

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
February 19, 2013

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

**I. CALL TO ORDER:**

Mayor Patterson called the Closed Session to order at 6:00 p.m. All Council Members were present.

**II. CLOSED SESSION:**

**A. CONFERENCE WITH 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 7:04 p.m.

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Ellen Kolowich led the Pledge of Allegiance.

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

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

**A. ANNOUNCEMENTS**

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

Ms. McLaughlin reported that Council received information from staff, and provided direction to staff.

**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 announced she would not be in her office on 2/26 and 3/4, as she would be out of the country.

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

Mayor Patterson reviewed the staff report. There is no new information to go on the City's website.

**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.**

**RESOLUTION 13-17 - A RESOLUTION 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**

On motion of Mayor Patterson Council adopted Resolution 13-17, on roll call by the following vote:

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

**D. PRESENTATIONS**

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

Jack Wolf, Wolf Communications, reviewed the update on the Tourism Marketing Program (copy on file).

Council Member Strawbridge and Mr. Wolf discussed the total print value pieces that were reported, the need to find a better way for people to find the tourism website, and possibly tying the new tree lights on First Street into the tourism campaign.

Council Member Hughes thanked Mr. Wolf for his efforts. He believed the Tourism Marketing Plan has made a difference for the City of Benicia.

Vice Mayor Campbell, Mr. Wolf, and Staff discussed the Benicia Industrial Park, and what could be done to improve the vacancy in the Industrial Park. Vice Mayor Campbell would like to see a judicial (not too expensive) plan on what could be done to improve vacancy.

Council Member Schwartzman expressed his thanks for the work Mr. Wolf and staff has done.

Mayor Patterson expressed thanks for Mr. Wolf's and staff's efforts. She had a question on the media outreach public relations. She would like to see the bicycling and sports activities promoted. She suggested 'Tired of the America's Cup crowd, come to Benicia. She also suggested connecting with the chamber and main street websites. She acknowledged the program was benefiting the City. She asked if the State Parks could be listed on the tourism map.

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

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Three items (copies on file).

**B. PUBLIC COMMENT**

1. Lisa Villarreal - Ms. Villarreal invited Council and the public to attend 3 fundraising events to benefit BHS Challenge Day and Grad Night.
2. Ellen Kolowich - Ms. Kolowich discussed concerns regarding the new gateway on Military West (in front of Safeway). She was concerned about the portion of the center divider that sticks out. She felt the design posed a hazard to drivers. She also felt the poles that the signal buttons are located on were not safe due to their placement. There is also the lack of a ramp (wheelchair) on one of the bus stop areas.
3. Council Member Schwartzman asked that the curb issue be addressed. Staff indicated that all of the issues raised by Ms. Kolowich would be investigated.
4. H.R. Autz - Mr. Autz invited Council and citizens to attend Benicia Yacht Club's Opening Day on the Straight event. He would like that event added to the list of events for the City of Benicia.
5. Elizabeth d'Huart - Ms. d'Huart announced upcoming events at the Benicia Historical Museum. She discussed ideas addressing the vacancy issue in the Industrial Park.

**VII. CONSENT CALENDAR:**

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

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

**A. APPROVAL OF MINUTES OF THE FEBRUARY 5, 2013 CITY COUNCIL MEETING**

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

**VIII. BUSINESS ITEMS:**

**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 UP TO 12 MONTHS**

Heather McLaughlin, City Attorney, reviewed the staff report. She clarified that tonight's report was for informational purposes only. The item was being presented so Council could discuss it and provide direction to Staff.

Council Member Hughes and Staff discussed the notification process, and whether there is a more efficient and less expensive way to gather statistically significant feedback from citizens, rather than sending the notifications out to every registered voter.

Vice Mayor Campbell asked for clarification on the rules for general law and charter cities changing election cycles.

John Gardner, Solano County Assistant Registrar of Voters, reviewed a PowerPoint presentation on election costs for the City of Benicia.

Vice Mayor Campbell and Mr. Gardner discussed election year scenarios in the PowerPoint presentation. Mr. Gardner clarified the difference in the number of registered voters in the County/Education system.

