

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
FEBRUARY 16, 2010

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Elizabeth Patterson at 7:00 p.m. on Tuesday, February 16, 2010 in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Absent: None

PLEDGE OF ALLEGIANCE:

Council Member Hughes 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:

Openings on Boards and Commissions:

- ❑ Benicia Housing Authority:
Two full terms to January 31, 2012 (Tenants)
- ❑ Civil Service Commission:
Four full terms to January 2014
- ❑ Human Services and Arts Board:
Two unexpired terms to June 30, 2010 and July 31, 2013
- ❑ Open Government Commission:
Two full terms to January 31, 2014
- ❑ Parks, Recreation and Cemetery Commission:
One full term to January 2014
- ❑ Sky Valley Open Space Committee:
One full term to January 31, 2013

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.

APPOINTMENTS:

RESOLUTION 10-16 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF J. B. DAVIS TO THE SOLANO TRANSIT AUTHORITY BICYCLE ADVISORY COMMITTEE TO A FULL TERM ENDING JULY 31, 2013

PRESENTATIONS:

None

PROCLAMATIONS:

None

ADOPTION OF AGENDA:

Mr. Erickson discussed item VII-G and said a Parks, Recreation and Cemetery Commission member requested the item be pulled so the Commission could review it. He also requested item IX-B be continued for two weeks (not later than the next Council meeting) to allow additional negotiations to take place.

On motion of Council Member Hughes, seconded by Council Member Ioakimedes, the Agenda was adopted as presented, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor
Patterson

Noes: None

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

One item received (copies on file).

PUBLIC COMMENT:

1. David Vida – Mr. Vida discussed concern regarding the water rate increase to his 4-plex property.

Council asked Staff to provide options when this item is brought back.

2. Ann Hansen – Ms. Hansen discussed the success of the opening of the Boy Scout exhibit at the Benicia Historical Museum. She announced upcoming events at the museum.
3. Constance Beutel – Dr. Beutel discussed the recent graduation of the Benicia Emergency Response Team (BERT). She discussed the BERT training program and its faculty.

CONSENT CALENDAR:

Council pulled items VII-A and VII-B.

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

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor
Patterson

Noes: None

RESOLUTION 10-17 - A RESOLUTION APPROVING A CATTLE GRAZING LEASE AGREEMENT BETWEEN THE CITY OF BENICIA AND BILL EVERETT FOR CITY-OWNED PARCELS, KNOWN AS THE PADDY CREEK PROPERTY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

RESOLUTION 10-18 - A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE SOLANO TRANSPORTATION AUTHORITY (STA) AND THE CITY OF BENICIA FOR A \$39,300 BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) REGIONAL GRANT FOR FOUR RADAR SPEED SIGNS AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

RESOLUTION 10-19 - A RESOLUTION APPROVING BENICIA'S LOCAL AGENCY LIST OF PRIORITY TRANSPORTATION PROJECTS FOR INCLUSION TO THE SOLANO TRANSPORTATION AUTHORITY'S COUNTYWIDE COMPREHENSIVE TRANSPORTATION PLAN UPDATE, AND RECOMMENDING GREENHOUSE GAS REDUCTION BE ADOPTED AS ONE OF THE SELECTION CRITERIA FOR THE PROPOSED REGIONAL TRAFFIC IMPACT FEE PROGRAM

ORDINANCE 10- - AN ORDINANCE AMENDING SECTION 2.60.030 (TERM OF OFFICE) BY ADDING SUBSECTION D (STAGGERED TERMS) AND AMENDING SECTION 2.60.120 (APPLICATION) BY ADDING SUBSECTION M (OPEN GOVERNMENT) OF CHAPTER 2.60 (ADVISORY BODIES) OF DIVISION 2 (BOARDS AND COMMISSIONS) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE

RESOLUTION 10-20- A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MEMBERS TO THE BENICIA ARTS AND CULTURAL COMMISSION

RESOLUTION 10-21 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT MEMBERS TO THE BENICIA COMMUNITY SUSTAINABILITY COMMISSION

Council accepted Annual Report of the Open Government Commission.

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

(END OF CONSENT CALENDAR)

Council took the following actions:

Approval of Minutes of February 2, 2010:

Vice Mayor Schwartzman discussed clarifications to page VII-A-6. What he understood was approved was 'Whereas Form Based Code Zoning permits unrestricted residential as part of the mix of permitted uses, and could be entertained by property owners and developers for new construction or by conversion of an existing building in the Lower Arsenal Plan Area. He did not know what the actions to be inserted were referring to. Ms. McLaughlin and Ms. Wolfe clarified that the signed resolution reflected the language discussed by Vice Mayor Schwartzman.

It was motioned by Vice Mayor Schwartzman, seconded by Council Member Hughes, to adopt the minutes, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Noes: None

Approval of a consulting services agreement between the City of Benicia and Successful.com for a Benicia Industrial Park broadband needs assessment:

Council and Staff discussed the lack of City resources and the need for expertise to complete the assessment, concern regarding the cost of the assessment, types of broadband service, and the importance of the issue to the businesses in the Industrial Park.

Public Comment:

1. Dennis Lowry – Mr. Lowry discussed concern regarding the proposed agreement. He discussed additional options and resources the City had.

