

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
February 17, 2015

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 Closed Session to order at 6:00 p.m.

All Council Members were present.

II. 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: One (1)

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)
Name of cases: McLanahan v. City of Benicia (one)

C. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))
Agency Negotiators: City Manager, Assistant City Manager and Senior
Human Resources Analyst
Employee Organizations: Benicia Public Service Employees
Association (BPSEA) Part-Time Unit

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Subdivision (b) of Government Code Section 54957)
Title: City Manager

III. CONVENE OPEN SESSION:

Mayor Patterson called the Open Session to order at 7:05 p.m.

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Jasmine Powell led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC

IV. ANNOUNCEMENTS/PROCLAMATIONS/ APPOINTMENTS/PRESENTATIONS:

A. ANNOUNCEMENTS

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

Heather McLaughlin, City Attorney, reported the following actions:

Item II.A - Council gave direction to the City Attorney to enter into an agreement to extend the time for filing a lawsuit to see if the City could work out a voluntary settlement of the process.

Item II.B - Council gave authority to Staff to settle the claim.

Item II.C - The item was not heard tonight.

Item II.D - This item was continued to the next meeting.

2. Openings on Boards and Commissions:

We are currently in the process of interviewing for Board and Commission recommendations for appointment.

3. Mayor's Office Hours:

4. Benicia Arsenal Update

Update from City Attorney

Heather McLaughlin reported they were working on this project to come up with a voluntary and cooperative cleanup approach to it. Staff is trying to set up meetings with property owners to discuss a work plan to characterize the site.

B. PROCLAMATIONS

C. APPOINTMENTS

1. Appointment of Gilbert Von Studnitz of the Historic Preservation Review Commission (HPRC) as a Historical Property Owner in the Historic District

RESOLUTION 15-13 - A RESOLUTION DESIGNATING GILBERT VON

STUDNITZ TO THE HISTORIC PRESERVATION REVIEW COMMISSION AS OWNERS OF HISTORIC PROPERTY

On motion of Mayor Patterson, Council adopted Resolution 15-13, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

2. Appointment of Dale Alexander to the Solano Senior Coalition

RESOLUTION 15-14 - A RESOLUTION RECOMMENDING THE APPOINTMENT OF DALE ALEXANDER TO THE SOLANO SENIOR COALITION FOR A TWO-YEAR TERM ENDING FEBRUARY 28, 2017

On motion of Mayor Patterson, Council adopted Resolution 15-14, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

D. PRESENTATIONS

1. PRESENTATION FROM BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD)

V. ADOPTION OF AGENDA:

On motion of Council Member Hughes, seconded by Council Member Strawbridge, 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

One item received (copy on file).

B. PUBLIC COMMENT

VII. CONSENT CALENDAR:

A. APPROVAL OF THE MINUTES OF FEBRUARY 3, 2015 SPECIAL AND

REGULAR CITY COUNCIL MEETINGS. (City Clerk)

- B. DENIAL OF CLAIM AGAINST THE CITY BY NADINE RICHARDSON AND REFERRAL TO INSURANCE CARRIER**
- C. DENIAL OF CLAIM AGAINST THE CITY BY RAYMOND L. NELSON AND REFERRAL TO INSURANCE CARRIER**
- D. DENIAL OF CLAIM AGAINST THE CITY BY HISTORIC ARSENAL PARK, LLC AND REFERRAL TO INSURANCE CARRIER**
- E. AGREEMENT TO PROVIDE SCHOOL RESOURCE OFFICERS TO BENICIA UNIFIED SCHOOL DISTRICT**

RESOLUTION 15-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING AN AGREEMENT BETWEEN THE CITY OF BENICIA AND THE BENICIA UNIFIED SCHOOL DISTRICT TO CONTINUE THE ESTABLISHED SCHOOL RESOURCE OFFICER PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- F. PURCHASE IRRIGATION CONTROL SYSTEM EXPANSION**

