

February 1, 2000

The Benicia City Council meets the 1st and 3rd Tuesday of each month at 7:30 p.m. in the Council Chambers. Copies of Council Agendas are available in the City Clerk's office on the Friday afternoon before the Council meeting.

MINUTES OF THE
REGULAR MEETING - CITY COUNCIL
FEBRUARY 1, 2000

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:34 p.m. Tuesday, February 1, 2000, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

APPOINTMENTS:

RESOLUTION NO. 00-6 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF SALLY STRINGHAM TO THE HUMAN SERVICES FUND BOARD FOR AN UNEXPIRED TERM TO JULY 1, 2000

The above Resolution confirming the Mayor's appointment was adopted on roll call by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Elizabeth Gibboney to the Library Board of Trustees for a full term to January 5, 2003.

RESOLUTION NO. 00-7 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF ELIZABETH GIBBONEY TO THE LIBRARY BOARD OF TRUSTEES FOR A FULL TERM TO JANUARY 5, 2003

The above Resolution confirming the Mayor's appointment was adopted on roll call by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

ADOPTION OF AGENDA:

Mayor Messina asked if there were any changes to the Agenda. He requested amending the Agenda so that Communications will be moved up prior to the Consent Calendar.

On motion of Councilmember Corbaley, seconded by Councilmember Bidou, Agenda was adopted as amended.

PUBLIC COMMENT:

Cathy Ann Hewitt, 266 East B Street, spoke on the importance of the Council learning to work together, teenage alienation; and Agriculture Summit to be held February 28.

James O. Milburn, 280 East J Street, read his comments about the City Council's attendance at the seminar/retreat in Pomona.

CONSENT CALENDAR:

Mayor Messina stated that there were no requests from the audience to pull any items; asked if there were any other items to be pulled from the Consent Calendar.

Councilmember Bidou requested Item G be pulled.

On motion of Councilmember Corbaley, seconded by Councilmember Whitney, the following items were approved under the Consent Calendar:

Minutes of January 18, 2000.

Denial of Claim and referral to insurance carrier - BOEX.

RESOLUTION NO. 00-8- A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM FUNDING FOR FIVE TRANSPORTATION PROJECTS, COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECTS AND STATING THE ASSURANCE OF THE CITY OF BENICIA TO COMPLETE THE PROJECTS

RESOLUTION NO. 00-9- A RESOLUTION ACCEPTING THE EAST B STREET SEWER LIFT STATION RENOVATION PROJECT, AUTHORIZING CITY MANAGER TO SIGN NOTICE OF COMPLETION AND AUTHORIZING CITY CLERK TO RECORD SAME

RESOLUTION NO. 00-10- A RESOLUTION ACCEPTING THE EAST SECOND STREET IMPROVEMENTS NEAR WANGER COURT, AUTHORIZING CITY MANAGER TO SIGN NOTICE OF COMPLETION AND AUTHORIZING CITY CLERK TO RECORD SAME

RESOLUTION NO. 00-11- A RESOLUTION SUPPORTING PROPOSITION 14, CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000

Waive the reading of all ordinances introduced and adopted pursuant to this Agenda.

(END OF CONSENT CALENDAR)

CONTRACT CHANGE ORDER #1 FOR STATE CAPITOL SECOND FLOOR ASSEMBLY HALL EXIT STAIR

Councilmember Bidou requested this item be pulled from the Consent Calendar; questioned if there were matching funds available for this item.

Otto Giuliani, City Manager, stated that there are no matching funds and he is disappointed by overrun which was caused by State required changes.

Council took the following action:

RESOLUTION NO. 00-12 - A RESOLUTION APPROVING CONTRACT CHANGE ORDER #1
IN THE AMOUNT OF \$41,673 WITH COREY DELTA CONSTRUCTORS FOR BENICIA STATE
CAPITOL SECOND FLOOR ASSEMBLY HALL EXIT STAIR

On motion of Councilmember Bidou, seconded by Councilmember Whitney, the above
Resolution was adopted on roll call by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

PUBLIC HEARINGS:

ZONE CHANGE FROM GENERAL COMMERCIAL TO PLANNED DEVELOPMENT DISTRICT
FOR THE BARRACKS (ZC 99-6)

John Bunch, Planning Director, gave a report; the rezoning is requested in order to add
residential uses to the General Commercial use currently allowed; owner wants to use top floor
for residence. This has been approved by both the Planning Commission and the Design
Review Commission and is consistent with the General Plan; there will be a new mixed-use
district presented in the future.

Mayor Messina opened the Public Hearing. Legal notice was given. No written protests
received.

The following persons spoke:

James O. Milburn, 280 East J Street, concerned about the lack of adequate parking on the site;
sharing parking is not good; approves of a project that will bring life to the Barracks.

Mayor Messina closed the Public Hearing.

Councilmember Whitney asked for clarification of how the parking situation will be resolved.

John Bunch, Planning Director, stated that the parking requirements do not have anything to do
with the zoning and will be resolved at the staff level.

Council took the following action:

INTRODUCTION OF ORDINANCE NO. 00- - AN ORDINANCE APPROVING A ZONE CHANGE
FROM GENERAL COMMERCIAL TO PLANNED DEVELOPMENT DISTRICT FOR THE
BARRACKS (ZC 99-6)

On motion of Councilmember Corbaley, seconded by Councilmember Bidou, the above
Ordinance was introduced by title only by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

(Further consideration of the above Ordinance will be held at the next Council meeting.)

REPORTS FROM CITY MANAGER:

STATUS OF 1999/2000 GRAND JURY INTERIM FINAL REPORT

Otto Giuliani, City Manager, gave a status report; the City has 90 days to respond to the report;
has never met with the Grand Jury; a written report answering each of the findings cited in the
Grand Jury Report will be brought to the Council the first meeting in March; he made comments
on several of the specific findings including the finding referring to the dual positions of City
Manager/Police Chief.

Councilmember Bidou stated that the Finance Committee will look at all expenditures of the City.

Councilmember Whitney referred to what he felt was a personal attack by the Grand Jury in Comment Section of the Report against Alan Nadritch, Finance Director; he stated for the record that this was unprofessional and inappropriate and if there was a complaint it should have been brought to the attention of the City Manager.

Mayor Messina thanked the Grand Jury; they have a job to do; asked if any of the members of the Grand Jury seated in the audience would like to speak.

The members of the Grand Jury declined to speak.

Comments were made by three concerned citizens.

REPORTS FROM CITY COUNCIL COMMITTEES

Mayor Messina reported on several meetings that had occurred.

Otto Giuliani, City Manager, reported that once a month this item will be agendized so that reports can be given.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:39 p.m.

Linda S. Purdy, City Clerk