

**BENICIA CITY COUNCIL  
REGULAR MEETING AGENDA**

**City Council Chambers  
February 19, 2013  
6:00 PM**

*Times set forth for the agenda items are estimates.  
Items may be heard before or after the times designated.*

**I. CALL TO ORDER (6:00 PM):**

**II. CLOSED SESSION: (6:00 PM)**

**A. CONFERENCE WITH LABOR NEGOTIATOR  
(Government Code Section 54957.6 (a))**

**Agency negotiators: City Manager, Administrative Services Director**

**Employee organizations: City Manager, City Attorney, Senior Managers, Benicia Middle Management Group, Local 1, Benicia Public Service Employees' Association (BPSEA), Benicia Police Officers Association (BPOA), Benicia Firefighters Association (BFA), Benicia Dispatchers Association (BDA), Police Management, Unrepresented.**

**III. CONVENE OPEN SESSION (7:00 PM):**

**A. ROLL CALL.**

**B. PLEDGE OF ALLEGIANCE.**

**C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC.**

A plaque stating the fundamental rights of each member of the public is posted at the entrance to this meeting room per section 4.04.030 of the City of Benicia's Open Government Ordinance.

#### **IV. ANNOUNCEMENTS/PROCLAMATIONS/ APPOINTMENTS/PRESENTATIONS:**

##### **A. ANNOUNCEMENTS.**

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

**2. Openings on Boards and Commissions:**

Arts and Culture Commission  
1 unexpired term  
2 full terms  
Open Until Filled

Planning Commission  
1 Full Term  
Application Due Date: February 19, 2013

**3. 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.**

**4. Benicia Arsenal Update: Included in Packet**

##### **B. PROCLAMATIONS.**

##### **C. APPOINTMENTS.**

**1. Reappointment of Jennifer A. Deal to the Sky Valley Open Space Committee for a four year term ending January 31, 2017.**

**D. PRESENTATIONS.**

**1. Wolf Communications - Semi-Annual Report**

**V. ADOPTION OF AGENDA:**

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the City Council from responding to or acting upon matters not listed on the agenda. Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

**A. WRITTEN COMMENT.**

**B. PUBLIC COMMENT.**

**VII. CONSENT CALENDAR (7:30 PM):**

Items listed on the Consent Calendar are considered routine and will be enacted, approved or adopted by one motion unless a request for removal or explanation is received from a Council Member, staff or member of the public. Items removed from the Consent Calendar shall be considered immediately following the adoption of the Consent Calendar.

**A. APPROVAL OF MINUTES OF THE FEBRUARY 5, 2013 CITY COUNCIL MEETING. (City Clerk).**

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

## **VIII. BUSINESS ITEMS (7:40 PM):**

A public hearing should not exceed one hour in length. To maximize public participation, the council requests that speakers be concise and avoid repetition of the remarks of prior speakers. Instead, please simply state whether you agree with prior speakers.

### **A. DISCUSSION OF AN ORDINANCE CHANGING THE ELECTION DATE FOR GENERAL MUNICIPAL ELECTIONS TO EVEN-NUMBERED YEARS AND EXTENDING THE TERMS OF CURRENT COUNCIL MEMBERS BY UPTO 12 MONTHS. (City Attorney)**

At the February 5 meeting, the City Council directed the preparation of an ordinance to change the election date from odd-numbered years to even-numbered years. Doing so will save the City money with each election since it allows the election to be consolidated with other elections. It may also increase voter turnout. It does increase the terms of the elected officials by one year.

**Recommendation: Discuss the draft ordinance and direct staff to:**

- 1. Mail postcards to registered voters before ordinance is introduced;**
- 2. Return with the ordinance on the March 19, 2013 agenda for introduction of the ordinance; and**
- 3. Provide additional direction as desired.**

### **B. Council Member Committee Reports:**

**(Council Member serve on various internal and external committees on behalf of the City. Current agendas, minutes and meeting schedules, as available, from these various committees are included in the agenda packet. Oral reports by the Council Members are made only by exception.)**

- 1. Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date: TBD**
- 2. Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (Mayor Patterson and Council Member Strawbridge)Next Meeting Date: TBD**
- 3. Finance Committee. (Vice Mayor Campbell and Council Member Strawbridge)Next Meeting Date: March 22, 2013**
- 4. League of California Cities. (Mayor Patterson and Vice Mayor Campbell) Next Meeting Date: February 21, 2013**

5. **School Liaison Committee. (Council Members Strawbridge and Council Member Hughes) Next Meeting Date: March 7, 2013**
6. **Sky Valley Open Space Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: May 1, 2013**
7. **Solano EDC Board of Directors. (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: March 14, 2013**
8. **Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: March 13, 2013**
9. **Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/>(Mayor Patterson and Council Member Hughes) Next Meeting Date: March 13, 2013**
10. **Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: April 18, 2013**
11. **Tri-City and County Cooperative Planning Group. (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: March 11, 2013**
12. **Valero Community Advisory Panel (CAP). (Mayor Patterson and Council Member Hughes) Next Meeting Date: March 20, 2013**
13. **Youth Action Coalition. (Mayor Patterson, Council Member Strawbridge and Council Member Hughes) Next Meeting Date: February 27, 2013**
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, Council Member Hughes and Council Member Schwartzman) Next Meeting Date: February 21, 2013**

**IX. ADJOURNMENT (8:30 PM):**

Public Participation
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The Benicia City Council welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.

Should you have material you wish to enter into the record, please submit it to the City Manager.

### **Disabled Access or special Needs**

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Anne Cardwell, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

### **Meeting Procedures**

All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

## Public Records

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us) under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerks Office.



CITY COUNCIL MEETING  
BENICIA ARSENAL UPDATE

February 19, 2013

1. The working group for the Arsenal project met on January 14, 2013. The next working group meeting is scheduled for March 11, 2013.
2. Research on the City's insurance policies continues.
3. Please sign up for the email list if you want to be notified of updates.
4. Work continues on developing the strategy and gathering information. If you have any information that you believe is relevant, please get it to the City Attorney. We are continuing to upload pertinent documents to the Benicia web site.

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**RESOLUTION NO. 13-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF JENNIFER A. DEAL TO THE SKY VALLEY OPEN SPACE COMMITTEE FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Benicia that the reappointment of Jennifer A. Deal to the Sky Valley Open Space Committee by Mayor Patterson is hereby confirmed.

\*\*\*\*\*

The above Resolution was approved by roll call by the City Council of the City of Benicia at a regular meeting of said Council held on the 19<sup>th</sup> day of February 2013 and adopted by the following vote:

Ayes:

Noes:

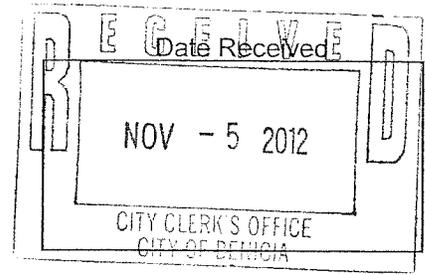
Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk





**City of Benicia Board/Commission/Committee Application**

It is the intent of the City Council to have Boards, Commissions or Committees composed of people from all geographical, social, environmental and economic sectors of the community and to avoid potential conflicts of interest.

Please check the board, commission, or committee you wish to apply for:

- Arts and Culture Commission
- Benicia Housing Authority Board of Commissioners
- Board of Library Trustees
- Civil Service Commission
- Economic Development Board
- Finance Committee
- Historic Preservation Review Commission
- Human Services Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: JENNIFER A. DEAL

Address: \_\_\_\_\_

Phone: (Work) \_\_\_\_\_ (Home) 707 746 5821

(Cell) \_\_\_\_\_ Fax: \_\_\_\_\_

Email: anjdeal@juno.com Years as Benicia resident: 10 1/2 years

Occupation/Employer: RET R.N

Please note your most recent community or civic volunteer experience: BERT. CHAIR <sup>Block 9</sup>  
SKY VALLEY OPEN SPACE, SCHOLARSHIP CHAIR. B. Womens Club

Please describe any applicable experience/training: Member & Leader of hiking around Bay Area. Member Solano Open Space

*All applications are considered public records and will be retained in an active file for at least one year from date of receipt.*

Signature: Jennifer A Deal Date: 2 November 2012



## Sky Valley Open Space Committee Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Committee? Have you attended a Sky Valley Committee meeting? If so, when?

Committee membership expires- (took over for a retiring member)

2. Participation on this Committee involves quarterly meetings. Do you feel you have the time and commitment to be a viable member of this Board?

yes

3. Explain your interest in the protection and enhancement of open space.

Participation in the 1960's for the protection of SHELL RIDGE 'Walnut creek,

4. How do you think this Committee can best achieve the City's goal of protecting open space in Benicia?

To have a committee in place enables the preservation of open space before development occurs.

**AGENDA ITEM  
CITY COUNCIL MEETING DATE -  
PRESENTATIONS**

**DATE** :  
**TO** :  
**FROM** : Economic Development Manager  
**SUBJECT** : **UPDATE ON TOURISM MARKETING PROGRAM**

**RECOMMENDATION:**

Receive update on progress of tourism marketing program.

**EXECUTIVE SUMMARY:**

Jack Wolf from Wolf Communications will present his semi-annual report summarizing key aspect of the City's tourism campaign.

**STRATEGIC PLAN:**

Relevant Strategic Plan Goals and Strategies:

Strategic Issue 3: Strengthening Economic and Fiscal Conditions

- Strategy #1: Implement Economic Development Strategy
- Strategy #3: Retain and Attract Business

**BUDGET INFORMATION:**

No budget implications at this time; the tourism marketing contract with Wolf Communications is already approved and funded.

**DISCUSSION:**

The contract with Wolf Communications, approved in June 2012, valued at \$50,000 is the third contract with Wolf Communications. This contract followed the second, executed in June of 2011 valued at \$50,000 and preceded by the initial contract executed in 2009, valued at \$280,000.

During his semi-annual presentation Jack Wolf, President of Wolf Communications, will review some highlights of the campaign that occurred during the third and fourth quarters of 2012, including the advertising and public relations campaign.

In addition to the report provided by Wolf Communications, staff has generated a table detailing Downtown Sales tax over the past five years.

In an effort to illustrate and compare the tax data, staff has created the following charts. The first compares downtown sales tax from 2008 to 2<sup>nd</sup> quarter 2012 as a method of evaluating our tourism program. The second figure directly compares the 2<sup>nd</sup> quarter sales tax receipts for each year starting in 2008.

#### Downtown Sales Tax – (Tourism Measurement)

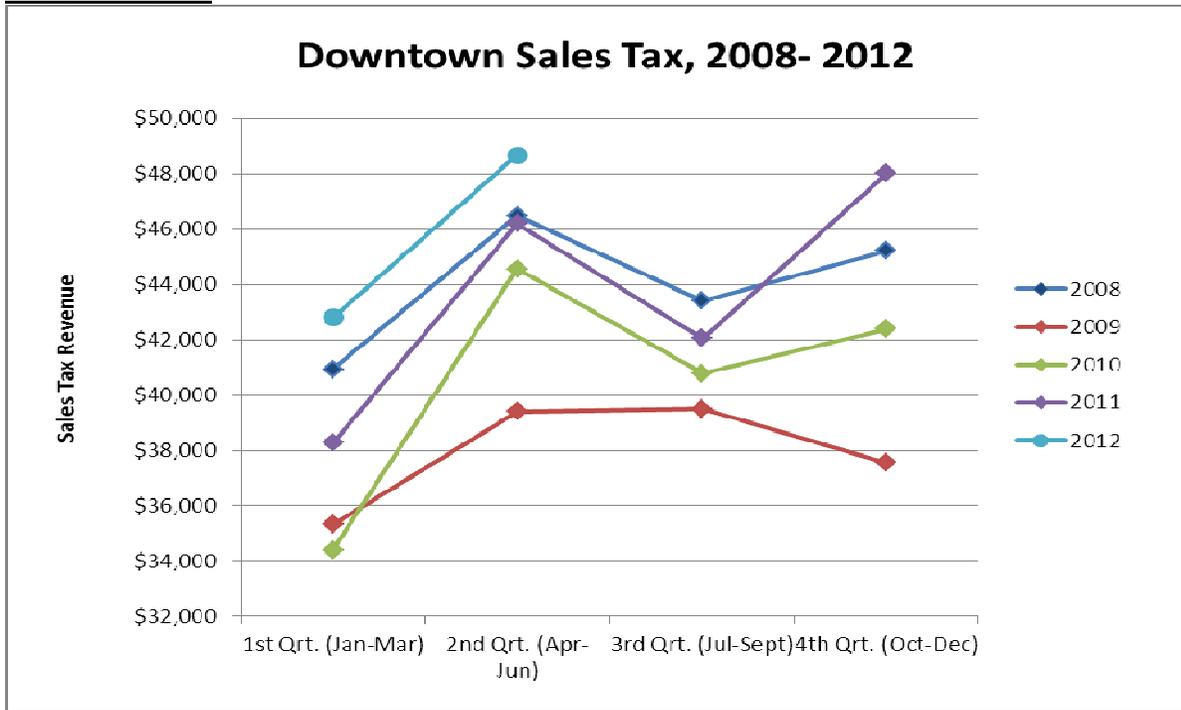
As seen on the following page, Figure No. 1 indicates that the identified tourism-related tax revenues for 2<sup>nd</sup> Quarter are up 5.33% since last year, from total amounts of \$46,210 in 2011 to \$48,672 in 2012.

Figure No. 1 also compares downtown sales tax revenue to the past four years. The 2<sup>nd</sup> quarter is typically Downtown's strongest performing three months. As can be seen in Figure No. 2, 2<sup>nd</sup> Quarter 2012 has reported the highest sales tax revenue since 2007, prior to the recession. The 1<sup>st</sup> and 2<sup>nd</sup> quarter Downtown Sales Tax Revenues have exceeded those of the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2011, outpaced in the past five years only by pre-recession revenues.

Figure No. 3 provides direct comparison of 2<sup>nd</sup> Quarter Downtown Sales Tax Revenue for the past five years. This indicates that the implementation of the tourism program has helped put the City of Benicia back on track to achieving pre-recession levels of sales tax revenue.

[See Figures on following pages]

**FIGURE No. 1<sup>1</sup>**

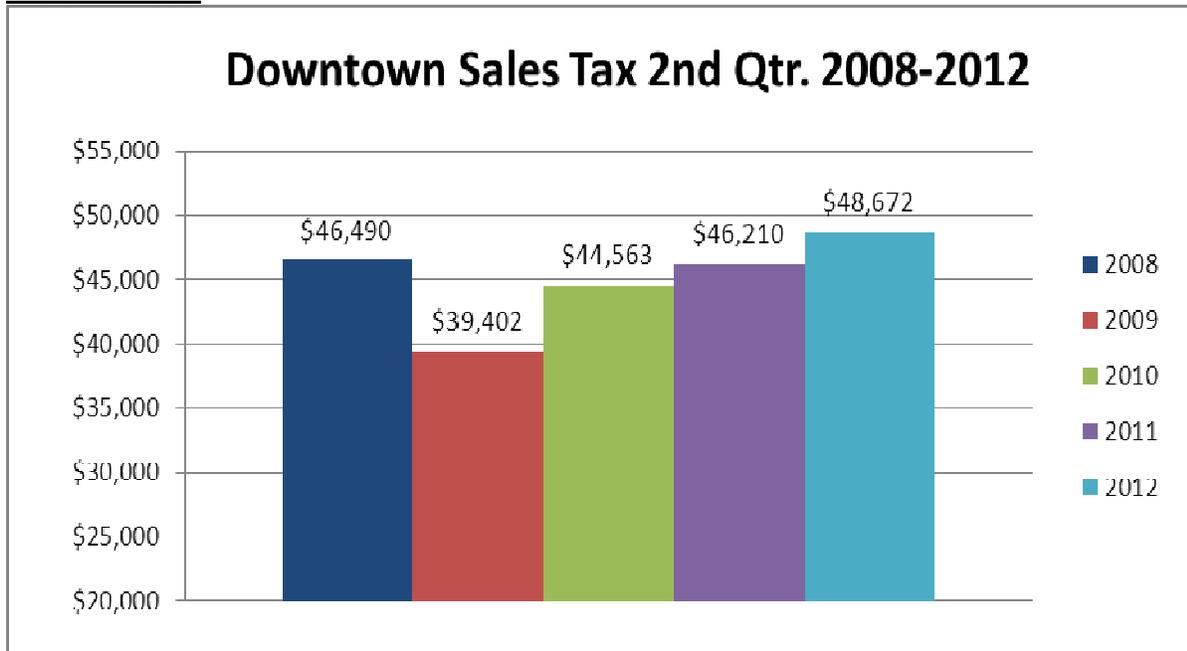


**FIGURE No. 2**

Quarter	2007	2008	2009	2010	2011	2012
1 <sup>st</sup> (Jan-Mar)	\$ 45,551	\$ 40,937	\$ 35,325	\$ 34,407	\$ 38,276	\$42,813
2 <sup>nd</sup> (Apr-Jun)	\$ 51,566	\$ 46,490	\$ 39,402	\$ 44,563	\$ 46,210	\$48,672
3 <sup>rd</sup> (Jul-Sept)	\$ 45,978	\$ 43,415	\$ 39,510	\$ 40,780	\$ 42,053	-
4 <sup>th</sup> (Oct-Dec)	\$ 50,340	\$ 45,221	\$ 37,550	\$ 42,391	\$ 48,009	-

<sup>1</sup> Note Tourism Campaign began 3<sup>rd</sup> Quarter 2009.

**FIGURE No. 3**



As has been the practice in the past, tracking of sales tax downtown (as the area most affected by tourism) continues as one way to measure the impact of the marketing campaign. Again, as noted in each report, this measurement is not wholly tourism dependent, so it must be taken as an indicator rather than a definitive answer.

Seeing three successive year-over-year quarters of growth is encouraging. Staff will continue to evaluate and track quarterly sales tax revenue. Moving forward, with the information, staff and Wolf Communications will shape our future strategy to efforts that continue to target the South Bay, develop a concerted effort for the 3<sup>rd</sup> quarter and continue to promote public relations efforts that appear in print magazines.

Attachment:

- Benicia Semi-Annual Marketing Report (July 2012- December 2012) from Wolf Communications



## **Semi-Annual Marketing Report Third and Fourth Quarters, 2012**

July 1 through December 31, 2012

Submitted by:

**WOLF**  
C O M M U N I C A T I O N S

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## Summary

### *Activities during third and fourth quarters, 2012*

In the third and fourth quarters, Wolf Communications began creating video blogs, for additional variety to content created for the website, Facebook page, YouTube channel, etc. We also continued to pitch Benicia story ideas to journalists, and helped promote newsworthy events through press releases, blogs and newsletters. Here's a summary of work completed in the third and fourth quarters:

- Advertising: Benicia ads appeared in Sunset magazine's October "Travel Planner" issue, and the publication's December issue, to promote holiday shopping and getaways
- Website: We continued to write a bi-weekly blog (interspersed with video blogs) for [www.visitbenicia.org](http://www.visitbenicia.org), and assisted with technical issues as well as website updates as needed
- Media outreach: We wrote and distributed press releases and/or media advisories on A Great Dog Day by the Bay, fall events as well as December shopping opportunities and events
- Email marketing: We wrote, laid out and distributed two quarterly newsletters covering fall and December events
- Video production: Included video blogs, also known as vlogs, on businesses in Benicia that would be of interest to visitors. As a separate project, we also completed a series of three videos promoting the Industrial Park as an ideal location for businesses.
- Submitted editorial and attraction listings to Visit California\* (please see below for details)
- Stakeholder collaboration: Communicated with stakeholders via Wiggio regarding a Los Angeles Times "Weekend Escape" article about Benicia
- Collaborated with stakeholders to help market events

Wolf Communications continues to frequently review the website and Facebook page to evaluate ways to assist city staff, such as recommendations based on changing functionality.

\*Visit California – a popular website for travelers seeking information – reviews, and sometimes publishes editorial and attraction submissions about California travel destinations, when provided. July and August 2012, Wolf Communications was able to get the following editorial information about Benicia published on their website:

- Big city shopping, small town vibe in Benicia: <http://www.visitcalifornia.com/Inside-Scoops/Big-City-Shopping-Small-Town-Vibe-in-Benicia>
- Benicia's artistic spirit: <http://www.visitcalifornia.com/Inside-Scoops/Benicias-Artistic-Spirit>
- A memorable day in Benicia: <http://www.visitcalifornia.com/Inside-Scoops/A-Memorable-Day-in-Benicia>

In addition, Visit California published listings we submitted on the following attractions: Benicia State Recreation Area, Benicia Capitol State Historic Park, Fischer-Hanlon House, Benicia Historical Museum at the Camel Barns, Benicia Main Street, and City of Benicia. We will continue to submit visitor attractions, and stay in touch with Visit California contacts, to add more travel-related content about Benicia.

## Media Outreach/PR

We wrote and distributed three press releases during the third and fourth quarters. The releases were sent to Northern California/Bay Area media outlets that included newspapers, freelance journalists, broadcast media (radio and TV), websites and blogs. The press releases were as follows:

Release headline	Number of media contacts reached
Dog-friendly Benicia is a Great Dog Day by the Bay	251
Family Fun in Benicia this fall Waterfront city celebrates autumn with a variety of fun events for all ages	239
One-of-a-kind holiday shopping in Benicia Bay Area's inspiring waterfront city combines unique stores with great events	238

The media hits report shows details of coverage generated during the third and fourth quarters. One highlight was a feature article in the Los Angeles Times.

### *Valuation of Media Placements*

The value of media placements resulting from press releases or other media contacts July through December was \$230,943, which included print and electronic articles.

### Advertising

Full-color Benicia ads appeared in Sunset magazine's October issue, which included the travel planner guide targeting people looking for Northern California vacation ideas. Along with the reader response card, our ad included a 90-day listing on sunsetgetaways.com. We also advertised in Sunset's December issue, with an ad designed to promote Benicia shopping and dining. Sunset offered significant discounts on both ads.

By at least one measurement, these Sunset ads were the most successful yet. From the time the October issue hit the streets, through the end of the year, nearly 550 Sunset readers requested more information about visiting Benicia. There were 996 total leads for 2012.

Interesting data from Teri Davena, who now fulfills information requests from the Sunset leads, show that people in all 50 states have asked for details about visiting Benicia. Requests have also come from people living in Cancun, Montagnola (Switzerland), Tehran and Rotterdam.

### Email marketing

The direct email contact list for the Visit Benicia newsletter now has 588 contacts (up from the last report of 450).

This increase is mainly due to opt-in contacts garnered from Benicia's Sunset magazine ads. When someone requesting more Benicia information includes their email address, we add it to

the newsletter distribution list. From mid-April through December, 2012, a total of 128 people opted in with an email address.

We created and distributed two newsletters during the third and fourth quarters. The first was sent September 28, 2012, focusing on fall events. The second was sent November 28, 2012 and covered December shopping opportunities and family-friendly holiday events.

## Visitbenicia.org Website

### *Traffic Statistics*

Below are web traffic statistics for the period of July 1 through December 26, 2012. There was a total of 16,610 visits, compared with 11,289 for the same period in 2011 – a **47.13% increase**. Perhaps best of all, is that a Google search for “Benicia” now shows the Visit Benicia website as the third listing on the first page.

*Source: Google Analytics*

Area of Measure	July	August	September
Visits	4,357	3,073	2,740
Pages per Visit	2.25	2.46	2.56
Bounce Rate	62.75%	57.57%	54.78%
Average Time on Site	01:36	01:47	01:59
% New Visits	77.42%	79.37%	79.01%

Area of Measure	October	November	December
Visits	2,309	2,426	1,667
Pages per Visit	2.33	2.27	2.38
Bounce Rate	59.33%	59.56%	63.71%
Average Time on Site	01:43	01:43	01:37
% New Visits	80.55%	79.80%	77.62%

### ***Top Keywords/Terms***

The top keywords used by visitors to reach the website appear to be based on general search terms such as “Benicia Opening Day on the Strait,” “Benicia Peddler’s Fair” and “Benicia Farmers Market.” There also were searches for events and general information.

	<b>July</b>	<b>August</b>	<b>September</b>
<b>1</b>	Benicia opening day on the strait	Benicia movie in the park 2012	Benicia
<b>2</b>	Benicia	Benicia Peddler’s Fair 2012	Benicia craft fair 2012
<b>3</b>	Benicia movie in the park 2012	Benicia	Benicia movie in the park 2012
<b>4</b>	Benicia 4 <sup>th</sup> of July parade 2012	Benicia Peddler’s Fair	Benicia California
<b>5</b>	Benicia Farmers Market 2012	Benicia Farmers Market 2012	Benicia waterfront
	<b>October</b>	<b>November</b>	<b>December</b>
<b>1</b>	Benicia opening day on the strait	Benicia tree lighting 2012	Benicia
<b>2</b>	Benicia	Benicia	Benicia Christmas Parade 2012
<b>3</b>	Benicia Farmers Market 2012	Benicia tree lighting	Benicia California
<b>4</b>	Things to do in Benicia CA	Things to do in Benicia CA	Things to do in Benicia CA
<b>5</b>	Benicia CA	Benicia calendar of events	Benicia CA Restaurants

### ***Traffic Sources***

Traffic sources are referral sites (other websites that contain links to visitbenicia.org) and search engines. As shown in the chart below (source: Google Analytics), the websites ci.benicia.ca.us, beniciachamber.com, google.com, and m.visitbenicia.org, are the greatest source of referrals. The following chart represents the top 10 referral sources for the six-month period:

*Source: Google Analytics*

Source	Visits	Pages / Visit	Avg. Visit Duration	% New Visits	Bounce Rate
1. ci.benicia.ca.us	3,087	3.10	00:02:26	82.67%	44.41%
2. beniciachamber.com	430	4.19	00:03:24	75.81%	28.37%
3. google.com	270	1.90	00:00:35	93.70%	54.07%
4. m.visitbenicia.org	131	2.76	00:01:33	80.92%	45.04%
5. facebook.com	44	2.02	00:01:14	72.73%	56.82%
6. abclocal.go.com	43	1.58	00:01:01	79.07%	81.40%
7. attractions.uplake.com	33	2.36	00:01:38	87.88%	48.48%
8. 1minutegetaway.com	28	6.54	00:03:15	3.57%	32.14%
9. search.mywebsearch.com	22	3.32	00:06:08	81.82%	59.09%
10. visitcalifornia.com	20	4.00	00:02:38	100.00%	15.00%

### ***Most Popular Content***

As evidenced in the table below (source: Google Analytics), among the most popular pages for visitbenicia.org during the third and fourth quarters (aside from the home page) are pages related to: the calendar of events, the waterfront, businesses/restaurants, visitor information and stores.

*Source: Google Analytics*

Page	Pageviews	Unique Pageviews	Avg. Time on Page	Entrances	Bounce Rate	% Exit	Page Value
1. /	6,315	4,737	00:01:02	4,390	31.37%	32.64%	\$0.00
2. /events/calendar	5,587	4,977	00:02:20	3,807	86.08%	76.43%	\$0.00
3. /waterfront	1,892	1,477	00:00:44	298	26.51%	17.71%	\$0.00
4. /businesses/restaurants	1,454	1,222	00:02:03	428	77.34%	49.31%	\$0.00
5. /waterfront/scenic	1,447	1,035	00:00:33	63	52.38%	13.96%	\$0.00
6. /visitor	1,333	1,046	00:00:48	420	31.43%	26.41%	\$0.00
7. /businesses/stores	1,293	1,045	00:01:47	558	65.59%	47.72%	\$0.00
8. /businesses	1,186	925	00:00:57	90	27.78%	15.51%	\$0.00
9. /events	1,023	884	00:00:50	278	51.80%	29.72%	\$0.00
10. /waterfront/outdoor-recreation	853	695	00:01:36	216	63.43%	41.27%	\$0.00

### ***Location of Website Visitors***

The following table (source: Google Analytics), shows the geographic region of website visitors from California between July 1 and December 26, 2012. The data reflect that San Francisco, Vallejo, Benicia, San Jose, Los Angeles, Fairfield, Berkeley, Oakland, Walnut Creek and Sacramento, are the locations of the greatest website visitor origin.

Notably, the following cities have had the largest increase in visits to the website, compared to the third and fourth quarters of 2011:

City	2011	2012	% of increase (in interest from each city comparing 2011 to 2012 third and fourth quarters)
Vallejo	1278	2338	82.94%
Berkeley	191	347	81.68%
Fairfield	284	511	79.93%
San Jose	334	577	72.75%
San Francisco	1865	2662	42.73%

Source: Google Analytics

City	Visits	Pages / Visit	Avg. Visit Duration	% New Visits	Bounce Rate
1. San Francisco	2,662	2.11	00:01:35	77.12%	62.96%
2. Vallejo	2,338	1.74	00:01:05	68.05%	72.37%
3. Benicia	1,107	2.27	00:01:26	69.02%	65.85%
4. San Jose	577	2.47	00:01:55	81.80%	57.54%
5. Los Angeles	539	2.19	00:01:29	78.48%	62.15%
6. Fairfield	511	2.31	00:01:25	80.43%	60.08%
7. Berkeley	347	2.78	00:02:16	71.47%	54.18%
8. Oakland	340	2.30	00:01:28	87.06%	61.47%
9. Walnut Creek	320	2.57	00:02:04	84.06%	52.50%
10. Sacramento	272	3.26	00:02:47	85.29%	48.90%

## Social Media

### Facebook Insights

The Visit Benicia Facebook page “lifetime likes” (meaning: overall fan base) continued to grow during the third and fourth quarters of 2012. Content was regularly posted by city staff. The page grew from 1,463 likes from December 26, 2011, to 1,621 likes by December 26, 2012. The page has seen a 10.80% increase in lifetime likes since the same time period a year ago.

### Content

City of Benicia staff continued to post new information several times a week on the Visit Benicia Facebook page publicizing events, entertainment, and art exhibits; uploading photos and videos; and posting links to articles of interest about Benicia.

The Facebook page also received posts from several active community businesses promoting specials and events, as well as many positive, thoughtful comments from fans.

### Fan Demographics

During the third and fourth quarters, the top five cities represented were Benicia, Vallejo, San Francisco, Concord, Fairfield and Sacramento. July and December appear to be the busiest months, most likely due to a heavy listing of seasonal events both in summer and during the holidays. This table shows the number of people who saw any content from Benicia’s page during the six-month time period – listed by month:

Source: Facebook Insights

City	July	August	Sept	Oct	Nov	Dec
Benicia	514	246	152	216	284	305
Concord	38	14	6	14	11	13
Fairfield	32	17	6	14	14	19
Oakland	18	10	8	6	8	13
Sacramento	38	18	20	8	15	16
San Francisco	76	22	3	17	27	27
Vallejo	159	54	31	13	63	61

Women ages 35 to 44 continue to be the largest demographic group among the fans, and women ages 45 to 54 are the second largest group.

### ***General Conclusions***

Web traffic during the third and fourth quarters of 2012 continued to increase steadily from the same time period in 2011. The analytics demonstrate Benicia is reaching its target audience by continuing to showcase what makes it unique.

Promoting events and newsworthy items on the website, Facebook page, YouTube, in blogs, newsletters, advertising, press releases (and other media outreach), has been an effective strategy. This multi-tiered, grassroots effort continues to stimulate invaluable buzz about Benicia through an active social media presence, a high-profile media campaign, regular website updates, targeted advertising, and other programs.

