANO EDC BOARD OF DIRECTORS**

The following information is provided for your committee report at the January 17, 2012 Council meeting.

The last Board of Directors meeting was held on Thursday, November 17, 2011. The agenda was previously provided. The minutes are attached.

The next Board of Directors meeting is scheduled for Wednesday, January 18, 2012 at 9:00 am at Jelly Belly Candy Company. The agenda for that meeting is not yet available.

Attachment:

- November 17, 2011 Meeting Minutes



SOLANO EDC BOARD OF DIRECTORS MEETING

November 17, 2011, 9:00 AM

CALL TO ORDER

Chairman Reynolds called the meeting to order at 9:02 am at the Jelly Belly Candy Company.

Attending were:

Jack Batchelor	Robert Bloom	Mario Giuliani	Terry Glubka	Bruce Gondry
Daryl Halls	Norm Hattich	Jowel Laguerre	Albert Lavezzo	Steve Lessler
Sandy Person	Sean Quinn	Mike Reagan	Tom Recknagel	Scott Reynolds
Bob Simpson	Talyon Sortor	Jay Speck	Patsy Van Ouwerkerk	

Absent were:

Rebecca Brandt	Elaine Crombie	Kay Draisin	Jim Dunbar	Bill Eisenhardt
Kevin English	Joanie Erickson	Kevin Finger	Kevin Finn	Steve Hardy
Steve Huddleston	Jack Krebs	Foy McNaughton	Catherine Moy	Elizabeth Patterson
Brooks Pedder	Debra Russo	Michael Segala	Sue Vaccaro	Louise Walker
Michael Wilson				

APPROVAL OF MINUTES

Chairman Reynolds called for approval of minutes of the October meeting. Upon motion duly made (Van Ouwerkerk) and seconded (Lavezzo) it was RESOLVED, that the minutes of the October 20, 2011 meeting of the Solano EDC Board of Directors be accepted as submitted.

TREASURERS REPORT

Treasurer Van Ouwerkerk presented the financial report for the month of October 2011. Upon motion duly made (Speck) and seconded (Reagan) it was RESOLVED, that the Treasurer's Report be accepted.

2012 BOARD OF DIRECTORS NOMINATIONS

Chairman Reynolds presented the draft 2012 Director's ballot. Upon motion duly made (Lavezzo), and seconded (Hattich), it was RESOLVED, that the 2012 Board of Directors ballot be accepted as presented.

2012 DRAFT BUDGET

Treasurer Van Ouwerkerk presented the 2012 draft budget. Upon motion duly made (Reagan) and seconded (Batchelor), it was RESOLVED that the 2012 budget be approved.

PRESIDENT'S REPORT

President Person asked for input on 2012 expectations. She provided updates on prospect activity; new Marketing Task Force chair; Solano-Yolo joint economic summit; Manex workshop; PACE workshop and Highway 12 project.

CALENDAR REVIEW

Calendar items were discussed.

The meeting adjourned 10:10 am.

Sandy Person

President

sandy@solanoedc.org

Patricia Uhrich

Office Manager

pat@solanoedc.org

Address:

360 Campus Lane, Suite 102
Fairfield, CA 94534

Phone:

707.864.1855

Fax:

707.864.6621

Toll Free:

888.864.1855

Website:

www.solanoedc.org

**AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS**

DATE : January 10, 2012

TO : Mayor Patterson
Council Member Schwartzman

FROM : Director of Public Works and Community Development

SUBJECT : **SOLANO TRANSPORTATION AUTHORITY**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

STA Board meetings are held in the Suisun City Hall Council Chambers. The STA Board Meeting Minutes of December 14, 2011 are attached.

The agenda for the STA Board meeting held on January 11, 2012 are attached.

Attachments:

- ❑ December 14, 2011 Board Meeting Minutes
- ❑ Agenda for January 11, 2012 Meeting



SOLANO TRANSPORTATION AUTHORITY
Board Minutes for Meeting of
December 14, 2011

I. CALL TO ORDER

Chair Price called the regular meeting to order at 6:00 p.m. A quorum was confirmed.

MEMBERS

PRESENT: Harry Price, Chair City of Fairfield
Jack Batchelor, Vice Chair City of Dixon
Elizabeth Patterson City of Benicia
Jan Vick City of Rio Vista
Pete Sanchez City of Suisun City
Steve Hardy City of Vacaville
Osby Davis City of Vallejo
*(Arrived at the meeting at
6:15 p.m.)*

STAFF

PRESENT: Daryl K. Halls Executive Director
Bernadette Curry Legal Counsel
Robert Macaulay Director of Planning
Johanna Masiclat Clerk of the Board
Susan Furtado Accountant and Administrative Services
Manager
Jayne Bauer Marketing and Legislative Program Manager
Liz Niedziela Transit Analyst
Judy Leaks Program Manager
Sara Woo Associate Planner
Jessica McCabe Assistant Project Manager
Samantha Sipin Intern

ALSO

PRESENT: *In Alphabetical Order by Last Name:*
Mona Babauta Fairfield and Suisun Transit (FAST)
Shawn Cunningham City of Vacaville
Amanda Dumm City of Suisun City
Dorine and Dorje Jennette Members of the Public
Alan Glen Quincy Engineering
Robert Jones Creegan + D'Angelo Infrastructure Engineers

Dan Kasperson
Wayne Lewis
Brian McLean
Mike Roberts
Matt Tuggle

City of Suisun City
City of Fairfield
Vacaville City Coach
City of Benicia
County of Solano

II. CONFIRM QUORUM/STATEMENT OF CONFLICT

A quorum was confirmed by the Clerk of the Board. There was no Statement of Conflict declared at this time.

III. APPROVAL OF AGENDA

On a motion by Vice Chair Batchelor, and a second by Board Member Spering, the STA Board approved the agenda with the exception to table Agenda Item VIII.B, Jepson Parkway Funding Agreement until a future meeting.

IV. OPPORTUNITY FOR PUBLIC COMMENT

None presented.

V. EXECUTIVE DIRECTOR'S REPORT

Daryl Halls provided an update on the following topics:

- STA's Draft 2012 Legislative Priorities and Platform
- Submittal of Limited List of Priority Projects for Regional Transportation Plan
- Jepson Parkway Project Agreement to Fund Next Phases of Project
- First Elements of STA's Comprehensive Transportation Plan Ready for Adoption
- Solano Senior and People with Disabilities Transportation Study
- Recommendation to Modify SolTrans JPA
- Application of Local Preference Policy Goals for Specific Studies
- Annual Audit for FY 2010-11 Completed
- 5th Annual Commute Challenge Wraps Up

VI. COMMENTS FROM METROPOLITAN TRANSPORTATION COMMISSION (MTC), CALTRANS, AND STAFF:

A. MTC Report:

MTC Commissioner and Board Member Spering announced that MTC and the Association of Bay Area Governments (ABAG) released for public review five growth scenarios for the One Bay Area Plan.

B. Caltrans Report:

None presented.

STA Reports:

1. Proclamations of Appreciation

a. Chuck Timm

Board Alternate Timm thanked the STA Board and staff for their efforts.

b. Mike Ioakimedes

(Note: Board Member Patterson accepted the Proclamation of Appreciation for Mike Ioakimedes on his behalf.)

