

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
JANUARY 16, 2007

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:00 p.m. on Tuesday, January 16, 2007, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

ANNOUNCEMENTS:

Action taken at Closed Session:

Openings on Boards and Commissions:

- People Using Resources Efficiently (PURE) Committee:  
One immediate opening
- Human Services Arts Board:  
One unexpired term to June 30, 2009
- Historic Preservation Review Commission  
Two full terms to February 28, 2011

APPOINTMENTS:

None

PRESENTATIONS:

None

PROCLAMATIONS:

None

ADOPTION OF AGENDA:

Mr. Erickson stated that item VIII-B needed to be continued. Representatives from Affordable Housing Affiliation (AHA) requested this item be removed from the agenda, as it is not timely to discuss it at the present time.

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the Agenda was adopted as amended, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

PUBLIC COMMENT:

1. Ann Hanson – Ms. Hanson stated that she was representing the Benicia Historical Museum. She wanted to thank the City for the new roof on the Museum. Although it is still not warm in the building, it is much warmer than it used to be. Last Saturday night, there was a great presentation on Jack London. Mr. Shepherd from the University of Monterey Bay gave a presentation where he impersonated Jack London. The Benicia Historical Museum and the Historical Society put on the presentation. On 1/28, the Museum will host the grand Re-Opening. They would like the children to come. There will be a puppet show and a magic show. On 2/9-2/10, the National Civil War Association will have its Winter Quarters, along with the Museum. They will be having classes and seminars in the Stone Hall, Clocktower, and the Armory. She encouraged everyone to attend. The Museum will resume Mystery Dinners on March 3, 2007.

Council Member Patterson asked Ms. Hanson to talk about the attendance (broad ranges of ages) that were there to see Mr. Shepherd. Ms. Hanson stated that there were children, artists, literary people, Council Member Patterson, etc. Council Member Patterson stated that it was packed, well received, and free. Ms. Hanson stated that it was free because the Museum felt that the community had supported the Museum so well. They wanted to give back to the community in this way. They were glad that they did it and that so many people enjoyed it.

2. Jeanine Seeds – Ms. Seeds stated that she wanted to discuss the HPRC openings. At previous meetings, Mr. Van Landschoot stated that he had applied seven times. Was he ever interviewed? She is not sure what is going on with the commission appointments.

Mayor Messina stated that this item was not agendized, but if she would like to discuss it with him, he would be glad to talk to her about it any time. He takes the time to interview all applicants. He may not interview them seven times, but he does interview them all.

Ms. Seeds asked about the OPTICOS process. She understood that at the end of the process, we ended up with some sort of conceptual thing that had included the

buildings. Does the City not have anyone to check the project to make sure it is going in the right direction? The public would like to see Council do something so that the City quits throwing away so much money on contractors. The public is not happy. She was also having trouble with the calendar issues. When the campaign-funding workshop took place, the public tried to halt it. It was pushed through so fast. The notice was too short. Then the public was told that there would be more meetings on the issue. The campaign funding thing was stamped through here like Grant through Richmond. Now the public wants the big box stuff on the calendar and it is already January, and nothing has happened.

CONSENT CALENDAR:

On motion of Vice Mayor Schwartzman, seconded by Council Member Patterson, the Consent Calendar was adopted as presented, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

The minutes of December 19, 2006 and January 2, 2007 were approved.