We were able to significantly increase Benicia’s presence on the state’s official travel website, [visitcalifornia.com](http://visitcalifornia.com). In 2013, we’ll work with the organization to add even more Benicia content.

Media coverage of Benicia and its events has been strong. The Los Angeles Times article alone had an ad value of more than \$80,000.

Sunset magazine ads continue to be an effective use of the currently limited advertising budget. The ads not only inform readers directly about Benicia as “A Great Day by the Bay,” but they generate direct leads – and opt-in email addresses – from people expressing interest in visiting the city. The ads are also a necessary component for being selected to exhibit at Sunset Celebration Weekend.



## Media Generated for Benicia

*Third and Fourth Quarters, 2012*

*Wolf Communications*

PRINT MEDIA	WRITER	DATE	CIRCULATION	RATE (in column inches unless otherwise specified)	SIZE	AD VALUE	INFORMATION
San Francisco Chronicle (Sunday)	Kathleen Dixon	6/24/2012	312,118	\$613.00	3"	\$1,839.00	This Week; mentions Arts Benicia ABAiR
Contra Costa Times	N/A	6/28/2012	185,699	\$360.00	6"	\$2,160.00	Art: Works in Progress; about ABAiR
San Francisco Chronicle	N/A	6/28/2012	312,118	\$613.00	.5"	\$306.50	Fourth of July Events; mentions Benicia
San Francisco Chronicle (Sunday)	N/A	6/28/2012	312,118	\$613.00	3"	\$1,839.00	New This Weekend; mentions ABAiR
Tailwinds - Travis AFB	N/A	6/29/2012	9,000	N/A	1"	\$0.00	Local events; mentions Benicia Freedom Festival
San Francisco Bay Crossing	N/A	7/1/2012	N/A	N/A	2"	\$0.00	4th of July Waterfont Fireworks Displays; mentions Benicia
Vallejo Times Herald	N/A	7/15/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	6"	\$126.00	Article: Peddler's Fair brings thousands to Benicia

Tailwinds - Travis AFB	N/A	7/20/2012	9,000	N/A	1"	\$0.00	The Flip Side: Local events; mentions Art walk, Farmers Market
Vallejo Times Herald	Rich Freedman	7/20/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	29"	\$609.00	Article: Benicia Jazz Fest perfect for the true jazz freak
Daily Republic	N/A	7/24/2012	17,710	\$26.91	.75"	\$20.18	Today; mentions Fine Art & Jazz Festival
East Bay Express	N/A	7/25/2012	65,000	\$20.30	1"	\$20.30	Fairs, Festivals & Fiestas; mentions Benicia Fine Art & Jazz Festival
San Francisco Chronicle	N/A	7/26/2012	312,118	\$613.00	1/2"	\$306.50	Live Music; mentions Benicia Fine Art & Jazz Festival
West County Times (Richmond, CA)	N/A	7/26/2012	33,000	\$57.00	1"	\$57.00	Top 10; mentions Benicia Fine Arts and Jazz Festival
Daily Republic	N/A	7/27/2012	17,710	\$26.91	2"	\$53.82	Events; mentions Fine Art & Jazz Festival, Farmers Market, Peddler's Fair, Ghost Walk and Taste of First Street
Reporter (Vacaville, CA)	N/A	7/27/2012	19,500	\$74.00	1/2"	\$55.50	Solano Area Attractions; mentions Fine Arts and Jazz Festival
Tailwinds - Travis AFB	N/A	7/27/2012	9,000	N/A	3"	\$0.00	Local Events; mentions A Great Dog Day, Farmers Market, Peddler's Fair, Ghost Walk, Taste of First Street
Reporter (Vacaville, CA)	N/A	7/28/2012	19,500	\$74.00	7"	\$518.00	Article: In Benicia, art and jazz rule weekend

Vallejo Times Herald	N/A	7/28/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	1/2"	\$10.50	About Town; mentions Fine Art & Jazz Festival
Vallejo Times Herald	N/A	7/29/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	1/2"	\$10.50	About Town; mentions Fine Art & Jazz Festival
Local Happenings Magazine (Solano Co.)	N/A	8/1/2012	10,000	Full Page \$1200	14.38" (16.53%)	\$198.36	Calendar: Benicia; lists several events
Daily Republic	N/A	8/3/2012	17,710	\$26.91	1.5"	\$40.37	Events; mentions A Great Dog Day by the Bay, Farmers Market, Ghost Walk and Art Walk
Daily Republic	N/A	8/3/2012	17,710	\$26.91	1"	\$26.91	Today; mentions Meet the Ghosts of Benicia's past
Tailwinds - Travis AFB	N/A	8/3/2012	9,000	N/A	3"	\$0.00	Local Events; mentions A Great Dog Day, Farmers Market, Peddler's Fair, Ghost Walk, Taste of First Street and Art Walk
Daily Republic	Domini Williams	8/8/2012	17,710	\$26.91	1/2"	\$13.45	Today; mentions Peddler's Fair and Friends of Benicia Library book sale
Daily Republic	N/A	8/9/2012	17,710	\$26.91	.75"	\$20.18	Events; mentions Friends of Library book sale, Peddler's Fair
Daily Republic	N/A	8/10/2012	17,710	\$26.91	.75"	\$20.18	Events; mentions Farmers Market, Great Dog Day, Ghost Walk, Art Walk and Taste of First Street
Reporter (Vacaville, CA)	N/A	8/10/2012	19,500	\$74.00	1"	\$74.00	Solano Area Attractions; mentions Peddler's Fair

Tailwinds - Travis AFB	N/A	8/10/2012	9,000	N/A	1"	\$0.00	Local Events; mentions Farmers Market and Peddler's Fair
Vallejo Times Herald	N/A	8/10/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	13"	\$273.00	Article: Annual Peddler's Fair back in Benicia Saturday
Vallejo Times Herald	Lanz Christian Banes	8/12/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	22"	\$462.00	Article: Benicia Peddler's Fair still drawing crowds
Daily Republic	N/A	8/16/2012	17,710	\$26.91	1"	\$26.91	Friday; mentions Meet the Ghosts of Benicia's Past
Daily Republic	N/A	8/24/2012	17,710	\$26.91	3"	\$80.73	Art Exhibits; mentions Benicia Plein Air Gallery, Benicia Public Library and Gallery 621
Reporter (Vacaville, CA)	N/A	8/24/2012	19,500	\$74.00	2"	\$148.00	Solano Area Attractions; mentions A Great Dog Day
Reporter (Vacaville, CA)	N/A	8/25/2012	19,500	\$74.00	3"	\$222.00	Article: Great Dog Day slated today
Daily Republic	Amy Maginnins-Honey	8/26/2012	17,710	\$26.91	1"	\$26.91	Article: Local events celebrate Oktoberfest, candy, the blues; mentions Haunted Depot, Halloween Costuem Contest and Sidewalk Stroll
Daily Republic	Danny Bernadini	8/26/2012	17,710	\$26.91	25"	\$672.25	Article: Benicia boasts a rich history
Daily Republic	N/A	9/7/2012	17,710	\$26.91	3"	\$80.73	Art exhibits; mentions a few exhibits in town
Daily Republic	N/A	9/7/2012	17,710	\$26.91	2"	\$53.82	Today; mentions Meet the Ghosts of Benicia's past

Los Angeles Times	Irene Lechowitzky	9/9/2012	1,531,527	\$972.00	84"	\$81,648.00	Weekend Escape feature: History by the bay; talks about Union Hotel, Hip Chick, Sailor Jack's, The Arsenal and the Clocktower, including several large color photos
Contra Costa Times	N/A	9/13/2012	185,699	\$360.00	1"	\$360.00	Food & Wine events; mentions Wine Walk
West County Times (Richmond, CA)	N/A	9/13/2012	33,000	\$57.00	1.25"	\$71.50	Food & Wine events; mentions Wine Walk
Daily Republic	N/A	9/14/2012	17,710	\$26.91	2.75"	\$74.00	Calendar: Benicia; mentions a few events
Daily Republic	N/A	9/14/2012	17,710	\$26.91	1/2 "	\$13.46	Calendar; mentions Fine Arts and Crafts Fair
Daily Republic	N/A	9/15/2012	17,710	\$26.91	1/2"	\$13.46	Calendar; mentions Fine Arts and Crafts Fair
Daily Republic	N/A	9/22/2012	17,710	\$26.91	6"	\$161.46	Wine Walk
Local Happenings Magazine (Solano Co.)	N/A	10/1/2012	10,000	Full Page \$1200	1/2 pg.	\$600.00	Calendar: Benicia; lists several events
Daily Republic	N/A	10/12/2012	17,710	\$26.91	3"	\$80.73	Article: Chocolate, champagne & Couture in Benicia
Vallejo Times Herald	Rich Freedman	10/28/2012	15,817	\$21 Fri - Sun/\$20 Mon-Thurs	29"	\$609.00	Article: Arts Benicia's 25th anniversary a brush with the past
San Francisco Chronicle	Stephanie Wright Hession	11/1/2012	312,118	\$613.00	44"	\$26,972.00	96 Hours: Street date; an article about First Street Benicia - featuring a map and several photos of places to go
San Francisco Chronicle	N/A	12/2/2012	312,118	\$613.00	1"	\$613.00	Galleries; mentions Arts Benicia Pop-up Holiday Art Market

Total Print Value	\$121,588.21						
ELECTRONIC MEDIA	LINK TO ARTICLE	WRITER	DATE	UNIQUE VISITORS PER MONTH (UVPM)	SIZE	AD VALUE	INFORMATION
Benicia Magazine	<a href="http://www.beniciamagazine.com/Blogs/Happenings/July-2012/July-28-29-Benicia-Fine-Art-Jazz-Festival/">http://www.beniciamagazine.com/Blogs/Happenings/July-2012/July-28-29-Benicia-Fine-Art-Jazz-Festival/</a>	N/A	7/1/2012	N/A	N/A	N/A	Article: July 28 & 29: Benicia Fine Art & Jazz Festival - For real jazz lovers
SF Examiner	<a href="http://www.examiner.com/article/cool-off-with-hot-tunes-at-benicia-art-and-jazz-festival">http://www.examiner.com/article/cool-off-with-hot-tunes-at-benicia-art-and-jazz-festival</a>	Brian McCoy	7/9/2012	N/A	N/A	N/A	Article: Cool off with hot tunes at Benicia art and jazz festival
Vallejo Times Herald	<a href="http://www.timesheraldonline.com/news/ci_21281050">http://www.timesheraldonline.com/news/ci_21281050</a>	N/A	7/15/2012	N/A	N/A	\$126.00	Article: Peddler's Fair brings thousands to Benicia
Daily Republic	<a href="http://www.dailyrepublic.com/entertainment/fine-art-jazz-coming-to-benicia-july-28-29/">http://www.dailyrepublic.com/entertainment/fine-art-jazz-coming-to-benicia-july-28-29/</a>	Amy Maginnins-Honey	7/20/2012	N/A	N/A	N/A	Article: Fine art, jazz coming to Benicia July 28-29
Vallejo Times Herald	<a href="http://www.timesheraldonline.com/entertainment/ci_21118061/benicia-jazz-fest-perfect-true-jazz-freak">http://www.timesheraldonline.com/entertainment/ci_21118061/benicia-jazz-fest-perfect-true-jazz-freak</a>	Rich Freeman	7/20/2012	N/A	N/A	\$609.00	Article: Benicia Jazz Fest perfect for the true jazz freak

Daily Republic	<a href="http://www.dailyrepublic.com/entertainment/benicia-hosts-twice-monthly-ghost-walk/">http://www.dailyrepublic.com/entertainment/benicia-hosts-twice-monthly-ghost-walk/</a>	Amy Maginnis-Honey	7/20/2012	N/A	N/A	N/A	N/A	Article: Benicia hosts twice monthly Ghost Walk
Benicia Herald	<a href="http://beniciaherald.com/2012/07/27/art-jazz-festival-this-weekend/">http://beniciaherald.com/2012/07/27/art-jazz-festival-this-weekend/</a>	Donna Beth Weilenman	7/27/2012	N/A	N/A	N/A	N/A	Article: Art, jazz festival this weekend
Benicia Magazine	<a href="http://www.beniciamagazine.com/Blogs/Happenings/August-2012/Benicias-Annual-Antiques-Collectibles-Fair&gt;Returns-This-Month/">http://www.beniciamagazine.com/Blogs/Happenings/August-2012/Benicias-Annual-Antiques-Collectibles-Fair&gt;Returns-This-Month/</a>	N/A	8/1/2012	N/A	N/A	N/A	N/A	Article: Benicia's Annual Antiques & Collectibles Fair Returns this Month
Benicia Herald	<a href="http://beniciaherald.com/2012/08/08/49th-edition-of-city-peddlers-fair-opens-saturday/">http://beniciaherald.com/2012/08/08/49th-edition-of-city-peddlers-fair-opens-saturday/</a>	Donna Beth Weilenman	8/8/2012	N/A	N/A	N/A	N/A	Article: 49th edition of city Peddlers' Fair opens Saturday
Benicia Herald	<a href="http://beniciaherald.com/2012/08/22/dogs-to-have-their-day/">http://beniciaherald.com/2012/08/22/dogs-to-have-their-day/</a>	Donna Beth Weilenman	8/22/2012	N/A	N/A	N/A	N/A	Article: Dogs to have their day
Los Angeles Times	<a href="http://www.latimes.com/travel/la-tr-beniciaescape-20120909.0,448327.story">http://www.latimes.com/travel/la-tr-beniciaescape-20120909.0,448327.story</a>	Irene Lechowitzky	9/9/2012	N/A	N/A	N/A	\$81,648.00	Weekend Escape feature: History by the bay; talks about Union Hotel, Hip Chick, Sailor Jack's, The Arsenal and the Clocktower, including several large color photos

Daily Republic	<a href="http://www.dailyrepublic.com/entertainment/british-farce-next-offering-from-benicia-old-town-theatre-group/">http://www.dailyrepublic.com/entertainment/british-farce-next-offering-from-benicia-old-town-theatre-group/</a>	Amy Maginnis-Honey	10/12/2012	N/A	N/A	N/A	N/A	Article: British farce next offering from Benicia Old Town Theatre Group
SF Gate (Chronicle)	<a href="http://blog.sfgate.com/chronstyle/2012/10/15/fashion-dates-kaffe-fassett-dreaming-in-color-benicia-fashion-weekend-trunk-shows/">http://blog.sfgate.com/chronstyle/2012/10/15/fashion-dates-kaffe-fassett-dreaming-in-color-benicia-fashion-weekend-trunk-shows/</a>	Jillian Singh	10/15/2012	N/A	N/A	N/A	N/A	SF Unzipped: Fashion Dates: Kaffe Fassett ; Benicia Fashion Weekend; trunk shows
Benicia Herald	<a href="http://beniciaherald.m/2010/10/27/in-costume-popularity-superheroes-saloon-girls-lead/">http://beniciaherald.m/2010/10/27/in-costume-popularity-superheroes-saloon-girls-lead/</a>	Donna Beth Weilenman	10/27/2012	N/A	N/A	N/A	N/A	Article: In costume popularity, superheroes, saloon girls lead
Benicia Herald	<a href="http://beniciaherald.m/2012/11/30/artists-open-up/">http://beniciaherald.m/2012/11/30/artists-open-up/</a>	Keri Luiz	11/30/2012	N/A	N/A	N/A	N/A	Article: Artists open up
Benicia Patch	<a href="http://benicia.patch.com/blog_posts/this-is-the-weekend-to-find-creative-gifts">http://benicia.patch.com/blog_posts/this-is-the-weekend-to-find-creative-gifts</a>	Judi Morales Gibson	12/1/2012	N/A	N/A	N/A	N/A	Article: This is the weekend to find creative gifts; mentions AB Pop-up Holiday Art Market and Open Studios
Benicia Herald	<a href="http://beniciaherald.m/2012/12/07/santa-claus-is-coming-to-town/">http://beniciaherald.m/2012/12/07/santa-claus-is-coming-to-town/</a>	Donna Beth Weilenman	12/7/2012	N/A	N/A	N/A	N/A	Article: Santa Claus is coming to town

SF Gate (Chronicle)	<a href="http://www.sfgate.com/travel/streetdate/article/First-Street-Benicia-3998066.php">http://www.sfgate.com/travel/streetdate/article/First-Street-Benicia-3998066.php</a>	Stephanie Wright Hession	N/A	N/A	N/A	N/A	N/A	\$26,972.00	96 Hours - special section - Street date; article about First Street
Daily Republic	<a href="http://www.dailyrepublic.com/category/features/entertainment/entertainmentcalendar/">http://www.dailyrepublic.com/category/features/entertainment/entertainmentcalendar/</a>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Calendar; mentions Arts Benicia Pop-up Holiday Art Market
Daily Republic	<a href="http://www.dailyrepublic.com/projects/discoversolano2012/downtown-benicia/">http://www.dailyrepublic.com/projects/discoversolano2012/downtown-benicia/</a>	Heather Ah San	N/A	N/A	N/A	N/A	N/A	N/A	Downtown Benicia; mentions several October - December events
VIA Magazine	<a href="http://www.viamagazine.com/events/benicia-peddlers-fair/21339">http://www.viamagazine.com/events/benicia-peddlers-fair/21339</a>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Calendar: Benicia Peddler's Fair
See California	<a href="http://www.seecalifornia.com/christmas/parades/benicia-christmas-parade.html">http://www.seecalifornia.com/christmas/parades/benicia-christmas-parade.html</a>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Article: Benicia Christmas Parade and Holiday Market
San Francisco Travel	<a href="http://www.sanfranciscotourism.com/travel/events/?zventid=287234585&amp;zventid=287234585">http://www.sanfranciscotourism.com/travel/events/?zventid=287234585&amp;zventid=287234585</a>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	What the Butler Saw, presented by the Benicia Old Town Theatre Group (BOTTG)



MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
February 05, 2013

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

**I. CALL TO ORDER:**

The Closed Session was cancelled.

**II. CLOSED SESSION:**

**A. CONFERENCE WITH LABOR NEGOTIATOR  
(Government Code Section 54957.6 (a))**

**Agency negotiators: City Manager, Administrative Services Director**

**Employee organizations: City Manager, City Attorney, Senior Managers, Benicia Middle Management Group, Local 1, Benicia Public Service Employees' Association (BPSEA), Benicia Police Officers Association (BPOA), Benicia Firefighters Association (BFA), Benicia Dispatchers Association (BDA), Police Management, Unrepresented.**

**III. CONVENE OPEN SESSION:**

Mayor Patterson called the Open Session to order at 7:00 p.m.

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Sue Wilson led the Pledge of Allegiance.

**C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC.**

**IV. ANNOUNCEMENTS/PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS:**

**A. ANNOUNCEMENTS**

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

The Closed Session was cancelled.

**2. Openings on Boards and Commissions:**

Art and Culture Commission  
1 unexpired term  
2 full terms  
Open Until Filled

**3. Mayor's Office Hours:**

**4. Benicia Arsenal Update:**

Mayor Patterson reviewed the written report.

**B. PROCLAMATIONS**

**C. APPOINTMENTS**

- 1. Reappointment of Constance Beutel to the Community Sustainability Commission for a four year term ending January 31, 2017.**

**RESOLUTION 13-5 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF CONSTANCE BEUTEL TO THE SUSTAINABILITY COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-5, on roll call by the following vote:

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

- 2. Reappointment of Michael T. Clarke to the Finance Committee for a four year term ending January 31, 2017.**

**RESOLUTION 13-6 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF MICHAEL T. CLARKE TO THE FINANCE COMMITTEE FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-6, on roll call by the following vote:

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

3. **Reappointment of Fred Deltorchio to the Civil Service Commission for a four year term ending January 31, 2017.**

**RESOLUTION 13-7 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF FRED DELTORCHIO TO THE CIVIL SERVICE COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-7, on roll call by the following vote:

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

4. **Reappointment of Carol Langford to the Open Government Commission for a four year term ending January 31, 2017.**

**RESOLUTION 13-8 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF CAROL LANGFORD TO THE OPEN GOVERNMENT COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-8, on roll call by the following vote:

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

5. **Appointment of David Lindsay to the Planning Commission for a four year term ending January 31, 2017.**

Council Member Hughes asked the subcommittee members why they did not support the appointment.

Council Members Schwartzman and Strawbridge noted that there were other applicants they felt were more qualified for the commission.

Mayor Patterson discussed her support for the appointment.

On motion of Mayor Patterson Council did not approve the Mayor's appointment of David Lindsay to the Planning Commission, on roll call by the following vote:

Ayes: Patterson, Campbell  
Noes: Strawbridge, Schwartzman, Hughes

6. **Appointment of Kathy Griffin to the Finance Committee for a four year term ending January 31, 2017.**

**RESOLUTION 13-9 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF KATHY GRIFFIN TO THE FINANCE COMMITTEE FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-9, on roll call by the following vote:

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

7. **Appointment of Gethsemane Patton to the Arts and Culture Commission for a four year term ending January 31, 2017.**

**RESOLUTION 13-10 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF GETHSEMANE PATTON TO THE ARTS AND CULTURE COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-10, on roll call by the following vote:

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

8. **Appointment of Michael Pretzer to the Uniform Code of Appeals for a four year term ending January 31, 2017.**

**RESOLUTION 13-11 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MICHAEL PRETZER TO THE UNIFORM CODE BOARD OF APPEALS FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-10, on roll call by the following vote:

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

9. **Reappointment of Donna Worthington to the Human Services Board for a four year term ending January 31, 2017.**

**RESOLUTION 13-12 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF DONNA WORTHINGTON TO THE HUMAN SERVICES BOARD FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 13-12, on roll call by the following vote:

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

**10. Appointment of Stephen Young to the Planning Commission for a four year term ending January 31, 2017.**

**RESOLUTION 13-13 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF STEPHEN YOUNG TO THE PLANNING COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 31, 2017**

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

Ayes: Patterson, Strawbridge, Schwartzman, Hughes  
Noes: Campbell

**D. PRESENTATIONS**

**1. Solano County Regional Traffic Impact Fee Program and Benicia's Priority Projects.**

Daryl Halls, STA, reviewed a PowerPoint presentation.

Council Member Hughes and Mr. Halls discussed STA's definition of 'developers' (with regards to who pays the fees).

Vice Mayor Campbell, Mayor Patterson, and Mr. Halls discussed the issue of a ferry terminal/intermodal facility.

Public Comment:

None

**V. ADOPTION OF AGENDA:**

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

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

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Various items received (copies on file).

**B. PUBLIC COMMENT**

1. Elliott Rapp - Mr. Rapp discussed support for the cleanup and removal of the rusty boat, crane, and other debris from the boatyard and waterfront. He submitted photos of the debris for the record. He requested the issue be placed on a future Council agenda.
2. Jane Malone - Ms. Malone discussed support for the cleanup of the boat yard and waterfront. She discussed concern regarding the BCDC's classification of the area as one of its most egregious violations.
3. Citizen - The citizen discussed the artistic and historic value of the boatyard.
4. Nikki Davis - Ms. Davis discussed the boatyard. Beauty is in the eye of the beholder.
5. Citizen - The citizen commended the City on the new transit center on Military West. She expressed concern regarding the rusting junk on the waterfront. The junk does not enhance the town.
6. Susan Street - Ms. Street thanked the Council Members who attended the 'Meet Your Elected Officials' event sponsored by the League of Women Voters of Benicia.
7. Sue Wilson - Ms. Wilson thanked Council for the way they have handled the Garske boatyard issue.
8. Elliott Rapp - Mr. Rapp clarified that the original boatyard was not on First Street. It was on 9th Street.
9. Bonnie Silveria - Ms. Silveria clarified that the boatyard on First Street was not originally a boatyard; it was a lumber yard. The original boatyard was on 12th Street.

**VII. CONSENT CALENDAR:**

Council pulled item VII.D for discussion.

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

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

**A. APPROVAL OF THE MINUTES OF JANUARY 15, 2013.**

**B. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING THE BENICIA MUNICIPAL CODE REGARDING THE PURCHASING SYSTEM IN CHAPTER 3.08 OF TITLE 3**

**ORDINANCE 13-2 - AN ORDINANCE AMENDING CHAPTER 3.08 (PURCHASING REGULATION) IN ITS ENTIRETY OF TITLE 3 (REVENUE AND FINANCE) OF THE BENICIA MUNICIPAL CODE**

**C. SECOND READING AND ADOPTION OF AN ORDINANCE MAKING COMMERCIAL USE OF PARK FACILITIES WITHOUT PERMIT UNLAWFUL**

**ORDINANCE 13-3 - AN ORDINANCE AMENDING CHAPTER 12.28 (USE OF CITY PARKS) OF TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE BENICIA MUNICIPAL CODE BY ADDING A NEW SECTION 12.28.040 (COMMERCIAL USE OF PARK FACILITIES WITHOUT PERMIT UNLAWFUL)**

**D. DENIAL OF THE CLAIM AGAINST THE CITY BY CLAYTON RUSHING AND REFERRAL TO INSURANCE CARRIER**

Vice Mayor Campbell discussed concern regarding denying the claim, as it looked valid. He asked Staff for clarification on who is responsible for maintaining Lake Herman Road. The City is responsible for a portion of the road, and the County is responsible for the remainder. Vice Mayor Campbell noted that the portion of the road relevant to the claim appeared to be the responsibility of the County.

Public Comment:

None

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, Council approved the denial of the claim against the City by Clayton Rushing and referred it to the insurance carrier, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

**E. DENIAL OF THE CLAIM AGAINST THE CITY BY THERESA FITCH AND REFERRAL TO INSURANCE CARRIER**

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

**VIII. BUSINESS ITEMS:**

**A. UTILITY AGREEMENT AND EASEMENTS FOR THE RELOCATION OF THE CITY'S WATERLINE NECESSITATED BY THE I-80/I-680/SR12 INTERCHANGE IMPROVEMENT PROJECT NEAR FAIRFIELD**

**RESOLUTION 13-14 - A RESOLUTION APPROVING A UTILITY AGREEMENT WITH THE SOLANO TRANSPORTATION AUTHORITY DISPUTING THE LIABILITY FOR THE RELOCATION OF BENICIA'S WATERLINE NECESSITATED BY THE I-80-680/SR12 INTERCHANGE IMPROVEMENT PROJECT NEAR FAIRFIELD, AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT, AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE SOLANO COUNTY RECORDER**

**RESOLUTION 13-15 - A RESOLUTION ACCEPTING EASEMENTS ALONG THE NEW ALIGNMENT OF THE CITY'S 30-INCH WATERLINE THAT IS BEING RELOCATED FOR THE I-80/I-680/SR12 INTERCHANGE IMPROVEMENT PROJECT NEAR FAIRFIELD, AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENTS, AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE SOLANO COUNTY RECORDER**

Melissa Morton, Interim Public Works Director, reviewed the staff report.

Vice Mayor Campbell and Staff discussed the issue of eminent domain, and who should be responsible for moving the waterline. Staff suggested the City could do further research to find out if there is a way to make Caltrans pay for it. Vice Mayor Campbell discussed concern regarding the City losing leverage by approving this. The City could say no and settle this in court.

Council Member Hughes discussed concern regarding losing leverage with Caltrans/STA.

Mayor Patterson asked Staff to clarify 'gift of public funds' as referenced in the staff report.

Council Member Schwartzman discussed which was installed first, the waterline or the road.

Council Member Strawbridge discussed concern regarding the grant funding and use of public funds, as referenced on VIII.A.3.

Daryl Halls, STA, discussed that STA needed to follow State policies. Caltrans' view is that the City has to move the pipeline, as it is in their way. STA was under a tight timeline on the project, so to keep its rights in place; Benicia should go through the dispute/resolution process. Based on the meeting, Caltrans was pretty definitive on the issue. Initially, STA did look into including the cost of

moving the pipeline in the project; however they were notified that was against policy.

Mayor Patterson discussed the importance of the intersection to the City of Benicia. It is a huge safety issue. However, to stick the bill to the City of Benicia (with such a long reach), and because of the City's economic situation, is a very hard pill to swallow.

Council Member Schwartzman asked Mr. Halls if there was anything STA could do to help Benicia get funds to cover the \$400,000. He agreed the project would be an improvement, but was concerned about the City being required to pay \$400,000.

Vice Mayor Campbell expressed concern regarding Benicia being required to pay \$400,000 for this.

Public Comment:

None

Mayor Patterson indicated that she had confidence that STA would find a solution, and not stick the City with a \$417,000 bill.

Council Member Strawbridge suggested the City continue to work with the City of Vallejo on this, as there is strength in numbers.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 13-14, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Hughes  
Noes: Campbell

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted Resolution 13-15, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Hughes  
Noes: Campbell

**B. RESOLUTION SUPPORTING REDUCING GUN VIOLENCE**

**RESOLUTION 13-16 - A RESOLUTION SUPPORTING THE REDUCTION AND PREVENTION OF GUN VIOLENCE**

Mayor Patterson reviewed the staff report.

Council Member Hughes expressed concern regarding inserting opinions into the resolutions. He would like the 5th and 6th 'whereas' removed from the proposed resolution. He would rather state that the task force should look into the issue and report back to Council.

Public Comment:

1. Brian Bottari, Representative, Congressman Mike Thompson - Mr. Bottari thanked Council for their work and support on this issue.
2. Dennis Lowry - Mr. Lowry spoke in opposition to the proposed resolution.
3. William Emes - Mr. Emes spoke in support of the proposed resolution.

Mayor Patterson clarified this was a time sensitive item. The Congressman's task force hearing in Vallejo was well-attended, and people got their points across. She wanted to be careful about not trespassing on the issues of the Second Amendment. She did not consider gun ownership a God-given right. She did not think we should have assault weapons without controls in the country. She joined in with the Mayors Against Violence.

Mayor Patterson clarified that the word 'in' should (in compatible) should be stricken from the last paragraph. Ms. McLaughlin clarified that there was language missing that needed to be inserted into the fourth 'whereas' (practical common sense measures consistent with the Second Amendment that provide...).

Council Member Schwartzman discussed support for the issue. He suggested changing the fifth 'whereas', 'whereas there is meaningful discussion of.' He was okay with the last 'whereas', as we need to find a way to prevent people with mental health issues from getting guns.

Vice Mayor Campbell discussed concern regarding assault weapons. He is okay with regular guns, just not assault weapons.

Council Member Strawbridge discussed concern regarding the mental health component of this. It is a very important part of this and needs to be included.

Council Member Hughes clarified that support for this could be done with one 'whereas', as opposed to six. For the City to go further and add all of the extra 'whereas' in is too far. He is passionate about keeping people safe, however this was putting the cart before the horse.

Public Comment Reopened:

1. William Emes - Mr. Emes clarified that the generally accepted fact is that 4% of gun violence is perpetrated by someone who is mentally incapacitated. Someone who is mentally incapacitated is more likely to be

the victim of gun violence than the perpetrator.

2. Dana Dean spoke in support of the proposed resolution.

Council Member Schwartzman made a motion to approve the resolution with the amendment removing 'in' from the last whereas. The motion was seconded by Council Member Hughes. .

Vice Mayor Campbell asked for clarification that the motion was to remove the part about assault weapons and mental health issues altogether.

Council Member Schwartzman clarified that he was looking for unanimity; however, he wanted to be on record that those issues still needed to be discussed in the future.

Council Member Hughes stated he was okay if the above changes were not made. He supports the Council exploring the issue. He just doesn't support the two areas. He urged Council Member Schwartzman not to change the motion to support a 5-0 vote.