2. Federal Legislative Update provided by Akin Gump's Susan Lent

3. Directors Report:

a. Planning

Robert Macaulay highlighted the CCJPA's 20th Anniversary event that was held on December 8, 2011 in Sacramento.

c. Projects

None presented.

c. Transit/Rideshare

Judy Leaks provided a summary of the final results from the 5th Annual Solano Commute Challenge.

VII. CONSENT CALENDAR

On a motion by Vice Chair Batchelor, and a second by Board Member Spering, the STA Board approved Consent Calendar Items A through M.

A. STA Board Meeting Minutes of October 12, 2011

Recommendation:

Approve STA Board Meeting Minutes of October 12, 2011.

B. Draft TAC Meeting Minutes of November 30, 2011

Recommendation:

Approve Draft TAC Meeting Minutes of November 30, 2011.

C. Fiscal Year (FY) 2010-11 Fourth Quarter Budget Report

Recommendation:

Review and file.

D. Fiscal Year (FY) 2011-12 First Quarter Budget Report

Recommendation:

Receive and file.

E. STA Employee 2012 Benefit Summary Update

Recommendation:

Receive and file.

F. Renewal of Membership with Solano Economic Development Corporation (EDC) for 2012

Recommendation:

Approve the renewal of STA's membership with the Solano Economic Development Corporation (Solano EDC) at the Premier Member "Chairman's Circle" level of \$7,500 for Calendar Year 2012.

G. Federal Legislative Advocacy Services Contract Amendment #2

Recommendation:

Approve the following:

1. Authorize the Executive Director to enter into a 24-month Contract Amendment #2 with Akin Gump Strauss Hauer & Feld LLP (Akin Gump);
2. Authorize the Executive Director to extend the contract with the Cities of Dixon, Fairfield, Vacaville and Vallejo to provide federal advocacy services in pursuit of federal funding for the STA's priority projects through December 31, 2013 at a total cost not-to-exceed \$231,600; and
3. The expenditure of \$50,400 to cover the STA's contribution for this 24-month contract.

H. 2011 Solano Congestion Management Program (CMP)

Recommendation:

Approve the following:

1. The final 2011 Solano CMP; and
2. Authorize the Executive Director to submit the 2011 Solano CMP to the Metropolitan Transportation Commission (MTC).

I. Completion of the Construction Contract for the Building Demolition as Advanced Construction Work for the I-80 Cordelia Truck Scales Relocation Project

Recommendation:

Approve the following:

1. Accept the Cordelia CVEF Relocation Demolition Building as advanced construction work for the I-80 Cordelia Truck Scales Relocation Project contract as complete; and
2. Authorize the Executive Director to file a Notice of Completion with the County Recorder's office.

J. Completion of the Construction Contract for the Tree Removal as Advanced Construction Work for the I-80 Cordelia Truck Scales Relocation Project

Recommendation:

Approve the following:

1. Accept the Completion of the Construction Contract for the Tree Removal as Advanced Construction Work for the I-80 Cordelia Truck Scales Relocation Project contract as complete; and
2. Authorize the Executive Director to file a Notice of Completion with the County Recorder's office.

K. I-80/I-680/State Route (SR) 12 Interchange Project Contract Amendments

Recommendation:

Authorize the Executive Director to execute contract amendments with the PDM Group and the MTC/Nolte team for an amount not-to-exceed \$1,900,000 for PA/ED for the I-80/I-680/SR 12 Interchange Project.

L. Federal Transit Administration (FTA) Non-Urbanized Area Program (FTA Section 5311) and Funding Opportunities

Recommendation:

Approve the recommendation of the Federal Section 5311 Allocation for Solano County for FY 2012-13.

M. Paratransit Vehicle Use Agreement between Solano Transportation Authority (STA) and Solano County Transit (SolTrans)

Recommendation:

Authorize the Executive Director to execute the Paratransit Vehicle Use Agreement between STA and SolTrans for two paratransit vehicles.

VIII. ACTION – FINANCIAL ITEMS

A. STA's Annual Audit for Fiscal Year (FY) 2010-11

Susan Furtado reported that the auditing firm of Vavrinek, Trine, Day, & Co., LLP, has completed the annual audit for FY 2010-11 and has identified no material findings.

Public Comments:

None presented

Board Comments

Vice Chair Batchelor publicly thanked STA staff for their good accounting and financial work every year.

Recommendation:

Receive and file the STA's Annual Audit for FY 2010-11.

On a motion by Vice Chair Batchelor, and a second by Board Member Sanchez, the STA Board unanimously approved the recommendation.

B. Jepson Parkway Project Funding Agreements

This item was tabled at the request of STA until a future meeting.

IX. ACTION NON-FINANCIAL ITEMS

A. STA's 2012 Legislative Priorities and Platform

Jayne Bauer reviewed the development of the STA's 2012 Legislative Priorities and Platform. She listed the minor changes and language cleanup to the priorities and platform.

Public Comments:

None presented.

Board Comments

After discussion, the STA Board voted *to approve the Legislative Priorities and Platform and bring back amendments to the platform pertaining to expediting the environmental process to ensure funds are not lost due to timely delivery of project.* The request was for inclusion of language addressing projects with funding time constraints that require timely review and approval by regulatory agencies.

Recommendation:

Approve the STA's 2012 Legislative Priorities and Platform as specified in Attachment A.

On a motion by Board Member Patterson, and a second by Board Member Spring, the STA Board unanimously approved the recommendation as amended shown above in *bold italics.*

B. Submittal of Regional Transportation Plan (RTP) Constrained Projects List

Robert Macaulay reviewed STA's projects recommended for inclusion in STA's RTP submittal to MTC, and STA's request for additional funding of \$89 million in RTP funds. He cited that staff recommends requesting MTC to designate the \$89 million of Interregional Transportation Improvement Program (ITIP) funds for the I-80/I-680/SR 12 Interchange to fully fund the next phase of this project in order to allow the identified projects to proceed. He noted that the Transit Consortium had requested inclusion of transit capital replacements as part of the list of transit centers.

Public Comments:

None presented.

Board Comments

Board Member Patterson requested clarification to a conflicting statement mentioned on the staff report on page 116 of the Board packet. The 4th paragraph states that one important aspect of this project is the critical need to obtain federal environmental clearance for the project or project phase as listed in the RTP. She added that this means that if STA were to submit only a portion of the project for RTP funding, subsequent environmental clearance would also be limited to that portion of the project.

Daryl Halls and Robert Macaulay responded and stated that the first phase of the project needed to be listed in the RTP in order to get NEPA (National Environmental Policy Act) clearance, but the entire project did not have to be listed in the RTP. Board Member Patterson noted that she was concerned that the project was being segmented, since CEQA (California Environmental Quality Act) requires the entire project to be analyzed. Robert Macaulay noted that the phasing was only for the purpose of the RTP listing and NEPA analysis, and that CEQA analysis was being done on the entire project as required by the CEQA guidelines.

Recommendation:

Approve the following:

1. The fiscally constrained Solano RTP Project List as specified in Attachment C; and
2. Authorize the Executive Director to submit Solano's fiscally constrained RTP project list to MTC for inclusion in the Regional Transportation Plan.

On a motion by Vice Chair Batchelor, and a second by Board Member Patterson, the STA Board unanimously approved the recommendation.