RESOLUTION 15-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE PURCHASE AND INSTALLATION OF AN UPGRADE TO IRRIGATION CONTROL SYSTEM SOFTWARE, A RADIO REPEATER, EIGHT EVAPOTRANSPIRATION CONTROLLERS, AND ASSOCIATED MATERIALS IN THE AMOUNT OF \$141,982.94 ALLOCATED FROM THE VALERO GOOD NEIGHBOR STEERING COMMITTEE FUND

Mayor Patterson and Staff discussed the irrigation control system expansion. Mayor Patterson stated that in her understanding of the world of water conservation, you always go after the low hanging fruit, such as taking out the grass and replacing it with turf. She would like to make sure Council gives direction to Staff that as they develop their priorities, part of their capital project would be to remove the unnecessary turf and replace it with drought tolerant plants, and then the turf irrigation monitors could be removed. It is important that Staff demonstrate some of the things that can be done to the public. Staff should advertise with signs or something to encourage citizens to do the same with drought tolerant options. Mayor Patterson asked for a regular report so Council could see some of the changes that occur.

Council Member Strawbridge and Staff discussed how many parks had been upgraded.

Vice Mayor Hughes requested that the 'unnecessary' turf being removed be

brought before the Parks, Recreation & Cemetery Commission for discussion.

Public Comment:

None

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 15-16, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

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

VIII. BUSINESS ITEMS:

A. COMPLETION OF OPEN GOVERNMENT AWARENESS TRAINING

Heather McLaughlin, City Attorney completed the Open Government Awareness Training for all Staff and Council present at the meeting.

Public Comment:

None

B. BUDGET TO ACTUAL REPORTS FOR ALL FUNDS FOR THE QUARTER ENDING DECEMBER 31, 2014 AND AMENDING THE FISCAL YEAR 2014-2015 BUDGET

RESOLUTION 15-17 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2014-2015

Karin Schnaider, Finance Director, reviewed the staff report.

Council Member Campbell and Staff discussed the issue of staffing, the Climate Action Plan Coordinator position.

Vice Mayor Hughes and Staff discussed the issue of staffing and support for the additional staff positions listed.

Mayor Patterson discussed support for adding the two additional staff positions.

Public Comment:

None

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, Council adopted Resolution 15-17, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

C. COUNCIL MEMBER CAMPBELL'S REQUEST TO AGENDIZE DISCUSSION OF THE REDUCTION OF EVENING HOURS THAT CONSTRUCTION IS ALLOWED IN RESIDENTIAL AREAS OF BENICIA

Staff and Council Member Campbell discussed the request.

Council Member Schwartzman and Hughes discussed support for agendizing this item.

Public Comment:

None

On motion of Council Member Campbell, seconded by Council Member Strawbridge, Council agreed to discuss the reduction of evening hours that construction is allowed in residential areas of Benicia on a future agenda, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

D. Council Member Committee Reports:

- 1. Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date TBD:**
- 2. Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: April 23, 2015**
- 3. Finance Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: February 26, 2015**
- 4. League of California Cities. (Mayor Patterson and Vice Mayor Hughes) Next Meeting Date: April 16, 2015**

5. **School Liaison Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: March 5, 2015**
6. **Sky Valley Open Space Committee. (Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: TBD**
7. **Solano EDC Board of Directors. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: March 12, 2015**
8. **Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Campbell) Next Meeting Date: March 11, 2015**
9. **Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/> (Mayor Patterson, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: March 12, 2015**
10. **Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: April 16, 2015**
11. **Tri-City and County Cooperative Planning Group. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: March 9, 2015**
12. **Valero Community Advisory Panel (CAP). (Council Member Campbell and Council Member Schwartzman) Next Meeting Date: TBD**
13. **Youth Action Coalition. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: February 25, 2015**
14. **ABAG-CAL FED Task Force-Bay Area Water Forum. <http://www.baywaterforum.org/> (Mayor Patterson)Next Meeting Date: TBD**
15. **SOLTRANS Joint Powers Authority (Mayor Patterson, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: February 19, 2015**

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:25 p.m.