ORDINANCE 07-02 – AN ORDINANCE AMENDING SUBSECTION B OF SECTION 4.08.040 (CONDUCT OF BUSINESS – TIME AND PLACE FOR MEETING) OF CHAPTER 4.08 (PUBLIC ACCESS TO MEETINGS) OF TITLE 4 (OPEN GOVERNMENT) OF THE BENICIA MUNICIPAL CODE TO CLARIFY THE APPLICATION TO MEETINGS WITH OTHER AGENCIES SUCH AS SCHOOL DISTRICTS

ORDINANCE 07-03 – AN ORDINANCE AMENDING SUBSECTION D OF SECTION 4.08.050 (NOTICE AND AGENDA REQUIREMENTS – REGULAR MEETINGS) OF CHAPTER 4.08 (PUBLIC ACCESS TO MEETINGS) OF TITLE 4 (OPEN GOVERNMENT) OF THE BENICIA MUNICIPAL CODE TO THE VOTING REQUIREMENT FOR URGENT MATTERS

ORDINANCE 07-04 – AN ORDINANCE AMENDING SUBSECTION A OF SECTION 4.08.090 (PUBLIC TESTIMONY AT REGULAR AND SPECIAL MEETINGS) OF CHAPTER 4.08 (PUBLIC ACCESS TO MEETINGS) OF TITLE 4 (OPEN GOVERNMENT) OF THE BENICIA MUNICIPAL CODE TO PROVIDE FOR COMMENT BY MEMBERS OF THE BODY

ORDINANCE 07-05 – AN ORDINANCE AMENDING SUBSECTION D OF SECTION 4.12.080 (JUSTIFICATION FOR WITHHOLDING) OF CHAPTER 4.12 (PUBLIC INFORMATION) OF TITLE 4 (OPEN GOVERNMENT) OF THE BENICIA MUNICIPAL CODE TO CLARIFY TIME FOR COUNCIL ACTION

ORDINANCE 07-06 – AN ORDINANCE AMENDING SUBSECTION A OF SECTION 4.16.080 (CONFLICT OF INTEREST) OF CHAPTER 4.16 (ETHICS) OF TITLE 4 (OPEN GOVERNMENT) OF THE BENICIA MUNICIPAL CODE TO CLARIFY THE APPLICATION TO ADVISORY BODIES

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

(END OF CONSENT CALENDAR)

PUBLIC HEARINGS:

Revocation of the Regency Cab Company operating permit and participation in the Taxi Scrip and Safe Ride Programs:

Rob Sousa, Finance Director, reviewed the staff report.

Mayor Messina asked if Regency Cab comes forward to request a permit at a future date, would they be able to reinstate or reapply for the permit. Would it come forward for Council's approval in the future? Mr. Sousa stated that it was his understanding that the revocation would require a new application. Ms. McLaughlin confirmed that was correct. She stated that a new application would be considered on its merit. Council could then investigate whether the applicant would be able to provide the service. Mayor Messina asked if the City would do anything different with regards to application and reapplication. Ms. McLaughlin stated that no, the applicant would still have to meet the same qualifications.

Council Member Patterson stated that if the Resolution were adopted, she would like to see that the City makes sure the file is cross-referenced so that any aliases or reference to this company makes this file pop up.

Council Member Hughes asked for clarification on whether or not Regency Cab was aware of tonight's Public Hearing. Mr. Sousa stated that the registered owner was notified of the hearing, although he claims not to have any interest in the company. The other partner (the original applicant) was not notified. The City sent notices to businesses, homes, etc. of the applicant. Ms. McLaughlin stated that the notice the City has given goes above and beyond the requirements of the Ordinance.

Council Member Whitney asked what the requirement was for the applicant to provide services to the City. Mr. Sousa stated that the original goal was to have better service to the public. The public expects that when it calls Regency Cab for service, they will show up. If it is not in operation, people who rely on Regency Cab to show up don't have the opportunity to get a taxi ride from Regency Cab. The last known driver for Regency Cab came to the City to ask if it knew the location of the owner. The City went to the registered place of business, sent a registered letter, took a trip to the City of Rodeo to his home, to Pinole to see his relatives, and talked to two other cab companies to try and find out what was going on. There was some talk that the owner may have been involved in a homicide, which turned out not to be true. The City has done everything possible to locate the owner. The City has done its due diligence and could move forward with a clean conscience.