C. Comprehensive Transportation Plan – Land Use Chapter

Robert Macaulay noted that the STA Alternative Modes Committee and the STA Technical Advisory Committee (TAC) have both reviewed the Land Use Chapter and have recommended its adoption by the STA Board.

Public Comments:

None presented

Board Comments

Board Member Sperring requested clarification on the 2nd to the last concluding paragraph. Robert Macaulay responded that would be done.

Board Member Patterson asked if demographic projections accounted for an increased desire for people living in dense urban areas. Robert Macaulay responded that ABAG's projections do account for some of this potential change.

Recommendation:

Approve the Land Use Chapter of the Solano Comprehensive Transportation Plan as specified in Attachment A.

On a motion by Board Member Vick, and a second by Board Member Sperring, the STA Board unanimously approved the recommendation to include revisions needed to clarify the 2nd to the last concluding paragraph of the Land Use Chapter of the Solano CTP.

D. Solano Countywide Bicycle Transportation Plan

Sara Woo provided an overview of the Solano Countywide Bicycle Transportation Plan. She cited that once the Plan is adopted, STA staff will prioritize recommended funding for priority projects listed in the plan (or in the SR2S and/or SR2T plans). She added that the only exception to this funding rule will be for fund sources that have limits that would exclude any of the identified priority projects.

Public Comments:

Chair Price conveyed the support for the Plan of two public speakers who left the meeting.

Board Comments

Member Patterson explained that wayfinding signage is an instrumental tool to helping bicyclists and pedestrians use the bicycling and walking routes. She asked how bicycle and pedestrian wayfinding would be implemented as a priority in the upcoming calendar year's work program. She further explained that when cyclists go from Benicia to the Al Zampa Bridge in Vallejo, a different route is taken due to the hills on Lemon and Sonoma Blvd. She commented that wayfinding signage would help make routes safer and easier to use.

Sara Woo replied that one of the priority planning projects identified by the Bicycle Plan to be initiated with the new calendar year is the Bicycle and Pedestrian Wayfinding Signage Plan. She commented that the intention is to fund the wayfinding signage plan and program through the One Bay Area Block Grant program. She further explained that STA staff will be working diligently with each community to identify appropriate routes for signage and implementation.

Recommendation:

Forward a recommendation to the STA Board to approve the Solano Countywide Bicycle Transportation Plan as shown in Attachment B.

On a motion by Vice Chair Batchelor, and a second by Board Member Patterson, the STA Board unanimously approved the recommendation.

E. Safe Routes to Transit Plan (SR2T) Plan

Robert Macaulay reviewed the development of STA's Safe Routes to Transit (SR2T) Plan. He cited that the Plan provides maps and detailed descriptions of each of the 5 selected Transit Facilities of Regional Significance (TFORS): Fairfield Transportation Center, Suisun-Fairfield Capitol Corridor Train Station, Vacaville Transportation Center, Vallejo Transit Center/Downtown Parking Structure, and Vallejo Transportation Center at Curtola and Lemon Street. He added that staff will work with the member agencies to obtain funding to implement the priorities identified in the Plan.

Public Comments:

None presented

Board Comments

None presented.

Recommendation:

Approve the Solano Safe Routes to Transit Plan as shown in Attachment A.

On a motion by Board Member Patterson, and a second by Board Member Sanchez, the STA Board unanimously approved the recommendation.

F. Solano Transportation Study for Seniors and People with Disabilities Study

Liz Niedziela reviewed the development of the Solano Transportation Study for Seniors and People with Disabilities Study. She noted that the advisory committee identified and prioritized a set of recommendations to guide the future allocation of available transit funding to be allocated by the STA Board and the Solano County Board of Supervisors.

Public Comments:

None presented.

Board Comments

None presented.

Recommendation:

Approve the Solano Safe Routes to Transit Plan as shown in Attachment A.

On a motion by Board Member Spring, and a second by Board Member Patterson, the STA Board unanimously approved the recommendation.

G. Methodology for Local Preference Policy Contract Goal Development

Jessica McCabe reviewed the development of a Local Preference Goal. Both a methodology to determine a goal and data source that includes Solano County firms/businesses is needed. She added that over the past several months, staff has been collecting data needed to populate a local business database to calculate a Local Preference Goal. She stated that staff is recommending the Board approve a specific methodology for how a Local Preference Policy goal is determined for a specific project or plan.

Public Comments:

None presented

Board Comments

Vice Chair

Recommendation:

Approve the methodology for a Local Preference Contract Goal, using the Bay Area as the defined Market Area, as part of the STA's Local Preference Policy.

On a motion by Vice Chair Batchelor, and a second by Board Member Spring, the STA Board unanimously approved the recommendation.

H. Local Preference Policy Goals for Three Request for Proposals

Jessica McCabe reviewed the Board adopted Local Preference Policy. She cited that the Policy was developed to guide the STA's purchasing policies and soliciting contract work. She stated that staff is recommending STA Local Preference Policy goals for three specific projects be approved by the Board.

Public Comments:

None presented

Board Comments

None presented.

Recommendation:

Approve the use of STA Local Preference Policy Goals as shown in Attachment A for the following:

1. STA's Public-Private Partnership Study;
2. The Jepson Parkway Concept Plan Update; and
3. The Countywide Alternative Fuels Study.

On a motion by Vice Chair Batchelor, and a second by Board Member Davis, the STA Board unanimously approved the recommendation.

I. Proposed Revisions to the Solano County Transit ("SolTrans") Joint Powers Agreement

After some discussion, this item was continued, at the request of Board Member Patterson, to allow the discussion to move to the SolTrans Board and return to the STA Board with their recommendation.

X. INFORMATIONAL – NO DISCUSSION

- A. Solano Employer Commute Challenge 2011 – Final Results**
- B. Funding Opportunities Summary**
- C. SolTrans Board Meeting Highlights of November 17, 2011**
- D. STA Board and Advisory Committee Meeting Schedule for Calendar Year 2012**

XI. BOARD MEMBER COMMENTS

The Board wished everyone happy holidays.

XII. ADJOURNMENT

The meeting was adjourned at 7:30 p.m. The next regular meeting of the STA Board is scheduled at 6:00 p.m., Wednesday, January 11, 2011, Suisun City Hall Council Chambers.

Attested by:



Johanna Masielat
Clerk of the Board

/January 3, 2012
Date



STA BOARD MEETING AGENDA

**6:00 p.m., Regular Meeting
 Wednesday, January 11, 2012
 Suisun City Hall Council Chambers
 701 Civic Center Drive
 Suisun City, CA 94585**

Mission Statement: To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

Public Comment: Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 2 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency. **Speaker cards are required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board. Public comments are limited to 2 minutes or less.**

Americans with Disabilities Act (ADA): This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masiclat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

Staff Reports: Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at jmasiclat@sta-snci.com. **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

Agenda Times: Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

ITEM

BOARD/STAFF PERSON

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE
 (6:00 – 6:05 p.m.)

Chair Price

II. SWEARING IN OF NEW STA BOARD ALTERNATE MEMBER

- **Alan Schwartzman**
Alternate Board Member Representing the City of Benicia

III. CONFIRM QUORUM/ STATEMENT OF CONFLICT

Chair Price

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.