The motion passed with a 3-2 vote.

Mayor Patterson clarified that Council could ask for reconsideration on the item, or they could move on to the next item.

Vice Mayor Campbell made a motion to reconsider the resolution, which was seconded by Council Member Strawbridge. The motion passed with a 4-1 vote.

Vice Mayor Campbell made a motion to adopt the Resolution as presented, with the corrections: 1) typos (including removing 'in' from last whereas, and 2) replacing the word 'regulation' with the word 'discussion'. The motion passed with a 4-1 vote.

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted Resolution 13-16, as amended, on roll call by the following vote:

Ayes: Hughes, Schwartzman, Campbell

Noes: Strawbridge and Patterson

On motion of Council Member Campbell, seconded by Council Member Strawbridge, Council approved reconsideration of Resolution 13-16, on roll call by the following vote:

Ayes: Hughes, Campbell, Strawbridge and Patterson

Noes: Schwartzman

On motion of Vice Mayor Campbell, seconded by Council Member Schwartzman, Council adopted Resolution 13-16, as amended, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell

Noes: Hughes

**C. CHANGING THE DATE OF MUNICIPAL ELECTIONS FROM ODD NUMBERED YEARS TO EVEN NUMBERED YEARS AND EXTENDING THE TERM OF THE COUNCIL MEMBERS**

Heather McLaughlin, City Attorney, reviewed the staff report.

Council Member Strawbridge inquired about the BUSD elections. They are on the same schedule (odd year).

Mayor Patterson clarified that BUSD was supportive and open to the idea of changing cycles as well.

Council Member Strawbridge asked if Solano County was trying to gain support for the cities to move to even year elections. Staff confirmed that was correct.

Council Member Hughes stated he was amazed Council had the ability to make the election cycle change. He was concerned it could appear to be self-serving. He asked citizens to weigh in on the issue. If this item is brought back for further discussion, he would like to have better information on possible cost-savings. He asked for clarification on notifying residents about the change. Ms. McLaughlin clarified that notification would go out to voters before and after the change was made.

Council Member Schwartzman clarified that past history showed that Solano Community College has consistently had items on the ballot every two years (therefore the worst case scenario was not very likely). He liked the idea of saving money and giving everyone a full year off in between election cycles.

Vice Mayor Campbell asked for clarification on the postcard notification process and cost. He asked if it cost the City less if the County had more than one proposition on a given ballot. He was uncomfortable with elected officials unilaterally extending their terms.

Mayor Patterson discussed a poll that Santa Clara County did regarding voter turnout. It seems that this would be a way to get a higher turnout.

Council Member Campbell discussed concern regarding the City's issues getting

'lost' when they are included on a ballot where there are so many statewide items being voted on.

Mayor Patterson discussed a study that was done by the University of Chicago on voter turnout and participation.

Council Member Schwartzman stated that it was his understanding that the other cities in the county who are on even year election cycles don't have an issue with a lack of voter participation.

Public Comment:

1. Dennis Lowry - Mr. Lowry - Mr. Lowry asked that when this item is brought back, information on term dates, laws regarding increasing terms/decreasing terms, etc. is provided. That would provide clarity for the public.

Mayor Patterson gave direction to staff to prepare an ordinance to present to Council, along with a public outreach process.

Council Member Schwartzman clarified that if their terms were extended, Council Members Hughes and Schwartzman's terms would end in 2014, and all other elected officials' terms would end in 2016.

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting at 9:31 p.m.



**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - FEBRUARY 19, 2013**  
**BUSINESS ITEMS**

**DATE** : February 12, 2013

**TO** : City Council

**FROM** : City Attorney

**SUBJECT** : **DISCUSSION OF AN ORDINANCE CHANGING THE ELECTION DATE FOR GENERAL MUNICIPAL ELECTIONS TO EVEN-NUMBERED YEARS AND EXTENDING THE TERMS OF CURRENT COUNCIL MEMBERS BY UPTO 12 MONTHS**

**RECOMMENDATION:**

Discuss the draft ordinance and direct staff to:

1. Mail postcards to registered voters before ordinance is introduced;
2. Return with the ordinance on the March 19, 2013 agenda for introduction of the ordinance; and
3. Provide additional direction as desired.

**EXECUTIVE SUMMARY:**

At the February 5 meeting, the City Council directed the preparation of an ordinance to change the election date from odd-numbered years to even-numbered years. Doing so will save the City money with each election since it allows the election to be consolidated with other elections. It may also increase voter turnout. It does increase the terms of the elected officials by one year.

**BUDGET INFORMATION:**

It is estimated that the City would save money per election cycle if the date of the election were changed to even-numbered years. There is a one-time cost to changing the election date since voters must be notified. There are currently 18,385 registered voters. This results in an estimated cost of notification of \$8457.10 in postage plus supplies and labor to do the mailing. If an additional mailer to notify voters about the first reading of the ordinance is desired, it is estimated that the cost for the additional postcard mailer would be less than the estimated \$8457.10 for the required mailer noted above.

**GENERAL PLAN:**

N/A

**STRATEGIC PLAN:**

N/A

**BACKGROUND:**

As noted in the February 5, 2013 staff report, in 1997 the City Council changed the election date for general municipal elections to elect council members, the city clerk and the city treasurer to November of odd-numbered years. This change was codified in Section 1.16.010 of the Benicia Municipal Code. This section states "General Municipal elections shall be held on the same day as the regular election in November of odd-numbered years as that date is established in the California Elections Code...." A copy of that staff report is attached.

Elections Code Sections 1301 and 10403.5 allow a general law city to change its election date by the adoption of an ordinance so long as the change is approved by the Board of Supervisors. County representatives indicate that Fairfield is also seriously contemplating changing their election date to even-numbered years. The more cities and districts that change their elections to even-numbered years, the higher the costs will be for those who remain with odd-numbered year elections.

CHANGING THE TERM OF OFFICE: The change of election date necessarily requires that the term of the elected officials either be extended or shortened. This change does not require voter approval. State law requires that the new election date may not increase or decrease the term of office for any elected official by more than 12 months. Changing the election date from November of 2013 to November of 2014 will result in just a 12 month increase in the term of office. If it were desired to decrease the term of office, the change in election date would necessarily have to be delayed so that the terms could be decreased a year.

The practical implication of changing the election date is this. The current terms of the elected city officials expire as follows:

2013: Hughes and Schwartzman

2015 - Patterson, Strawbridge, Campbell, Wolfe, Autz

Changing the elections to even-years would extend the terms of the officials as follows:

2014 - Hughes, Schwartzman

2016 - Patterson, Strawbridge, Campbell, Wolfe, Autz

If it were desired to switch to even-year elections and shorten the terms of the officials, it would take an additional election to accomplish the results. This requires election in 2013, 2014 and 2016.

2013 – Schwartzman and Hughes' seats would be up for election.

2014 - Patterson, Strawbridge, Campbell, Wolfe, Autz' seats would be shortened from 2015 and up for election.

2016 –Candidate/Schwartzman and Candidate/Hughes' shortened seats would be up for election

ESTIMATED COSTS: Attached is a chart prepared by the County showing the estimated costs for elections. The differences in the potential odd/even year projections are a result of whether the County places items on the ballot. Whenever the County or Solano Community College places an item on the ballot, it greatly decreases our costs. We hope to have a representative from the County to assist with questions about costs at the meeting.

Changing the election date also requires that the City Clerk notify, by mail, all registered voters. This cost is not included in the attached chart but is noted in the budget section of this report. The notice would tell voters that the date of the election has changed to November in even numbered years and that the term of office for the elected officials would be extended for a year. Another cost to consider is if an additional mailing to the public is desired. A postcard could be mailed to registered voters prior to the introduction of the ordinance to change the election date. Please note that the postcard mailing is not required but may be helpful to inform the electorate. Additional funds are required if this is desired.

VOTER TURNOUT: At the last council meeting there was a discussion about the City's voter turnout in the last election. Both 22% and 40% figures were discussed. The 22% figure was quoted from the staff report approving the election results. The number was provided by the County but is actually incorrect when the numbers are added up. The correct numbers are:

Total Ballots Cast at Precincts	2,324
Vote By Mail Ballots	5,037
Total Provisional Ballots	104
Total # of Ballots Cast	7,465
Total Registered Voters	17,631
<b>Total Voter Turnout %</b>	<b>42.34%</b>

A copy of the Chicago Law article reference by the Mayor is also attached to this report.

TIMETABLE: A calendar of proposed steps to change the election date is attached.

By State law, school districts that have November of odd-numbered year elections must notify the county that conducts their election of the intention to change to an even-numbered election cycle, no later than 240 days before the currently scheduled odd-numbered year elections (2<sup>nd</sup> week of March for the

November 5, 2013 election). State law only requires cities to notify the county before the date that the City Council must adopt a resolution to call the election and request that the city's election be consolidated and conducted by the County's Registrar of Voters (approximately mid-June 2013).

Attachments:

- ❑ Draft Ordinance
- ❑ 1997 Staff Report on Election Date
- ❑ Elections Code Section 1301
- ❑ Elections Code Section 10403.5
- ❑ Estimated Elections Costs
- ❑ Chicago Law Article
- ❑ Timetable

**ORDINANCE NO. 13 -**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING SECTION 1.16.010 (GENERAL MUNICIPAL ELECTION) OF CHAPTER 1.16 (GENERAL MUNICIPAL ELECTIONS) OF TITLE 1 (GENERAL PROVISIONS) OF THE BENICIA MUNICIPAL CODE TO MOVE THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY OF NOVEMBER IN ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY OF NOVEMBER IN EVEN-NUMBERED YEARS AND INCREASE THE CURRENT TERMS OF ELECTED OFFICIALS BY AN AMOUNT NOT TO EXCEED ONE YEAR**

**WHEREAS**, the City of Benicia currently holds General Municipal Elections on the first Tuesday after the first Monday of November in odd-numbered years; and

**WHEREAS**, California Elections Code Sections 1301 and 10403.5 authorize the City to reschedule its General Municipal Elections from the first Tuesday after the first Monday of November in odd-numbered years to the first Tuesday after the first Monday of November in even-numbered years; and

**WHEREAS**, the City Council of the City of Benicia has determined that its goals of encouraging maximum voter turnout and participation will be promoted by changing the General Municipal Election date of the City from the first Tuesday after the first Monday of November in odd-numbered years to the first Tuesday of the first Monday of November in each even-numbered year, to coincide with the statewide general election;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BENICIA HEREBY ORDAINS AS FOLLOWS:**

**Section 1.**

**PURPOSE AND INTENT**

The purpose and intent of this Ordinance is to reschedule the City's General Municipal Elections from the first Tuesday after the first Monday of November in odd-numbered years to the first Tuesday of the first Monday of November in each even-numbered year, to coincide with the statewide general election, by amending Section 1.16.010 "General Municipal Election" of Chapter 1.16 "General Municipal Election" of Title 1 "General Provisions" of the Benicia Municipal Code.

**Section 2.**

Section 1.16.010 (General Municipal Election) of Chapter 1.16 (General Municipal Election) of Title 1 (General Provisions) of the Benicia Municipal Code to read as follows:

1.16.010     General Municipal Election.   The City shall hold its general municipal election on the first Tuesday after the first Monday in November of each even-numbered year.

**Section 3.**

**ADJUSTING TERMS OF OFFICE**

In accordance with the change of election date, the term of office of those members of the City Council elected in 2009 shall be extended for a period not to exceed twelve (12) months, until 2014. The term of office of those members of the City Council elected in 2011, the City Clerk and the City Treasurer shall be extended for a period not to exceed twelve (12) months, until 2016. Thereafter the term of office for all City Council members shall be for a four (4) year term.

**Section 4.**

**TRANSMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS**

In accordance with the provisions of Elections Code Section 10403.5(a)(1), the City Clerk is hereby directed to transmit a copy of this Ordinance to the Clerk of the Board of Supervisors of Solano County, together with the request that said Board approve this Ordinance and provide the City with notice of such approval.

**Section 5.**

**NOTICE TO REGISTERED VOTERS**

Within thirty (30) days after approval of this Ordinance by the Board of Supervisors of Solano County, the City Clerk shall cause a notice to be mailed to all registered voters in the City of Benicia informing them of the change in the election date and Council members' terms affected by this Ordinance, which notice shall be in accord with the requirements specified in Elections Code Section 10403.5(e).

**Section 6.**

**CEQA DETERMINATION**

The City Council finds, pursuant to Title 14 of the California Administrative Code Sections 15061(b)(3) and 15378(a), that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. This action is further exempt from the definition of a Project in Section 15378(b)(2) in that it concerns general policy and procedure making.

**Section 7.**

**SEVERABILITY**

Every section, paragraph, clause, and phrase of this Ordinance is hereby declared severable. If, for any reason, any section, paragraph, clause, or phrase is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining section, paragraphs, clauses, or phrases.

**Section 8.**

**EFFECTIVE DATE; OPERATIVE DATE**

This Ordinance shall take effect immediately after its final passage, pursuant to Government Code Section 36937(a). This Ordinance shall become operative upon approval by the Solano County Board of Supervisors. The City Clerk is directed to cause copies of this Ordinance to be posted or published as required by Government Code Section 33693.

**Section 9.**

**CODIFICATION**

Section Two of this Ordinance shall be codified in the Benicia Municipal Code. Sections 1, 3, 4, 5, 6, 7, 8, and 9 shall NOT be so codified.

\*\*\*\*\*

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing ordinance was introduced at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and adopted at a regular meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson,

Mayor

Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk



**AGENDA ITEM  
CITY COUNCIL MEETING: MAY 20, 1997  
PUBLIC HEARINGS**

**DATE** : May 13, 1997

**TO** : Mayor & City Council

**FROM** : City Manager

**SUBJECT** : GENERAL MUNICIPAL ELECTION DATES

**RECOMMENDATION:**

Introduce an Ordinance of the City Council of the City of Benicia amending Section 1.16.010 of the Benicia Municipal Code relating to General Municipal Election.

**BUDGET INFORMATION:**

Special Election: \$30,000 plus

Shared Election: \$ 6,500 (estimated)

Data Card: \$ 6,500 (estimated), plus \$6,500 (estimated) for the election

**SUMMARY:**

The City Clerk recently requested that the County Registrar of Voters provide an election calendar for municipal elections through the year 2000. As a result of this request, we learned that because the City consolidated its election with the Statewide Direct Primary, it will be impossible to predict when future elections will be held.

Chapter 1 - Section 1001 of the California Election Code states that "Elections held in June and November of each even-numbered year and in March of any year evenly divisible by the number four, shall be statewide elections and these dates shall be considered statewide election dates." This section of the law remains in effect only until January 1, 1998. Another Section 1001 of the California Election Code becomes effective January 1, 1998. This section provides "Elections

held in June and November of each even-numbered year shall be statewide elections, and these dates shall be considered statewide election dates". As we know from the Election Code and our own history, the primaries for calendar year 1996 were held on March 26th of 1996. Because the County Registrar could not certify the election for several weeks, those members of Council elected to office in the March election of 1996 were not seated until the first meeting in May.

The Ordinance providing for the Notice of General Municipal Elections in the City of Benicia, which was adopted February 17, 1890, states that "elections shall be held on the 2nd Monday in April in every even-numbered year." However, in 1995 the City Council amended the Ordinance to state that "General Municipal Elections shall be held on the same day as the Statewide Direct Primary as that date is established in the California Elections Code." The City Council took this action to avoid the cost and responsibility of a special election. However, because of the Elections Code, the Statewide Primary in even-numbered years appear to never be held during the same month. In 1996, it was held in March and in 1998 the primary will be held in June. These dates are in effect until January of 1998 at which time the primary will revert back to June. To add even more uncertainty, there is a proposal currently being discussed in Sacramento which might move the primary to September in the year 2000.

It is clear that if the City stays consolidated with the Statewide Direct Primary, we may never know, from year to year, when our election will be held. The State may decide to move their election every two years. This will obviously have a direct impact on the terms of our local office holders. Further, due to the implementation of the "open primary", all voters will be eligible to vote for all candidates regardless of what their political party affiliation might be. The "open" primary" is expected to create an enormous increase in candidates for each ballot. In the event that too many candidates or issues are presented for a particular ballot, any local races or issues would be moved off the votomatic card and placed on a separate data vote card. According to the Registrar of Voters, the voter would then be given multiple cards to cast their votes. The increase in statewide partisan candidates appearing in the sample ballot, along with photographs and candidate statements, which are also new to the upcoming election, will move local candidates farther back on the sample ballot. Voters will be looking through many pages before reaching issues of local importance.

As in 1995, the County Registrar of Voters is recommending that the City consolidate its election with the Uniform District Election in November of the odd numbered years. This would enable the City to split the costs with the Benicia Unified School District. Further, since there are no statewide candidates on this election, local City candidates and issues would receive complete voter attention.

Since this is not a new issue, I reviewed the minutes of the Council Meeting of December 20, 1994, as well as a staff report prepared by the prior City Clerk, Fran Greco, dated February 28, 1995, to refresh my memory with the issues and concerns raised by the City Council at that time. Therefore, the following responses are provided as answers to the questions raised during that meeting, which I am sure are still applicable today.

- It was clear that the City Council appeared willing to go to an outside firm other than Solano County to conduct the election just to maintain an April election cycle. A special election would cost the City, at a minimum, \$30,000. Staffing levels at the County are extremely low, making it impossible for the County to conduct a special election in April of 1998 or subsequent years because of the close proximity to the State Primary. Even before the issue of "open primary", the County indicated that it would not be willing to conduct a special election for the City, given the close proximity and the workload placed upon the County for the primary election.
  
- If the City continues to stay with the June 1998 primary, we will, inevitably, be bumped to the "data card." Under this scenario, election costs will include, but not be limited to, the data card, election coordination/consolidation charges, computer set-up fees, per page charge and postage. The cost for almost everything, but the data card, will be going up shortly, however, those costs have not been set by the County as yet. The cost for the data card would be \$4,300, plus \$2,200 for staff time associated with the use of the card. The County Registrar of Voters stated that the County would be required to have one additional staff member per polling place in Benicia to keep the confusion of the voters at a minimum. It is important to note that under this scenario each voter would be given two ballots, the primary ballot and our own local data card ballot. It is obvious that with such a mass of information to vote on, the chances of error will be enormous, and inevitable both on the voting level and on the ballot tabulation level. In addition to the above costs, there would be the cost for the election. The last election in March of 1996 was \$4,000 for County charges, and \$1,470 for Candidate Statement printing charges, and checking of nomination papers. In addition, there was approximately \$75.00 in miscellaneous charges. Naturally, all the costs are approximate and will most likely be higher.
  
- The following is a description of the current election cycle for the remaining cities in Solano County:

Vallejo	November (odd-numbered years)
Fairfield	November (odd-numbered years)
Dixon	November (even-numbered years)

However, the City did give consideration to consolidation with the School District two years ago, but that consolidation would have meant Council Members giving up one and a half years of their terms. Since the Election Code precludes modification of a Council Member's term of more than one year, it would have been illegal for Dixon to have changed at that time. They are concerned about the current problem and intend to revisit the issue.

Rio Vista November (even-numbered years)

However, they are considering conducting their election with another County.

Vacaville November (even-numbered years)

At the present time, they are pleased with their current election dates and are not giving much consideration to changing.

All major school districts, the Board of Education, Solano Irrigation and the Cordelia Fire District hold their elections in November of odd-numbered years.

- Should the Council elect to change to a November election cycle in odd-numbered years, candidates will be able to take out their papers 113 days prior to the election, on July 14, 1997. Officially, the City does not have to let the County Elections Department know until 88 days before the election that we want to participate.
- If the date of the City's election is changed to the date of the Statewide Direct Primary Election, the Statewide General Election or the School District Election, Election Code Section 10403.5 (b) provides that no term of office may be increased or decreased more than 12 months as a result of changing the election day.
- Future City Councils would be able to change election dates in the future in accordance with applicable law. The only limitation that would prevent a City Council from changing election dates to another allowable date is Election Code Section 1303 (d). This section requires that at least one election be held under an ordinance changing the election date before the Ordinance is amended or repealed. An election has been held since the last amendment to our Election Ordinance. Therefore, it would be legal for the Council to amend the Ordinance again.

It appears clear that the City will, at some point, need to change its election date to maintain the lowest cost and provide the voters with the least amount of confusion and focus on Benicia candidates and issues. Unfortunately, when this decision is made, the term of seated Council Members will undoubtedly be affected. As an example, should Council enact the amendment changing the election date to November in odd-numbered years, the next election will occur in

November of 1997, reducing the term of the two affected office holders by 4 months, and the subsequent election in November of 1999 will reduce the three affected members' terms by 5 months. These calculations are based on the assumption of office by the newly elected members at the first regularly scheduled meeting in December. All subsequent elections will provide elected candidates full terms of 4 years.



Otto Wm. Giuliani  
City Manager

OWG:tb  
/Agen520.97c

ATTACHMENTS:

- Ordinance amending the General Municipal Date (Clean Copy)
- Ordinance amending the General Municipal Date (Marked-Up Copy)
- Ordinance retaining the existing General Municipal Date
- Transcript of a portion of the December 20, 1994 City Council Meeting related to a discussion of election dates
- Memorandum to the City Council from City Manager, Michael Warren, dated September 28, 1994 regarding the April 1996 City election
- Copy of Ordinance No. 311 of the City of Benicia providing for Notice of General Municipal Election in the City of Benicia, adopted February 17, 1890
- Copy of Chapter 1.16 of the Benicia Municipal Code entitled "General Municipal Elections"
- Letter to City Clerk, Linda Purdy, from Solano County Registrar of Voters, dated April 17, 1997
- Copy of Division 1 established election dates, specifically Section 1001, entitled "Statewide Election Dates"
- Copy of Section 10403.5 of the California Elections Code

**PROPOSED ORDINANCE**

**(CLEAN COPY VERSION)**

CITY OF BENICIA

ORDINANCE NO. 97-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING SECTION 1.16.010 OF THE BENICIA MUNICIPAL CODE RELATING TO THE GENERAL MUNICIPAL ELECTION

The City Council of the City of Benicia does ordain as follows:

Section 1.

Section 1.16.010 of the Benicia Municipal Code is amended to read as follows:

1.16.010      General Municipal Election.

1.16.010.      General Municipal Election. General municipal elections shall be held on the same day as the regular election to select governing board members for the Benicia Unified School District as that date is established in the California Elections Code. The city clerk shall publish a notice of the election in the manner prescribed by California Elections Code §12101.

Section 2.

Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this chapter. The City Council hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 3

Effective date.

This ordinance shall become effective thirty (30) days after the date of adoption.

Section 4

Posting.

The City Clerk shall cause this ordinance to be published and/or posted within fifteen days after its adoption.

\*\*\*\*\*

On motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing Ordinance was introduced at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_ 1997, and adopted at a regular meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 1997, by the following vote:

Ayes:  
Noes:  
Absent:

\_\_\_\_\_  
Jerry Hayes, Mayor

Attest:

\_\_\_\_\_  
Linda S. Purdy, City Clerk

hmc/kz  
election.cln

**PROPOSED ORDINANCE**  
**(MARKED-UP VERSION)**

TT-E-9  
**VIII.A.17**

**Chapter 1.16**

**GENERAL MUNICIPAL ELECTIONS**

**Sections. Section 1.**

**Section 1.16.010 of the Benicia Municipal Code is amended to read as follows:**

**1.16.010 General Municipal Election.**

**1.16.0106.010 General Municipal Election. General municipal elections shall be held on the same day as the statewide direct primary regular election to select governing board members for the Benicia Unified School District as that date is established in the California Elections Code. The city clerk shall publish a notice of the election in the manner prescribed by California Elections Code §22830§12101.**

**Section 2.**

**Severability. If any section, subsection, sentence, clause, phrase or portion of this chapter for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this chapter. The City Council hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.**

Hmc/kz  
election.red

ORDINANCE NO. 95-3 N.S.

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF BENICIA CONCERNING  
THE GENERAL MUNICIPAL ELECTION DATE

THE CITY COUNCIL OF THE CITY OF BENICIA DOES HEREBY ORDAIN AS  
FOLLOWS:

SECTION 1. Section 1.16 of the Benicia Municipal Code is  
amended to read as follows:

1.16.010--General Municipal Election.

General municipal elections shall be held on the same day as  
the statewide direct primary as that date is established in the  
California Elections Code.

SECTION 2. The City Clerk shall cause this ordinance to be  
published and/or posted within 15 days after its adoption.

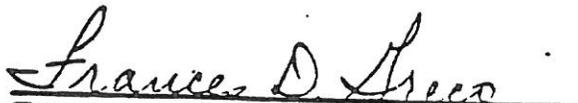
On a motion of Councilmember Arteaga, seconded by  
Councilmember Hayes, the foregoing ordinance was  
introduced at a regular meeting of the City Council on the 7th  
day of March, 1995, and adopted at a regular meeting  
of the Council held on the 21st, day of March,  
1995, by the following vote:

Ayes: Councilmembers Arteaga, Corbaley, Hayes, Silva and Mayor Ciarrocchi  
Noes: None



Ernest F. Ciarrocchi, Mayor

Attest:

  
Frances D. Greco  
Frances D. Greco, City Clerk

smr/kz  
ordatect.ion  
2/26/95

T-E-11  
**VIII.A.19**

MEETING OF DECEMBER 20, 1994

MUNICIPAL ELECTION

ERNIE: I think we knew that the Elections Department was not going to give in very easily. The easiest thing for them is to handle the election in November 1996 and that it is a one time only change if that is what we do. They are also saying that they could do the election in March if we want, but it is partisan primary election and so it is a chore for them to - what they will have to do is prepare separate packets for voters in various parties in the primary, but since our election is unpartisan, they would then have to include our stuff in everybody's packet. The County is apparently saying this is a big deal.

County also gave us the option to run our own election. What would be the cost of running our own election?

JERRY: One of my questions would be the cost if we do it ourselves in April and if we decide to do it ourselves and we feel we are capable of handling it - the election itself, running the polls and doing the count, etc., question arises about the publication of the sample ballots, the mailing, etc., and whether or not the County would be willing to do that if we decide to do the election ourselves.

The other question - if we looked at the potential of doing it in November of 1995, what else would be on that election - I presume it would simply be our School Board, and, secondly, could we legally do the election in November of 1995 and make the effective of taking the office the termination date, which is April 1996. I don't know if that is a legal possibility.

I believe the Board of Supervisors does that here in the County. They have an election and then a long wait before the actual taking of office, so that's another possibility. I would personally lean toward doing it ourselves, but seeing what the County can do as far as the handling of sample ballots, mailing, etc.

ERNIE: Bear in mind, doing it ourselves, as I said, it's not just the cost. It's having people go to the polls to vote twice in three (SHOULD BE TWO) weeks. Voting is not a lot of trouble, but on the other hand, keep that in mind. If Council does not want to go to November 1996, then I would encourage you to at least consider finding out whether the County can really handle and how well it can handle just doing ours in conjunction with the primary. That keeps it within three weeks (SHOULD BE TWO) from when we would normally do it. I think that makes more sense than making a major change if you don't want to go to 1996.

PEPE: I don't want to give not a single day over free or a single day before, even if it is expensive, I want to keep it exactly the same time - no more, no less.

JOHN: I think I would like to look into what the cost would be to do our own election, but I think looking at March, I would like more information on March, how much confusion there may or may not be. That would probably make more sense to do it in March than it would be trying to do it in April.

CAREY: This is a sticky issue, particularly for those of us sitting up here who this would affect most directly, being up for election the next go-round - sticky issue for all of us. I have concerns that if we simply insist upon having our own election, it is going to cost a bundle and I am wondering what do our citizens prefer that because of this situation where we've got the County saying "We're just not going to do it - we can't do it - you have to do it yourselves" - whether they prefer we bop our elections back or turns back six months or they prefer to foot the bill for us holding this election ourselves this time and I'm not real clear whether this is going to be an ongoing problem if we continue with our position that we have - April elections - every time there is a primary with the March date, I don't know whether it's going to continue to be a problem down here. At this point, I would like some more information on what the actual cost would be for us to hold our election, so I would like to get that information first and I would like follow-up information that has been requested by Councilmember Hayes as well.

ERNIE: I agree, we don't need to make a decision tonight. I think we are going to need to get some cost estimates, FRAN. Remember, we don't know whether this will be a chronic problem or not. We don't know if the State is going to keep the March primary. It's just one time only legislation, which is another reason why I'm thinking in terms of if you do it in conjunction with that it's within three weeks (SHOULD BE TWO WEEKS) from when we would normally have our election, just keep this in mind, so that if, in fact, the State decides that March is not good we can return to the April election and then we will not have changed things significantly three weeks (SHOULD BE TWO WEEKS) either way. Let's get the information, let's find out everything we can about what it would take to implement doing it ourselves in April, get whatever details the County can furnish in terms of what it would take to do it in conjunction with the March, and whether they have an opinion either way, 5/ November of 1995 or November of 1996.

MEMORANDUM

MAY 5 1994

September 28, 1994

TO: City Council

FROM: Mike Warren

SUBJECT: April 1996 City Election

As the City Clerk, Fran Greco, points out in her memo, Pat Kemper, the Registrar of Voters for Solano County, has requested that the City of Benicia change our April 1996 City Election. The Registrar of Voters says that they cannot handle an April election for the three Solano Cities two weeks after the State Primary Election. They are asking that we change our election to November 1996 and extend all terms seven months.

The following positions are up for election in April of 1996:

Mayor - Ernie Ciarrocchi  
Council member - Jerry Hayes  
Council member - John Silva  
Treasurer - Virginia Souza  
Clerk - Fran Greco

I asked Carol Starr to research other options than changing to November of 1996 (the City Attorney is out of the office this week and, therefore, has not had an opportunity to review this issue. He may want to clarify various points or options). It appears that unless we are willing to pay for our own special election, we will have to elect Benicia officials during a general state and/or national election. This may result in less attention focused on Benicia issues as the governor, president and statewide initiatives dominates the public's attention. On the other hand, there is generally a larger turnout in these general elections. These are the possible options:

1. Take the advice of the Registrar of Voters and switch to November of 1996. The cost of the election for Benicia would be \$3,500. Each affected elected official would have to have their term extended by seven months. This is the least expensive option.
2. Switch to November of 1995. This would cut the term of each of the affected elected officials by five months. The cost of switching to November of 1995 is \$15,000; more expensive because jurisdiction participating needs an individual ballot and there is no general election to help defray the overall cost. The Benicia Unified School District has their election at this time.
3. Switch to March 1996. This means we would be on the State primary ballot. As it is a primary election, this means partisan ballots. The Registrar of Voters strongly recommends against this option, as she says the ballots are very long, we would come at the

end of everything else, and she predicts that many voters would not get down to the city's part of the ballot. We would have to be on all the different ballot types (Democratic, Republican, Green, etc.) and also have a ballot for the independents. She was unable to give me a cost for us, but said it would be less than \$25,000.

We need to realize that the March 1996 primary election is a one-time state experiment on changing the primary. If we move to this election time and the state did not switch the primary permanently to March, we will end up paying the whole cost of the election which is approximately \$25,000.

4. Establish a special election in June of 1996. Since no one else would be having an election, we would need to stand the whole cost, which is \$25,000 for an election. And, of course, we would need to do this every other year on this cycle. This is the most expensive way to go.