Council discussed Mr. Lowry's suggestions regarding getting an RFP of existing providers, permitting barriers that the City has for wireless, and the need or usefulness of video access.

Council and Staff discussed continuing the item so Staff could discuss the issue further with Mr. Lowry.

Council Member Ioakimedes and Mayor Patterson discussed concerns regarding delaying the item.

On motion of Council Member Campbell, seconded by Council Member Hughes, Council approved continuing the item until the next meeting, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, and Vice Mayor Schwartzman

Noes: Council Member Ioakimedes and Mayor Patterson

Ms. Lorentz clarified the direction to Staff was to connect with Mr. Lowry, gather the information he had, and potentially use that information to either renegotiate the contract with the proposed consultant or discuss it further with the stakeholder group, and from there either come back with the proposal or a renegotiated proposal.

Mr. Erickson clarified that Staff would meet with Mr. Lowry, hear what he had to say, see what doors might be opened, take that into consideration and report back to Council. It could be any number of alternatives, including continuing with the proposal before Council.

PUBLIC HEARINGS:

None

ACTION ITEMS:

Update on tourism marketing program and approval of amendment to contract's work plan:

Amalia Lorentz, Economic Development Manager, reviewed the staff report.

Mr. Wolf. Wolf Communications, discussed the contract's progress.

Council and Mr. Wolf discussed the number of visitors surveyed, desired number of pre and post campaign surveys, monitoring the Transient Occupancy Tax (TOT), sales tax, Facebook fans, various types of announcements for Wiggio, the suggestion to use local photographers for the additional photographs if possible, not decreasing meetings for stakeholders, having expenditures reported when reports are made to the EDB, advertising costs, changes to the www.VisitBenicia.org website, expenditures to date, identifying performing metrics, and revisiting the volunteer program pending the balance of the budget.

Public Comment:

None

On motion of Council Member Hughes, seconded by Council Member Campbell, Council received the update of the Tourism Marketing Program, and approved the amendments to the work plan in the contract with Wolf Communications to do more website work and less volunteer coordination, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Noes: None

2008 Valero "VIP" Agreement Amendment:

Continued to the 3/2/10 Council meeting.

Public Comment:

None

Consideration of support of Tri-Cities Committee's proposed evaluation of a Countywide Park and Open Space District:

Jim Erickson, City Manager, Mike Alvarez, Parks and Community Services Director, and Council Member Campbell reviewed the staff report.

Public Comment:

1. Kitty Griffin – Ms. Griffin spoke in support of Council supporting the Tri-Cities Committee's proposed evaluation of a Countywide Park and Open Space District.

Council and Staff discussed the background on the proposed evaluation of a Countywide Park and Open Space District, the East Bay Regional Park District, previous studies that were done, lack of staff support to support the efforts of the Tri-Cities Committee in this endeavor, and the suggestion to rely on community members for assistance if needed.

On motion of Council Member Campbell, seconded by Council Member Ioakimedes, Council approved supporting the Tri-Cities Committee's proposed evaluation of a Countywide Park and Open Space District, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Noes: None

INFORMATIONAL ITEMS:

Reports from City Manager:

None

Council Member Committee Reports:

1. Mayor's Committee Meeting - (Mayor Patterson) - Next Meeting Date: February 17, 2010
2. Association of Bay Area Governments (ABAG) - (Mayor Patterson & Council Member Ioakimedes) - Next Meeting Date: Spring General Assembly – April 22, 2010
3. Finance, Audit & Budget Committee - (Vice Mayor Schwartzman & Council Member Campbell) - Next Meeting Date: February 26, 2010
4. League of California Cities - (Mayor Patterson & Vice Mayor Schwartzman) - Next Meeting Date: Public Works and Planning Institutes and Mini Expos – March 24 – 26, 2010- Monterey
5. School Liaison Committee - (Council Members Ioakimedes & Hughes) - Next Meeting Date: March 11, 2010
6. Sky Valley Open Space Committee - (Council Members Campbell & Hughes) - Next Meeting Date: May 5, 2010
7. Solano EDC Board of Directors - (Mayor Patterson & Council Member Campbell) - Next Meeting Date: March 25, 2010
8. Solano Transportation Authority (STA) - (Mayor Patterson & Council Member Ioakimedes) - Next Meeting Date: March 10, 2010
9. Solano Water Authority/Solano County Water Agency and Delta Committee - (Mayor Patterson & Vice Mayor Schwartzman) - Next Meeting Date: March 11, 2010
10. Traffic, Pedestrian and Bicycle Safety Committee - (Council Members Hughes & Ioakimedes) - Next Meeting Date: April 22, 2010
11. Tri-City and County Regional Parks and Open Space - (Council Members Campbell & Hughes) - Next Meeting Dates: February 17, 2010
12. Valero Community Advisory Panel (CAP) - (Council Member Hughes) - Next Meeting Date: February 18, 2010
13. Youth Action Coalition - (Vice Mayor Schwartzman & Council Member Campbell) - Next Meeting Date: February 24, 2010
14. ABAG/CAL FED Task Force/Bay Area Water Forum - (Mayor Patterson) - Next Meeting Date: April 26, 2010

COUNCIL MEMBER REPORTS:

None

ADJOURNMENT:

Mayor Patterson adjourned the meeting at 9:13 p.m.

Lisa Wolfe, City Clerk