

February 15, 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 15, 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:

HUMAN SERVICES FUND BOARD

Mayor Messina explained the need to make a correction to the term of his appointment of Sally Stringham to the Human Services Board; the appointment should be to an unexpired term ending July 1, 2000; requested that the Minutes of February 1, 2000 be amended to show that change.

HOUSING AUTHORITY

Mayor Messina requested clarification from the City Attorney on a possible conflict of interest (owns rental property including Section 8 housing) prior to making these appointments.

Heather McLaughlin, City Attorney, stated that a waiver had been received from HUD and that it was now alright to make these appointments.

Mayor Messina announced the reappointment of Benjamin Marshall (Tenant) to a two year term to December 31, 2001.

RESOLUTION NO. 00-13 - A RESOLUTION CONFIRMING MAYOR'S REAPPOINTMENT OF BENJAMIN MARSHALL (TENANT) TO THE HOUSING AUTHORITY FOR A FULL TERM TO DECEMBER 31, 2001

The above Resolution confirming the Mayor's reappointment 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 Richard Sprankle (Tenant) to a two year term to December 31, 2001.

RESOLUTION NO. 0-14 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF RICHARD SPRANKLE (TENANT) TO THE HOUSING AUTHORITY FOR A FULL TERM TO DECEMBER 31, 2001

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

PRESENTATIONS:

"STATUS OF TRI-COUNTY/COUNTY OPEN SPACE PLAN AND RELATED OPEN SPACE ACTIVITIES"

Bob Berman, Commission member, gave a presentation of the next phases of the Plan; there will be a "Space Visioning Event" to be held on May 19, 2000 at Travis Air Force Base to see what people would like for future Open Space areas; introduced Dan Smith and Bob Webb, residents of Benicia who are also members of the Commission.

ADOPTION OF AGENDA:

Otto Giuliani, City Manager, requested two changes:

Under Communications, Written, - Order on Motion to Dismiss the Scott Brooks Disability Retirement Appeal from Judge Steven J. Smith.

Under Reports from City Manager - Introduction of new Human Resources Director.

Mayor Messina requested that Public Comment be moved up after Adoption of Agenda.

On motion of Councilmember Corbaley, seconded by Councilmember Bidou, and unanimously carried, Agenda was adopted with changes as requested.

PUBLIC COMMENT:

Kitty Griffin, 236 Baker Street, spoke regarding the implementation of the General Plan; the goals and the timing of that implementation.

Cathy Hewitt, 266 East B Street, thanked Mr. Giuliani regarding his response to the Grand Jury Report; requested the Mayor ask the City Attorney for the time posting requirements for Commissions; there are Commissions that are not adhering to the requirements.

Roby Renshaw and Ken Jensen, 392 Lori Drive, representing Benicia Youth Soccer League, read a letter from the League that was sent to Ken Hanley, Fire Chief, in recognition of the Benicia Volunteer Fire Department.

James O. Milburn, 280 East J Street, wanted to thank everyone for cards he received regarding the loss of his wife; requested his wife be given a letter naming her an "Honorary Benician".

CONSENT CALENDAR:

Mayor Messina stated he had a request from a member of the audience to pull Item H.; asked if there were any other items to be pulled from the Consent Calendar.

Councilmember Whitney requested Item A be pulled.

Councilmember Bidou requested Item H be pulled.

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

Denial of Claim and referral to insurance carrier - CRAIN.

Denial of Claim and referral to insurance carrier - SOUTHAMPTON VILLAGE HOMEOWNERS ASSOCIATION.

RESOLUTION NO. 00-15 - A RESOLUTION APPROVING NEW JOB DESCRIPTIONS FOR CLASSIFICATION OF POLICE RECORDS CLERK, ESTABLISHMENT OF SALARY RANGE, PLACEMENT OF CLASSIFICATION IN MISCELLANEOUS BARGAINING UNIT, AND AMEND CLASSIFICATION PLAN

RESOLUTION NO. 00-16 - A RESOLUTION APPROVING NEW JOB DESCRIPTIONS FOR CLASSIFICATIONS OF PLANT SUPERVISOR (WASTEWATER) AND PLANT SUPERVISOR (WATER), ESTABLISHMENT OF SALARY RANGES, PLACEMENT OF CLASSIFICATIONS IN SUPERVISORY EMPLOYEE UNIT, AND AMENDING CLASSIFICATION PLAN

ADOPTION OF ORDINANCE NO. 00-1 - AN ORDINANCE APPROVING ZONE CHANGE FROM GENERAL COMMERCIAL TO PLANNED DEVELOPMENT DISTRICT FOR THE BARRACKS LOCATED IN INDUSTRIAL PARK(ZC 99-6)

INTRODUCTION OF ORDINANCE NO. 00- - AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.08 (CITY MANAGER), SECTION 2.08.050 (COMPENSATION) OF MUNICIPAL CODE

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

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

(END OF CONSENT CALENDAR)

MINUTES OF FEBRUARY 1, 2000

Councilmember Whitney requested this item be pulled from the Consent Calendar; requested the addition of his comments regarding the personal attack against Alan Nadritch, Finance Director, under "Status of 1999/2000 Grand Jury Interim Final Report".