5. Stick with the April election of 1996 and ask the Board of Supervisors to force the Registrar of Voters to deal with an election two weeks away from the primary. The Registrar of Voters flatly says they cannot do this and would lobby hard at the Board to maintain their position.

While we still have some time to decide this, the Registrar of Voters is asking all the affected cities to decide this Fall how they are going to handle this concern. The other two cities affected are Dixon and Rio Vista. Dixon is switching to November 1996 (which does not coincide with their School Board election). We do not know, at this time, which November Rio Vista will choose.

Unless we are going to try to maintain our April 1996 election through intervention by the Board of Supervisors, we will have to do the following steps to switch our election:

1. Consensus of the City Council on what to do
2. Hold a Public Hearing
3. Adopt an Ordinance requesting the required action needed.

*Mike Warren*

Mike Warren  
City Manager

VIII-E-15  
**VIII.A.23**

ORDINANCE NO. 311 M.C.

AN ORDINANCE PROVIDING FOR NOTICE OF GENERAL MUNICIPAL ELECTION IN THE CITY OF BENICIA.

THE CITY COUNCIL OF THE CITY OF BENICIA DOES ORDAIN AS FOL

SECTION 1. General Municipal Elections in the City of Benicia for the election of members of the City Council, the City Clerk, the City Treasurer, shall be held on the second Monday in April in each even numbered year. The City Council must give notice of such elections by publishing the same newspaper published in said City successively for three weeks next preceding the election if a newspaper be published in said City. If no newspaper be published in said City, then by posting copies of such notice in three public places therein. The notice must designate the time when said election will be held, the boundaries of the election precincts, the officers to be elected, the polling places and the officers of election.

(Adopted Feb. 17, 1890)

COMPILED, CONSOLIDATED, REVISED AND INDEXED UNDER THE PROVISIONS OF THE MUNICIPAL CORPORATIONS LAW OF THE STATE OF CALIFORNIA, BEING ACT 5233, SECTION 852C, AS AMENDED BY STATUTES OF 1939, CHAPTER 1026, THE ABOVE ORDINANCE BEING FORMERLY NUMBERED \_\_\_\_\_ AND WHEN SO COMPILED, CONSOLIDATED, REVISED AND INDEXED, AS AFORESAID, ADOPTED BY THE CITY COUNCIL OF THE CITY OF BENICIA, ON THE 23 DAY OF October 1943, BY ORDINANCE NO. 402 M.C.

Chapter 1.16

GENERAL MUNICIPAL ELECTIONS\*

Sections:

1.16.010 General Municipal Election.

1.16.010 General Municipal Election. General municipal elections shall be held on the same day as the statewide direct primary as that date is established in the California Elections Code. The city clerk shall publish a notice of the election in the manner prescribed by California Elections Code §22830. (Ord. No. 95-3 N.S.; Ord. 311 M.C. §1, 1890: amended during 1980 codification).

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\* For statutory provisions on municipal elections, see Election Code §22800 et seq.; for provisions on notice of elections, see Election Code §22830 et seq.

OFFICE OF REGISTRAR OF VOTERS

LAURA WINSLOW  
REGISTRAR OF VOTERS  
510 CLAY STREET  
FAIRFIELD, CA 94533  
PHONE (707) 421-6675



MAILING ADDRESS  
REGISTRAR OF VOTERS  
ELECTIONS  
P.O. BOX "I"  
FAIRFIELD, CA 94533

April 17, 1997

Linda Purdy, City Clerk  
City of Benicia  
250 East L St.  
Benicia, CA 94510

Re: 1998 Municipal Election

Dear Linda:

Your letter dated April 10, 1997 requests an election calendar through the year 2000. As discussed in our phone conversation, your consolidation with the statewide direct primary makes it impossible to predict when the future elections will be held. You have several factors that fall into place with your consolidation.

**ALTERNATING ELECTION DATES**

The election code states that the 1996 Primary is held in March. The 1998 Primary will be held in June. These dates are in effect until January 1998. At that time the Primary reverts back to June. However, there is a proposal being discussed to move the Primary to September in the year 2000.

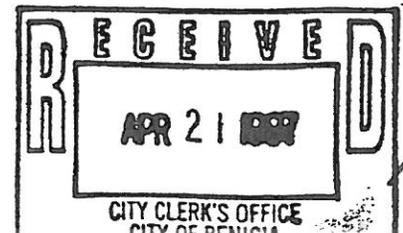
If they move to September, it will enable candidates to have a shorter fundraising period. Thus campaigning all at once, rather than two separate elections.

If this takes place, the Presidential Primary would be separately held earlier in the year.

If you choose to stay consolidated with the statewide direct primary, you may not know from year to year when your election will be held. The state may decide to move their election every two years. This will affect terms of your officeholders.

**OVERCROWDED BALLOT**

**VIII.A.26**



Due to the implementation of the "open primary", all voters will be eligible to vote for all candidates regardless of what their political party affiliation is. This will create an enormous increase in candidates for each ballot type. In the event we have too many candidates & issues for a particular ballot type, the local races and issues will be moved off of the votomatic card and placed on a separate datavote card. The voter will then be given multiple cards to cast their votes. The increase in statewide partisan candidates appearing in the sample ballot (along with photographs and candidate statements) which are also new to this election, will move your local candidates farther back in the sample ballot. The voters will be looking through many pages before reaching the local race.

#### ADDITIONAL COST

There are additional costs associated with a multiple card election. Since you are the only local race on the ballot, the entire cost of the supplemental card will be borne by your district.

Our office is in the process of looking at a revision of our fees associated with election costs. Our costs to cities and districts will be increasing due to the costs associated with computer programming, staff time, etc.

#### OPTIONS AVAILABLE

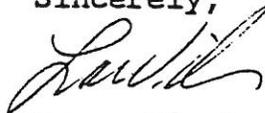
If you stay with the statewide direct primary, you run the risks described above.

With a move to the statewide general election in November even-years you will also run the risk of ballot overcrowding depending on how many statewide propositions will be on the ballot. The same situation as outlined above would be used regarding going on to a separate ballot card, including the additional cost.

Our recommendation is to consolidate with the UDEL (Uniform District Election) in November odd-years. This will enable you to split costs with Benicia Unified School District. There are no statewide candidates on this election. Local cities, schools, bd. of education, Solano Irrigation District and Cordelia Fire District are on this election cycle.

Please let me know as soon as possible of your decision. If I can be of any further assistance, please give me a call at (707) 421-6675.

Sincerely,



Laura Winslow,  
Registrar of Voters

**DIVISION 1. ESTABLISHED ELECTION DATES**

**Chapter 1. Election Dates**

**1000. Established elections dates.**

The established election dates in each year are as follows:

(a) The second Tuesday in April of each even-numbered year.

(b) The first Tuesday after the first Monday in March of each odd-numbered year.

(c) The fourth Tuesday in March in any year which is evenly divisible by the number four.

(d) The first Tuesday after the first Monday in June of each year.

(e) The first Tuesday after the first Monday in November of each year.

This section shall remain in effect only until January 1, 1998, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1998, deletes or extends that date.

*(Amended by Stats. 1996, c. 1143, §17.5.)*

**1000. Established election dates.**

(a) The established election dates in each year are as follows:

(1) The second Tuesday of April in each even-numbered year.

(2) The first Tuesday after the first Monday in March of each odd-numbered year.

(3) The first Tuesday after the first Monday in June of each year.

(4) The first Tuesday after the first Monday in November of each year.

(b) This section shall become operative on January 1, 1998.

*(Amended by Stats. 1996, c. 1143, §18.)*

**1001. Statewide election dates.**

Elections held in June and November of each even-numbered year, and in March of any year evenly divisible by the number four, shall be statewide elections and these dates shall be considered statewide election dates.

This section shall remain in effect only until January 1, 1998, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1998, deletes or extends that date.

*(Added by Stats. 1994, c. 920, §2.)*

**1001. Statewide election dates.**

Elections held in June and November of each even-numbered year shall be statewide elections and these dates shall be considered statewide election dates.

This section shall become operative on January 1, 1998.

*(Added by Stats. 1994, c. 920, §2.)*

**1002. Date of state, county, municipal, district, and school elections.**

Except as provided in Section 1003, notwithstanding any other provisions of law, all state, county, municipal, district, and school district elections shall be held on an established election date.

*(Amended by Stats. 1996, c. 1143, §19.)*

1997-20  
VII-2-20

§10403.5.

(a) (1) Any city ordinance requiring its general municipal election to be held on a day specified in subdivision (b) of Section 1301 shall be approved by the board of supervisors unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. Prior to adoption of a resolution to either approve or deny a consolidation request, the board or boards of supervisors shall each obtain from the elections official a report on the cost-effectiveness of the proposed action.

(2) A city, by itself or in concert with other cities, may purchase or otherwise contribute to the purchase of elections equipment, including, but not limited to, a computer for the purposes of conducting a consolidated election when the equipment shall be owned by the county.

(b) As a result of the adoption of an ordinance pursuant to this section, no term of office shall be increased or decreased by more than 12 months. As used in this subdivision, "12 months" means the period between the day upon which the term of office would otherwise have commenced and the first Tuesday after the second Monday in the 12th month before or after that day, inclusive.

(c) If an election is held on a day specified in subdivision (b) of Section 1301, and the election is consolidated with another election this part, except Section 10403, shall govern the consolidation and, if the county elections official is requested to conduct the municipal election, Section 10002 shall be applicable to that election.

(d) If a general municipal election is held on the same day as a statewide election, those city officers whose terms of office would have, prior to the adoption of the ordinance, expired on the Tuesday succeeding the second Tuesday in April of an even-numbered year shall, instead, continue in their offices until not later than the fourth Tuesday after the day of the general municipal election, and until their successors are elected and qualified.

(e) Within 30 days after the ordinance becomes operative, the city elections official shall cause a notice to be mailed to all registered voters informing the voters of the change in the election date. The notice shall also inform the voters that as a result in the change in the election date, the terms of office of the elected city officeholders will be changed. Leg.H. 1996 ch. 1143, effective September 30, 1996.



**C****Effective: January 1, 2005**West's Annotated California Codes [Currentness](#)Elections Code ([Refs & Annos](#))▣ [Division 1](#). Established Election Dates ([Refs & Annos](#))▣ [Chapter 4](#). Local Elections ([Refs & Annos](#))→→ **§ 1301. General municipal election**

(a) Except as required by [Section 57379 of the Government Code](#), and except as provided in subdivision (b), a general municipal election shall be held on an established election date pursuant to [Section 1000](#).

(b)(1) Notwithstanding subdivision (a), a city council may enact an ordinance, pursuant to Division 10 (commencing with [Section 10000](#)), requiring its general municipal election to be held on the same day as the statewide direct primary election, the day of the statewide general election, on the day of school district elections as set forth in [Section 1302](#), the first Tuesday after the first Monday of March in each odd-numbered year, or the second Tuesday of April in each year. Any ordinance adopted pursuant to this subdivision shall become operative upon approval by the board of supervisors.

(2) In the event of consolidation, the general municipal election shall be conducted in accordance with all applicable procedural requirements of this code pertaining to that primary, general, or school district election, and shall thereafter occur in consolidation with that election.

(c) If a city adopts an ordinance described in subdivision (b), the municipal election following the adoption of the ordinance and each municipal election thereafter shall be conducted on the date specified by the city council, in accordance with subdivision (b), unless the ordinance in question is later repealed by the city council.

(d) If the date of a general municipal election is changed pursuant to subdivision (b), at least one election shall be held before the ordinance, as approved by the board of supervisors, may be subsequently repealed or amended.

CREDIT(S)

(Added by [Stats.1996, c. 1143 \(S.B.1200\)](#), § 24.5, eff. Sept. 30, 1996. Amended by [Stats.2003, c. 824 \(A.B.1521\)](#), § 1; [Stats.2004, c. 785 \(A.B.2790\)](#), § 1.)

HISTORICAL AND STATUTORY NOTES



**Effective: January 1, 2005**West's Annotated California Codes [Currentness](#)Elections Code ([Refs & Annos](#))    <sup>Ⓜ</sup> [Division 10](#). Local, Special, Vacancy, and Consolidated Elections ([Refs & Annos](#))        <sup>Ⓜ</sup> [Part 3](#). Consolidation of Elections ([Refs & Annos](#))            **→→ § 10403.5. Municipal election consolidated with statewide election or school district election; approval; effect on terms of office**

(a)(1) Any city ordinance requiring its general municipal election to be held on a day specified in [subdivision \(b\) of Section 1301](#) shall be approved by the board of supervisors unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. Prior to adoption of a resolution to either approve or deny a consolidation request, the board or boards of supervisors shall each obtain from the elections official a report on the cost-effectiveness of the proposed action.

(2) A city, by itself or in concert with other cities, may purchase or otherwise contribute to the purchase of elections equipment, including, but not limited to, a computer for the purposes of conducting a consolidated election when the equipment shall be owned by the county.

(b) As a result of the adoption of an ordinance pursuant to this section, no term of office shall be increased or decreased by more than 12 months. As used in this subdivision, "12 months" means the period between the day upon which the term of office would otherwise have commenced and the first Tuesday after the second Monday in the 12th month before or after that day, inclusive.

(c) If an election is held on a day specified in [subdivision \(b\) of Section 1301](#), and the election is consolidated with another election this part, except [Section 10403](#), shall govern the consolidation and, if the county elections official is requested to conduct the municipal election, [Section 10002](#) shall be applicable to that election.

(d) If a general municipal election is held on the same day as a statewide election, those city officers whose terms of office would have, prior to the adoption of the ordinance, expired no later than the next regularly scheduled city council meeting after receipt of the certification of the results from the elections official shall, instead, continue in their offices until not later than that meeting.

(e) Within 30 days after the ordinance becomes operative, the city elections official shall cause a notice to be mailed to all registered voters informing the voters of the change in the election date. The notice shall also inform the voters that as a result in the change in the election date, the terms of office of the elected city officeholders will be changed.



<b>CURRENT</b>			
<b>November - Odd Year</b>	<b>Voters</b>	<b>Voting Opp</b>	<b>\$ 1,000,000</b>
City of Benicia	17,781	0.049058884	\$ 49,058.88
City of Fairfield	47,138	0.130056671	\$ 130,056.67
City of Vallejo	52,511	0.144881112	\$ 144,881.11
Benicia USD	17,826	0.049183042	\$ 49,183.04
Dixon USD	10,182	0.028092771	\$ 28,092.77
Fairfield-Suisun USD	60,482	0.166873596	\$ 166,873.60
Travis USD	9,826	0.027110545	\$ 27,110.54
Vacaville USD	41,139	0.113505057	\$ 113,505.06
Vallejo City USD	53,753	0.148307867	\$ 148,307.87
Solano County BOE *	30,181	0.083271254	\$ 83,271.25
Solano Irrigation District	19,661	0.054245921	\$ 54,245.92
Cordelia Fire Protection	1,962	0.00541328	\$ 5,413.28
	362,442	1.00	\$ 1,000,000
<b>November - Even Year</b>	<b>Voters</b>	<b>Voting Opp</b>	<b>\$ 1,000,000</b>
State/Federal Offices	199,077	0.337930121	\$ 337,930.12
County Offices	199,077	0.337930121	\$ 337,930.12
City of Dixon	8,767	0.014881847	\$ 14,881.85
City of Rio Vista	4,954	0.008409338	\$ 8,409.34
City of Suisun	12,905	0.021906037	\$ 21,906.04
City of Vacaville	44,377	0.07532927	\$ 75,329.27
River Delta Unified	5,222	0.008864264	\$ 8,864.26
Solano Community College	108,205	0.18367631	\$ 183,676.31
San Joaquin Comm College	5,239	0.008893121	\$ 8,893.12
Davis Joint USD	36	6.11094E-05	\$ 61.11
Winters Joint USD	606	0.001028676	\$ 1,028.68
Yolo County BOE	642	0.001089785	\$ 1,089.79
	589,107	1.00	\$ 1,000,000

<b>POTENTIAL</b>			
<b>November - Odd Year</b>	<b>Voters</b>	<b>Voting Opp</b>	<b>\$ 1,000,000</b>
City of Benicia	17,781	0.033464574	\$ 33,464.57
City of Fairfield	47,138	0.088715657	\$ 88,715.66
City of Vallejo	52,511	0.098827865	\$ 98,827.86
Benicia USD	17,826	0.033549266	\$ 33,549.27
Dixon USD	10,182	0.019162943	\$ 19,162.94
Fairfield-Suisun USD	60,482	0.113829615	\$ 113,829.62
Travis USD	9,826	0.018492937	\$ 18,492.94
Vacaville USD	41,139	0.077425292	\$ 77,425.29
Vallejo City USD	53,753	0.10116536	\$ 101,165.36
Solano County BOE*	199,077	0.374671113	\$ 374,671.11
Solano Irrigation District	19,661	0.037002812	\$ 37,002.81
Cordelia Fire Protection	1,962	0.003692565	\$ 3,692.56
	531,338	1.00	\$ 1,000,000
<b>November - Even Year</b>	<b>Voters</b>	<b>Voting Opp</b>	<b>\$ 1,000,000</b>
State/Federal Offices	199,077	0.328029225	\$ 328,029.22
County Offices *	199,077	0.328029225	\$ 328,029.22
City of Dixon	8,767	0.014445829	\$ 14,445.83
City of Rio Vista	4,954	0.008162956	\$ 8,162.96
City of Suisun	12,905	0.02126422	\$ 21,264.22
City of Vacaville	44,377	0.073122224	\$ 73,122.22
River Delta Unified	5,222	0.008604553	\$ 8,604.55
Solano Community College *	108,205	0.178294842	\$ 178,294.84
San Joaquin Comm College	5,239	0.008632565	\$ 8,632.56
Davis Joint USD	36	5.9319E-05	\$ 59.32
Winters Joint USD	606	0.000998537	\$ 998.54
Yolo County BOE	642	0.001057856	\$ 1,057.86
City of Benicia	17,781	0.029298651	\$ 29,298.65
Benicia USD			
	606,888	1.00	\$ 1,000,000

\* County wide vs. 2-3 district offices

Solano Community College w/ one district (no county offices)

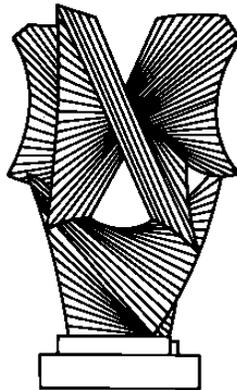
<b>November - Even Year</b>	<b>Voters</b>	<b>Voting Opp</b>	<b>\$ 1,000,000</b>	
State/Federal Offices	199,077	0.611228124	\$ 611,228.12	
County Offices *	-	0	\$ -	NO RUN-OFFS
City of Dixon	8,767	0.026917409	\$ 26,917.41	
City of Rio Vista	4,954	0.015210316	\$ 15,210.32	
City of Suisun	12,905	0.039622352	\$ 39,622.35	
City of Vacaville	44,377	0.136251151	\$ 136,251.15	
River Delta Unified	5,222	0.016033159	\$ 16,033.16	
Solano Community College *	26,094	0.080116672	\$ 80,116.67	1-TRUSTEE AREA WITH CONTESTS
San Joaquin Comm College	5,239	0.016085355	\$ 16,085.35	
Davis Joint USD	36	0.000110531	\$ 110.53	
Winters Joint USD	606	0.001860608	\$ 1,860.61	
Yolo County BOE	642	0.001971139	\$ 1,971.14	
City of Benicia	17,781	0.054593184	\$ 54,593.18	
	325,700	1.00	\$ 1,000,000	



# CHICAGO

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## VOTERS, NON-VOTERS AND THE IMPLICATIONS OF ELECTION TIMING FOR PUBLIC POLICY

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## Voters, Non-voters, and the Implications of Election Timing for Public Policy

Christopher R. Berry \*

Jacob E. Gersen \*\*

### Abstract

This paper makes use of variation in the timing of local elections to shed light on one of the core questions in democratic politics: what would happen if everyone voted? Does a low voter turnout rate imply that a small subset of special interest voters controls politics and policy? Or, are voters largely representative of non-voters such that neither the outcomes of elections nor resulting public policies would change even if everyone participated? Rather than rely on surveys of nonvoters to extrapolate their hypothetical behavior, we rely on a natural experiment created by a 1980s change in the California Election Code, which allowed school districts to change their elections from off-cycle to on-cycle. Because we are able to observe very large within-district changes in voter turnout resulting from changes in election timing, we are able to isolate the effect of turnout on policy outcomes, including teacher salaries and student achievement tests. Our analysis demonstrates that changes in voter turnout do affect public policy, but modestly.

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\*\* Professor of Law, University of Chicago. We are grateful for useful discussion and comments from Stephen Ansolabehere, Ethan Bueno de Mesquita, Anne Joseph O'Connell, Paul Peterson, and Martin West. Excellent research assistance was provided by Sarah Anzia, CC Dubois, Monica Groat, Masataka Harada, William Sullivan, and Lindsay Wilhelm.

## I. Introduction

How would public policy change if everyone voted? Does a low voter turnout rate imply that a small subset of special interest voters controls politics and policy? Or, are voters largely representative of non-voters such that neither the outcomes of elections nor resulting public policies would change even if all eligible voters participated in politics? These longstanding questions are at the core of democratic politics and they continue to beguile modern scholarship (Citrin, Schickler, and Sides 2003; Leighley and Nagler 2009).<sup>1</sup>

The conventional approach to this question relies on survey data to compare the partisanship and policy preferences of voters with those of non-voters, makes extrapolations as to how non-voters would have voted (if they had voted), and asks whether their hypothetical votes would have changed election outcomes. While this approach is both sensible and has been quite fruitful, it also suffers from three notable limitations. First, it assumes that unobservable differences between voters and non-voters—that is, differences in attributes or attitudes not measured in the survey—do not confound the extrapolation from survey responses to vote choice. If a voter and a non-voter differ in some unmeasured way, then it may not be the case a non-voter would make the same vote choice as a voter with the identical observable characteristics. Second, the approach assumes that the politics surrounding the election would not change under the counterfactual of full turnout. But if politicians expected non-voters to turnout, other aspects of the campaign might change accordingly. For instance, if candidates changed their platforms or tactics to appeal to erstwhile non-voters, then the vote choice of *both* groups might change relative to the current state of the world. Finally, and in our view most

importantly, the survey-based approach can say little about how *policy* would change as a result of increased turnout. That is, regardless of whether the identity or party of the winning candidate changes, the ultimate question scholars of politics should care most about is whether implemented public policy would change if turnout increased. This latter question cannot be answered without an additional step of extrapolation beyond survey data.

This paper offers a new approach to these questions, one that we view as complementary to the existing literature. Our research design takes advantage of a 1980s change in the California Election Code that allowed school boards to change their elections from odd years (off-cycle) to even years (on-cycle). This simple change in scheduling, we will show, produced more than a 150 percent increase in voter turnout in school board elections. Because we are able to identify dramatic changes in turnout in similar elections over time that do not stem from differences in the underlying substance of the elections themselves, we are able to avoid some of the pitfalls that have challenged prior studies. We are able to observe elections within the same political jurisdiction under conditions of high and low voter turnout and to identify resulting changes in policy outcomes. We then analyze a conventional measure of interest group influence, teacher salaries, as well as a conventional measure of aggregate performance, student test scores. Our analysis demonstrates that dramatic changes in voter turnout for school board elections produce relatively small, but statistically significant, effects on substantive education policies. We cannot say whether this is because voters in an election with low turnout have similar preferences to voters in the high turnout case, but we can say that the effect of increased turnout on policy is relatively modest. Thus, using a new and different empirical approach that focuses on policy

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<sup>1</sup> Andrew Gelman provides an accessible and informative introduction to these questions:

outcomes directly, our results are consistent with an accumulation of past studies suggesting that substantial increases in voter participation would not substantially alter the outcomes of the democratic process.

## II. Background

There are three dominant views in political science about the relationship between voters and non-voters. One strand of scholarship dating at least back to Wolfinger and Rosenstone (1980) argues that changes in voter turnout would produce negligible effects on electoral outcomes. As Highton and Wolfinger put it (1999) “voters differ minimally from all citizens” (Bennett and Resnick 1990; Gant and Lyons 1993; Norrander 1989). And because nonvoters are a diverse group rather than one with uniform preferences, the probability that electoral outcomes would shift if nonvoters voted is thought to be relatively small. While low rates of political participation might be troubling for some independent theory of the political good, on this view, even significant increases or decreases in the voter turnout would be unlikely to change the outcomes of elections.

A second prominent view holds that the voting public actually has significantly different preferences from the nonparticipating public and that it matters for public policy. Leighley and Nagler (2009) argue that moderates are under-represented in the voting population (relative to the universe of nonvoters) and conservatives are over-represented, a gap that has increased in the past several decades. Voters, on this view, differ significantly from nonvoters at least raising the specter that elections with higher participation would generate different political outcomes.

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[http://www.stat.columbia.edu/~cook/movabletype/archives/2007/12/what\\_difference.html](http://www.stat.columbia.edu/~cook/movabletype/archives/2007/12/what_difference.html).

Other scholarship attempts to link policy outcomes and rates of voting with cross sectional data: states with higher rates of voting among less affluent demographic groups have policies that are friendlier towards low income populations (Hill and Leighley 1992, 1995).

A third view agrees with the descriptive claim that voters and nonvoters are different, but raise doubts that electoral outcomes would routinely differ even if more nonvoters were to vote, largely because so few elections are competitive enough for the differences to matter (Citrin, Schickler, and Sides 2003). Alternatively, even if the same officials would be elected, it could be that those officials would be more responsive to the views of voters than nonvoters (Griffin and Newman 2005; Bartels 2009; Gilens 2005), implying that policies might differ as a function of turnout even if the winners of any given election would not change.

Much of the related literature focuses on federal elections, but recent work has also targeted local elections, where turnout can be significantly lower, in which changes in turnout may be more likely to affect electoral outcomes (Hajnal, Lewis, and Louch 2002; Bridges 1997). For example, Hajnal and Trounstine (2005) find that in city elections, lower turnout leads to substantial reductions in the representation of Latinos and Asian Americans on city councils and in the mayor's office. Indeed, this recent work echoes much older work on the importance of differential turnout in local government elections as a determinant of policy outcomes. The possibility that single-function elections might be dominated by interests whose preferences deviate from the median voter in the broader electorate was a motivating insight in early work on school district elections (Rubinfeld and Thomas 1980; Rubinfeld 1977), which sought to use survey methods to demonstrate that large changes in turnout shifted the preference of the median voter on school funding questions.

An important empirical challenge for the voters versus nonvoters debate is that one must make counterfactual inferences about how nonvoters would behave if they were to vote or about what policies would have been selected had political participation been different. The most common approach is to estimate how citizens who did not vote would have voted by matching their demographics and political views to voters in the population. Unfortunately, using demographics to predict how nonvoters would have voted is challenging because the two groups differ in a key—arguably, *the* key—respect: their willingness to bear the costs of political participation. This dimension may also be correlated with political views and electoral behavior. Direct surveys of nonvoters make this task somewhat less heroic (e.g. Citrin et al. 2003), but one still needs to posit a model of political participation in the face of a revealed preference for nonparticipation.

If estimating the impact of differential turnout on who wins elections is hard, identifying an effect on real world policy is even more daunting. First, virtually all prior studies rely on cross sectional data, asking whether policy outcomes in a high turnout jurisdiction differ from the policy outcomes in a low turnout jurisdiction. But, of course, policy choices are the result of an enormous number of factors that differ across communities, some of which are observable but many of which are not. Thus, the inference problems that always challenge cross-sectional analysis are particularly relevant in this setting. Second, and related, prior scholarship has focused mainly on elections of general-purpose government officials, such as presidents, congress members, or governors, with responsibility for a wide variety of different policy issues. The marginal impact of turnout on any particular dimension may be small and extremely difficult to isolate in practice. To illustrate, one might study congressional elections during midterm

versus presidential years, thus usefully confining the analysis to the same jurisdiction under differential turnout conditions. However, it is not at all obvious how one would even go about asking whether public policy changed as a result.<sup>2</sup> To even begin to estimate the effect of voter turnout on public policy, one needs a relatively large change in turnout, preferably within the same jurisdiction over time, that is uncorrelated with the substance of the given elections, in an electoral setting with a clearly defined policy domain. This is what our research design seeks to accomplish.

### III. Election Timing, Selective Participation, and Public Policy

Our approach is motivated by a small but growing literature on the timing of elections in local government (see Berry and Gersen 2010). That topic is important unto itself given that most elections in the United States are not federal elections, but state and local government elections. Indeed, there are more than 500,000 elected officials in the United States, and fewer than 600 of them are federal officials (Berry and Gersen 2009). Among local governments, moreover, there is enormous heterogeneity with respect to when elections are held. Some localities hold all elections on the same day in November; other local political jurisdictions hold elections for different offices on entirely separate days during at different times of the year. In some localities there is at least one local government election in eleven months of the year (Souzzi 2007). Amidst this great heterogeneity, one widely known and well accepted fact is that

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<sup>2</sup> Halberstam and Montagnes (2009) compare the voting records of US Senators first elected in presidential election years relative to those first elected during midterm election years and find that the former exhibit more ideologically extreme voting patterns. Although their analysis does not speak to policy outcomes directly, they do show a clear linkage between concurrent elections and post-election behaviors of politicians which may have important policy implications.

turnout in local elections is notably higher when those elections are held concurrently with major national or state races (Hajnal et al. 2002).

While most of the literature on turnout and election timing is based on cross-sectional comparisons of jurisdictions with different election schedules, our analysis is based on a within-jurisdiction analysis over time. Specifically, we exploit a change in the law which led to massive increases in turnout in school board elections in California. Because we can observe policy outcomes within the same electoral environments, indeed the exact same jurisdictions, under conditions of high and low voter turnout, we can more directly link policy changes to changes in political participation. Rather than extrapolating from the preferences of voters to the preferences of nonvoters, from preferences to election outcomes, and from election outcomes to policy, we can simply compare policy outcomes before and after the change in election timing.

In considering the relevant policy outcomes for our analysis, we work from a simple model of voter behavior. We assume that whenever an election is held, there will be some citizens who are indifferent between voting and not voting. For this group of citizens, the benefits of voting are roughly equal to the costs of political participation. As participation costs increase, these voters will stop participating and as a result, the median voter in the group of actual voters will change. Similarly, as participation costs decrease, some citizens who were unwilling to bear the costs of voting previously may choose to participate, again changing the identity of the median actual voter in the election. That is, the observed or actual median voter is endogenous to the political participation cost structure (Dunne, Reed, and Wilbanks 1997). As participation cost rise, the voters who continue to participate in elections should be those with the most at stake in the outcome. Here, and elsewhere, we refer to this as *selective participation*

(Berry & Gersen 2010; Berry 2009): the pool of actual voters in a given election is a selective function of voter interest—potential gains or losses from the electoral outcome. Because rising costs of participation drive out potential voters from an election selectively, the substantive political preferences of actual voters should diverge from the political preferences of nonvoters in the jurisdiction. Importantly, this a comparative claim. As between two otherwise identical hypothetical elections, the pool of actual voters will differ as a function of the participation costs. The higher are the costs of participation, the greater the predicted divergence between the preferences of voters and non-voters.