Council Member Patterson asked what the next step was. Mr. Sousa stated that the City would redact Regency Cab's name from the Benicia Breeze flyers. The City would remove the company from the Safe Ride and Taxi Scrip programs. Citizens who have

taxi script could us it with the other two cab companies. The City will post notices. The City Attorney will decide on the placement of the notices. Council Member Patterson stated that an extra effort should be made to make the senior citizens aware of the situation. Mr. Sousa confirmed Staff would take care of that.

Vice Mayor Schwartzman asked if there was any record of who had used the taxi service. Mr. Sousa confirmed there was no way to track who had used Regency Cab Company.

Public Hearing Opened  
Public Hearing Closed

RESOLUTION 07-04 - A RESOLUTION AUTHORIZING THE REVOCATION OF THE REGENCY CAB COMPANY OPERATING PERMIT AND THEIR PARTICIPATION IN THE TAXI SCRIP AND SAFE RIDE PROGRAMS

On motion of Vice Mayor Schwartzman, seconded by Council Member Whitney, the above Resolution was adopted as amended, on roll call by the following vote:  
Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina  
Noes: None

The amendment to the above Resolution was to provide extra noticing in places where senior citizens frequent, as to make them fully aware of the situation.

Submittal of an application for 2006-2007 Community Development Block Grant Funding: Planning and Technical Assistance:  
Per the request of AHA, this item was continued to a future meeting.  
Public Hearing Opened  
Public Hearing Continued

ACTION ITEMS:

Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2006 and recognition of certificate of achievement for excellence in financial reporting for the 2004-05 Report:

Rob Sousa, Finance Director, reviewed the staff report.

Council Member Hughes stated that one of the questions that was asked of the auditor was whether there were any red flags, significant findings, etc., which the auditor confirmed there were not. The auditor indicated that out of all of the audits she had conducted, this was one of the cleanest ones she has seen.

Vice Mayor Schwartzman stated that he was very impressed with the auditor. It was good to have her on board. It was a very good, clean report. He commended the Finance Department on its efforts.

Council Member Whitney congratulated the Finance Department on its efforts. Mr. Sousa has done an excellent job in leadership, as well as accounting for the community's

dollars. This was a major accomplishment. Council Member Whitney asked Mr. Sousa if the pension obligation bonds were risky. Mr. Sousa stated that initially the bonds were risk sensitive. The risk sensitivity is still there at the PERS level. This years PERS earnings are above normal. The preliminary estimate at this time is 10%. At this point, the risk is working in the City's favor. Council Member Whitney inquired about the debt that the City has incurred with the Police station and the Marina. He thought the debt was at \$2.2 million. Mr. Sousa stated that it was a difficult decision for Staff. When they saw that the Marina costs had escalated and the police building was having problems with the interior – they had to changing the funding method. Staff originally thought the City would spend \$1.2 million for the police building, and it ended up borrowing \$2.2 million and included the Marina Area Storm Drain costs in that. The advantage was that it fit nicely into the City's 10-year model. However, it was a surprise. Council Member Whitney asked how Casa Vilarrasa was working out. Mr. Sousa stated that it was a real challenge. The building was costing the City a lot in legal fees. The decision was to protect the senior interest and acquire the building. The City borrowed \$1.4 million. Approximately \$400,000 of that amount was set aside for a new roof for the building and to upgrade the HVAC. Another amount was set aside to pay for the first two years of interest on the loan. The challenge is still there for AHA. They were trying to convert the units to section eight senior housing. That could reduce the overall debt. The conversions have been slow. The state is cutting back on rewarding section 8 awards. The City is a little bit behind on where it thought it would be. It is not time to hit the panic button. It is a realization that the City is not quite on schedule, but Staff feels comfortable things will stabilize somewhere around year four or five.