STA BOARD MEMBERS

Harry Price	Jack Batchelor, Jr.	Elizabeth Patterson	Jan Vick	Pete Sanchez	Steve Hardy	Osby Davis	Jim Spering
Chair City of Fairfield	Vice-Chair City of Dixon	City of Benicia	City of Rio Vista	City of Suisun City	City of Vacaville	City of Vallejo	County of Solano

STA BOARD ALTERNATES

VACANT	Rick Fuller	VACANT	Janith Norman	Mike Hudson	Ron Rowlett	Erin Hannigan	John Vasquez
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The complete STA Board Meeting Packet is available on STA's Website at www.sta.ca.gov

IV. APPROVAL OF AGENDA

V. OPPORTUNITY FOR PUBLIC COMMENT

(6:05 – 6:10 p.m.)

VI. EXECUTIVE DIRECTOR’S REPORT – Pg. 1

Daryl Halls

(6:10 – 6:15 p.m.)

VII. COMMENTS FROM CALTRANS, THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND STA

(6:15 – 6:25 p.m.)

A. State Legislative Update

Gus Khouri

B. STA’s Year-End Report - Highlights for 2011

Chair Price

C. Directors Report:

1. Planning

Robert Macaulay

2. Projects

Janet Adams

3. Transit/Rideshare

Judy Leaks

VIII. CONSENT CALENDAR

Recommendation:

Approve the following consent items in one motion.

(Note: Items under consent calendar may be removed for separate discussion.)

(6:25 - 6:30 p.m.)

A. Minutes of the STA Board Meeting of December 14, 2011

Johanna Masielat

Recommendation:

Approve STA Board Meeting Minutes of December 14, 2011.

Pg. 7

B. Draft Minutes of the TAC Meeting of December 21, 2011

Sara Woo

Recommendation:

Approve Draft TAC Meeting Minutes of December 21, 2011.

Pg. 17

C. SolanoExpress Intercity Transit Consortium 2012 Work Plan

Liz Niedziela

Recommendation:

Approve the SolanoExpress Intercity Transit Consortium 2012 Work Plan as shown on Attachment A.

Pg. 23

D. Solano Coordinated Short Range Transit Plan (SRTP)

Liz Niedziela

Recommendation:

Approve the following:

1. The scope of work for the Solano Coordinated SRTP as shown in Attachments A, B, and C; and

2. The allocation of \$150,000 of STAF to fund an updated Transit Ridership Survey.

Pg. 29

- E. State Safe Routes to School (SR2S) Grant Opportunity for City of Dixon’s West B Street Undercrossing** Jessica McCabe
Recommendation:
Approve the following:
1. Approve the West B Street Undercrossing in Dixon as the STA’s Countywide SR2S priority project; and
 2. Authorize the Solano Transportation Authority to apply for the state SR2S grant, to be released in December 2011.

Pg. 57

- F. Request for Qualifications (RFQ) for Solano Yolo BikeLinks Map Update** Sara Woo
Recommendation:
Approve the following:
1. Local preference goal of 10% for the Solano Yolo BikeLinks Map Update;
 2. Authorize the release of the RFQ as shown in Attachment A for the Solano Yolo BikeLinks Map Update; and
 3. Authorize the Executive Director to enter into a contract for the Solano Yolo BikeLinks Map Update for an amount not-to-exceed \$17,000.

Pg. 65

- G. Resolution Authorizing Contribution to the California Public Employees Retirement System (CalPERS)** Susan Furtado
Recommendation:
Approve Resolution 2012-01- Authorizing Tax Defer Member Paid Contribution to the CalPERS.

Pg. 67

- Amendment to Solano’s Fiscally Constrained Regional Transportation Plan (RTP) Project List Submit to the Metropolitan Transportation Commission (MTC)** Robert Macaulay
Recommendation:
Authorize the Executive Director to transmit the modified STA’s Fiscally Constrained RTP project list to MTC including the addition of local transit vehicle replacement.

Pg. 71

IX. ACTION FINANCIAL ITEMS

- A. Fiscal Year (FY) 2011-12 Mid-Year Budget Revision** Daryl Halls
Susan Furtado
Recommendation:
Adopt the STA’s FY 2011-12 Mid-Year Budget Revision as shown in Attachment A.
(6:30 – 6:35 p.m.)

Pg. 75

- B. SolTrans Transition Cost Facilitation** Liz Niedziela
Recommendation:
Approve the Executive Director to facilitate with MTC and SolTrans the one time transitional cost and budget expenses for the start-up of SolTrans.
(6:35 – 6:40 p.m.)
Pg. 81

X. ACTION NON-FINANCIAL ITEMS

- A. STA’s 2012 Amended Legislative Priorities and Platform** Jayne Bauer
Recommendation:
Approve the STA’s 2012 Legislative Priorities and Platform as specified in Attachment A.
(6:40 – 6:45 p.m.)
Pg. 83
- B. Solano Countywide Pedestrian Transportation Plan** Sara Woo
Recommendation:
Approve the Solano Countywide Pedestrian Transportation Plan as shown in Attachment B.
(6:45 – 6:50 p.m.)
Pg. 105
- C. Selection of 2012 STA Chair and Vice Chair** Daryl Halls
Recommendation:
Approve the following:
 1. *Selection of the STA Chair for 2012 commencing with the STA Board Meeting of February 9, 2012;*
 2. *Selection of the STA Vice-Chair for 2012 commencing with the STA Board Meeting of February 8, 2012; and*
 3. *Request the new Chair designate the STA Executive Committee for 2012.*
(6:50 – 7:00 p.m.)
Pg. 113

XI. INFORMATIONAL – NO DISCUSSION NECESSARY

- A. Regional Transportation Plan (RTP) / Sustainable Community Strategy (SCS) Update** Robert Macaulay
Pg. 115
- B. Safe Routes to School (SR2S) Program Update** Danelle Carey
Pg. 193
- C. Local Project Delivery Update** Jessica McCabe
Pg. 199
- D. Funding Opportunities Summary** Sara Woo
Pg. 207

**E. STA Board and Advisory Committee Meeting Schedule
for Calendar Year 2012
Pg. 211**

Johanna Masielat

XII. BOARD MEMBERS COMMENTS

XIII. ADJOURNMENT

Due to the 4'Cs Summit scheduled on February 8, 2012, the next regular meeting of the STA Board is scheduled at **6:00 p.m., Wednesday, March 14, 2012, Suisun City Hall Council Chambers.**

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012

TO : Mayor Patterson
Vice Mayor Campbell

FROM : Director of Public Works and Community Development

SUBJECT : **SOLANO COUNTY WATER AGENCY**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

The minutes for the Solano County Water Agency (SCWA) Board of Directors meeting scheduled for December 8, 2011 are attached.

The next meeting is scheduled for January 12, 2012 and the agenda for that meeting is attached. The SCWA also has a Delta Committee that typically meets each month directly before the regular SCWA meeting.