To illustrate, consider two elections for school board membership. The first takes place in April and is the only election on that day. The second takes place in November on the same day and at the same location as elections for other local, state, and national offices. The selective participation framework suggests that the preferences of the voters in the oddly timed school board election will not only be different from the pool of voters in the November school board election (cf. Rubinfeld and Thomas 1980; Rubinfeld 1977; Berry and Gersen 2010), but also that the distance between the median voter and the pool of potential voters in the jurisdiction will be larger for the oddly timed election than the November election. Changes in participation costs associated with the timing of elections, therefore, provide a particularly natural way to shed light on the voter-nonvoter problem. Indeed, a couple of excellent papers have already explored these ideas in the context of school *bond* elections (Dunne, Reed, and Wilbanks 1997; Meredith 2009), showing that bonds are more likely to pass during elections held off-cycle, due to the differing, and more supportive electorate, that goes to the polls. Berry (2009) extends the logic from school bond elections to elections for governing boards.

In the case of school board elections, it is widely acknowledged that teachers unions are the single most influential interest group (Hess 2002). Moreover, Moe (2006) has shown that teachers are two- to seven-times more likely to vote in school board elections than are other citizens. The selective participation framework suggests that special interest voters—for example, union members—will be more influential in off-cycle than on-cycle elections. A standard measure of the political influence of public sector unions is the salary of public employees.<sup>3</sup> Therefore, the first policy outcome we analyze is teacher salaries. Specifically, we ask whether the salary schedules negotiated between school boards and union representatives are more favorable when districts operate on low-turnout, off-cycle election schedules.<sup>4</sup>

Importantly, the selective participation argument is not a normative one. When participation is most costly only the voters who care most intensely about the issue at stake will turn out. On the one hand, special interests may use their electoral influence to secure particularistic benefits for themselves at the expense of nonvoters. On the other hand, special interests are likely to be precisely those voters with the most information and the greatest expertise regarding the issue at stake, and their participation may result in better candidates being elected (or worse candidates being voted out), ultimately leading to better public policy. Which of these two effects dominates in any given case is an empirical question.<sup>5</sup> Thus, in addition to

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<sup>3</sup> We follow a significant literature in using public employee's salaries as a dependent variable in an analysis of political influence. The related literature is vast, but important contributions include Babcock and Enberg (1999), Baugh and Stone (1982), Bellante and Long (1981), Courant, Gramlich, and Rubinfeld (1979), Ehrenberg and Goldstein (1975), Farber (1986), Fogel and Lewin (1973), Freeman (1986), Freund (1973), Kleiner and Petree (1988), O'Brien (1992, 1994), Summers (1973), and Rose and Sonstelie (2006). Reviews of the literature, though now somewhat dated, are provided by Aaron, Najita, and Stern (1988), Gregory and Borland (1999), and Stone (2002).

<sup>4</sup> Trounstine (2010) finds that municipal employees in cities with off-cycle elections earn more than those in cities with on-cycle elections, and Anzia (forthcoming) reports similar findings for teachers, although both analyses are strictly cross-sectional.

<sup>5</sup> This basic tradeoff—namely that delegating to those with expertise may generate better decisions but also

teacher salaries, we also analyze student test scores. If off-cycle elections encourage participation by a more informed electorate, schools may ultimately perform better. If so, then we should expect to see student test scores decline following a change to on-cycle elections.

Before turning to the data, however, we note at least two good reasons to expect that our hypothesized effects might not, in fact, materialize. First, the selective participation thesis may simply be wrong. If the decision to vote is motivated by some factor that is unrelated to policy preferences—say, the sense of “duty” to vote—then voters may be a fairly representative sample of the electorate regardless of the timing of the election (Elcissor and Leighley 2001; Highton and Wolfinger 2001; Verba et al 1995). Second, in the context of local government specifically, some versions of the Tiebout model suggest that policy is shaped by interjurisdictional competition more than by local politics (Perroni and Scharf 2001; Sprunger and Wilson 1998; Rausher 1998; Rose-Ackerman 1983; Sonstelie and Portney 1978). If local governments compete with each other for an increased tax base, then the “right” bundle of public goods, taxes, and spending should be provided in each jurisdiction. Although this view is itself sometimes contested (e.g. Epple and Zelenitz 1981), a common theme in the local political economy literature is that “voting with your feet” makes voting at the ballot box superfluous.<sup>6</sup> Ultimately, these are empirical questions, and we seek to shed light on them in the next section.

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gives the expert some latitude to exploit the principal—is a very general problem and a core element of literature on mechanism design (Mas-Colell et al. 1995). The rationale for delegating authority to committees in Congress exhibits similar concerns (Shepsle and Weingast 1994). Delegating some policymaking authority to specialized committees may be an efficient way for the chamber to generate informed policies, but committees may also use their informational advantages strategically to benefit their members rather than the chamber (Krehbiel 1991; Gilligan and Krehbiel 1987).

<sup>6</sup> For an extended discussion of these ideas, see Berry (2009, chap. 7).

#### IV. Empirical Analysis

We focus our analysis on local government elections in California for two reasons. First, there is a rich archive of electoral data available from the Center for California Studies at Sacramento State University. As explained below, this archive enables us to analyze thousands of local elections spanning 1996 through 2006. In most other states, by contrast, election data are maintained at the local level and must be collected on a cumbersome county-by-county basis.<sup>7</sup>

The second and more important reason for analyzing California is that there has recently been a large scale change in the timing of school board elections in the state. Prior to 1986, school district elections were held in odd-numbered years, while most local government and state government elections were held in even-numbered years. In the mid-1980s, the California Assembly passed Assembly Bill (AB) 2605, which authorized school districts to consolidate elections of board members with primary or general elections held in the county in which the district is located. The bill seems to have been overwhelmingly supported and the legislative history reveals that virtually all of the political rhetoric focused on the cost savings that would accrue from election consolidation and on the possibility of increasing voter turnout—generally described as an unqualified democratic good.<sup>8</sup> Because of a then-recent change allowing other special districts to shift the date of their elections, had the bill failed, school districts would have

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<sup>7</sup> An exception is South Carolina, which “is the only state that centrally collects precinct-level election data for local school board races” (Berry and Howell 2007).

<sup>8</sup> The Republican Analysis of AB 2605, California State Assembly, Assembly Elections and Reapportionment Committee (Aug. 22, 1986), explains that consolidated elections will increase voter turnout and thereby reduce the power of special interests like teachers’ unions. The Senate Rules Committee (July 3, 1986) noted that the bill would lead to cost savings by allowing for the consolidation of elections. Some supporters thought the bill would “would provide a broader base of support for the public school system” (Letter from Jeffrey N. Hamilton, Superintendent, Fort Jones Union Elementary School District, to Johan Klehs, Chairperson, Assembly Elections and Reapportionment Committee (Apr 4, 1986). Others emphasized cost savings (Letter from Bob L. Blacett, District Superintendent, Modoc Joint Unified School District, to Johan Klehs, Chairperson, Assembly Elections and Reapportionment Committee (Apr 2, 1986); Letter from James M. Donnelly, Director, Governmental Relations, to

been the only special district legally required to hold elections in odd years. As a result, at least one member of the legislature was concerned that school boards would be forced to pay all of what had been shared election costs.<sup>9</sup> The modest debates in the press mirror these same concerns (e.g. Maeshiro 2005). The little opposition to the bill that did emerge was generally focused on a provision of the law that required approval from the board of supervisors of the county in which the school board changing election dates was located. Some administrators thought the decision should be left to the school boards alone.

Following the passage of AB 2605, California experienced a widespread shift in the timing of school district elections. Whereas all school board elections were held in odd years prior to the change in the law in 1986, our estimates indicate that roughly two-thirds of the state's districts had changed their election dates to even years by 2006.

The changes in local election timing were enabled by changes in state policy, namely the passage of AB 2506. Because these statewide changes were exogenous from the perspective of individual local jurisdictions, we have a sort of “natural experiment” that allows us to estimate the effect of election timing on political participation and policy outcomes. Indeed, a major distinguishing feature of our analysis is that we are able to observe electoral and policy outcomes within a jurisdiction over time before and after a change in election timing that results in massive increases in turnout. The advantages of this *differences-in-differences* approach are significant when compared to a traditional cross-sectional analysis. A cross-sectional analysis compares outcomes from one set of jurisdictions holding even-year elections to outcomes from a different

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Johan Klehs, Chairperson, Assembly Elections and Reapportionment Committee (Feb 27, 1986). These letters are part of the legislative history of the bill and on file with the authors.

<sup>9</sup> Assemblyman Richard Robinson noted that “without enactment of AB 2605, school districts could . . . be left to pay the full costs for conducting the expensive, low-turnout elections in the off years” ) Letter from Richard Robinson, Assemblyman, 72d District, to George Deukmajian, Governor, State of California (Aug. 21, 1986).

set of jurisdictions holding odd-year elections. The differences between the two types of jurisdictions may be attributable to the effect of election timing, but the differences may also be due to other factors that differ systematically between jurisdictions holding even- versus odd-year elections. For example, California school districts that hold elections in even years are smaller and less urban than districts that hold elections in odd years, and have a lower proportion of students that are eligible for free or reduced-price lunch, an indicator of poverty (see Table 1). While it is, of course, possible to control for measurable district attributes in a statistical analysis, it is not possible to control for the unobservable aspects of the districts that are also correlated with election timing and voter participation (for example political interest or social capital). The policy change in California allows us to examine outcomes within the same district before and after a change in election timing. As long as other attributes of the district do not change before and after the shift in election timing, we can be more confident that the observed differences in outcomes are the result of the electoral regime.

Our analysis proceeds in two steps. First we examine the effect of election timing—specifically, the concurrence of major state and federal elections—on turnout in school board elections. Next, we investigate the effect of election timing on two related policy outcomes: teacher salaries and student test scores.

#### *A. Timing and Turnout*

That turnout in local elections is higher when they coincide with major national and state races is hardly a controversial proposition. For example, Hajnal, Lewis, and Louch (2002) found that turnout in California municipal elections roughly doubles (from about 18 to 35 percent of

adult residents) when those elections coincide with a presidential or gubernatorial election. Based on a national survey, Hess (2002) finds that turnout among registered voters in school board elections averages about 44 percent when those elections are concurrent with higher level offices, but only 26 percent when they are held separately. Like most of the literature, these two studies rely on cross-sectional data. A noteworthy exception is Townley, Sweeney, and Schneider (1994), who analyze changes in turnout within school districts in Riverside County, California, after many of those districts changed their election time from odd to even years. Their results are broadly consistent with the cross-section literature. They find that districts that changed their election timing experienced between a doubling and tripling of turnout in subsequent elections. Our empirical analysis of turnout essentially generalizes the latter study to include the entire state and extends the time frame with an additional decade's worth of election data.

We collected data on voter turnout from the California Elections Data Archive (CEDA) maintained by the Center for California Studies at Sacramento State University. The archive contains data on candidates, ballot designations, and vote totals for all county, municipal, school district, and community college elections held between 1996 and 2006. In total, we obtained data on over 4,900 school district elections held during this time period. CEDA contains the number of votes cast for each candidate in each election. Based on this information, we computed voter turnout as the total number of votes cast in the election divided by the voting age population in the jurisdiction.<sup>10</sup> Because 94 percent of school district elections took place in November, we

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<sup>10</sup> We did not have access to data on the number of registered voters in the jurisdictions, so we rely on the number of voting-age residents. In addition, we had to drop observations from districts in which elections were held by ward rather than at large because we did not have census data by school district election area from which to compute the voting age population. As a result, we lose about 10 percent of districts, some of which are among the

excluded other months from our analysis. Roughly two-thirds of school district elections were held in even years. As shown in Table 2, elections held in odd years garnered less than half the level of voter participation as those held in even years— 13% versus 33% on average—and this differential was evident throughout all the years studied.

In order to confirm that the average turnout differentials are not result of differences in other attributes of the jurisdictions that hold their elections at different times, we ran a series of regression models controlling for population characteristics thought to influence voter turnout.<sup>11</sup> Specifically, we control for population size, as well as the racial and age composition of the jurisdiction. In addition, we control for the homeownership rate and the fraction of families with children, which are expected to be especially important determinants of participation in local elections. We emphasize that these variables measure the aggregate attributes of the population in the jurisdictions, not the attributes of individual voters, and therefore the usual cautions regarding the ecological fallacy apply (e.g., King 1997).

Table 3 shows the results of the turnout analysis. Models (1) and (2) show the regression of turnout on election timing and jurisdictional demographics. The coefficient for the odd-year dummy variable in model (1) is highly significant statistically and, at negative 20 percentage points, nearly equal to the simple difference in means. In other words, controlling for population demographics does not alter the basic story about turnout differentials between even and odd years.

Of course, we do not suggest that the evenness of the election year, per se, causes

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largest in the state (e.g., Los Angeles and San Francisco Unified). For consistency, we also exclude these districts from the second stage (i.e., salary and test score) analyses. However, our results do not change notably if we include these districts in the second stage. Complete results are available on request.

<sup>11</sup> We obtained data the 1990 and 2000 US Censuses and linearly interpolated values for the intermediate years.

differences in voter participation. Rather, we hypothesize that the concurrence of major state and federal races in even years draws voters to the polls who otherwise might not vote in local elections. This hypothesis is tested more directly in model (2), which substitutes dummy variables for presidential, gubernatorial, and senatorial election years in place of the catchall odd year dummy variable.<sup>12</sup> The results indicate that turnout in school district elections is roughly 22 percentage points higher in presidential elections years and 16 percentage points higher in gubernatorial election years, relative to odd years. The marginal effect on turnout of holding a U.S. Senate election coincident with a presidential or gubernatorial election is negligible.<sup>13</sup>

Models (3) and (4) of Table 3 introduce school district fixed effects, thereby isolating within-district differences in turnout between even and odd years. Identification in the fixed effects models comes from two sources. First, some districts held elections for school board seats in both even and odd years, usually due to the need for a special election to fill a vacant seat. Second, some districts changed their election timing from even to odd years during the course of our study period, as explained above. In both cases, we are able to observe how turnout differs within the same district between even and odd years. This specification purges the results of any time-invariant differences between districts that hold their elections on different schedules. The results do not change significantly from the OLS models. The only notable difference is that the senatorial election dummy becomes statistically significant—though remaining substantively

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In addition, we linearly projected values forward through 2004.

<sup>12</sup> California gubernatorial elections occur in even years alternating with presidential elections. For example, there were presidential elections in 1996, 2000, and so on, while there were gubernatorial elections in 1998, 2002, etc. We cannot separately identify the effects of US House elections, because they always coincide with either a presidential or gubernatorial election. We can, however, identify the marginal effect of US Senate elections due to their staggered timing. For example, there was a senatorial election in 2000 and 2004, but not in 2002.

<sup>13</sup> We cannot definitively attribute the turnout differential in presidential or gubernatorial election years to the presence of those offices on the ballot. In principle, any office that follows the same schedule of elections would produce the same coefficient in the model. However, we think it reasonable to attribute the turnout differentials to

small—with the inclusion of the district fixed effects.

The control variables in Table 3 perform generally as expected. The cross-sectional results (models 1 and 2) indicate that turnout is lower in larger districts, and in districts with a higher proportion of Hispanics, Native Americans, or “other” races. Turnout is higher in districts with more people over the age of 65, more families with children, and higher incomes. However, all but one of these effects dissipates when district fixed effects are added in models (3) and (4). The exception is the percent Hispanic variable, whose effect actually increases in the fixed effects specifications. To see why, recall that the dependent variable is defined as the number of votes over the voting age population. However, because they are disproportionately likely to be non-citizens, a simple count of the voting age population is particularly likely to overstate the number of eligible voters where there are many Hispanics.

### *B. Policy Consequences: Employee Compensation*

Employee compensation represents a natural dependent variable for a test interest group influence in school board politics (e.g., Baugh and Stone 1982; Dunne et al. 1996; Kleiner and Petree 1988; Rose and Sonstelie 2006). First, there is clear evidence of selective participation by teachers’ union members in school district elections (Moe 2006). Second, higher salaries are a universal and unambiguous goal for teachers and their unions. Third, teacher salaries follow a rigid pay scale based on qualifications and experience, and comprehensive data on the pay scales are available from the California Department of Education (CDE). Thus, while teacher salaries represent just one special interest policy objective, they are a particularly direct, easily

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the top offices on the ballot.

measurable, and unambiguous outcome for testing our theory.<sup>14</sup>

It is important to note that school districts do not have unfettered authority to set fiscal policy. Most states place limits on districts' fiscal autonomy, and California is extreme in the extent to which local budgets are determined at the state level (Hoxby 2001). As a result of voter-approved tax limits and court-ordered and legislative school finance reforms, the state government effectively determines local budgets and guarantees each district a roughly equal level of per pupil funding (Timar 2006).<sup>15</sup> Individual districts have only limited ability to independently change the size of their budgets.<sup>16</sup> Nevertheless, within the top-line budget constraint, districts retain nearly complete latitude in setting teacher salaries (Rose and Sengupta 2007).<sup>17</sup>

Each district determines its own salary schedule—that is, the salary paid to teachers with different combinations of education and experience—usually through a process of collective bargaining with union representatives. In other words, districts effectively decide how much of their budget to allocate to teacher compensation versus other expenditures.<sup>18</sup> In practice there is tremendous heterogeneity in teacher salaries among districts within the state. For example, in 2005, the most generous district, Los Gatos-Saratoga, paid \$80,040, while the least generous district, Potter Valley Unified, paid only \$42,733 for equivalently qualified teachers at step 10 in

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<sup>14</sup> See footnote 3 above for additional references using public employee salaries as a measure of union political influence.

<sup>15</sup> Categorical programs that provide supplemental funds for specific purposes, such as educating special-needs and low-income students or operating small schools, generate some variation in local revenue, meaning that per pupil spending is not perfectly equalized across districts.

<sup>16</sup> Schools may enhance their budgets by raising voluntary contributions, but Brunner and Sonstelie (2003) show that such contributions account for a very small share of the variation in funding across schools.

<sup>17</sup> Beginning in the 1999-2000 school year, the state mandated a minimum teacher salary of \$32,000, but the requirement was not binding for most districts (Loeb and Miller 2006).

<sup>18</sup> On average in California, teacher compensation accounts for half of a district's total per pupil expenditures (Rose and Sengupta 2007).

the salary schedule. Indeed, in every year of our study, the highest paying district offered a salary roughly twice as high as that of the lowest paying district for comparably qualified teachers. Meanwhile, the 75<sup>th</sup> percentile district paid on average about 20% more than the 25<sup>th</sup> percentile district in each year. Thus, despite limits on districts' fiscal independence, there is substantial variation in teacher compensation across districts that remains to be explained. In the concluding section of the paper, we return to these issues and discuss the generalizability of our results beyond California.

We obtained the certificated salary and benefit schedule (form J-90) from the California Department of Education (CDE) for each school district and each year from 1999 through 2005.<sup>19</sup> To identify comparable teachers across districts, we focus on those at step 10 in the salary schedule (BA degree plus 60 hours of continuing education), which is often taken to represent a “typical” teacher (e.g., Rose and Sengupta 2007).<sup>20</sup> This allows us to compare the salaries received by teachers with the same qualifications and experience in even-year and odd-year election districts.

Note that the policy reform that allowed school districts to change their elections from odd to even years occurred in 1986, while the first year for which district-level salary data are electronically available is 1999. Therefore, we first observe the outcome of interest more than 10 years after the change in election timing may have occurred. By this time, most of the districts that were to change to even-year elections had already done so. In order to enable a differences-

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<sup>19</sup> 1999 is the earliest year of data available. The data are obtained by CDE from local school districts through a survey. Although participation in the survey is voluntary, the response rate is 84 percent of districts representing 98 percent of the state's students. The responses are checked by CDE and reconfirmed with the districts before publication (CDE 2006, p. 1).

<sup>20</sup> Focusing on the starting salary, the highest salary, or the average salary yields comparable results to those presented below.

in-differences analysis, we collected additional teacher salary data for 1987, the last year before the policy change took effect.<sup>21</sup> We collected the records from paper archives at the CDE and entered the data manually. As a result, we are able to estimate each district's change in salary relative to its baseline, or "pre-treatment" level. Thus, we are able estimate whether districts that switched to even year elections exhibited differential *changes* in salary relative to districts remaining on an odd-year election schedule. This approach effectively controls for (observable and unobservable) time-invariant attributes of districts that may differ between those that changed election timing and those that did not. We complement this analysis with a second differences-in-differences analysis using the relatively small number of districts—12 to be exact—that changed their election timing after 1999.

Throughout our analyses, we control for a variety of district level covariates that could influence teacher salaries.<sup>22</sup> We control for the average wage in the local labor market, which provides a rough index of regional differentials that districts must offer to be competitive in attracting teachers. We use the annual average wage in the county as estimated by the Bureau of Economic Analysis.<sup>23</sup> We control for the size of the district, using the natural log of the number of students, to account for the possibility that unions are stronger in larger districts and therefore would extract more generous compensation independently from the timing of elections (Rose and Sonstelie 2006). We control for population density to capture potential differences between more or less urban districts. In addition, we control for the fraction of students receiving free or

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<sup>21</sup> The state law was changed in 1986; the first year in which an even-year election could have been held was 1988. Therefore, 1987 is the last "pre-treatment" year.

<sup>22</sup> Our selection of control variables was influenced by Rose and Sonstelie (2006) and Rose and Sengupta (2007).

<sup>23</sup> In principle, we would prefer to use the average wage for a worker with education and experience comparable to that of the average teacher, as in Rose and Sengupta (2007). However, the Census data used by those authors are

reduced price lunch, according to the National Center for Education Statistics, because districts with more low-income students may be perceived as more challenging by teachers, requiring additional compensation (Rose and Sengupta 2007). We control for demographic factors that may influence the attentiveness of local voters to school board politics, namely: the fraction of the population that is over 65, the fraction of housing units that are owner-occupied, and the fraction of families with school-age children. These three variables are taken from the 1990 and 2000 Censuses and values are linearly interpolated for other years. Because costs may vary for different types of districts, we include dummy variables for elementary and high school districts. Unified districts (K-12), which enroll about 70% of pupils, are the omitted category. Finally, all models include year fixed effects to account for statewide trends over time in teacher salaries.

Model (1) of Table 4 reports the bivariate regression of teacher salary against election timing. Teachers working in districts where elections are held in even years earn roughly 5 percent less than those in districts with odd year elections. With the addition of relevant covariates in model (2), the election timing estimates drops by roughly one-third, to 3.4 percent.

The estimates in models (1) and (2) rely on cross-sectional comparisons between even- and odd-year election districts. As we suggested above, such estimates may be confounded by unmeasured differences between the two categories of districts. In model (3), we add the baseline (1987) teacher salary as a control variable, allowing us to estimate the differences-in-differences in salaries. The estimates in model (3) indicate that salaries in even year districts increased 2 percent less than salaries in odd-year districts, relatively to their 1987 pre-treatment levels. In model (4), we estimate a variation of the differences-in-differences model by making the

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not available annually.

dependent variable the *change* between 1987 and 2004 salaries. Again the point estimate is roughly 2 percent.

As noted above, there are 12 districts that changed their election timing from odd to even years over the course of our study period. In model (5), we utilize data from these schedule-switching districts to identify the within-district change in teacher salaries before and after the change in election timing. Because we have so few observations and we are studying changes over a fairly short period of time, we do not include additional control variables in this model. Even with only 69 observations from 12 districts, the estimated effect of election timing is roughly equal in magnitude to the other within-district estimates, and the coefficient is significant at  $p < 0.10$ .

While all of the estimated salary differences between even- and odd-year election districts are statistically significant, they are nevertheless fairly small substantively speaking. With an average step 10 salary of \$54,000, the even-year salary differential of 2 percent amounts to about \$1000. While this amount may be substantial from the perspective of an individual teacher, the mean difference between the 75<sup>th</sup> and 25<sup>th</sup> percentile district salaries is ten times as much. Moreover, that the within-district estimates are about 40 percent smaller than the between-district estimates validates our concern that cross-sectional estimates, even within the same state and with a rich set of control variables, overstate the true effects.

Several of the control variables demonstrate significant relationships with teacher salaries. Districts in counties with higher average wages also pay higher teacher salaries, consistent with Rose and Sengupta (2007). In addition, larger districts pay higher salaries, as in Rose and Sonstelie (2006), as do more urban districts and those where there is a higher

proportion of families with school-age children.

### *B1. Robustness*

As explained above, AB2605 was a reform that *allowed* school districts to change their election dates from even to odd years, but it did not *require* them to do so. As such, this is a situation in which there is endogenous selection into the treatment, and it is natural to worry that the districts that chose to change their election timing were otherwise prone to reduce teacher salaries for some reason. One response is to emphasize that our within-district analyses account for both observable and unobservable *time invariant* differences across districts. For example, we need not be concerned that the results above are an artifact of greater inherent fiscal conservatism among districts that changed their election timing, since such districts would have been expected to have lower teacher salaries even before the change in election timing.

There may be a lingering concern, however, that changes in districts over time might be correlated with both election timing and teacher salaries. Recall that the primary motivation given in the journalistic accounts of AB2605 was to save money on election administration. Suppose that the districts that were most motivated to save money on election administration were also the most motivated to keep teacher salaries in check over time—due to changing needs to spend the funds on other expenses, say. Then the districts that changed to even-year elections might be those that were most likely to have held the line on teacher salaries even without the electoral change. In this case, our estimates could be biased upward.

Given that we have just argued that the effect of election timing on teacher salaries is small, we are not especially troubled by the prospect that those estimates may be biased upward.

If the true effects were even smaller, this would only strengthen our argument. Nevertheless, to explore these endogeneity concerns, we conducted an instrumental variables (IV) analysis. Our instrument relies on the fact that districts' proposals to change the time of their elections had to be approved by the county board. In several notable cases—for example, Los Angeles and San Bernadino—district proposals were rejected. A common reason given in rejecting districts' attempts to change their election dates was that the November general election ballot was already crowded and that adding more offices would unduly burden voters. Based on this experience, our instrument is the number of elected offices in the county as of 1987, which we obtained from the Census of Governments. Our reasoning is that counties with more elected offices in existence prior to passage of AB 2605 would be less likely to consolidate school district elections onto an already congested ballot. At the same time, we see no reason why the number of elected offices in the county should affect teacher salaries, other than through its potential effect on election timing. Our IV model (not shown) yields a coefficient of 1 percent for the election timing variable, but it is imprecisely estimated (standard error of 2 percent).<sup>24</sup> We thus cannot reject the hypothesis that the IV results are equal to the OLS results ( $p = 0.79$ ). The analysis therefore indicates no evidence of endogeneity.

As an additional robustness exercise, we repeated our analyses using matching methods. While matching does not address endogeneity concerns, it does allow us to test robustness by effectively restricting our comparisons to even-year and odd-year districts with overlap in the covariate distribution. In other words, if we were concerned that even-year and odd-year districts were so fundamentally different in observables that there was no common support, then we

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<sup>24</sup> The instrument performs well in the first stage, with an  $F$ -statistic of 98.21. Complete results are available on request.

might not put much stock in the linear extrapolations required to produce the regression estimates shown above. In any case, the concern seems unfounded, as matching estimates produce results quite similar to those shown above. Using the same set of covariates in model (3) of Table (4), nearest neighbor matching, kernel-based matching, and the “doubly robust” estimator of Robins, Rotnitzky, and Zhao (1995) (Lunceford and Davidian 2004) all recover differences between even- and odd-year districts of roughly 2 percent, which is in line with the comparable regression estimates.<sup>25</sup>

### *C. Policy Consequences: Test Scores*

The effect of election timing on teacher salaries might be taken as evidence that special interests exert a nefarious, if modest, influence in low-turnout elections. One possible reading of the data is that teachers dominate school board elections held in odd years and subsequently are able to extract better deals during negotiations with a board they helped to select. On the other hand, a more positive gloss might be that parents or pro-education interests more generally dominate odd-year, low-turnout school board elections. Such interests, possibly including unions, might prefer higher teacher salaries in the hopes of attracting better teachers and thereby improving educational outcomes for children. By the same token, it may be that voters in off-cycle elections are generally better informed about the performance of their local schools. For instance, parents and teachers may have first-hand information about school performance that allows them to better discern which incumbent board members are worthy of reelection and which need to be replaced.<sup>26</sup> Changing elections to coincide with major state and federal races,

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<sup>25</sup> Complete results are available on request.

<sup>26</sup> Chingos, Henderson, and West (2010) find that parents are better informed about school performance than are

therefore, may increase participation by less knowledgeable voters, thereby diminishing the overall quality of school governance. If either of these hypotheses is correct, then odd-year districts might exhibit an edge in student test scores due to having higher quality teachers, better governance, or both.

To investigate these issues, we analyze standardized test results on the state's Academic Performance Index (API) between and within districts in the same way that we did for teacher salaries. API scores are available beginning in 1999. We use school-level scores and match each school to its home district. We then assess whether schools in even-year election districts perform differently from schools in odd-year election districts. Because the formula used to compute the API can vary from one year to the next, the raw scores are not directly comparable over time (CDE 2009). Therefore, we normalized the scores to create percentile rankings across schools for each year. We computed the normalization separately for elementary, high school, and unified districts, so that each school is ranked with respect to others of the same type.<sup>27</sup>

We begin by regressing API percentile scores on the election timing indicator, which is effectively a test of the difference of means between even- and odd-year districts. The results, shown in model (1) of Table 5, reveal that even-year districts score 7.2 percentile points higher than odd-year districts on the API. Controlling for school-level observables, however, substantially reduces the estimated differential. Model (2) introduces the following independent variables: school size, the percent of students receiving free or reduced-price lunch, the percent

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other voters.

<sup>27</sup> The CDE provides decile rankings of schools—that is, a classification of schools into deciles of performance on the API. We obtain similar (and still significant) results when we use the CDE decile rankings; however our percentile rankings generate somewhat more precise estimates.

African American, and a school characteristics index (SCI) provided by the CDE.<sup>28</sup> With the addition of these controls, the estimated performance gap between even- and odd-year districts falls dramatically to 1.8 percentile points, but remains statistically significant. Finally, model (3) introduces district fixed effects, tying identification to within-district changes in performance from the 12 districts that changed election timing during the study period.<sup>29</sup> The point estimates in the final model are negative 1.7 percentile points, though nowhere near to being statistically significant.

Overall, we see little evidence to suggest that election timing, and by implication voter turnout, notably affects school performance. Most of the mean difference in performance between even- and odd-year districts can be adduced to differences in observable student characteristics. Even taking the estimates from model (2) at face value, however, a 2 percentile point differential is substantively quite small considering that the standard deviation in percentile scores is 29. Our findings are broadly consistent with those of Rose and Sonstelie (2006), who find no relationship between teacher salaries and student test scores in California (although they do not examine election timing).

## V. Implications & Caveats

Our empirical analysis yields three main results. First, when school board elections are

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<sup>28</sup> The SCI is a composite index, ranging from 100 to 200, computed by the CDE to represent the school's demographics. The components of the index include pupil mobility, pupil ethnicity, pupil socioeconomic status, teacher accreditation, class size, grade span, the percentages of gifted and disabled students, and the percentage of migrant students. For details of how the index is constructed, see CDE (2009, pp. 66-69). We experimented with using the component variables individually and found that they did not appreciably alter our estimates of the election timing dummy relative to using the more parsimonious SCI.