Council Member Whitney stated that generally speaking, the City is right on with regards to revenues. The City's expenditures are 5% off. He stated that sometimes, budgets are crafted too conservatively. Mr. Sousa stated that the City needs to make sure it doesn't end up in a deficit situation. In looking at this year's surplus, clearly, either there are many anomalies or Staff over budgeted. When Staff looks at the budget this year, it will take apart the areas where it was 5% over. Staff will try and get it to the 2% level, which it is always striving for. Council Member Whitney stated that the thought the 'reserve' was too broad. He asked Mr. Sousa what he thought about the idea of creating sub accounts within that account. Mr. Sousa talked about the internal service funds. There was a previous discussion as to how much to allocate for emergencies. There were a dozen different pots that could be created from that reserve. In essence, the City's reserve would look a lot smaller. It would be difficult to decide what an appropriate percentage of reserve would be. Having the funds in one reserve keeps it available for everything; however, the appearance of having an overly large reserve is still there.

Mr. Erickson stated this issue could be discussed in Council's budget sessions.

Council Member Patterson stated that when she was on the Audit and Finance Committee, it looked at other jurisdictions such as San Luis Obispo County and Santa Barbara, for their policies on specific reserves and activities. The philosophy behind those policies they use is that you actually save money in the long range because you actually fund things and you don't do crisis management. She was pleased the City

adopted the reserve maintenance accounts it did, but she was disappointed it did not go further when the opportunity presented itself. She asked what the City's debt ratio was. Mr. Sousa stated that he did not have that information readily available. Council Member Patterson stated that she thought the State standard was 6% and the City was well below that. In other words, the City has the ability to take on debt for capital projects. The Audit Report is outstanding, readable, etc. It provides the information necessary for the City to take the next step to meet the unmet needs. Her understanding on PERS investment is that they target 7% as an investment goal. So, in lean years, they may earn less, but in other years, they earn much more with the average at 7%. Most of PERS return on investments go above that. She felt the risk was being overstated. She shares Council Member Whitney's concern on Casa Vilarrasa. The City is on the short end of the stick when it comes to the funds available in California for Section 8 housing. She thinks the City needs to revisit that issue in the budget discussions. Mr. Sousa stated the debt ratio is the coverage of revenues minus expenditures compared to the debt service payment. Last year it was 5.13 - 1, this year it is 8.0 - 1. Council Member Patterson stated that she would like that information for the budget workshop.

Council Member Whitney asked about the surplus deficit column of the report. He would like Staff to provide some very good notes in exhibit B so that he could flush out more detail at the budget workshop.

Public Comment:

1. Pete Herbo – Mr. Herbo asked if this audit included the schools. Mayor Messina clarified the information. The schools and the City are two separate entities. This audit only includes the City departments, not BUSD.

On motion of Council Member Whitney, seconded by Vice Mayor Schwartzman, Council approved the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2006, and authorized Staff to distribute the document to recipient agencies, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina  
Noes: None

Consideration of revenue options recommendations from the Audit & Finance Committee:

Rob Sousa, Finance Director, reviewed the staff report.

Vice Mayor Schwartzman stated that as far as the Landscaping and Lighting (L&L) Districts are concerned, Staff has done a wonderful job with the diminishing funds that are available, however, sooner or later something will need to happen. There is still a little money left over this year, so the committee thought it would use East Second and Fleetside as a guide as to what issues might come up next year when they would probably have to go out and talk to the other Landscaping and Lighting District to see what is going on. The Enterprise Fund is a long-term solution. Although it is not a perfect solution, it is beneficial for the City to do that. Regarding the First Street Green situation, there were some thoughts from the property owners around the area about forming a

district around there. The one that was left aside were the fields, which will be talked about again in the future. As everyone found out tonight, there was a surplus, so maybe the need to cover that is not as great as it has been in the past.

Council Member Hughes stated that regarding the L&L Districts; it was somewhat disappointing, as there was not a lot of public input. Not many people showed up to the meetings. The feedback we received made it seem obvious that the people in the districts don't know what they are paying for. That needs to be addressed before the City could begin to explore options regarding closing the gaps. The City needs to be proactive with the other districts as well.