Attachments:

- SCWA December Board Meeting Minutes
- SCWA Agenda for January 12, 2012

**SOLANO COUNTY WATER AGENCY
BOARD OF DIRECTORS MEETING MINUTES**

MEETING DATE: December 8, 2011

The Solano County Water Agency Board of Directors met this evening at the Solano County Water Agency. Present were:

Mayor Elizabeth Patterson, City of Benicia
Mayor Jack Batchelor, City of Dixon
Mayor Harry Price, City of Fairfield
Mayor Pete Sanchez, City of Suisun
Mayor Steve Hardy, City of Vacaville
Mayor Osby Davis, City of Vallejo
Supervisor Barbara Kondylis, Solano County District 1
Supervisor Linda Seifert, Solano County District 2
Supervisor Jim Spering, Solano County District 3
Supervisor John Vasquez, Solano County District 4
Director Bob Bishop, Solano Irrigation District
Manager Don Holdener, Maine Prairie Water District
Manager Mike Hardesty, Reclamation District 2068

CALL TO ORDER

The meeting was called to order at 7:00 P.M. by Chairman Jack Batchelor.

APPROVAL OF AGENDA

On a motion by Mayor Patterson and a second by Manager Holdener, the Board unanimously approved the agenda.

PUBLIC COMMENT

There were no public comments.

CONSENT ITEMS

On a motion by Mayor Price and a second by Manager Hardesty the Board unanimously approved the following consent items:

- (A) Minutes
- (B) Expenditure Approvals
- (C) Resolution 2011-07
- (D) Amendment to Agreement with Vacaville for Multi-Use Path in Ulatis Project Right of Way
- (E) Flood Control Advisory Committee Re-Appointments
- (F) Lower Putah Creek Coordinating Committee Appointments

BOARD MEMBER REPORTS

There were no board member reports.

GENERAL MANAGERS REPORT

There were no additions to the written report.

BAY DELTA UPDATE

General Manager Okita discussed Delta activities, the most important being the Bay Delta Conservation Plan (BDCP). A subset of BDCP is an 8,000 acre Cache Slough/Suisun Marsh tidal wetland habitat requirement which will be implemented independent of BDCP.

The State Administration has tasked Jerry Meral to deliver the BDCP. Dr. Meral has a background at both the Department of Water Resources and the Planning and Conservation League. The BDCP is not a comprehensive water management plan. It is a habitat conservation plan to get take authority for the SWP and the CVP. The BDCP is attempting to enhance public participation in the process. The BDCP is an extremely complex project and needs to reach agreement on many controversial issues including water supply benefits, financing, regulatory assurances and mitigation measures.

Solano County and SCWA are concerned about tidal wetland projects associated with the BDCP because it could involve up to 100,000 acres of the Delta with a minimum of 8,000 acres. The impacts of these projects include economic, water quality, agricultural diversions, local discharges, levees, and flood control. The wetland projects are a main reason for the need for the NBA Alternate Intake Project and SCWA is seeking funding for at least half of the cost of this project.

The State Administration and water contractors are attempting to reduce opposition to the BDCP. The Agency's response is to first have no harm from the BDCP and also to get some benefits including funding for the NBA Alternate Intake Project and funding for improved levees. The Administration suggested a joint State/County study to address concerns about tidal wetland projects in the Cache Slough area.

HABITAT CONSERVATION PLAN

Chris Lee, Principle Water Resource Specialist, presented an overview of SCWA's Habitat Conservation Plan (HCP). The HCP includes coverage for 37 species, allows 13,000 acres of new development and will provide 23,000 acres of preserved land. The HCP originated when the Federal Government renewed the water supply contract for the Solano Project and issued a biological opinion requiring a HCP. Several cities and districts not required to join that HCP have elected to participate resulting in six cities and 8 special districts being covered. The HCP streamlines compliance with Federal and State endangered species regulations. Activities covered under the HCP include public agency operations and maintenance, new urban development and irrigation and flood control facilities. An HCP is a mechanism to reduce conflict between endangered species and economic development. This HCP will streamline permit processes by delegating Federal and State endangered species regulation to the local level providing an economic benefit to both the public and private sector. It will provide consistency and stability because once adopted the processes will be in place for at least 30 years. The development of the HCP has been slowed by staff turnover at the Federal level and because of the number of entities involved. Chris will be providing the governing boards of the participating entities, the HCP steering committee, the building industry, and the agriculture community with updates on the HCP. In addition to meeting with these groups he will be providing executive summaries and brochures. The HCP does not provide for wetland permits so integration of these processes is being developed in parallel with the HCP. Coordinating all these processes it will benefit economic development by reducing the timeframe to obtain permits.

CLOSED SESSION

Pursuant to Section 54956.9 the Board entered a closed session at 7:30 to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Solano County Water Agency, Napa County Flood Control and Water Conservation District, City of Yuba City, and County of Butte v. State Department of Water Resources; Sacramento Superior Court Case No. 34-2008-00016388 CU-BC-GDS

The Board exited closed session at 8:14. There were no reportable actions from the Closed Session

TIME AND PLACE OF NEXT MEETING

The next regularly scheduled meeting will be Thursday, January 12, 2012 at 7:00 p.m. at the Solano County Water Agency offices.

ADJOURNMENT

This meeting of the Solano County Water Agency Board of Directors was adjourned at 8:15 P.M.

David B. Okita, General Manager
and Secretary to the Board of Directors of the
Solano County Water Agency

SOLANO COUNTY WATER AGENCY



BOARD OF DIRECTORS MEETING

DATE: Thursday, January 12, 2012
TIME: 7:00 p.m.
PLACE: Berryessa Room
Solano County Water Agency Office
810 Vaca Valley Parkway, Suite 203
Vacaville

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. PUBLIC COMMENT

Limited to 5 minutes for any one item not scheduled on the Agenda.

5. ELECTION OF OFFICERS AND APPOINTMENT OF EXECUTIVE COMMITTEE FOR 2012
6. CONSENT ITEMS
 - (A) Minutes: Approval of the Minutes of the Board of Directors meeting on December 8, 2011 is recommended.
 - (B) Expenditure Approvals: Approval of the December checking account register and list of checks \$500 and over to be paid is recommended.
 - (C) Amendment No. 1 to Agreement with Clean Lakes, Inc. for Campbell Lake Algaecide Treatments: Authorization of Chairman to execute Amendment No. 1 to Agreement with Clean Lakes, Inc. for Campbell Lake Algaecide Treatments is recommended. Cost is \$36,000.
 - (D) Funding Request for the Cooperative Endangered Species Conservation Fund for Fiscal Year 2013: Authorization of Chairman to sign letters to Senators Feinstein and Boxer to maintain funding levels for the Cooperative Endangered Species Conservation Fund for Fiscal Year 2013 and authorization of Chairman to sign a Resolution joining California Counties and local agencies seeking federal funding for local conservation planning is recommended.

810 Vaca Valley Parkway, Suite 203
Vacaville, California 95688
Phone (707) 451-6090 • FAX (707) 451-6099
www.scwa2.com



- (E) Resolution for Employer Paid Member Contributions: Adoption of Resolution 2012-02 to authorize Solano County Water Agency to continue to make the employee contributions to California Public Employees Retirement System (CalPERS) pursuant to the Employee Handbook policy is recommended.

7. **BOARD MEMBER REPORTS**

RECOMMENDATION: For information only.

8. **GENERAL MANAGER'S REPORT**

RECOMMENDATION: For information only.

9. **SCWA AUDIT**

RECOMMENDATION: Accept fiscal year 2010-2011 audit and staff response to findings.