<sup>29</sup> We cannot estimate changes relative to baseline, pre-treatment levels because test scores are not available prior to 1999.

held to coincide with state and national elections, turnout is dramatically higher, on the order of 150 percent higher. Second, teacher salaries are between one and three percent higher when school board elections are held off-cycle. Third, neither the change in voter turnout nor the change in teacher salary is associated with a robust change in student achievement. From the perspective of education policy, these findings are of important in and of themselves. Our main interest, however, is in the implications of these results for the voter versus non-voters debate.

While judging the substantive magnitude of the observed effects is inevitably somewhat subjective, one obvious interpretation is that these results are of a piece with the conventional view that outcomes would not change importantly if everyone voted (e.g., Highton and Wolfinger 2002; Citrin et al. 2003). In the present case, while \$1000 may or may not be viewed as a large amount from the perspective of an individual teacher, it seems fair to say at a 2% increase in salary associated with a 150% increase in turnout is a very small elasticity. Indeed, if turnout changes this large are necessary to drive a substantive policy shift, it casts doubt on the idea that the more modest variation in turnout typically observed in general interest elections at the state or national level could be expected to generate major policy changes.

On the other hand, the analysis does demonstrate that changes in turnout, in fact, generate a robust measurable difference in a policy outcome. While the salary change is relatively small, it may be suggestive of potential effects along other unstudied dimensions. For example, if unions were also able to extract more favorable terms on tenure standards, working conditions, or other employment parameters not readily measured in this study, the aggregate effect on policy might be more consequential. Moreover, we have only examined one of the dozens of types of special-purpose local governments for which low-turnout, off-cycle elections are

commonplace. Berry (2009) argues that small increases in spending multiplied across multiple layers of government can produce significant aggregate consequences for public sector budgets. Thus, if a similar result were observed in all the special purpose elections in a given locality, the aggregate overall effects would obviously be much larger and more important from a policy perspective.

Aside from the magnitude of the effects, another important consideration is their generalizability. Indeed, one concern is that the effects we observe in California are particularly small because the state's school finance system leaves little room for local districts to alter the size of their budgets. On this question, two points are relevant. First, as explained above, districts have nearly complete latitude in setting teacher salaries and there is tremendous heterogeneity in salaries across districts within California. So lack of local discretion appears unlikely to be the primary explanation for the small observed effects. In addition, we note that two cross-sectional studies, one using national data (Trounstine 2010) and one using data from 8 states (Anzia forthcoming), find salary differences similar in magnitude to our own cross-sectional estimates (e.g., model (2) of Table 4). While we suspect that the cross-sectional estimates overstate the true size of the effects, for reasons elucidated above, that cross-sectional estimates from outside California comport with our own cross-sectional estimates suggests that the California system may not be so different as to limit the generalizability of the findings. That said, of course we place our stock on the within-district estimates rather than the cross-sectional estimates, and the only way to truly know whether those results generalize would be to replicate the study elsewhere using a comparable quasi-experiment of some kind.

## Conclusion

Understanding the relationship between political participation and policy outcomes is one of the core tasks of modern political science. Our analysis complements past studies of the preferences of voters and non-voters by analyzing the relationship between turnout and policy more directly. By focusing on a special purpose election, school boards, we are able to draw on conventional measures of education policy, including teacher salaries and student achievement. In addition, we are able to take advantage of much larger differences in turnout than are typically observed for national offices; in this case turnout more than doubles between even and odd years. Finally, in comparison to past studies based on cross-sectional comparisons, we are able to make stronger causal inferences about the connection between turnout and policy. By virtue of the quasi-experiment in California, we are able not only to compare electoral outcomes across jurisdictions, but also within the same jurisdiction over time. That is, our analysis tests whether massive changes in voter participation are associated with changes in policy outcomes within the same jurisdiction. While certainly not the final word, we hope these results contribute to the accumulating literature on the topic by casting new light on the voters versus nonvoters debate in political science. Returning to the motivating question of the paper—would policy outcomes change if everyone voted?—our qualified answer is, *yes but not radically.*

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Table 1. Comparison of Even- and Odd-Year Districts

Variable	Mean	Std. Err. of Mean	Diff. of Means T	(p - value)
<b>Step-10 Teacher Salary</b>				
Odd	\$ 53,634	\$ 408		3.71
Even	\$ 51,631	\$ 365		(0.0002)
<b>Population Density (county)</b>				
Odd	929	73		2.09
Even	724	65		(0.037)
<b>Avg. Wage per Job (county)</b>				
Odd	\$ 34,594	\$ 751		-1.14
Even	\$ 35,858	\$ 818		(0.256)
<b>Pct. Pop 65 and Over</b>				
Odd	0.12	0.003		-0.44
Even	0.12	0.003		(0.66)
<b>Pct. Owner Occupied Housing</b>				
Odd	0.65	0.01		0.49
Even	0.65	0.01		(0.63)
<b>Pct. Families with Children</b>				
Odd	0.54	0.006		1.83
Even	0.52	0.005		(0.068)
<b>Pct. Free/Reduced Lunch Eligible</b>				
Odd	0.36	0.02		1.57
Even	0.32	0.02		(0.117)
<b>Total Students</b>				
Odd	8,169	653		2.81
Even	5,875	497		(0.005)

Source: 2000 US Census for all variables except free/reduced lunch and total students, which come from NCES, and average county wage, which comes from the BEA.

Table 2. Summary of School Board Election Turnout

<b>Year</b>	<b>Median Turnout</b>	<b>Number of Elections</b>
1996	38%	577
1997	15%	332
1998	31%	566
1999	12%	326
2000	36%	519
2001	14%	334
2002	26%	594
2003	10%	312
2004	37%	545
All even years	33%	2801
All odd years	13%	1304
All years	22%	4105

Table 3. Election Timing and Voter Participation: School Boards

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>OLS</b>	<b>OLS</b>	<b>FE</b>	<b>FE</b>
Odd year election	-0.194*** (0.012)		-0.219*** (0.028)	
Election Day - President		0.223*** (0.014)		0.240*** (0.029)
Election Day - Governor		0.155*** (0.013)		0.181*** (0.028)
Election Day - US Senator		0.009 (0.008)		0.023*** (0.005)
Ln( Total Population)	-0.102*** (0.006)	-0.102*** (0.006)	0.089 (0.081)	0.092 (0.080)
% Black/African American Population	0.212 (0.154)	0.230 (0.153)	-0.258 (0.360)	-0.294 (0.352)
% American Indian/Alaska Native Population	-0.686*** (0.139)	-0.668*** (0.140)	-0.166 (1.249)	-0.229 (1.338)
% Asian, Native Hawaiian and other Pacific Islander Population	0.007 (0.084)	0.001 (0.084)	-0.240 (0.214)	-0.280 (0.210)
% Other Race Population	-9.110* (5.299)	-8.985* (5.227)	1.716 (3.638)	1.999 (3.590)
% Hispanic/Latino population	-0.260*** (0.054)	-0.254*** (0.054)	-0.396** (0.155)	-0.413*** (0.155)
% Persons 65+ years old	1.485*** (0.364)	1.530*** (0.369)	0.764 (0.673)	0.857 (0.671)
Ln( Ave. Household Income)	0.300*** (0.032)	0.310*** (0.033)	-0.048 (0.064)	-0.027 (0.063)
% Owner-occupied Housing Units	-0.186 (0.133)	-0.182 (0.132)	0.178 (0.289)	0.129 (0.292)
% Families and Subfamilies with Own Children	0.657** (0.280)	0.677** (0.281)	0.437 (0.319)	0.494 (0.308)
Constant	-2.070*** (0.367)	-2.396*** (0.378)	-0.361 (0.742)	-0.842 (0.761)
Number of observations	4,656	4,656	4,656	4,656
R2	0.360	0.366	0.061	0.099

Standard errors clustered by district reported in parentheses. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1.

Table 4. Election Timing and Teacher Salaries

	(1)	(2)	(3)	(4)	(5)
Even year election	-0.050*** (0.012)	-0.032*** (0.008)	-0.020*** (0.006)	-0.024*** (0.008)	-0.027* (0.015)
ln(Baseline 1987 salary)			0.527*** (0.069)	-0.508*** (0.081)	
Log County Avg. Wage		0.119*** (0.029)	0.100*** (0.022)	0.102*** (0.026)	
ln(Population per sq. mile)		0.013*** (0.004)	0.010*** (0.003)	0.013*** (0.004)	
Interpolated % Persons 65+ years old		0.222 (0.144)	0.159 (0.100)	0.127 (0.109)	
Interpolated % Owner-occupied Housing Units		-0.047 (0.039)	-0.026 (0.031)	-0.010 (0.035)	
% Families and Subfamilies with Own Children		0.244*** (0.087)	0.229*** (0.062)	0.233*** (0.065)	
% Ratio of Free Lunch Eligible		-0.030 (0.020)	-0.025 (0.016)	-0.026 (0.020)	
Constant	10.899*** (0.009)	9.210*** (0.312)	4.058*** (0.730)	4.460*** (0.828)	10.952*** (0.003)
Number of observations	1,848	1,842	1,842	309	69
R2	0.120	0.648	0.752	0.428	0.825

The dependent variable is the natural log of the Step-10 salary except in model (4) where the dependent variable is the log difference between the 1987 and 2005 Step-10 salaries. Standard errors clustered by district reported in parentheses. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1.

Table 5. Election Timing and Test Scores

	(1)	(2)	(3)
	OLS	OLS	FE
Even Year Election Dummy	7.246*** (2.661)	1.830** (0.770)	-1.712 (1.908)
Pct Free/Reduced Lunch Students		-0.479*** (0.023)	-0.049 (0.200)
School Characteristics Index		1.013*** (0.050)	0.307* (0.159)
Pct African American		-0.137*** (0.047)	0.151 (0.337)
Log Enrollment		0.987* (0.504)	7.087 (7.149)
Constant	46.024*** (2.036)	-101.037*** (11.621)	-53.297 (57.404)
Number of observations	31,311	27,629	630
R2	0.016	0.825	0.051

The unit of analysis is the school. The dependent variable is the school's percentile ranking on the API. Standard errors clustered by district reported in parentheses. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$ .

Readers with comments should address them to:

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**PROPOSED ACTION PLAN FOR CHANGING THE CITY'S GENERAL MUNICIPAL ELECTION TO NOVEMBER OF EVEN-NUMBERED YEARS**

City Council directs staff to initiate formal actions to change the City's election cycle to November of even-numbered years	Tuesday, February 5 City Council meeting
City Council authorizes additional mailer	Tuesday, February 19 City Council meeting
City Manager's Report article regarding proposed change to the City's election cycle	Week of February 18
Announcements on City's website	Updated as the City Council takes formal steps
Announcement on Channel 27	Updated as the City Council takes formal steps
Citywide postcard to all residents with information regarding the proposed change to the City's election cycle	Mailed for delivery prior to March 19 (if desired)
First reading of the enabling ordinance to change to even-numbered year elections and lengthen current elected officials terms by one year	Tuesday, March 19 City Council meeting
Notification to Benicia Unified School District of City's intention to change the General Municipal Election to November of even-numbered years	With the first reading of the proposed enabling ordinance
Second reading of ordinance	Tuesday, April 2 City Council meeting
Date ordinance takes effect	May 2 (30 days after 2 <sup>nd</sup> reading)
City notifies Solano County Board of Supervisors and requests that the City's elections are consolidated with the presidential/statewide election ballot	April/May
Voter campaign to notify residents of change in election cycle	After Board of Supervisors adopts resolution approving consolidation and continuing to November 2013



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013  
**TO** : Mayor Patterson  
**FROM** : City Manager  
**SUBJECT** : **MAYORS' COMMITTEE MEETING**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

The Mayors' Committee meetings are held on the third Wednesday of every other month at 6:30 pm. Due to the meeting responsibilities transitioning from the City of Vacaville to the City of Vallejo, information on the next meeting is unavailable at this time.



**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 11, 2013  
**TO** : Mayor Patterson  
Council Member Strawbridge  
**FROM** : City Attorney   
**SUBJECT** : **ABAG COMMITTEE MEETING**

The following information is provided for your committee report at the February 19, 2013 council meeting:

- The next meeting is the Spring General Assembly. No information has been announced yet regarding the upcoming Spring General Assembly.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 7, 2013

**TO** : Council Member Campbell  
Council Member Strawbridge

**FROM** : Finance Director

**SUBJECT** : **FINANCE COMMITTEE REPORT**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The last Finance Committee meeting was held on January 25, 2013. The draft minutes for the January 25, 2013 meeting are attached for your review. The next meeting will be held on Friday, February 15, 2013 at 8:00 am; a copy of the agenda is also attached.

The March meeting will be held on Friday, March 22, 2013 at 8:00 am. The agenda will be posted to the City's website by March 15<sup>th</sup>.

Attachment:

- January 25, 2013 Finance Committee Meeting Draft Minutes
- February 15, 2013 Finance Committee Agenda



**FINANCE COMMITTEE**  
**\*\*DRAFT\*\* REGULAR MEETING MINUTES**  
**JANUARY 25, 2013 – 8:00 AM**

**1. Call to Order at 8:05 AM**

**2. Roll Call**

Attended by Chairperson Dennis Lowry; Vice Chairperson Lee Wines; Committee Members: Chris Carvalho and Michael Clarke; Council Member Christina Strawbridge. Absent: Council Member Tom Campbell; City Treasurer H.R. Autz and Committee Member Larry Grossman. Staff present: City Manager Brad Kilger, Finance Director Karan Reid and Assistant Finance Director Abby Urrutia. Guest present: Maze & Associates Shareholder Vikki Rodriguez and Manager David Alvey.

**3. Pledge of Allegiance**

**4. Notice to the Public**

Advised by Chairperson Lowry

**5. Action Items**

**A. Approval of Agenda**

On motion of Committee Member Clarke, seconded by Vice Chairperson Wines, the Committee approved the Agenda on roll call by the following vote:

Ayes: Carvalho, Clarke, Wines, Lowry

Noes: (None)

**B. Approval of Minutes from the meeting held on November 16, 2012**

On motion of Vice Chairperson Wines, seconded by Committee Member Clarke, the Committee approved the minutes of the November 16, 2012, with a minor change on the spelling of a committee member's name, on roll call by the following vote:

Ayes: Carvalho, Clarke, Wines, Lowry

Noes: (None)

**C. Review of Audited Financial Statements for Fiscal Year Ended June 30, 2012**

Vikki Rodriguez, Shareholder of Maze & Associates, the City's independent auditors, presented the results of the FY11-12 Comprehensive Annual Financial Report (CAFR) to the committee. The CAFR is the accumulation of the Audited Financial Statements and other important information compiled by City Finance Staff. Ms. Rodriguez reviewed the scope of the audit, the audit process and the findings resulting from the audit. The City received an unqualified audit opinion, which is the highest rating and indicates that the financial information is accurately presented. The committee reviewed the financial reports, with questions being posed to Ms. Rodriguez including the

legality of transfers from the Enterprise Funds to the General Fund; changes in loan payments between funds; clarification of fund balance and reserves of the General Fund; and loans, advances and status of the Transit Fund and Marina Fund. Ms. Rodriguez also discussed information included in the Memorandum on Internal Control and the auditors' required communication to the City Council. She informed the committee that there are no major material weaknesses, only significant deficiencies which have been corrected by the City.

On motion of Vice Chairperson Wines, seconded by Committee Member Clarke, the Committee approved the City's Audited Financial Statements and recommended to be forwarded to the City Council on their next Council meeting on roll call by the following vote:

Ayes: Carvalho, Clarke, Wines, Lowry

Noes: (None)

- D. Additional Items:** Chairperson Lowry requested Finance Committee Member names and terms are added to the City's website, similar to those of other Boards and Commissions.

## **6. Discussion Items**

### **A. General Fund Budget Review**

Chairperson Lowry informed the committee that staff presented a thorough discussion on the General Fund during the City Council meeting on January 22, 2013. City Manager Kilger commented that the purpose of the budget review was to present all options available to the Council and have Council give guidance, feedback to staff on how to proceed with addressing the budget shortfall. Use of the reserves was agreeable to Council for a temporary fix to the budget problem. Comments as to the committee's contributions to the budget process were discussed and a suggestion was made to have the committee get involved in the early stages.

### **B. Review of Financial Report for the Month of November and December 2012**

Finance Director Reid informed the committee that there are no significant changes in the General Fund as presented to Council on January 22, 2013, which was thoroughly discussed on the General Fund Budget Review report. Expenditures are lower than what staff was expecting and the City is anticipating a recovery period of 18 to 24 months.

### **C. Review Warrant Registers for Months of November and December 2012**

The Committee reviewed the warrant registers for November and December 2012, with Finance Director Reid clarifying questions from members.

### **D. Update on Discussions with County Auditor-Controller and Assessor**

Finance Director Reid met with the County Auditor-Controller, Assessor and various finance officers from cities within the County on January 16, 2013. The County Assessor would not provide any forecasting information to cities to assist cities in their budget preparation for property taxes. Finance Director Reid does not foresee any changes to the Assessor's position on this.

**E. Update on Status of Reformatting Monthly Financial Report**

There is no change to the status. Implementation of the accounting software upgrade is of late summer or early fall 2013.

**F. Update on Status of Updating Long Range Budget Model**

Staff is continuing to fine tune assumptions as information is received. Staff will meet with the sub-committee before presenting the model to the entire committee.

**7. Public Comment**

Chairperson Lowry commented on a good job that Donna Beth from the Herald is doing in providing information to the community.

**8. Adjournment**

There being no further business, the meeting was adjourned at 10:06 a.m.



**FINANCE COMMITTEE  
REGULAR MEETING AGENDA  
COMMUNITY CENTER – PROGRAM ROOM 1  
370 EAST L STREET  
FEBRUARY 15, 2013 - 8:00 AM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Notice to the Public
5. **ACTION ITEMS**
  - A. Approval of Agenda
  - B. Approval of minutes for meeting held on January 25, 2013
  - C. Election of Chairperson for the remainder of fiscal year ending June 30, 2013
  - D. Additional Items
6. **DISCUSSION ITEMS**
  - A. **Review Financial Report for the Month of January 2013**  
The Finance Committee reviews monthly financial report. Committee Members are encouraged to review and provide any questions specific to the financial reports to the Finance Director prior to the meeting.  
**Recommendation: Review Monthly Financial Report.**
  - B. **Review Warrant Register for Month of January 2013**  
A monthly audit of payments to vendors that supply services to the City of Benicia. Members of the Finance Committee review the warrant register and request that further information be provided by staff as necessary. It is encouraged that Committee Members submit their questions to the Finance Director prior to the meeting.  
**Recommendation: Review Warrant Register.**
  - C. **Update on Status of Reformatting Monthly Financial Report**
  - D. **Update on Status of Updating Long Range Budget Model Projections**
7. Public Comment
8. Adjournment

*\*\*The FIN... helping to steady the course through challenging financial waters.\*\**

## **Public Participation**

The Benicia Finance Committee welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Finance Committee allows speakers to speak on non-agendized matters under public comment and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Finance Committee.

Should you have material you wish to enter into the record, please submit it to the Finance Director.

## **Disabled Access**

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Human Resources Department, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

## **Meeting Procedures**

All items listed on this agenda are for Committee discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the Finance Committee.

Pursuant to Government Code Section 65009, if you challenge a decision of the Finance Committee in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Finance Committee at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the Finance Committee is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Mayor Patterson  
Vice Mayor Campbell

**FROM** : City Manager

**SUBJECT** : **LEAGUE OF CALIFORNIA CITIES**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

The next North Bay Division General Membership Meeting will be held on Thursday, February 21, 2013 in Napa.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Council Member Strawbridge  
Council Member Hughes

**FROM** : City Manager

**SUBJECT** : **CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

This committee meets quarterly at the Benicia Unified School District Board Room located at 350 East K Street. The next meeting will be Thursday, March 7, 2013 at 8:30 am at the BUSD Board Room, and the agenda for that meeting is currently unavailable.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Vice Mayor Campbell  
Council Member Schwartzman

**FROM** : City Manager

**SUBJECT** : **SKY VALLEY OPEN SPACE COMMITTEE**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The Sky Valley Open Space Committee meets quarterly. The first meeting of 2013 (February 6) was cancelled due to a lack of agenda items. The next regularly scheduled meeting is May 1, 2013.



**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 7, 2013

**TO** : Mayor Patterson  
Council Member Strawbridge

**FROM** : City Manager

**SUBJECT** : **SOLANO EDC BOARD OF DIRECTORS**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The last Board of Directors meeting was held on Thursday, January 24, 2013. The agenda for that meeting is attached; the minutes are not yet available.

The next Board of Directors meeting is scheduled for Thursday, March 14, 2013 at 9:00 am at Jelly Belly Candy Company. The agenda for that meeting is not yet available.

Attachment:

- Agenda for January 24, 2013



**Solano EDC**  
**Board of Directors Meeting**  
Thursday, January 24, 2013  
Jelly Belly Candy Company (Corporate Offices)

AGENDA

- |             |     |   |                       |
|-------------|-----|---|-----------------------|
| 9:00 am     | 1.  | Call to Order   | Scott Reynolds, Chair |
| Action Item | 2.  | Approval of 11/14/12 Meeting Minutes                          |                       |
| Action Item | 3.  | 2013 Board Election Results                                   | Scott Reynolds        |
|             |     | Board changes:  |                       |
|             |     | • Steve Lessler resignation                                   |                       |
|             |     | • Skip Thomson to replace Mike Reagan, Solano County          |                       |
|             |     | • Constance Boulware to replace Jack Krebs, City of Rio Vista |                       |
| Action Item | 4.  | Treasurer's Report – Year End 2012                            | Sean Quinn            |
|             | 5.  | Advocacy Committee  | Steve Huddleston      |
|             | 6.  | Economic Development Task Force Update                        | Mario Giuliani        |
|             | 7.  | President's Report  | Sandy Person          |
| Action Item | 8.  | Nominations for 2013 Chairman of the Board                    |                       |
|             | 9.  | Chairperson's Remarks   |                       |
|             | 10. | Items from Directors  |                       |
| 10:00 am    | 11. | Adjourn Meeting   |                       |

Calendar of Events

- ◆ January 31, 2013      Annual Meeting Luncheon at Hilton Garden Inn - Salute to Travis  
Keynote: Col. Dwight Sones, Commander, 60<sup>th</sup> AMW, Travis AFB
  
- ◆ 2013 Board Meetings: 9:00 am, 2<sup>nd</sup> Thursday (odd months), Jelly Belly Candy Company  
March 14, May 09, July 11, September 12, November 14

## Solano EDC Monthly Financial Summary

**December 2012**  
**(100% of budget)**

**ANNUAL INCOME:       \$ 328,376.96 (85% of budget)**

**December:               \$ 32,503.88**

- Membership Renewals – 102% of budget
- New Member – 17% of budget
- Public Membership – 64% budget
  - ✓ City of Vallejo: received \$10,000 first payment for FY 2012/13 contract
  - City of Benicia: current (paying quarterly)
  - City of Dixon: current (paying quarterly)
  - County of Solano: paid-in-full for FY12/13
  - City of Fairfield: paid-in-full for FY12/13
  - City of Rio Vista: paid-in-full for FY12/13
  - City of Vacaville: paid-in-full for FY12/13
  - City of Suisun City (dropped membership)
- Contracts & Grants: 120% of budget due to new \$2500 Wells Fargo grant opportunity
- Publications: 200% due to better than budgeted ad sales for Connections
- Capital Campaign: 52 % of budget. \$7,900 balance due of \$50,000 pledged (will invoice 1/2013)
- Membership meetings: \$2,954.37 from outstanding invoices (83% budget)
- Sub-lease Income: 101% budget. Received quarterly payment from SBDC and monthly payment from SCBI

**ANNUAL EXPENSES:     \$ 316,408.12 (82% of budget)**

**December:               \$ 28,775.92**

- Fixed Expenses: slightly under budget at 96%
- Personnel: under budget (76%) due to extra position on hold
- Prof Services: slightly under budget at 93%
- Marketing-Business Attraction:
  - Website: 195% of budget (Timing issue. ED Suites website & email hosting annual subscription \$3,720 and LoopNet annual subscription \$479.40). Normally paid in January.
  - Business Attraction & Recruiting –slightly under budget at 81%

**TOTAL NET INCOME:   \$ 11,968.84**

**December:               \$ 3,727.96**

**Solano EDC**  
**Monthly Financial Statement**  
 December 2012

	Current Month		Year-to-Date		Annual	
	Dec 12 Actuals	Jan-Dec 12 Actuals	Jan-Dec 12 Budget	YTD \$ Variance	YTD \$ Variance	%(100) of Budget
<b>INCOME</b>						
Private & Other Public						
Memberships Renewals	12,860.89	154,333.97	151,000.00	3,333.97	3,333.97	102%
New Members	208.32	2,500.00	15,000.00	(12,500.00)	(12,500.00)	17%
Public Memberships						
Memberships Renewals	10,000.00	78,800.00	123,800.00	(45,000.00)	(45,000.00)	64%
Contracts & Grants	0.00	22,771.90	19,000.00	3,771.90	3,771.90	120%
Fundraisers						
Golf - Net	0.00	10,238.45	12,500.00	(2,261.55)	(2,261.55)	82%
Membership Mtgs (Net)	2,954.37	12,405.21	15,000.00	(2,594.79)	(2,594.79)	83%
Publications	0.00	10,000.00	5,000.00	5,000.00	5,000.00	200%
Other Income						
Capital Campaign	0.00	8,700.00	16,600.00	(7,900.00)	(7,900.00)	52%
Interest Income	28.87	379.63	400.00	(20.37)	(20.37)	95%
Sublease Income	6,451.43	28,247.80	28,000.00	247.80	247.80	101%
<b>Total INCOME</b>	<b>32,503.88</b>	<b>328,376.96</b>	<b>386,300.00</b>	<b>(57,923.04)</b>	<b>(57,923.04)</b>	<b>85%</b>
<b>EXPENSES</b>						
Fixed/Semi-Fixed Expenses						
Personnel	6,275.50	71,287.95	74,400.00	(3,112.05)	(3,112.05)	96%
Professional Services	15,817.84	193,332.46	255,900.00	(62,567.54)	(62,567.54)	76%
Marketing-Sales & Bus Attraction	1,464.00	19,040.50	20,500.00	(1,459.50)	(1,459.50)	93%
Publications	0.00	4,399.93	6,000.00	(1,600.07)	(1,600.07)	73%
Website	4,199.40	7,811.63	4,000.00	3,811.63	3,811.63	195%
Business Att & Recruiting	1,019.18	20,535.65	25,500.00	(4,964.35)	(4,964.35)	81%
<b>Total EXPENSES</b>	<b>28,775.92</b>	<b>316,408.12</b>	<b>386,300.00</b>	<b>(69,891.88)</b>	<b>(69,891.88)</b>	<b>82%</b>
<b>INCOME (LOSS)</b>	<b>3,727.96</b>	<b>11,968.84</b>	<b>0.00</b>	<b>11,968.84</b>	<b>11,968.84</b>	<b>3%</b>



**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Mayor Patterson  
Council Member Schwartzman

**FROM** : Interim Director of Public Works

**SUBJECT** : **SOLANO TRANSPORTATION AUTHORITY**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

The regular STA Board meeting was held on January 9, 2013 and the agenda and the minutes for that meeting are attached. A special STA Board meeting was held on January 30, 2013 and the agenda and the minutes for that meeting are attached. The last regular STA Board meeting was held on Wednesday, February 13, 2013 and the agenda is attached. The next regular meeting is scheduled for March 13, 2013 at Suisun City Hall and the agenda for that meeting is unavailable.

Attachments:

- January 13, 2013 Agenda
- January 13, 2013 Minutes
- January 30, 2013 Special Meeting Agenda
- January 30, 2013 Special Meeting Minutes
- February 13, 2013 Agenda





**STA BOARD MEETING AGENDA**  
**6:00 p.m., Regular Meeting**  
**Wednesday, January 9, 2013**  
**Suisun City Hall Council Chambers**  
**701 Civic Center Drive**  
**Suisun City, CA 94585**

**Mission Statement:** To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

**Public Comment:** Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency. **Speaker cards are required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board. Public comments are limited to 3 minutes or less.**

**Americans with Disabilities Act (ADA):** This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masiclat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

**Staff Reports:** Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at [jmasiclat@sta-snci.com](mailto:jmasiclat@sta-snci.com). **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

**Agenda Times:** Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

**ITEM**

**BOARD/STAFF PERSON**

- |   |                        |
|---|------------------------|
| <p><b>I. CALL TO ORDER/PLEDGE OF ALLEGIANCE</b><br/>(6:00 – 6:05 p.m.)</p>  | <p>Chair Batchelor</p> |
| <p><b>II. CONFIRM QUORUM/ STATEMENT OF CONFLICT</b><br/><i>An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.</i></p> | <p>Chair Batchelor</p> |

**STA BOARD MEMBERS**

Jack Batchelor, Jr.	Steve Hardy	Elizabeth Patterson	Harry Price	Norman Richardson	Pete Sanchez	Osby Davis	Jim Spering
Chair City of Dixon	Vice-Chair City of Vacaville	City of Benicia	City of Fairfield	City of Rio Vista	City of Suisun City	City of Vallejo	County of Solano

**STA BOARD ALTERNATES**

VACANT	Ron Rowlett	Alan Schwartzman	Rick Vaccaro	VACANT	Mike Hudson	VACANT	John Vasquez
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### III. APPROVAL OF AGENDA

### IV. OPPORTUNITY FOR PUBLIC COMMENT

(6:05 – 6:10 p.m.)

### V. EXECUTIVE DIRECTOR'S REPORT – Pg. 1

(6:10 – 6:15 p.m.)

Daryl K. Halls

### VI. COMMENTS FROM CALTRANS, THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND STA

(6:15 – 6:45 p.m.)

#### A. Federal Legislative Update

Susan Lent, Akin Gump  
KPMG Consultants

#### B. Presentation: Public-Private Partnership (P3) Feasibility Study

#### C. Presentation: I-80/I-680/SR 12 Interchange Project

Janet Adams

#### D. Directors Report

##### 1. Planning

Robert Macaulay

##### 2. Projects

Janet Adams

##### 3. Transit/Rideshare

Liz Niedziela/Judy Leaks

### VII. CONSENT CALENDAR

#### Recommendation:

*Approve the following consent items in one motion.*

*(Note: Items under consent calendar may be removed for separate discussion.)*

(6:45 - 6:50 p.m.)