Council Member Patterson asked when the meetings were held. The information was not in the agenda packet. Most of the people who live in the districts most likely commute and the meetings are held at 8:30 a.m. If the committee wanted input, especially in zone 1, it missed its opportunity.

Vice Mayor Schwartzman stated that if the committee wanted input from zone 1 now, they could set up some meetings.

Council Member Patterson stated that her extensive questions deal with the gateway entrances. Last week she and Staff were given a tour by Caltrans to show what they were doing in the gateway areas. She was embarrassed that some areas of the City looked worse than of the State maintained areas she was complaining about to Cal Trans. There is an economic interest in this situation. The City wants it to look nice to invite interest in coming to the Downtown area. She is disappointed that the City will not consider expanding the assessment districts to address the gateway areas. Regarding the Storm water Enterprise Fund, is the \$125,000 that the City is spending coming from the General Fund? Mr. Sousa confirmed that was correct. The \$125,000 is composed of \$98,000 in street sweeping costs and \$30,000 in costs to maintain the NPDES permit and upgrading some alley drainage problems. Council Member Patterson stated that the City just adopted the Storm water ordinance. Council was asked by Mr. Getz to put an impact fee for inspections into the ordinance. The response that Mr. Getz was given from the City was that it was looking at a storm water enterprise fund so it would not be recommending that the ordinance include the fee at this time. Council passed the ordinance based on that information. There are additional costs as a result of the requirement of the San Francisco Regional Water Quality Control Board that the City do ongoing storm discharge inspections. The City is very staff challenged to do that because it does not have the funding mechanism. If there were an additional \$75,000 available (in addition to the \$125,000), it would come out to less than \$25 per parcel. It is a fee that could be charged like the water bill. She is disappointed that there is no action recommended at this time. The City also is not spending money on other areas that have great needs, such as the Industrial Park and the older sections of Benicia, which do not have funding mechanism. Storm water management has a potential source of funding. She would like this issue to be looked at in depth.

Mr. Erickson stated that the Public Works Director has made it very clear to Staff and Council that there is an increase in cost that was brought upon the City because of increasing State and Federal regulations for storm water quality. He suggested that there were a number of options for raising those kinds of dollars if Council wants to consider them. Establishing or amending an assessment district is not the only option. The Public Works Director would be happy to share what the cost side of the equation is. This is not something that needs to be concluded tonight. Perhaps Council could spend some more time with Staff to review its options.

Mayor Messina stated that Council would not be taking action on this issue tonight. This was something that could be addressed at the budget sessions.

Council Member Patterson stated that Council has had citizens express concerns about the City not doing enough for the east side of town. Council knows it is doing some things, however more needs to be done. Council has discussed needs such as sidewalk improvements, landscaping, tree maintenance, etc. It is pretty clear that the east side is the neglected part of town. Part of the idea of looking at new assessment districts would be a way of dealing with the older parts of town that don't have the benefits of an assessment district. It is kind of a betrayal that Council is not spending its energy pursuing these options; however, she was heartened to hear the Mayor say that it could be addressed at the budget workshops.

Council Member Whitney stated that he could be convinced of the need for a new tax if the need is really there. He is opposed at this point in time to any taxes on the citizens. The City is sitting on a mountain of money and it is embarrassing to ask the citizens for more. To some people, \$25 is a lot of money. Until Council is able to get a much clearer picture on what the City's finances are, he is opposed to it.

Vice Mayor Schwartzman discussed the BUSD parcel tax issue that came up last year. As it turned out, the District had more money than they thought. He does not have any objections to looking into this to see if it makes sense. He agreed with Council Member Whitney that it might not be the right time to put an additional tax on the citizens. There may not be as much money as we think at this point in time.

Council Member Patterson stated that the issue of characterizing the fee for using something as 'tax' is inappropriate. In fact, these are user fees. She would not have the maintenance of the City's streets and the management of the storm water dependent on the vagaries of revenue, particularly if it is based on onetime revenue sources. She can't imagine anyone saying they don't want water quality if it is based on a fee. The issue is what we have to maintain, what we would like to maintain, and what can we maintain.