10. **LEGISLATIVE REPORT**

RECOMMENDATIONS:

- A. Hear report from Patrick Leathers, Legislative Advocate on 2011 legislative activities and expectations for the 2012 legislative session.
- B. Support SB 200, Delta Levee Subvention Program, by Senator Wolk

11. **DELTA REPORT**

RECOMMENDATION: Hear report from staff on various Bay-Delta activities and provide direction as needed.

12. **TIME AND PLACE OF NEXT MEETING**

Thursday, February 9, 2012 at 6:30 pm at the SCWA offices. City County Coordinating Council is expected to meet at 7:00 PM.

The Full Board of Directors packet with background materials for each agenda item can be viewed on the Agency's website at www.scwa2.com.

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 9, 2012

TO : Vice Mayor Campbell
Council Member Schwartzman

FROM : Director of Public Works and Community Development

SUBJECT : **TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY (TPBS) COMMITTEE**

The following is provided for your committee report at the January 17, 2012 Council meeting.

Later this month, the Traffic, Pedestrian, Bicycle & Safety Committee will be hosting the first meeting of the Safe Routes to School Task Force. The Task Force will oversee the update to the citywide Safe Routes to School Plan and audits at two Benicia schools. The Solano Transportation Authority, which is providing the funding, has hired Alta Planning & Designs from Berkeley to perform the work.

The next regularly scheduled meeting would normally be set for Thursday, January 19, 2012; however, it will be rescheduled to coincide with the task force meeting.

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012

TO : Vice Mayor Campbell
Council Member Schwartzman

FROM : City Manager

SUBJECT : **TRI-CITY AND COUNTY COOPERATIVE PLANNING GROUP**

The following information is provided for your committee report at the January 17, 2012 Council meeting.

The Tri City and County Cooperative Planning Group last met on Monday, December 12, 2011. The minutes from that meeting will be approved at the next Tri City and County Cooperative Planning Group meeting, scheduled for March 12, 2012.

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012

TO : Mayor Patterson
Council Member Hughes

FROM : City Manager

SUBJECT : **VALERO COMMUNITY ADVISORY PANEL (CAP)**

The following information is provided for your committee report at the January 17, 2012 Council meeting.

The CAP meets quarterly at 6:30 p.m. at the refinery at 610 Industrial Way. The next meeting date is not currently available.

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORT

DATE : January 10, 2012

TO : Council Member Strawbridge
Council Member Hughes

FROM : Youth Action Coalition

SUBJECT : **YOUTH ACTION COALITION**

The Benicia Youth Action Coalition met on January 26, 2012. The minutes of that meeting are not yet available. The minutes of the last meeting from October 25, 2011 were approved and attached.

The next BYAC meeting will be held on Wednesday, January 25th, 3:30-5:00 p.m. in the Commission Room. The agenda is not yet available.

BENICIA YOUTH ACTION COALITION
OCTOBER 26, 2011
MINUTES

Present

Jerry Pollard	Chairman, Police Chaplaincy, Faith
Gary Wing	Vice Chair, Member at Large (Crisis/Faith)
Heidi Wing	Student, Youth Commission
Allison Angell	Library, Youth Services
Ernie Gutierrez	Parks Commission
Janice Adams	Superintendent, BUSD
Jane Abelee	Principal, Liberty High School
Alan Schwartzman	Vice Mayor, City of Benicia
Mike Ioakimedes	City Councilmember, City of Benicia
Judith Tata	Parent/Site Council
Karen LaRiviere	Parent/ Site Council
Mike Minahen	Principal, Benicia Middle School
Jim Trimble	Rotary Club-Liberty High Mentor
Kay Bosick	Family Youth Services
Ted Craido	Youth Services Detective-Benicia PD
Scott Reep	Parent/Rotary Club/Business
Ken Davena	Parent/Retired Law Enforcement
Jenny Symons	County City Team Coordinator
Patti Baron	BYAC Coordinator

Call to Order:

Chairman Jerry Pollard called the meeting to order at 3:31 p.m. Chairman Pollard referred to the Fundamental Rights of the Public.

Welcome and Introductions: Chairman Pollard welcomed new Coalition member Scott Reep. Scott introduced himself as local Attorney, Parent and a member of the Rotary Club.

Approve Agenda: The agenda for today's meeting was approved as submitted.
Motion: Jim Trimble Second: Heidi Wing Approved: unanimous

Approve Minutes:

The minutes of the September 28th meeting were approved as submitted.
Motion: Janice Adams Second: Alan Schwartzman Approved: unanimous

Correspondence: Patti reported Assemblywoman Mariko Yamada sent a letter thanking the Coalition for supporting the Anti-Bullying programs at the Middle School. Patti also reported receiving a thank you card from the Second Step teachers.

County Merger Update: Chairman Pollard reported the deadline to complete the Strategic Plan for the merger is December 13th and will be submitted to the Board of Supervisors. The Plan will include continued funding for one year but will request funding for three years. A new mission statement will be developed. The Plan will include prevention strategies and goals; focus groups to discuss objectives for underage ATOD use. The recent City Teams survey results indicated positive political support throughout the county city teams; shrinking public funds, and a need for parental education prevention. Next meeting Nov. 21st, finalize more objectives and set priorities. The Plan draft will be completed by December 1st and then reviewed on December 6th.

Jim Trimble commented the Board of Supervisors has to show ATOD support and identify stable funding through grants and county general funds. Chairman Pollard also expressed concern that in the merger the City Teams ATOD efforts will receive a big enough slice of the funding.

Budget Updates: Chairman Pollard reported the Executive Committee met to modify some of the line items, but the total budget is not changed. The county modifications include adding an additional Parent Education class from 2-3, adding a second RBS training and changing the Committed Program to Link Crew. On the City match prevention funds to include \$6,300 for Special Friends, the amount the Human Services Fund cut.

Compliance checks: Detective Ted Criado gave a follow up report on the recent liquor store underage sales stating the District Attorney will probably give them a small fine and six months probation. It is their first offense and no other criminal background. ABC is still reviewing the case and is not sure what they will do. Detective Criado indicated there will be follow stings in Nov/Dec.

The group discussed what, if anything, the Coalition can do in contacting the store owner to express our concerns. Jim Trimble suggested contacting Linda Pratt, consultant that may be able to advise us. Chairman Pollard asked if anyone would like to help work on this, Ken Davena volunteered.

Red Ribbon Week: Patti thanked Judith Tata and Heidi Wing for helping to organize the red ribbons downtown. Jane Abelee reported the Liberty students made posters, wrote poems and were given the red ribbon bracelets. A member of the public at the meeting asked to comment about the Red Ribbon activities held at the High School. She said she was a parent and was upset when she learned the High School Red Ribbon activity was named "Chug a Sunny D" and win a prize. She felt using the word "chug" related to alcohol binge drinking and felt it was inappropriate. Heidi Wing responded stating she was part of the Leadership Link Crew that came up with the event and explained it was not their intention to reference alcohol drinking and apologized for the misunderstanding. Janice Adams commented that the Link Crew students are doing an excellent job coming up with various activities at school and understands how the word could be misconstrued but knows the students were not promoting alcohol drinking.

Anti-bullying Seminar: Mike Minahen reported the anti-bullying sessions at the Middle School were outstanding. The comedian, Cary Tranovich did an excellent job and his overall message to students is "Giving not Taking". Mike felt the students really took in the message and was very worthwhile and he thanked the Coalition for supporting the program.