#### A. Minutes of the STA Board Meeting of December 12, 2012

Sheila Jones

##### Recommendation:

*Approve STA Board Meeting Minutes of December 12, 2012.*

**Pg. 5**

#### B. Draft Minutes of the TAC Meeting of January 2, 2013

Sheila Jones

##### Recommendation:

*Approve Draft TAC Meeting Minutes of January 2, 2013.*

**Pg. 17**

#### C. STA's 2013 Legislative Priorities and Platform

Jayne Bauer

##### Recommendation:

*Approve revisions to the STA's 2013 Legislative Priorities Platform as shown in Attachment A (changes shown in italics and underlined).*

**Pg. 21**

#### D. Project Management Services for the I-80/I-680/State Route (SR) 12 Interchange Complex

Janet Adams

##### Recommendation:

*Authorize the Executive Director to:*

- 1. Issue an RFP to secure Project Management Services for the I-80/I-680/SR 12 Interchange Complex, including the Suisun Valley Watershed Study; and*

## VIII.B.8.4

2. *Enter into an agreement with a consultant for Project Management Services for an amount not-to-exceed \$290,000 for a 2-year term with an option for a two-year extension.*

**Pg. 55**

**E. I-80/I-680/State Route (SR) 12 Westbound (WB) I-80 to SR12 (West) Connector and Green Valley Road Interchange Improvements Project Utility Agreements**

Janet Adams

Recommendation:

*Authorize the Executive Director to finalize and execute the attached utility relocation agreements between STA and utility owners (PG&E, AT&T, cities of Benicia, Fairfield, and Vallejo) for a total not-to-exceed amount of \$15,000,000.*

**Pg. 59**

**VIII. ACTION FINANCIAL ITEMS**

**A. Curtola and Lemon Park and Ride Regional Measure 2 (RM 2) Agreements and Allocation Request**

Jim McElroy,  
SolTrans  
Project Manager  
and  
Sam Shelton

Recommendation:

*Approve an Initial Project Request (IPR) for the Curtola and Lemon Park and Ride Facility Phase 1A, as shown in Attachment E, authorizing SolTrans to request an allocation of Regional Measure 2 (RM 2) funds from the Metropolitan Transportation Commission (MTC), contingent upon SolTrans and the City of Vallejo entering into a funding agreement for the design phase of the Curtola and Lemon Park and Ride Facility.*

(6:50 – 7:00 p.m.)

**Pg. 63**

**B. OneBayArea Grant (OBAG) Candidate Projects Assessment and Funding Eligibility**

Sam Shelton

Recommendation:

*Approve the OneBayArea Grant (OBAG) Candidate Projects Assessment results as shown in Attachment B.*

(7:00 – 7:10 p.m.)

**Pg. 89**

**IX. ACTION NON-FINANCIAL ITEMS**

**A. Safe Routes to School (SR2S) Program Update**

Danelle Carey

Recommendation:

*Authorize STA to organize a Solano County Safe Routes to School Summit in May 2013.*

(7:00 – 7:10 p.m.)

**Pg. 103**

- B. Solano County Transit (SolTrans) Joint Powers Agreement (JPA) – Appointment of STA Ex-Officio Board Member** Bernadette Curry  
Recommendation:  
*Appoint a STA Board Member to the Solano County Transit (SolTrans) JPA Board as an Ex-Officio member for a two-year term expiring December 2014.*  
 (7:10 – 7:15 p.m.)  
**Pg. 107**
- C. Selection of 2012 STA Chair and Vice Chair** Daryl Halls  
Recommendation:  
*Approve the following:*
1. *Selection of the STA Chair for 2013 commencing with the STA Board Meeting of February 13, 2013;*
  2. *Selection of the STA Vice-Chair for 2013 commencing with the STA Board Meeting of February 13, 2013; and*
  3. *Request the new Chair designate the STA Executive Committee for 2013.*
- (7:15 – 7:20 p.m.)  
**Pg. 109**
- D. STA Board Retreat/Workshop to Discuss Forthcoming Policy Issues** Daryl Halls  
Recommendation:  
*Approve the following:*
1. *Schedule a special STA Board Retreat for March 13, 2013 at 12 noon to 5:00 p.m.; and*
  2. *Request STA staff develop a draft meeting agenda for consideration by the STA Board at the meeting of February 13, 2013.*
- (7:20 – 7:25 p.m.)  
**Pg. 111**
- X. INFORMATION – NO DISCUSSION**
- A. Regional Transportation Impact Fee (RTIF) Update** Sam Shelton  
**Pg. 119**
- B. Fiscal Year (FY) 2012-13 Abandoned Vehicle Abatement (AVA) Program First Quarter Report** Susan Furtado  
**Pg. 123**
- C. Senate Bill (SB) 1339 – Regional Commuter Benefit** Sorel Klein  
**Pg. 125**
- D. Energy Chapter Climate Action Plan (ECCAP) Update** Robert Macaulay  
**Pg. 131**

- E. **Public-Private Partnership (P3) Feasibility Study Update** Sam Shelton  
**Pg. 133**
- F. **Local Project Delivery Update** Jessica McCabe  
**Pg. 135**
- G. **Funding Opportunities Summary** Sara Woo  
**Pg. 141**
- H. **STA Board and Advisory Committee Meeting Schedule** Johanna Masiclat  
**for Calendar Year 2013**  
**Pg. 147**

**XI. BOARD MEMBERS COMMENTS**

**XII. ADJOURNMENT**

The next meeting of the **STA Board** is a **Special Board Meeting for the I-870/I-680/SR 12 Interchange Project** is scheduled at 4:00 p.m., Wednesday, January 30, 2013 at Suisun City Hall. The next regular meeting of the STA Board is scheduled at **6:00 p.m., Wednesday, February 13, 2013, Suisun City Hall Council Chambers.**





**SOLANO TRANSPORTATION AUTHORITY**  
**Board Minutes for Meeting of**  
**January 9, 2013**

**I. CALL TO ORDER**

Chair Batchelor called the regular meeting to order at 6:00 p.m. A quorum was confirmed.

**MEMBERS**

<b>PRESENT:</b>	Jack Batchelor, Chair	City of Dixon
	Steve Hardy, Vice-Chair	City of Vacaville
	Elizabeth Patterson	City of Benicia
	Harry Price	City of Fairfield
	Norman Richardson	City of Rio Vista
	Osby Davis,	City of Vallejo
	Pete Sanchez	City of Suisun City
	Jim Spering	County of Solano

**MEMBERS**

**ABSENT:** None.

**STAFF**

<b>PRESENT:</b>	Daryl K. Halls	Executive Director
	Bernadette Curry	Legal Counsel
	Janet Adams	Deputy Executive Director/Director of Projects
	Robert Macaulay	Director of Planning
	Johanna Masielat	Clerk of the Board/Office Manager
	Jayne Bauer	Legislative & Marketing Program Manager
	Susan Furtado	Accounting & Administrative Svc. Manager
	Liz Niedziela	Transit Manager
	Judy Leaks	Program Manager
	Robert Guerrero	Senior Planner
	Sofia Recalde	Mobility Management Program Coordinator
	Sam Shelton	Project Manager
	Sara Woo	Associate Planner
	Sheila Jones	Administrative Assistant
	Karin Bloesch	SR2S Program Coordinator

**ALSO**

**PRESENT: In Alphabetical Order by Last Name:**

Geoff Adams	Stantec-SF
Mona Babauta	SolTrans
Morrie Barr	City of Dixon
Michael Cowen	KPMG
David Espinoza	City of Vallejo
Bill Emlen	Solano County
Mike Hudson	City of Suisun City Councilmember and STA Alternate Board Member
Dan Kasperson	City of Suisun City
Liam Kelly	KPMG
Joe Leach	City of Dixon
Wayne Lewis	City of Fairfield
Jim McElroy	McElroy Consulting
Brian McLean	Vacaville City Coach
Susan Lent	Akin Gump
Zephyr Mosley	Benicia Resident
Mike Roberts	City of Benicia
Alvina Sheeley	Member of the Public
Michael Tran	KPMG
Matt Tuggle	Solano County

**II. CONFIRM QUORUM/STATEMENT OF CONFLICT**

A quorum was confirmed by the Clerk of the Board. There was no Statement of Conflict declared at this time.

**III. APPROVAL OF AGENDA**

On a motion by Board Member Patterson, and a second by Board Member Price, the STA Board approved the agenda to include the changes noted below in ~~strikethrough~~ **bold italics** to the recommendation on Agenda Item VIII.A, Curtola and Lemon Park and Ride Regional Measure 2 (RM 2) Agreements and Allocation Request.

Recommendation:

Approve an Initial Project Request (IPR) for the Curtola and Lemon Park and Ride Facility Phase 1A, as shown in **Attachment D E**, authorizing SolTrans to request an allocation of Regional Measure 2 (RM 2) funds from the Metropolitan Transportation Commission (MTC), contingent upon SolTrans and the City of Vallejo entering into a funding agreement for the design phase of the Curtola and Lemon Park and Ride Facility.

**IV. OPPORTUNITY FOR PUBLIC COMMENT**

None presented.

**V. EXECUTIVE DIRECTOR'S REPORT**

Daryl Halls provided an update on the following topics:

- STA's Federal Update for 2013
- I-80/I-680/SR 12 Interchange Project Update
- OneBayArea Grant (OBAG) Criteria for Project Selection and Additional Funds for Local Streets and Roads

- Curtola and Lemon Park and Ride Project Status
- STA's Safe Routes to School Program Update
- Appointment of 2013 STA Chair and Vice-Chair
- STA Board Workshop Proposed
- STA Staff Update

**VI. COMMENTS FROM METROPOLITAN TRANSPORTATION COMMISSION (MTC), CALTRANS, AND STAFF:**

**MTC Report:**

Board Member and MTC Commissioner Sperring reported that at an earlier meeting, MTC's Programming and Allocation Committee discussed their proposal to hold 50% of the Fiscal Year 2014 Federal Transit Assistance 5307 funds in reserve from Solano County's three largest Transit Operators until the completion of the Solano County Short Range Transit Plan (SRTP) which is developing a funding plan for replacement of Solano County's intercity fleet.

Board Member Sperring added that a meeting between MTC and STA staff and Solano County's three largest transit operators has been scheduled for January 17, 2013 to further discuss the proposal.

**Caltrans Report:**

None presented.

**STA Reports:**

- A. Federal Legislative Update**  
Presented by Susan Lent, Akin Gump
- B. Presentation: Public-Private Partnership (P3) Feasibility Study**  
Presented by KPMG Consultants
- C. Presentation: 2012 Year In Review**  
Presented by Chair Batchelor
- D. Presentation: I-80/I-680/SR 12 Interchange Project**  
Presented by Janet Adams
- E. Directors Report**
  - 1. Planning
  - 2. Projects
  - 3. Transit/Rideshare

**VII. CONSENT CALENDAR**

On a motion by Vice Chair Hardy, and a second by Board Member Price, the STA Board approved Consent Calendar Items A through E.

- A. Minutes of the STA Board Meeting of December 12, 2012**  
Recommendation:  
Approve STA Board Meeting Minutes of December 12, 2012.
- B. Draft Minutes of the TAC Meeting of January 2, 2013**  
Recommendation:  
Approve Draft TAC Meeting Minutes of January 2, 2013.

**C. STA’s 2013 Legislative Priorities and Platform**

Recommendation:

Approve revisions to the STA’s 2013 Legislative Priorities Platform as shown in Attachment A (changes shown in italics and underlined).

**D. Project Management Services for the I-80/I-680/State Route (SR) 12 Interchange Complex**

Recommendation:

Authorize the Executive Director to:

1. Issue an RFP to secure Project Management Services for the I-80/I-680/SR 12 Interchange Complex, including the Suisun Valley Watershed Study; and
2. Enter into an agreement with a consultant for Project Management Services for an amount not-to-exceed \$290,000 for a 2-year term with an option for a two-year extension.

**E. I-80/I-680/State Route (SR) 12 Westbound (WB) I-80 to SR12 (West) Connector and Green Valley Road Interchange Improvements Project Utility Agreements**

Recommendation:

Authorize the Executive Director to finalize and execute the attached utility relocation agreements between STA and utility owners (PG&E, AT&T, cities of Benicia, Fairfield, and Vallejo) for a total not-to-exceed amount of \$15,000,000.

**VIII. ACTION – FINANCIAL ITEMS**

**A. Curtola and Lemon Park and Ride Regional Measure 2 (RM 2) Agreements and Allocation Request**

Jim Elroy, SolTrans Project Manager, presented the Vallejo Curtola Parking and Transit Center. He noted staff’s recommendation for the Board to approve the revised Initial Project Report (IPR), authorizing SolTrans to request an allocation of Regional Measure 2 (RM 2) funds, contingent on the approval of a funding agreement between SolTrans and the City of Vallejo for the design phase of the Curtola project.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Approve an Initial Project Request (IPR) for the Curtola and Lemon Park and Ride Facility Phase 1A, as shown in Attachment D, authorizing SolTrans to request an allocation of Regional Measure 2 (RM 2) funds from the Metropolitan Transportation Commission (MTC), contingent upon SolTrans and the City of Vallejo entering into a funding agreement for the design phase of the Curtola and Lemon Park and Ride Facility.

On a motion by Board Member Patterson, and a second by Board Member Spring, the STA Board unanimously approved the recommendation.

**B. OneBayArea Grant (OBAG) Candidate Projects Assessment and Funding Eligibility**

Sam Shelton provided the initial draft assessment of the OBAG candidate projects based on the Board's adopted criteria. He also provided a funding matrix which identifies the funding options, outside of OBAG, for each of the OBAG candidate projects. He indicated that the next step in the process is for staff to develop a draft funding recommendation for STA Board consideration in February.

At the request of Board Member Patterson, this item will be referred back to the STA's Technical Advisory Committee (TAC) so the assessment can be reviewed by the members of the TAC that were absent prior to the STA Board taking final action. By consensus, the STA Board approved to continue this item to the next regular STA Board meeting scheduled on February 13, 2013.

**IX. ACTION – NON-FINANCIAL ITEMS**

**A. Safe Routes to School (SR2S) Program Update**

Danelle Carey presented a status update of the STA's Safe Routes to School (SR2S) Program. She requested the STA Board to authorize STA to sponsor a Countywide Safe Routes to School Summit in May of 2013 to provide a forum for the update of the Countywide SR2S Plan, release of the SR2S Mapping Project, and start up of the new Solano Walking School Pilot Program.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Authorize STA to organize a Solano County Safe Routes to School Summit in May 2013.

On a motion by Board Member Price, and a second by Vice Chair Hardy, the STA Board unanimously approved the recommendation.

**B. Solano County Transit (SolTrans) Joint Powers Agreement (JPA) – Appointment of STA Ex-Officio Board Member**

Daryl Halls cited that the SolTrans governing board is comprised of five voting directors, two voting directors from each member agency other than STA plus the Solano County representative to the Metropolitan Transportation Commission (MTC), and one ex-officio, non-voting director appointed by the STA. He noted that each director serves a two-year term and may serve any number of terms consistent with the appointment process of the director's appointing governing body.

City of Fairfield Mayor Harry Price was the first ex-officio Board Member appointed by the STA Board in December 2010 and his term expires this month. Bernadette Curry recommended the appointee be from outside of Benicia or Vallejo to help provide a more countywide perspective to SolTrans.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Appoint a STA Board Member to the Solano County Transit (SolTrans) JPA Board as an Ex-Officio member for a two-year term expiring December 2014.

On a motion by Board Member Spering, and a second by Board Member Price, the STA Board appointed Board Member Sanchez to the Solano County Transit (SolTrans) JPA as an Ex-Officio member for a two-year term.

**C. Selection of 2012 STA Chair and Vice Chair**

Daryl Halls cited that consistent with STA's Joint Powers Authority (JPA), the STA Board selects its Board Chair and Vice-Chair for 2013. Following the selection, the newly appointed Board Chair will be asked to designate members of the Board to serve on the 2013 Executive Committee.

Recommendation:

Approve the following:

1. Selection of the STA Chair for 2013 commencing with the STA Board Meeting of February 13, 2013;
2. Selection of the STA Vice-Chair for 2013 commencing with the STA Board Meeting of February 13, 2013; and
3. Request the new Chair designate the STA Executive Committee for 2013.

On a motion by Board Member Spering, and Board Member Price, the STA Board unanimously approved the selection of Steve Hardy (City of Vacaville) as Chair.

On a motion by Board Member Spering, and Board Member Price, the STA Board unanimously approved the selection of Osby Davis (City of Vallejo) as Vice-Chair.

**D. STA Board Retreat/Workshop to Discuss Forthcoming Policy Issues**

Daryl Halls commented the current STA Board Executive Committee has recommended the Board schedule a half-day Board Retreat/Workshop on March 13<sup>th</sup> focused on the three policy topics: 1.) The I-80 Corridor – specifically System Management and Operational Improvements; 2.) Mobility Management Plan and Program; and 3.) Discussion of Local Funding Sources.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Approve the following:

1. Schedule a special STA Board Retreat for March 13, 2013 at 12 noon to 5:00 p.m.; and
2. Request STA staff develop a draft meeting agenda for consideration by the STA Board at the meeting of February 13, 2013.







**SPECIAL MEETING  
STA BOARD AGENDA  
4:00 p.m., Regular Meeting  
Wednesday, January 30, 2013  
Suisun City Hall Council Chambers  
701 Civic Center Drive  
Suisun City, CA 94585**

**Mission Statement:** To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

**Public Comment:** Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency. **Speaker cards are required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board. Public comments are limited to 3 minutes or less.**

**Americans with Disabilities Act (ADA):** This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masielat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

**Staff Reports:** Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at [jmasielat@sta-snci.com](mailto:jmasielat@sta-snci.com). **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

**Agenda Times:** Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

**ITEM**

**BOARD/STAFF PERSON**

**I. CALL TO ORDER/PLEDGE OF ALLEGIANCE**  
(4:00 – 4:05 p.m.)

Chair Batchelor

**II. CONFIRM QUORUM/ STATEMENT OF CONFLICT**

Chair Batchelor

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.

**STA BOARD MEMBERS**

Steve Hardy Chair	Osby Davis Vice-Chair	Elizabeth Patterson	Jack Batchelor, Jr.	Harry Price	Norman Richardson	Pete Sanchez	Jim Spering
City of Vacaville	City of Vallejo	City of Benicia	City of Dixon	City of Fairfield	City of Rio Vista	City of Suisun City	County of Solano

**STA BOARD ALTERNATES**

Ron Rowlett	VACANT (Pending)	Alan Schwartzman	VACANT (Pending)	Rick Vaccaro	VACANT (Pending)	Mike Hudson	John Vasquez
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**III. APPROVAL OF AGENDA**

**IV. OPPORTUNITY FOR PUBLIC COMMENT**

(4:05 – 4:10 p.m.)

**V. EXECUTIVE DIRECTOR’S REPORT**

(4:10 – 4:15 p.m.)

Daryl K. Halls

**VI. COMMENTS FROM CALTRANS, THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND STA**

(4:15 – 4:20 p.m.)

**VII. CONSENT CALENDAR**

Recommendation:

Approve the following consent items in one motion.

(Note: Items under consent calendar may be removed for separate discussion.)

(4:20 - 4:25 p.m.)

**A. Local Preference Policy Goal for I-80/I-680/SR 12 Interchange Complex Project Manager Contract**

Jessica McCabe

Recommendation:

Approve the STA Local Preference Policy Goal of 2% for the I-80/I-680/SR 12 Interchange Complex Project Manager Contract.

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**VIII. ACTION FINANCIAL ITEMS**

**A. None.**

**IX. ACTION NON-FINANCIAL ITEMS**

**A. Conduct Public Hearings and Adopt Resolutions of Necessity to Acquire Property by Eminent Domain, if necessary, for the Westbound I-80 to State Route 12 (West) Connector and Green Valley Road Interchange Improvements Project (Initial Construction Package)**

Janet Adams

Recommendation:

Conduct a separate public hearing and adopt a separate Resolution of Necessity to acquire by eminent domain, if necessary, each of the following properties needed for the WB I-80 to SR 12 (West) Connector and Green Valley Road Interchange Improvements Project (Initial Construction Package) as specified in Attachment B.

(4:25 – 4:40 p.m.)

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**X. INFORMATION – NO DISCUSSION**

A. None.

**XI. BOARD MEMBERS COMMENTS**

**XII. ADJOURNMENT**

The next regular meeting of the STA Board is scheduled at **6:00 p.m., Wednesday, February 13, 2013, Suisun City Hall Council Chambers.**





**SOLANO TRANSPORTATION AUTHORITY**  
**Board Minutes for Special Meeting of**  
**January 30, 2013**

**I. CALL TO ORDER**

Chairman Hardy called the regular meeting to order at 4:10 p.m. A quorum was confirmed.

**MEMBERS**

**PRESENT:** Steve Hardy, Chair City of Vacaville  
Osby Davis, Vice-Chair City of Vallejo  
Elizabeth Patterson City of Benicia  
Jack Batchelor, Jr. City of Dixon  
Harry Price City of Fairfield  
Norman Richardson City of Rio Vista  
Pete Sanchez City of Suisun City  
Jim Spering County of Solano

**MEMBERS**

**ABSENT:** None.

**STAFF**

**PRESENT:** Daryl K. Halls Executive Director  
Bernadette Curry Legal Counsel  
Janet Adams Deputy Executive Director/Director of Projects  
Johann Masiclat Clerk of the Board/Office Manager  
Sheila Jones Administrative Assistant

**ALSO**

**PRESENT:** *In Alphabetical Order by Last Name:*  
Matt Brogan Mark Thomas & Co.  
Lisa Chavez District Representative for Senator Wolk  
Madilynn Cudney R&D Transportation & Mobility Management  
Partners  
Dale Dennis PDM Group, Inc.  
Woody Darnelle Super Store  
Barry Eberling Daily Republic  
Bill Emlen County of Solano  
Nicolas Endrawos Caltrans  
George Gwynn, Jr. Suisun City Resident  
Wayne Lewis City of Fairfield  
Kevin Lally Greenan, Peffer, Sallander & Lally LLP  
Ann Maher Member of the Public  
John Mangels Mangels Ranch  
Beth Perrill Caltrans  
Brandon Thomson District Representative for Cor  
Garamendi

**II. CONFIRM QUORUM/STATEMENT OF CONFLICT**

A quorum was confirmed by the Clerk of the Board. There was no Statement of Conflict declared at this time.

**III. APPROVAL OF AGENDA**

On a motion by Board Member Batchelor, and a second by Board Member Price, the STA Board approved the agenda.

**IV. OPPORTUNITY FOR PUBLIC COMMENT**

George Gwynn, Jr. commented on the need to adhere to the Brown Act and issues associated with the Fairfield-Suisun Sewer District.

**V. EXECUTIVE DIRECTOR'S REPORT**

None presented.

**VI. COMMENTS FROM METROPOLITAN TRANSPORTATION COMMISSION (MTC), CALTRANS, AND STAFF:**

**MTC Report:**

None presented.

**Caltrans Report:**

None presented.

**STA Reports:**

None presented.

**VII. CONSENT CALENDAR**

On a motion by Board Member Patterson, and a second by Board Member Batchelor, the STA Board approved Consent Calendar Item A.

**A. Local Preference Policy Goal for I-80/I-680/SR 12 Interchange Complex Project Manager Contract**

Recommendation:

Approve the STA Local Preference Policy Goal of 2% for the I-80/I-680/SR 12 Interchange Complex Project Manager Contract.

**VIII. ACTION – FINANCIAL ITEMS**

**A. None.**

**IX. ACTION – NON-FINANCIAL ITEMS**

**A. Conduct Public Hearings and Adopt Resolutions of Necessity to Acquire Property by Eminent Domain, if necessary, for the Westbound I-80 to State Route 12 (West) Connector and Green Valley Road Interchange Improvements Project (Initial Construction Package)**

Janet Adams presented the Initial Construction Package (Alternative C, Phase 1) of the WB I-80 to SR 12 (West) Connector and Green Valley Interchange which will construct a two-lane WB I-80 to WB SR 12 Connector, with a grade separation over the new WB I-80 Green Valley Road Interchange. She provided an overview of each of the project parcel locations.

Janet Adams also cited that compensation for the property is not an issue that should be considered at today's hearings. She added that despite proceeding with condemnation process, staff will continue their efforts to try to reach amicable agreement with all of the property owners. All property acquired for the project will be transferred to Caltrans.

In addition, Ms. Adams announced that 2 property owners and the STA have reached an agreement, therefore, she requested that the STA Board remove from the recommendation the Resolution of Necessity No. 2013-02.a, 02.b, 02.c (Dittmer) and Resolution of Necessity No. 2013-03 (PEM Green Valley).

Bernadette Curry outlined the proceeding process for the acquisition of property from the remaining 8 private property owners through the eminent domain process.

She cited that in order to construct the project on schedule, it is necessary to obtain the needed property interests from the property owners by means of condemnation. She added that the adoption of the Resolutions of Necessity will allow the condemnation process to proceed.

She also noted that it is recommended that the STA Board hold public hearings regarding the proposed condemnation actions. The affected property owners have been notified of the content, time and place of the public hearing as required by law. The scope of the public hearings, in accordance with Section 1245.235(c) and of the California Code of Civil Procedure Sections, should be limited to the following findings:

- (a) The public interest and necessity require the Project.
- (b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (c) The property sought to be acquired is necessary for the Project.
- (d) That the offer required by section 7267.2 of the Government Code has been made to the owner or owners of record.

Recommendation:

Conduct a separate public hearing and adopt a separate Resolution of Necessity to acquire by eminent domain, if necessary, each of the following properties needed for the WB I-80 to SR 12 (West) Connector and Green Valley Road Interchange Improvements Project (Initial Construction Package) as specified in Attachment B.

At this time, Chairman Hardy opened the Public Hearings as follows:

Resolution of Necessity No. 2013-01 (Mangels)

Chairman Hardy opened the Public Hearing at 4:35 p.m.

John Mangels spoke on behalf of the Mangels family. He requested a 1 to 1 slope be considered instead of a 2 to 1 slope which will accommodate 2.69 acres more of their property. He stated that Caltrans deemed the rock content of the hill unstable for a 1 to 1 slope. He noted that a PG&E powerline easement running across the property would be severed from future use and an overlook site would be taken away in the process. He hopes to come to an amicable solution with STA negotiators soon to avoid legal hassles.

The Chair closed the Public Hearing at 4:39 p.m. and referred the matter to the Board for action.

**Board Comments:**

Mayor Davis requested clarification on the ratio.

Matt Brogan, Mark Thomas & Co., Inc., engineer on behalf of the STA, responded that investigation of the soil deemed the 1 to 1 slope not a feasible solution and the instability of the slope could bring falling rocks down on the highway causing safety issues therefore the 1 to 1 slope was not approved by Caltrans. He stated that a wall for the 1 to 1 slope was estimated to cost a half a million dollars and was not considered a feasible solution.

Mayor Patterson expressed concerns regarding unsafe slopes in general and favored the 2 to 1 slope based on safety and cost findings.

On a motion by Board Member Spering, and a second by Board Member Price, the STA Board unanimously approved the Resolution of Necessity for No. 2013-01 (Mangels).

Resolution of Necessity No. 2013-04 (Lees Pet Club)

Chairman Hardy opened the Public Hearing at: 4:44 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:45 p.m. and referred the matter to the Board for action.

On a motion by Board Member Spering, and a second by Board Member Price, the STA Board unanimously approved the Resolution of Necessity for No. 2013-04 (Lees Pet Club).

Resolution of Necessity No. 2013-05 (Napa Tahoe Specialty)

Chairman Hardy opened the Public Hearing at: 4:46 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:47 p.m. and referred the matter to the Board for action.

On a motion by Board Member Spering, and a second by Board Member Price, the STA Board unanimously approved the Resolution of Necessity for No. 2013-05 (Napa Tahoe Specialty).

Resolution of Necessity No. 2013-06 (IMET, LLC)

Chairman Hardy opened the Public Hearing at: 4:46 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:47 p.m. and referred the matter to the Board for action.

On a motion by Board Member Patterson, and a second by Board Member Richardson, the STA Board unanimously approved the Resolution of Necessity for No. 2013-06 (IMET, LLC).

Resolution of Necessity No. 2013-07 (Watt/Fairfield)

Chairman Hardy opened the Public Hearing at: 4:48 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:49 p.m. and referred the matter to the Board for action.

On a motion by Board Member Patterson, and a second by Board Member Spring, the STA Board unanimously approved the Resolution of Necessity for No. 2013-07 (Watt/Fairfield).

Resolution of Necessity No. 2013-08 (Campi)

Chairman Hardy opened the Public Hearing at: 4:50 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:51 p.m. and referred the matter to the Board for action.

On a motion by Board Member Batchelor, and a second by Board Member Price, the STA Board unanimously approved the Resolution of Necessity for No. 2013-08 (Campi).

Resolution of Necessity No. 2013-10 (Egan)

Chairman Hardy opened the Public Hearing at: 4:52 p.m.

No testimony was provided.

The Chair closed the Public Hearing at 4:53 p.m. and referred the matter to the Board for action.

On a motion by Board Member Patterson, and a second by Board Member Spring, the STA Board unanimously approved the Resolution of Necessity for No. 2013-10 (Egan).

Resolution of Necessity No. 2013-09 (Plaza Court Properties)

At this time, Janet Adams informed the STA Board of a letter received earlier, January 30, 2013 regarding Plaza Court Properties, LLC's objection to the public hearing. She noted their request to continue the hearing to the next Board meeting allowing them time to resolve some of the outstanding concerns. They are listed as follows:

- 1.) The construction easement would disrupt the RV Dealership tenant significantly. Certainly there are less disruptive places where a temporary construction easement can be obtained; and
- 2.) The project calls for the creation of a slope wall, the engineering, safety, and engineering of which are issues of significant concern.

**Public Comments:**

George Gwynn, Jr. commented on eminent domain.

Mayor Patterson and Mayor Davis requested clarification on the location and length of the wall.

Matt Brogan responded that the walls would be along either side of the existing driveway location to extend out to the new location of Lopes Rd. to allow access to the driveway. He stated that the length of the wall is estimated to be 25 to 40 feet and 1.5 to 3 feet in height to minimize impacts to an existing building and avoid water drainage issues.

Chairman Hardy opened the Public Hearing at: 4:54 p.m.

Bob Karn, a civil engineer with Robert Karn and Associates spoke on behalf of Ron Barber, co- owner of the Plaza Court Properties, LLC who was unable to attend. Mr. Karn stated that an offer was made in April of 2012, followed by discussion in June, a meeting in July, and another meeting with STA in August. He stated that communication went dormant until November 2012, and in the meantime, there was an address change; therefore the notice of intent to adopt the resolution on December 13, 2012 was never received and considered untimely. He asked the Board for their consideration to allow further negotiation with the STA regarding this project in which all parties have concurred is beneficial.

**Board Comments:**

Mayor Davis asked staff and legal counsel to address the offer and timing issues.

Janet Adams responded that the numerous meetings were spent trying to address the design issues associated with the design as originally presented. She stated that modifications were made addressing those issues affecting the bioswales associated with the geotechnical design of the slope to make it a stable driveway.

Janet Adams noted that some revisions under settlement terms were made over the summer to minimize work done on the property which lowered the offer being made.

Mayor Davis asked legal counsel for confirmation of sufficient legal compliance throughout the process.

Bernadette Curry responded that the Notice of Intent to adopt the Resolution of Necessity letter was in accordance to civil code.

Kevin Lally, STA special legal counsel for right of way matters, stated that there is a government code that requires an offer to be made before initiation with the property owners, 7267.2 and requires an appraisal of the property rights to be acquired. He stated that an offer was made pursuant to that government code section based on those rights acquired but subsequently they were requested to reevaluate the property design and that a counter offer was never made.

Bob Karn requested that both parties sit down in good faith for discussion, and he would like to meet as early as next week to get back on schedule.

Norman Richardson commented that the letter was mailed to a good address.

Jim Spring verified with staff that access to this property was available during the time in question. He stated that he does not support delaying the funding of this project and urges counsel to add language to the resolution because he does not want to put the project in jeopardy due to miscommunications.

Bernadette Curry stated that the proceedings will be withdrawn due to amicable resolutions.

Jim Spring requested that staff make an effort to meet with the property owner as soon as possible to ensure they are heard and treated fairly.

Daryl Halls indicated staff would do so.

The Chair closed the Public Hearing at 5:20 p.m. and referred the matter to the Board for action.

Harry Price commented that he was pleased with the Board's decision.