Council Member Hughes stated that Council did not close the door on this. At the time, there were other things going on, and it did not make sense. Council was more than willing to reopen this issue in the future. Secondly, you can call this whatever you want (fee, assessment, etc.); the fact is that it is \$25 out of someone's pocket that may not be able to afford it. It is not fair to say that there was a betrayal to the citizens on the east

side of town. You have to look at both sides of this. Council should not underestimate the importance of taking \$25 out of people's pockets.

Public Comment:

1. Jeanine Seeds – Ms. Seeds stated that regarding the issue of having the gateways into town looking nice, that very issue has been brought up a number of times with the Rose Center Project. She discussed the fees/assessments. Until those things get cleared up, it will be a hard sell. She does not want to give anyone more money if they could lose that much money such as BUSD did. She wants to know how much money the City really has. The citizens need to know what is happening to their money. People would be more willing to give money if everyone was accountable. If we can't track the money, people don't want to give any more.

Mayor Messina stated that he would prefer not to go to the citizens and ask for money. There are lots of needs in the community. It is up to Council to decide what needs it will satisfy, set priorities, and address them. There is not really a compelling case to ask the citizens for more money.

INFORMATIONAL ITEMS:

Reports from the City Manager:

Review of 2007 City Council Policy Calendar – Continued from January 2, 2007 City Council meeting:

Jim Erickson, City Manager, reviewed the staff report.

Mayor Messina stated that some of these items might not happen as quickly as they have been scheduled. Council is putting a lot of things on Staff's plate. He would like Council to firm up its priorities.

Vice Mayor Schwartzman asked why the ferry service/ITS item was scheduled for February. He wondered why it was scheduled in February, and not in a month or two. Mayor Messina stated that STA was starting to work on fund allocation. If the City could get in the current cycle, it could probably be eligible for funding. Vice Mayor Schwartzman asked if it would be possible to move the fair campaign workshop up one month and get the big box and formula discussion into March. Regarding the Library basement, he was sure they wanted that taken care of yesterday. Mayor Messina stated that the Library wanted to bring the basement issue forward soon to have it on this year's budget. Vice Mayor Schwartzman stated that it was possible for that item to be discussed in March instead of February. Mr. Erickson stated that this item could be discussed at a meeting and would not take much time, possibly ten minutes, or so.

Council Member Hughes stated that he would not like to see those two items switched. The big box discussion needs to happen in February. There was a lot of public input on this issue and it needs to move forward. He would not have any problem adding another meeting in February. He would like to fast track the big box discussion. He did not think

the fair campaign workshop could be put off for long. There is an election coming up and it needs to get started. There will be a lot of discussion on both issues. Both issues are time sensitive.

Council Member Patterson stated that she concurs with Council Member Hughes that the big box discussion is the most important because time is of the essence. An additional meeting is a good suggestion. Regarding having a study session/regular meeting combination on the ferry service/ITS, it should not start at 6:00 p.m. The people who care about this item the most will not be available. Council needs to catch the commuters on this discussion and they will be commuting at 6:00 p.m. Council should be careful about the time that the meeting starts. The formula based issue is critical to get done as soon as possible. The fair campaign workshop is important; however, people have been informed about the March date. They are not happy but they can live with it. The sensitivity shown by the Mayor and Staff is correct. Regarding the CEQA guidelines, when the Planning Commission adopted the guidelines, the discussion was that it was a starting point. She is not sure Council needs to have a study session on this. That is a function of the Planning Commission. They could bring it forward to Council. She was hoping that they were not told not to pursue this because of the way it is set up. She wanted to make sure that the Planning Department is pursuing this. Lastly, the Ahwahnee Principles should be higher on the list. She has been seeking this discussion for two years. It is not fair that it is not on the list.