Every 15 Minute Program: Gary Wing reported the student leadership core group has been selected and he, Ron Wheat, Ann Dunleavy and Patti Baron will begin meeting with the core group to develop the list of other students that will be asked to participate. The CHP grants have been finalized and approved.

Drug Take Back: Patti reported on Saturday, October 29th the PD will have the Prescription Drug Take Back Program.

New Business: None

Member Comments: None

Public Comments: None

Adjourn: The meeting was adjourned at 5:05 p.m. Patti reminded everyone there will not be a meeting in November, next meeting will be December 14th.

**AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS**

DATE : January 10, 2012
TO : City Council
FROM : Mayor Patterson
SUBJECT : **ABAG/CAL FED TASK FORCE/BAY AREA WATER FORUM**

The following information is provided for your committee report at the January 17, 2012 City Council meeting.

The Bay Area Water Forum's next meeting will be held in March 2012 – the date will be chosen in coordination with the Bay Area Integrated Regional Water Management Plan Coordinating Committee and will be announced.

Topics will include:

Bay Area IRWMP Plan Update

What would it mean for the Bay Area water community to act regionally?

AGENDA ITEM
CITY COUNCIL MEETING: JANUARY 17, 2012
COUNCIL MEMBER COMMITTEE REPORTS

DATE : January 10, 2012

TO : Mayor Patterson
Council Member Hughes
Council Member Schwartzman

FROM : Interim Finance Director

SUBJECT : **SOLANO COUNTY TRANSIT BOARD MEETING**

The following information is provided for your committee report at the January 17, 2012 Council meeting.

The Solano County Transit Joint Powers Authority held a regular meeting on December 15, 2011 in the City of Vallejo Council Chambers. The meeting agenda and meeting highlights are attached for your review.

The next regular meeting of the SolTrans Board is scheduled for Thursday, January 19, 2012 at 4:00 p.m. and will be held in the City of Benicia Council Chambers.

Attachment:

- December 15, 2011 Meeting Agenda
- December 15, 2011 Meeting Highlights



**BOARD MEETING AGENDA
4:00 p.m., Regular Meeting
Thursday, December 15, 2011
Vallejo Council Chambers**

Public Comment: Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency.

Americans with Disabilities Act (ADA): This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Suzanne Fredriksen, Interim Clerk of the Board, at (707) 648-4046 during regular business hours at least 24 hours prior to the time of the meeting.

Staff Reports: Staff reports are available for inspection at the SolTrans office, during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at suzanne@soltransride.com.

Supplemental Reports: Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the SolTrans Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

Agenda Times: Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

ITEM

BOARD/STAFF PERSON

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE
(4:00 – 4:05 p.m.)

Osby Davis, Chair

II. CONFIRM QUORUM/ STATEMENT OF CONFLICT

**Suzanne Fredriksen
Interim Clerk of the Board**

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.

III. APPROVAL OF AGENDA

SOLTRANS BOARD MEMBERS

Elizabeth Patterson	(vacant)	Osby Davis	Erin Hannigan	Jim Spering	Harry Price
City of Benicia	City of Benicia	City of Vallejo	City of Vallejo	MTC Representative	STA Ex-Officio
Alternate Board Member Mark Hughes		Alternate Board Member Stephanie Gomes			

IV. OPPORTUNITY FOR PUBLIC COMMENT

(4:05 – 4:10 p.m.)

V. COMMENTS FROM STAFF

(4:10 – 4:15 p.m.)

- 1. Report from the Executive Director**
- 2. SolTrans Start-up Report – December**

Jim McElroy

John Harris

VI. CONSENT CALENDAR

Recommendation:

Approve the following consent items in one motion.

(Note: Items under consent calendar may be removed for separate discussion.)

(4:15 – 4:20 p.m.)

A. Meeting Minutes of November 17, 2011

Recommendation:

Approve the meeting minutes of November 17, 2011.

Pg. 5

Suzanne Fredriksen,
Interim Clerk of the Board

VII. ADMINISTRATIVE/FINANCE

A. Transfer of Assets Agreement

Recommendation:

- 1. Authorize the Executive Director to execute an Asset Transfer Agreement, pending the resolution of issues related to SolTrans liabilities, Insurance, and facilities included in the transfer, and take such further actions as may be necessary in order to accomplish the transfer of assets from the Cities of Benicia and Vallejo;*
- 2. Adopt Resolution No. 2011-06 regarding the transfer of rolling stock from the Cities of Benicia and Vallejo to SolTrans in accordance with FTA requirements.*

(4:20 – 4:30 p.m.)

Pg. 9

Nancy Whelan,
Interim Chief Financial Officer

B. Budget Status Report

Recommendation:

Informational.

(4:30 – 4:40 p.m.)

Pg. 23

Nancy Whelan,
Interim Chief Financial Officer

C. Delegation of Authority to SolTrans' Executive Director to Handle Claims Filed Against SolTrans

Bernadette Curry,
Legal Counsel

Recommendation:

Approve the following:

1. Adopt the Resolution No. 2011-07 delegating the authority to evaluate and handle all claims filed against SolTrans, including, but not limited to, returning such claims as insufficient, accepting, rejecting and settling such claims in an amount not to exceed fifty thousand dollars (\$50,000), to SolTrans' Executive Director;
2. Direct the Executive Director to work closely with SolTrans' Legal Counsel in responding to such claims; and directing SolTrans' Financial Officer to pay any amounts on a claim as directed by the Executive Director.

(4:40 – 4:50 p.m.)

Pg. 29

D. Recruitment for Executive Director

Jim McElroy,
Interim Executive Director

Recommendation:

Review and adopt the proposed Executive Director (ED) Recruitment Plan as specified in this agenda item; appoint a two-member ED Recruitment Subcommittee of the Board to handle tasks as identified in the Recruitment Plan; designate the Chair of the Board as Board Member Representative to handle tasks as identified in the Recruitment Plan; direct the Interim Executive Director to carry out the tasks not otherwise assigned to the Board, the ED Recruitment Subcommittee, or to the Board Member Representative; approve the basic Recruitment solicitation as attached to this agenda item; and direct the Interim Executive Director to begin execution of the Recruitment Plan on behalf the SolTrans Board of Directors.

(4:50 – 5:00 p.m.)

Pg. 33

E. Local Preference Policy

Greg Anderson,
Director of Administrative Services

Recommendation:

Approve or provide comment regarding the proposed policy.

(5:00 – 5:10 p.m.)

Pg. 37

VIII. PLANNING AND OPERATIONS

- A. **Short Range Transit Plan Update
(Schedule, Deliverables and Draft Reports)**
1. **ADA Paratransit Analysis**
 2. **Public Involvement chapter**
 3. **Draft Operations Plan**
 4. **Draft Capital/Financial Plan**

John Harris,
Special Projects Manager

Recommendation:

Accept staff's recommendation to include the ADA Paratransit Analysis and the Public Involvement chapter in the SRTP. Provide input to SolTrans' staff and consultant as to the proposed Operations Plan and Capital/Financial Plan.

(5:10 – 5:30 p.m.)

Pg. 41

IX. INFORMATIONAL

- A. **Timeline for Service Changes**
(5:30 – 5:40 p.m.)