On a motion by Board Member Jim Spring, and a second by Board Member Osby Davis, the STA Board unanimously approved the Resolution of Necessity No. 2013-09 (Plaza Court Properties).

**X. INFORMATIONAL – NO DISCUSSION**

A. None.

**XI. BOARD MEMBER COMMENTS**

Board Members Patterson and Price both complimented staff and commented that this is the way government should work on a local level.

**XII. ADJOURNMENT**

The meeting was adjourned at 5:27 p.m.

The next regular meeting of the STA Board is scheduled at **6:00 p.m., Wednesday, January 9, 2013, Suisun City Hall Council Chambers.**

**Attested by:**

  
**Johanna Masielat**  
Clerk of the Board

**/February 6, 2013**  
**Date**





**STA BOARD MEETING AGENDA**  
**6:00 p.m., Regular Meeting**  
**Wednesday, February 13, 2013**  
**Suisun City Hall Council Chambers**  
**701 Civic Center Drive**  
**Suisun City, CA 94585**

**Mission Statement:** To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

**Public Comment:** Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency. **Speaker cards are required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board. Public comments are limited to 3 minutes or less.**

**Americans with Disabilities Act (ADA):** This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masiclat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

**Staff Reports:** Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at [jmasiclat@sta-snci.com](mailto:jmasiclat@sta-snci.com). **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

**Agenda Times:** Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

**ITEM**

**BOARD/STAFF PERSON**

- |  |                    |
|--|--------------------|
| <b>I. CALL TO ORDER/PLEDGE OF ALLEGIANCE</b>   | <b>Chair Hardy</b> |
| (6:00 – 6:05 p.m.)   |                    |
| <br><b>II. CONFIRM QUORUM/ STATEMENT OF CONFLICT</b>   | <b>Chair Hardy</b> |
| An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200. |                    |

**STA BOARD MEMBERS**

Steve Hardy Chair	Osby Davis Vice-Chair	Elizabeth Patterson	Jack Batchelor, Jr.	Harry Price	Norman Richardson	Pete Sanchez	Jim Spering
City of Vacaville	City of Vallejo	City of Benicia	City of Dixon	City of Fairfield	City of Rio Vista	City of Suisun City	County of Solano

**STA BOARD ALTERNATES**

Dilenna Harris (Pending)	Hermie Sunga (Pending)	Alan Schwartzman	Dane Besneatte (Pending)	Rick Vaccaro	Constance Boulware (Pending)	Mike Hudson	Erin Hannigan (Pending)
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### III. APPROVAL OF AGENDA

#### IV. SWEARING-IN OF NEW STA BOARD MEMBER/ BOARD ALTERNATES

Johanna Masiclat

- **Dane Besneatte**  
Alternate Board Member representing the City of Dixon
- **Constance Boulware**  
Alternate Board Member representing the City of Rio Vista
- **Erin Hannigan**  
Alternate Board Member representing the County of Solano
- **Dilenna Harris**  
Alternate Board Member representing the City of Vacaville
- **Hermie Sunga**  
Alternate Board Member representing the City of Vallejo

#### V. OPPORTUNITY FOR PUBLIC COMMENT

(6:05 – 6:10 p.m.)

#### VI. EXECUTIVE DIRECTOR'S REPORT – Pg. 1

Daryl K. Halls

(6:10 – 6:15 p.m.)

#### VII. COMMENTS FROM CALTRANS, THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND STA

(6:15 – 6:45 p.m.)

##### A. Status of Priority Highway Projects

Janet Adams

1. SR 12 Jameson Canyon
2. Cordelia Truck Scales
3. I-80/I-680/SR 12

##### B. Directors Report

1. Planning
2. Projects
3. Transit/Rideshare

Robert Macaulay

Janet Adams

Liz Niedziela/Judy Leaks

#### VIII. CONSENT CALENDAR

##### Recommendation:

Approve the following consent items in one motion.

(Note: Items under consent calendar may be removed for separate discussion.)

(6:45 - 6:50 p.m.)

##### A. Minutes of the STA Board Meeting of January 9, 2013

Johanna Masiclat

##### Recommendation:

Approve STA Board Meeting Minutes of January 9, 2013.

**Pg. 13**

##### B. Minutes of the STA Board Special Meeting of January 30, 2013

Johanna Masiclat

##### Recommendation:

Approve STA Board Meeting Minutes of January 30, 2013.

**Pg. 21**

## VIII.B.8.30

The complete STA Board Meeting Packet is available on STA's Website at [www.sta.ca.gov](http://www.sta.ca.gov)

- C. Draft Minutes of the TAC Meeting of January 30, 2013** Johanna Masiclat  
Recommendation:  
 Approve Draft TAC Meeting Minutes of January 30, 2013.  
**Pg. 29**
- D. Fiscal Year (FY) 2012-13 Second Quarter Budget Report** Susan Furtado  
Recommendation:  
 Receive and file.  
**Pg. 35**
- E. Proposition 1B Allocation for Replacement of 3 SolanoExpress Buses** Liz Niedziela  
Recommendation:  
 Approve the following:  
 1. Allocation of \$2,360,202 of Prop. 1B-PTMISEA funds to SolTrans and allocation of \$581,467 of STAF as the local match to purchase three (3) intercity buses for SolanoExpress;  
 2. Designate two (2) SolanoExpress buses to Fairfield and Suisun Transit (FAST);  
 3. Designate one (1) SolanoExpress bus to Solano County Transit (SolTrans); and  
 4. Specify three (3) SolanoExpress buses for services on Routes, 30, 78, or 90 per agreement between STA and FAST and STA and SolTrans.  
**Pg. 39**
- F. Dixon West B Street Pedestrian Undercrossing Construction Advertisement** Janet Adams  
Alan Glen  
Recommendation:  
 Approve the following authorizing the Executive Director to:  
 1. Advertise the project for construction, once the final funding authorization is obtained from Caltrans; and  
 2. Award the construction contract to the lowest responsive bidder contingent on the bids being within the authorized funding limit.  
**Pg. 43**
- G. Status of Marketing Plan for SolanoExpress and SNCI Program** Jayne Bauer  
Recommendation:  
 Authorize the STA Board Chair to appoint a SolanoExpress Marketing Sub-Committee.  
**Pg. 47**
- H. Federal Transit Administration (FTA) Non-Urbanized Area Program (FTA Section 5311) and Funding Opportunities** Liz Niedziela  
Recommendation:  
 Forward a recommendation to the STA Board to approve the Federal Section 5311 Allocation for Solano County for FY 2012-13 as shown in Attachment B.  
**Pg. 51**

## IX. ACTION FINANCIAL ITEMS

**A. Authorize Implementation of a Regional Measure 2 (RM 2) Project Implementation and Funding Strategy with the City of Vallejo for Vallejo Station, Curtola Park and Ride, and I-80 Express Lanes Projects**

Janet Adams

Recommendation:

Authorize a funding shift of RM 2 funds from RM 2 Project No. 6 and to I-80 Express Lanes, subject to approval by the City of Vallejo, with priority given to:

1. Vallejo Station Post Office Relocation;
2. Vallejo Station Surface Lot Improvements;
3. Vallejo Curtola Transit Center Phase 1 Project, and
4. I-80 Express Lanes in Vallejo

(6:30 – 6:35 p.m.)

**Pg. 69**

## X. ACTION NON-FINANCIAL ITEMS

**A. Legislative Update**

Jayne Bauer

Recommendation:

Adopt the following positions on legislative bills:

1. SCA 4 (Liu) – Support
2. SCA 8 (Corbett) - Support

(6:35 – 6:40 p.m.)

**Pg. 71**

**B. Status of State Route (SR) 12 East Safety Project**

Robert Macaulay

Recommendation:

Approve the following:

1. Authorize the Chair to forward a letter to the CTC supporting approval of the Caltrans Right of Necessity (RON) for the SR 12 East Safety Project; and
2. Authorize the STA to work with Caltrans, the City of Rio Vista and the County of Solano to identify a viable solution to the access and safety issues that have been identified.

(6:40 – 6:50 p.m.)

**Pg. 97**

**C. OneBayArea Grant (OBAG) Candidate Projects Assessment and Funding Eligibility**

Sam Shelton

Recommendation:

Approve the OneBayArea Grant (OBAG) Candidate Projects Assessment results as shown in Attachment E.

(6:50 – 7:05 p.m.)

**Pg. 119**

- D. Discussion of Agenda Topics for STA Board Retreat/Workshop Recommendation:** Daryl Halls  
Approve the draft meeting agenda for the STA Board Workshop of March 13, 2013 as shown in Attachment C.  
(7:05 – 7:20 p.m.)  
**Pg. 137**

## **XI. INFORMATIONAL –DISCUSSION NECESSARY**

- A. Senate Bill (SB) 1339 – Regional Commuter Benefit** Judy Leaks  
(7:20 – 7:25 p.m.)  
**Pg. 151**

### **NO DISCUSSION NECESSARY**

- B. Status of Priority Development Area (PDA) Assessments and Investment Strategy** Robert Guerrero  
**Pg. 153**
- C. Development of Solano County Priority Conservation Areas (PCA) Pilot and Investment Strategy** Robert Guerrero  
**Pg. 157**
- D. Solano County Annual Pothole Report Development Update** Jessica McCabe  
**Pg. 161**
- E. Proposed Solano Community College Transportation Fee Program** Judy Leaks  
**Pg. 177**
- F. Bicycle Advisory Committee (BAC) and Pedestrian Advisory Committee (PAC) Priority Projects Review** Sara Woo  
**Pg. 179**
- G. Funding Opportunities Summary** Sara Woo  
**Pg. 191**
- H. STA Board and Advisory Committee Meeting Schedule for Calendar Year 2013** Johanna Masiclat  
**Pg. 197**

## **XII. BOARD MEMBERS COMMENTS**

## **XIII. ADJOURNMENT**

A STA Board Workshop from 1:00 – 5:00 p.m. will be held at the Clubhouse, Rancho Solano Country Club, 3250 Rancho Solano Pkwy. in Fairfield prior to the regularly scheduled meeting of the STA Board at 6:00 p.m., Wednesday, March 13, 2013, Suisun Council Chambers.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Mayor Patterson  
Council Member Hughes

**FROM** : Director of Public Works

**SUBJECT** : **SOLANO COUNTY WATER AGENCY**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

The draft minutes of the January 10, 2013 meeting are attached along with the agenda for the February 14, 2013 meeting. The SCWA also has a Delta Committee that typically meets each month directly before the regular SCWA meeting. The next meeting date is March 13, 2013 and the agenda for that meeting is not currently available.

Attachments:

- ❑ Agenda for February 14, 2013 SCWA meeting
- ❑ SCWA Minutes for January 10, 2013



**SOLANO COUNTY WATER AGENCY  
BOARD OF DIRECTORS MEETING MINUTES**

**MEETING DATE: January 10, 2013**

The Solano County Water Agency Board of Directors met this evening at the Solano County Water Agency. Present were:

Mayor Jack Batchelor, City of Dixon  
Mayor Harry Price, City of Fairfield  
Mayor Pete Sanchez, City of Suisun City  
Councilmember Ron Rowlett, City of Vacaville  
Mayor Elizabeth Patterson, City of Benicia  
Mayor Norm Richardson, City of Rio Vista  
Supervisor Erin Hannigan, Solano County District 1  
Supervisor Linda Seifert, Solano County District 2  
Supervisor Jim Spering, Solano County District 3  
Supervisor John Vasquez, Solano County District 4  
Supervisor Skip Thomson, Solano County District 5  
Director Bob Bishop, Solano Irrigation District  
Manager Don Holdener, Maine Prairie Water District  
Director Dale Crossley, Reclamation District No. 2068

**CALL TO ORDER**

The meeting was called to order at 6:30 P.M. by Chairman Bishop.

**APPROVAL OF AGENDA**

On a motion by Mayor Sanchez and a second Mayor Batchelor the Board unanimously approved the agenda.

**PUBLIC COMMENT**

There were no public comments.

**ELECTION OF OFFICERS AND APPOINTMENT OF EXECUTIVE  
COMMITTEE FOR 2013**

On a motion by Mayor Batchelor and a second by Mayor Sanchez the Board unanimously elected Supervisor Spering as Board Chairman and Mayor Price as Board Vice-Chairman for 2013.

Chairman Spering appointed Supervisor Hannigan, Director Crossley and Mayor Batchelor to the 2013 Executive Committee to serve with the Chairman and Vice-Chairman. On a motion by Supervisor Thomson and a second by Mayor Sanchez the Board unanimously approved the appointment.

**CONSENT ITEMS**

Supervisor Thomson abstained from Item A. On a motion by Mayor Batchelor and a second Mayor Richardson the Board approved the following Consent Items.

- (A) Minutes
- (B) Expenditure Approvals
- (C) Increase Compensation for the Suisun Marsh Watershed Education Program
- (D) Resolution to Renew Eligibility for Federal Surplus Equipment
- (E) Westside Subregion of the Sacramento River Funding Area Integrated  
Regional Water Management Plan
- (F) Request to Maintain Funding for the Cooperative Endangered Species  
Conservation Fund for Fiscal Year 2013
- (G) Sponsor Legislation to Exempt Habitat Conservation Plans and Natural  
Community

**BOARD MEMBER REPORTS**

The Chairman welcomed Supervisor Hannigan and Supervisor Thomson to the Board.

**GENERAL MANAGER'S REPORT**

General Manager Okita reviewed the water storage status of Lake Berryessa showing the beneficial impact of early season rains.

**OUTREACH TO STATE LEGISLATORS**

A draft briefing book has been prepared for review by the Executive Committee and approval at the February Board meeting. The purpose of the book is to provide a document that can be used and "left behind" after meetings between Board Members and Legislators. As suggested at the December Board meeting, the Agency's Legislative Advocate, Patrick Leathers plans to schedule meetings between Board members and Legislators introduce and/or brief them on the Agency's current interests. On a motion by Supervisor Vasquez and a second by Mayor Price the Board unanimously recommended the Executive Committee to develop a draft briefing book and to authorize Chair to represent Board in meeting with Legislators and to involve other Board members as appropriate.

**TIME AND PLACE OF NEXT MEETING**

The next regularly scheduled meeting will be Thursday, February 14, 2013 at 7:00 P.M. at the Solano County Water Agency offices.

**ADJOURNMENT**

This meeting of the Solano County Water Agency Board of Directors was adjourned at 6:42 P.M.

---

David B. Okita, General Manager  
and Secretary to the Board of Directors of the  
Solano County Water Agency

# SOLANO COUNTY WATER AGENCY



## BOARD OF DIRECTORS:

### *Chair:*

*Supervisor Jim Spering*  
Solano County District 3

### *Vice Chair:*

*Mayor Harry Price*  
City of Fairfield

*Mayor Jack Batchelor*  
City of Dixon

*Director Bob Bishop*  
Solano Irrigation District

*Director Dale Crossley*  
Reclamation District No. 2068

*Mayor Osby Davis*  
City of Vallejo

*Supervisor Erin Hannigan*  
Solano County District 1

*Mayor Steve Hardy*  
City of Vacaville

*Mayor Elizabeth Patterson*  
City of Benicia

*Mayor Norm Richardson*  
City of Rio Vista

*Director Gene Robben*  
Maine Prairie Water District

*Mayor Pete Sanchez*  
City of Suisun

*Supervisor Linda Seifert*  
Solano County District 2

*Supervisor Skip Thomson*  
Solano County District 5

*Supervisor John Vasquez*  
Solano County District 4

## GENERAL MANAGER:

*David Okita, PE*  
Solano County Water Agency

## BOARD OF DIRECTORS MEETING

**DATE:** Thursday, February 14, 2013

**TIME:** 7:00 p.m.

**PLACE:** Berryessa Room  
Solano County Water Agency Office  
810 Vaca Valley Parkway, Suite 203  
Vacaville

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

4. **PUBLIC COMMENT**

Limited to 5 minutes for any one item not scheduled on the Agenda.

5. **CONSENT ITEMS**

(A) Minutes: Approval of the Minutes of the Board of Directors meeting of January 10, 2013 is recommended.

(B) Expenditure Approvals: Approval of the January checking account register is recommended.

6. **WELCOME ASSEMBLY MEMBER JIM FRAZIER**

7. **BOARD MEMBER REPORTS**

RECOMMENDATION: For information only.

8. **GENERAL MANAGER'S REPORT**

RECOMMENDATION: For information only.

810 Vaca Valley Parkway, Suite 203  
Vacaville, California 95688  
Phone (707) 451-6090 • FAX (707) 451-6099  
www.scwa2.com



## VIII.B.9.5

9. **DELTA REPORT**

RECOMMENDATION: Hear report from General Manager on current issues in the Delta. Provide direction to staff as necessary.

10. **OUTREACH TO STATE LEGISLATORS**

RECOMMENDATION: Review the 2013 Annual Report to the California State Legislature to be used in meetings with Legislators, and approve with the understanding that later editorial comments from Board members will be added.

11. **SWEENEY CREEK HOME RAISING PROGRAM**

RECOMMENDATION: Approve modification to Sweeney Creek Home Raising Program to allow survey and design costs, up to \$5,000, with a 20% landowner share, to be eligible Program costs that can be advanced by SCWA, without raising the \$25,000 per landowner limit for the Program.

12. **TIME AND PLACE OF NEXT MEETING**

Thursday, March 14<sup>th</sup>, 2013 at 6:30 – 7:00 pm at the SCWA offices. City County Coordinating Council is planned to meet at 7:00.

*The Full Board of Directors packet with background materials for each agenda item can be viewed on the Agency's website at [www.scwa2.com](http://www.scwa2.com).*

Any materials related to items on this agenda distributed to the Board of Directors of Solano County Water Agency less than 72 hours before the public meeting are available for public inspection at the Agency's offices located at the following address: 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688. Upon request, these materials may be made available in an alternative format to persons with disabilities.

Feb.2013.bod.agd

**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 7, 2013

**TO** : Vice Mayor Campbell  
Council Member Schwartzman

**FROM** : Director of Public Works

**SUBJECT** : **TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY (TPBS) COMMITTEE**

The following is provided for your committee report at the February 19, 2013 Council meeting.

The last TPBS Committee meeting was held on October 18, 2012. The January 17, 2013 meeting was cancelled.

The updated Safe Routes to School routes are being finalized and will be scheduled for City Council approval in March.

The next regularly scheduled TPBS Committee meeting is set for Thursday, April 18, 2013 at 7:00 pm in the Commission Room.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Mayor Patterson  
Council Member Strawbridge

**FROM** : City Manager

**SUBJECT** : **TRI-CITY AND COUNTY COOPERATIVE PLANNING GROUP**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The Tri-City and County Cooperative Planning Group meeting set for September 10 was canceled due to a lack of quorum and was rescheduled to November 19, 2012.

The meeting scheduled for December 10, 2012 was canceled.

Meetings scheduled for this calendar year:

- ❑ Monday, March 11, 2013
- ❑ Monday, June 10, 2013
- ❑ Monday, September 9, 2013
- ❑ Monday, December 9, 2013



**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013

**TO** : Mayor Patterson  
Council Member Hughes

**FROM** : City Manager

**SUBJECT** : **VALERO COMMUNITY ADVISORY PANEL (CAP)**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The CAP meets quarterly at 6:30 p.m. at the refinery at 610 Industrial Way. The next meeting is scheduled for March 20, 2013.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORT**

**DATE** : February 13, 2013

**TO** : Mayor Elizabeth Patterson  
Council Member Christina Strawbridge  
Council Member Mark Hughes

**FROM** : Youth Action Coalition

**SUBJECT** : **YOUTH ACTION COALITION**

The Benicia Youth Action Coalition meeting for January was canceled. The next meeting is scheduled on February 27, 2013.



**AGENDA ITEM  
CITY COUNCIL MEETING: FEBRUARY 19, 2013  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 8, 2013  
**TO** : City Council  
**FROM** : Mayor Patterson  
**SUBJECT** : **ABAG/CAL FED TASK FORCE/BAY AREA WATER FORUM**

The following information is provided for your committee report at the February 19, 2013 City Council meeting.

The Bay Area Water Forum's last meeting was held on March 26, 2012.

This was the last meeting of the Bay Area Water Forum for 2012, due to a lack of funding.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: FEBRUARY 19, 2013**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : February 11, 2013

**TO** : Mayor Patterson  
Council Member Hughes  
Council Member Schwartzman

**FROM** : Finance Director

**SUBJECT** : **SOLANO COUNTY TRANSIT BOARD MEETING**

The following information is provided for your committee report at the February 19, 2013 Council meeting.

The Solano County Transit Joint Powers Authority held a regular meeting on December 20, 2012 in the City of Vallejo City Council Chambers. The meeting highlights are attached. A regular meeting was held on January 17, 2013 in the City of Benicia City Council Chambers. The meeting highlights for the January meeting are not available; however, the agenda is attached.

The next regular meeting of the SolTrans Board is scheduled for Thursday, February 21, 2013 at 4:00 p.m. and will be held in the City of Vallejo City Council Chambers.

Attachment:

- December 20, 2012 SolTrans Board Meeting Highlights
- January 17, 2013 SolTrans Board Meeting Agenda





**SOLANO COUNTY TRANSIT**  
**SolTrans Board Meeting Highlights**  
**4:00 p.m., December 20, 2012**

---

**TO:** City Council of Benicia and Vallejo, and STA Board  
(Attn: City Clerks and STA Clerk of the Board)  
**FROM:** Suzanne Fredriksen, SolTrans Clerk of the Board  
**RE:** Summary Actions of the December 20, 2012 SolTrans Board Meeting

Following is a summary of the actions taken by SolTrans at the Board Meeting of December 20, 2012. If you have any questions regarding specific items, please call me at the following number: (707) 648-4046.

**BOARD MEMBERS PRESENT:**

Elizabeth Patterson, Mayor	City of Benicia, Chair
Erin Hannigan, Vice Mayor	City of Vallejo, Vice Chair
Osby Davis, Mayor	City of Vallejo
Harry Price, Mayor	Ex-Officio – STA Representative

**BOARD MEMBERS ABSENT:**

Mark Hughes, Councilmember	City of Benicia
Jim Spering, Supervisor, County of Solano	MTC Representative

**5. Report from the General Manager**

**PROCLAMATIONS & PRESENTATIONS**

Chair Patterson presented Vice Chair Hannigan with a Proclamation in recognition of her efforts on behalf of SolTrans as well as transportation issues throughout Solano County.

**CONSENT CALENDAR**

On a motion by Vice Chair Hannigan and a second by Director Davis, the SolTrans JPA Board approved Consent Calendar Items 6a through 6d.

**6a. Meeting Minutes of November 15, 2012**

Recommendation:

Approve the meeting minutes of November 15, 2012.

**6b. Armored Car and Cash Counting Services Contract Award**

Recommendation:

Award a contract for armored car and cash counting services to Dunbar armored, and authorize the Executive Director to execute the agreement.

**6c. Transit Management Services**

Recommendation:

Award a Master Agreement for Transit Management services for a maximum Not-To-Exceed amount of \$150,000 to Solutions for Transit, and authorize the Executive Director to execute the Master Agreement and Task Order Number 1 to the Master Agreement in the amount of \$40,000.

**6d. Proposed Route 85 Bus Stop Addition**

Recommendation:

Approve adding the Sereno Transit Center as the final bus stop for Route 85's last weekday trip.

**REGULAR CALENDAR**

**ACTION ITEMS**

**7. Progress Update on FY 2012-13 Performance Measures**

Recommendation:

Receive the progress update on the FY 2012-13 Performance Goals and Measures.

On a motion by Vice Chair Hannigan and a second by Director Davis, the SolTrans JPA Board unanimously approved the recommendation.

**8. Short Range Transit Plan (SRTP) - Goals, Objectives, Measures and Standards**

Recommendation:

Approve the SRTP Goals, Objectives, Measures and Standards and authorize staff to continue the SRTP development process with these.

On a motion by Vice Chair Hannigan and a second by Director Price, the SolTrans JPA Board unanimously approved the recommendation.

**9. Route 78 Modifications**

Recommendation:

Approve Proposed Revised Schedule (Attachment D) for Implementation by February 2013.

On a motion by Director Davis and a second by Vice Chair Hannigan, the SolTrans JPA Board unanimously approved the recommendation.

**10. SolTrans 2013 Board Meeting Calendar**

Recommendation:

- 1) Provide direction to staff regarding the continuation of the practice of holding two annual evening meetings in 2013;
- 2) Adopt the proposed 2013 Meeting Calendar as shown in Attachment A, to reflect the SolTrans Board's direction to staff above.

On a motion by Director Price and a second by Vice Chair Hannigan, the SolTrans JPA Board and unanimously approved the recommendation to include the following amendments:

- Direct staff to continue the practice of holding two annual evening meetings;
- Consider an alternative to the August evening meeting.

**NON-ACTION/ INFORMATIONAL ITEMS**

**11. Monthly Performance Report**

**12. Local Vendor Utilization**

**STAFF BRIEFINGS**

**13. Route 7 Update**

**14. SolTrans Holiday Promotions**

**15. BOARD OF DIRECTORS COMMENTS**

**16. ADJOURNMENT**

The meeting was adjourned at 5:00 p.m. The next regular meeting of the SolTrans Board is *tentatively* scheduled for **Thursday, January 17, 2013, 4:00 p.m., Benicia Council Chambers.**





**BOARD MEETING AGENDA  
4:00 p.m., Regular Meeting  
Thursday, January 17, 2013  
Benicia Council Chambers**

**Public Comment:** Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency.

**Americans with Disabilities Act (ADA):** This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Suzanne Fredriksen, Interim Clerk of the Board, at (707) 648-4046 during regular business hours at least 24 hours prior to the time of the meeting.

**Staff Reports:** Staff reports are available for inspection at the SolTrans office, during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at [suzanne@soltransride.com](mailto:suzanne@soltransride.com).

**Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the SolTrans Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

**Agenda Times:** Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

**ITEM**

**BOARD/STAFF PERSON**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**  
(4:00 – 4:05 p.m.)

**Elizabeth Patterson, Mayor**  
**City of Benicia**

- 2. CONFIRM QUORUM/ STATEMENT OF CONFLICT**

**Suzanne Fredriksen**  
**Clerk of the Board**

*An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.*

- 3. APPROVAL OF AGENDA**

**SOLTRANS BOARD MEMBERS**

Elizabeth Patterson	Mark Hughes	vacant	Osby Davis	Jim Spering	Harry Price
City of Benicia	City of Benicia	City of Vallejo	City of Vallejo	MTC Representative	STA Ex-Officio
Alternate Board Member Alan Schwartzman			Alternate Board Member Stephanie Gomes		

4. **OPPORTUNITY FOR PUBLIC COMMENT**  
(4:05 – 4:10 p.m.)

5. **REPORT FROM THE EXECUTIVE DIRECTOR**  
**Pg. 1**  
(4:10 – 4:15 p.m.)

Mona Babauta

## PROCLAMATIONS & PRESENTATIONS

### CONSENT CALENDAR

Recommendation:

*Approve the following consent items in one motion.*

*(Note: Items under consent calendar may be removed for separate discussion.)*

(4:15 – 4:20 p.m.)

6a. **Meeting Minutes of December 20, 2012**

Recommendation:

*Approve the meeting minutes of December 20, 2012.*

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Suzanne Fredriksen,  
Clerk of the Board

6b. **Public Advisory Committee Meeting Minutes of January 3, 2013**

Recommendation:

*Approve the Public Advisory Committee Meeting Minutes of January 3, 2013.*

**Pg. 33**

Suzanne Fredriksen,  
Clerk of the Board

6c. **Master Contract Award for Planning Consultant Services**

Recommendation:

- 1) *Approve the award of a Master Contract for Planning Consultant Services for a Not-To-Exceed amount of \$400,000, and*
- 2) *Authorize the Executive Director to execute the Master Agreement and Task Orders with firms in the certified pool.*

**Pg. 39**

Mona Babauta,  
Executive Director

6d. **Revised 2013 SolTrans Board Meeting Calendar**

Recommendation:

*Approve the Revised 2013 SolTrans Board Meeting Calendar, as shown in Attachment A.*

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Suzanne Fredriksen,  
Clerk of the Board

## REGULAR CALENDAR

## ACTION ITEMS

7. **SolTrans ADA Paratransit Proposed No-Show Policy**  
Recommendation:  
*Approve the proposed No-Show Policy and Implementation Plan for SolTrans ADA Paratransit Service.*  
 (4:20 – 4:30 p.m.)  
**Pg. 51**
- Elizabeth Romero,  
 Program Analyst
8. **ADA Eligibility Determination Process Options**  
Recommendation:  
*Direct staff to work with STA on a countywide procurement for a contractor to conduct ADA paratransit eligibility assessments, but in the event that a countywide effort fails, direct staff to return to the Board in February 2013 with an alternative recommendation.*  
 (4:30 – 4:40 p.m.)  
**Pg. 73**
- Elizabeth Romero,  
 Program Analyst
9. **Selection of Officers of the SolTrans Board**  
Recommendation:  
*Select by majority vote the following officers of the SolTrans Board:*  
 1) *Selection of the Chair for 2013, commencing with the SolTrans Board meeting of February 21, 2013, from one of the Vallejo representatives, in accordance with the rotation process established by the SolTrans Bylaws.*  
 2) *Selection of the Vice Chair for 2013, commencing with the SolTrans Board meeting of February 21, 2013, from one of the remaining Directors from either Member City.*  
 (4:40 – 4:45 p.m.)  
**Pg. 77**
- Suzanne Fredriksen,  
 Clerk of the Board
10. **Human Resources Plan**  
Recommendation:  
*Affirm the Executive Director’s plan for obtaining human resources support and next steps in finalizing SolTrans’ human resources structure.*  
 (4:55 – 5:05 p.m.)  
**Pg. 79**
- Mona Babauta,  
 Executive Director

**NON-ACTION/ INFORMATIONAL ITEMS**

11. **Monthly System Report**  
Recommendation:  
*Informational.*  
 (5:05 – 5:15 p.m.)  
**Pg. 85**
- Philip Kamhi,  
 Finance Officer

12. **511.org Progress Report** Elizabeth Romero,  
Recommendation: Program Analyst  
*Informational.*  
 (5:15 – 5:25 p.m.)  
**Pg. 95**
13. **TCP Update** Philip Kamhi,  
Recommendation: Planning & Operations Manager  
*Informational.*  
 (5:25 – 5:35 p.m.)  
**Pg. 97**
14. **SolTrans Branding Update** Ward Stewart,  
Recommendation: Program Analyst  
*Informational.*  
 (5:35 – 5:45 p.m.)  
**Pg. 107**
15. **Outcome Report on Public Outreach Promotions** Ward Stewart,  
Recommendation: Program Analyst  
*Informational.*  
 (5:45 – 5:55 p.m.)  
**Pg. 115**

#### **STAFF BRIEFINGS**

*This time is reserved for SolTrans staff to provide a five-minute briefing to the Board on various items of interest. No action will be taken on these matters except to possibly place a particular item on a future agenda for Board consideration.*

16. **Coordinated SRTP Update** Elizabeth Romero,  
Recommendation: Program Analyst  
*Informational.*  
**Pg. 123**
17. **BOARD OF DIRECTORS COMMENTS**
18. **ADJOURNMENT**  
 The next regular meeting of the SolTrans Board is *tentatively* scheduled for **Thursday, February 21, 2012, 4:00 p.m., Vallejo Council Chambers.**