Council Member Hughes stated that it was overly ambitious to think that Council could get through each one of those issues in over an hour (campaign issue and formula based businesses). He thought each item would take a couple of hours. He noticed that the meeting on May 8 seems to be a conflict.

Vice Mayor Schwartzman stated that he has no objections to adding another meeting. However, he was just concerned about Staff time. He suggested the General Plan implementation should go prior to the ferry item. Since Council is already having an extra meeting in February, if it moves the fair campaign item up, would that be workable for Ms. McLaughlin? Ms. McLaughlin stated that the experts the City hired were thinking about tentatively about March for this discussion. She is not sure if their schedules would allow for a February meeting. Perhaps if it was scheduled towards the end of February, it might work.

Mayor Messina stated that he is nervous about trying to stack up four meetings in one month.

Public Comment:

1. Jeanine Seeds – Ms. Seeds stated that the public deserves to discuss this in February (formula based businesses). What about the moratorium that was discussed? The longer we wait, the worse off Benicia is. Council has a responsibility to bring this forward in February.
2. Kyle Daley – Mr. Daley stated that if there were four meetings in February, the agenda's should be available in the normal time frame as all Council meetings.

Mayor Messina stated that it was clear that Council wanted to make some adjustments, have an additional meeting or two in February, and juggle what is coming up to try and accommodate the higher priority items.

Council Member Patterson asked Ms. McLaughlin if she still had the example of a moratorium that she forwarded to her. Ms. McLaughlin stated that it might have been misplaced. She stated that working on a moratorium would take more than 15 minutes and would have to be brought to Council for action. Mayor Messina suggested including it as part of the discussion when the big box issue is discussed.

Council Member Committee Reports:

1. Mayors' Committee Meeting (Mayor Messina) Next Meeting Date: January 17, 2007
2. Association of Bay Area Governments (ABAG) (Mayor Messina) Next Meeting Date: April 19, 2007 (General Assembly) – Mayor Messina stated he would be going on the Executive Committee as of 1/18/07. Vice Mayor Schwartzman stated that the new Regional Housing Allotments would be discussed. Benicia is the only jurisdiction in Solano County that had an increase. He hoped Mayor Messina would provide input at the meeting.
3. Audit & Finance Committee (Vice Mayor Schwartzman and Council Member Hughes) Next Meeting Date: February 9, 2007
4. League of California Cities (Mayor Messina) Next Meeting Date: January 25, 2007
5. School District Liaison (Council Members Whitney and Hughes) Next Meeting Date: January 18, 2007
6. Sky Valley Area Open Space (Council Members Patterson and Whitney) Next Meeting Date: January 24, 2007
7. Solano EDC Board of Directors (Mayor Messina) Next Meeting Date: January 18, 2007
8. Solano Transportation Authority (STA) (Mayor Messina) Next Meeting Date: February 14, 2007
9. Solano Water Authority/Solano County Water Agency (Mayor Messina) Next Meeting Date: February 8, 2007 – Mayor Messina stated that he would be on the Executive Committee.
10. Traffic, Pedestrian and Bicycle Safety Committee (Council Members Patterson and Hughes) Next Meeting Date: January 18, 2007
11. Tri-City and County Regional Parks and Open Space (Council Member Whitney) Next Meeting Date: February 5, 2007 (Tentative date) – Council Member Whitney encouraged citizens to attend this meeting. It will be an important meeting.
12. Valero Community Advisory Panel (CAP) (Council Member Hughes) Next Meeting Date: January 25, 2007
13. Youth Action Task Force (Vice Mayor Schwartzman and Council Member Whitney) Next Meeting Date: January 24, 2007
14. ABAG/CAL FED Task Force/Bay Area Water Forum (Council Member Patterson) Next Meeting Date: January 22, 2007

COMMENTS FROM COUNCIL MEMBERS:

None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:46 p.m.

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Lisa Wolfe, City Clerk