On motion of Councilmember Whitney, seconded by Councilmember Corbaley, and unanimously carried, Minutes of February 1, 2000 were approved as amended.

DISTRIBUTION OF PROCEEDS FROM TOBACCO SETTLEMENT OF 1998

Councilmember Bidou and Kitty Griffin, 236 Baker Street, requested this item be pulled from the Consent Calendar.

Councilmember Bidou requested that the City of Benicia use the funding that will be received from the Tobacco Settlement to the State and counties to build a Police building; this funding can be obtained through legislation or a request to the Solano County Board of Supervisors; this resolution will notify the Board of Supervisors that Benicia would like to use its share of the monies to plan and construct a new Police facility.

Kitty Griffin, 236 Baker Street, would like more discussion on resolution language; earmark some of the funds for the youth of the community and their needs.

John F. Silva, Supervisor, Solano County Board of Supervisors, stated he was encouraged by what he heard; there will be a Public Hearing and he will support the desires of the City of Benicia; encouraged the Council to adopt the resolution and attend the Board of Supervisors meetings. Mr. Silva stated he will use the office space that was offered by the Mayor to meet with anyone who wishes to discuss issues; this will be done on the first Tuesday of every month.

Three concerned citizens spoke.

Council took the following action:

RESOLUTION NO. 00-18 - A RESOLUTION RELATING TO DISTRIBUTION OF PROCEEDS FROM TOBACCO SETTLEMENT OF 1998

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

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

PUBLIC HEARING:

ACKNOWLEDGING AWARD OF U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS - LOCAL LAW ENFORCEMENT BLOCK GRANT WHICH LISTS USES OF MONEY WHICH HAVE BEEN REVIEWED BY THE LOCAL LAW ENFORCEMENT ADVISORY BOARD AT THE COUNTY LEVEL

Dennis Gard, Deputy Police Chief, explained that the Benicia Police Department had been awarded a grant which required matching funds of \$1930; the grant monies would be utilized toward the purchase of the AFIS/LIVESCAN Program.

Mayor Messina opened the Public Hearing. No written protests received.

The following person spoke:

Cathy Ann Hewitt, 266 East B Street, approves.

Mayor Messina closed the Public Hearing.

Council took the following action:

RESOLUTION NO. 00-19 - A RESOLUTION ACKNOWLEDGING AWARD OF U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS - LOCAL LAW ENFORCEMENT BLOCK GRANT WHICH LISTS USES OF MONEY WHICH HAVE BEEN REVIEWED BY THE LOCAL LAW ENFORCEMENT ADVISORY BOARD AT THE COUNTY LEVEL

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

REPORTS FROM CITY MANAGER:

EXXON/MOBIL BENICIA REFINERY SALE

Otto Giuliani, City Manager, stated that one of the bidders has been eliminated; should have a successful bidder by the end of February; has also met with the Good Neighbor steering committee.

INTRODUCTION OF NEW HUMAN RESOURCES DIRECTOR

Otto Giuliani, City Manager, introduced Diane O'Connell, Human Resources Director.

REPORTS FROM CITY COUNCIL COMMITTEES:

BI-MONTHLY STANDING COMMITTEE REPORTS

COMMUNITY ADVISORY GROUP (CAG)

Councilmember Corbaley gave a report; there is now a draft Master Schedule for Critical Path of the Tourtelot project; requested that Scott Goldie, Senior Vice President of Pacific Bay Homes, make a presentation; voluntary clean-up is important; requests that this be placed on the Agenda for the next meeting.

SOLANO TRANSPORTATION AUTHORITY

Councilmember Bidou gave a report.

AUDIT & FINANCE COMMITTEE

Councilmember Whitney gave a report.

Councilmember Whitney also gave a report on Legislative Committee with Chamber of Commerce and SEDCORP meeting.

UPDATE ON YOUTH ACTION TASK FORCE

Councilmember Bidou gave a report.

Councilmember Bidou also gave a report on the Traffic Committee meeting.

Mayor Messina spoke on various meetings he has attended.

REPORTS FROM CITY MANAGER/CHIEF OF POLICE NEGOTIATING COMMITTEE

Mayor Messina reported that the negotiating committee had reached an agreement with Mr. Giuliani; there is a conflict with the current ordinance, which will be remediated; contract will be presented to the Council at the next meeting.

COMMUNICATIONS:

WRITTEN

Otto Giuliani, City Manager, requested this item be added to the Agenda.

Order on Motion to Dismiss the Scott Brooks Disability Retirement Appeal from Judge Steven J. Smith.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 9:24 pm.

Linda S. Purdy, City Clerk