Jeanine Wooley

NO DISCUSSION

- B. **Operations Report**

Jeanine Wooley

- C. **Technical Advisory Committee Update**

Suzanne Fredriksen

X. BOARD MEMBERS COMMENTS

XI. ADJOURNMENT

The next regular meeting of the SolTrans Board is *tentatively* scheduled for **Thursday, January 19, 2011, 4:00 p.m., Benicia Council Chambers.**



SOLANO COUNTY TRANSIT

**SolTrans Board Meeting Highlights
4:00 p.m., December 15, 2011**

TO: City Council of Benicia and Vallejo, and STA Board
(Attn: City Clerks and STA Clerk of the Board)
FROM: Suzanne Fredriksen, SolTrans Interim Clerk of the Board
RE: Summary Actions of the December 15, 2011 SolTrans Board Meeting

Following is a summary of the actions taken by SolTrans at the Board Meeting of December 15, 2011. If you have any questions regarding specific items, please call me at the following number: (707) 648-4046.

BOARD MEMBERS PRESENT:

Osby Davis, Mayor	City of Vallejo, Chair
Elizabeth Patterson, Mayor	City of Benicia, Vice Chair
Erin Hannigan, Councilmember	City of Vallejo
Mark Hughes, Councilmember	City of Benicia, Alternate
Jim Sperring, Supervisor, County of Solano	MTC Representative
Harry Price, Mayor, City of Fairfield	Ex-Officio – STA Representative

BOARD MEMBERS ABSENT:

None

ADMINISTRATIVE/FINANCE

A. Transfer of Assets Agreement

Recommendation:

1. Authorize the Executive Director to execute an Asset Transfer Agreement, pending the resolution of issues related to SolTrans liabilities, insurance, and facilities included in the transfer, and take such further actions as may be necessary in order to accomplish the transfer of assets from the Cities of Benicia and Vallejo;
2. Adopt Resolution No. 2011-06 regarding the transfer of rolling stock from the Cities of Benicia and Vallejo to SolTrans in accordance with FTA requirements.

On a motion by Board Member Hannigan and a second by Board Member Sperring, the SolTrans JPA Board unanimously approved the recommendation.

B. Budget Status Report

Recommendation:

Informational.

C. Delegation of Authority to SolTrans' Executive Director to Handle Claims Filed Against SolTrans

Recommendation:

Approve the following:

1. Adopt the Resolution No. 2011-07 delegating the authority to evaluate and handle all claims filed against SolTrans, including, but not limited to, returning such claims as insufficient, accepting, rejecting and settling such claims in an amount not to exceed fifty thousand dollars (\$50,000), to SolTrans' Executive Director;
2. Direct the Executive Director to work closely with SolTrans' Legal Counsel in responding to such claims; and directing SolTrans' Financial Officer to pay any amounts on a claim as directed by the Executive Director.

After discussion, the SolTrans JPA Board made the following modifications to the resolution:

“WHEREAS, in order to ensure timely handling of any claim presented to SolTrans, the SolTrans Board desires to delegate the authority to take action on any such claim to the Executive Director and to direct the Executive Director, ***upon the advice of SolTrans Legal Counsel***, to work closely with ~~SolTrans Legal Counsel~~ and SolTrans staff in making any determination as to the merits of the claim and taking any action on the claim...”

BE IT FURTHER RESOLVED that the Governing Board of SolTrans directs the SolTrans Executive Director, ***upon the advice of SolTrans Legal Counsel***, ~~to work closely with SolTrans' Legal Counsel in the handling of~~ ***to handle*** all claims and directs SolTrans' Financial Officer to pay any amount on a claim or settlement thereof as directed by the Executive Director not to exceed \$50,000.

BE IT FURTHER RESOLVED that the SolTrans Executive Director shall provide a summary report in a timely manner to the Governing Board of SolTrans of any such claims handled.”

On a motion by Board Member Hannigan and a second by Vice Chair Patterson, the SolTrans JPA Board unanimously approved the recommendation to include the amendments shown above in ~~strike through~~ ***bold italics***.

D. Recruitment for Executive Director

Recommendation:

Review and adopt the proposed Executive Director (ED) Recruitment Plan as specified in this agenda item; appoint a two-member ED Recruitment Subcommittee of the Board to handle tasks as identified in the Recruitment Plan; designate the Chair of the Board as Board Member Representative to handle tasks as identified in the Recruitment Plan; direct the Interim Executive Director to carry out the tasks not otherwise assigned to the Board, the ED Recruitment Subcommittee, or to the Board Member Representative; approve the basic Recruitment solicitation as attached to this agenda item; and direct the Interim Executive Director to begin execution of the Recruitment Plan on behalf the SolTrans Board of Directors.

After discussion, the SolTrans JPA Board made the following modifications to the proposed Executive Director recruitment plan:

- In Phase 3, staff would fulfill the preliminary review instead of a subcommittee of the Board.
- In Phase 5, the background check would be done by staff.
- Staff will send a questionnaire to the Board members requesting attributes, characteristics, and experience desired in a potential candidate.
- The recruitment brochure will highlight some of the special opportunities that SolTrans offers.
- The Chair of the Board, with the assistance of the Interim ED, as well as legal staff or another professional with transit experience, will present the offer and negotiate with the finalist after the Board has made their recommendation.
- Staff will give thought to a peer review and public interview process, bringing a recommendation back to the Board for consideration.

On a motion by Vice Chair Patterson, and a second by Board Member Spring, the SolTrans JPA Board unanimously approved the recommendation to include the recruitment plan modifications listed above.

E. Local Preference Policy

Recommendation:

Approve or provide comment regarding the proposed policy.

On a motion by Board Member Hannigan and a second by Vice Chair Patterson, the SolTrans JPA Board unanimously approved the recommendation.

PLANNING AND OPERATIONS

A. Short Range Transit Plan Update (Schedule, Deliverables, and Draft Reports)

- 1. ADA Paratransit Analysis**
- 2. Public Involvement chapter**
- 3. Draft Operations Plan**
- 4. Draft Capital/Financial Plan**

Recommendation:

Accept staff's recommendation to include the ADA Paratransit Analysis and the Public Involvement chapter in the SRTP. Provide input to SolTrans' staff and consultant as to the proposed Operations Plan and Capital/Financial Plan.

On a motion by Board Member Hannigan and a second by Board Member Spring, the SolTrans JPA Board unanimously approved the recommendation.

CONSENT CALENDAR

On a motion by Board Member Patterson and a second by Board Member Spering, the SolTrans JPA Board approved Consent Calendar Item A.

A. Meeting Minutes of November 17, 2011

Recommendation:

Approve the meeting minutes of November 17, 2011.

COMMENTS FROM STAFF:

1. Report from the Executive Director
2. SolTrans Start-up Report – December

Jim McElroy
John Harris,
Special Projects Manager

INFORMATIONAL

A. Timeline for Service Changes

Jeanine Wooley,
Director of Operations

NO DISCUSSION

B. Operations Report

Jeanine Wooley,
Director of Operations

C. Technical Advisory Committee Update

Suzanne Fredriksen,
Clerk of the Board

BOARD MEMBER COMMENTS

ADJOURNMENT

The meeting was adjourned at 5:50 p.m. The next regular meeting of the SolTrans Board is scheduled for **Thursday, January 19, 2012, 4:00 p.m., Benicia Council Chambers.**