Council Member Schwartzman and Mr. Gardner discussed the actual and hypothetical costs listed in the presentation.

Council Member Hughes and Mr. Gardner discussed the issue of voter turnout.

Public Comment:

1. Bonnie Silveria - Ms. Silveria spoke in support of moving to an even-year election cycle. She supports increasing voter turnout and decreasing cost. She supported increasing the elected official's terms.
2. Ellen Kolowich - Ms. Kolowich spoke in support of moving to an even year election cycle. She supported increasing the elected official's terms.
3. H.R. Autz, City Treasurer - Mr. Autz spoke in support of moving to an even year election cycle.

Vice Mayor Campbell and Mr. Gardner discussed the actual and hypothetical costs listed on the last page of the PowerPoint presentation.

Vice Mayor Campbell discussed the reported actual and hypothetical costs. Vice Mayor Campbell discussed the City's voter turnout (clarifying that the turnout in 2011 was 40+% as opposed the reported 20+ %). He discussed concerns regarding whether the move would save the City money, how changing to an even-year election cycle would affect the City's local election, and the Chicago study provided by Mayor Patterson.

Mr. Gardner discussed the County's level of confidence with the numbers that

were provided in the PowerPoint presentation. Mr. Gardner stated he was 100% confident with the 'actual' numbers provided.

Mayor Patterson discussed the Chicago study that she provided. Voter turnout is the most important thing.

Council Member Schwartzman stated that he had received a lot of comments from citizens supporting changing the election cycle. He clarified that the extension or decrease of terms also affected the treasurer and clerk. He supported changing to even-year election. It would save the City money and it would increase voter turnout. It would give the citizens one full year without campaigns, mailers, etc. He has not had any citizens approach him who did not support changing cycles.

Council Member Strawbridge asked for clarification on the proposed post cards being mailed out. She suggested using a local vendor if possible. She requested the introduction and first reading of the ordinance be postponed until the first April meeting, as she would not be at the 3/19 meeting. She was impressed with the reported numbers for voter turnout in even year elections.

Council Member Hughes thanked Mr. Gardner for presenting the information, as it clarified issues for him. He asked that Council consider the idea brought up by Mr. Gardner (in written correspondence). Council Member Hughes was concerned that the decision to extend the elected official's terms seemed self-serving. Staff stated that the cases they had looked at all extended terms, as opposed to shortening terms. Staff discussed the issue of staggered terms and continuity on the council.

Vice Mayor Campbell clarified that Mr. Lowry's suggestion could not work, as it would violate State law.

Council Member Schwartzman discussed concerns regarding having an entire council that could turn over every four years. Staggering terms provides assured continuity.

Mayor Patterson asked if anyone in the public wanted to address Mr. Lowry's suggestion, as it was information provided after the agenda was presented to the public.

Public Comment:

None

Vice Mayor Campbell discussed the City's budget cycle and concern whether there would be savings by switching cycles. There were no guarantees whether the other cities and school districts would be changing cycles. The City could

end up with higher costs that it is currently paying.

Council, Staff, and Mr. Gardner, discussed delaying the introduction and first reading of the ordinance until the 4/2/13 meeting so that Council Member Strawbridge could participate in the discussion. Council decided they could delay the introduction and first reading until the 4/2/13 meeting.

Council Member Hughes made a motion to direct staff to send the postcards notifying the citizens and soliciting their feedback prior to the 3/19 meeting (even though it would be presented at the 4/2 meeting), introduce the ordinance on 4/2/13, and bring it back for the second reading and adoption on 4/19/13.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council directed staff to send the postcards notifying citizens of the proposed election cycle change, soliciting feedback prior to the 4/2/13 meeting, to present the introduction and first reading of the ordinance at the 4/2/13 meeting, and the second reading and adoption of the ordinance at the 4/19/13 meeting, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Hughes, Strawbridge

Noes: Campbell

**B. Council Member Committee Reports:**

1. **Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date: TBD**
2. **Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (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:**

Mayor Patterson adjourned the meeting at 8:55 p.m.

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Lisa Wolfe, City Clerk