

MINUTES OF THE  
SPECIAL MEETING – CITY COUNCIL  
FEBRUARY 24, 2007

The special meeting of the City Council of the City of Benicia was called to order by Vice Mayor Schwartzman at 5:00 p.m. on Saturday, February 24, 2007, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

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

Absent: Mayor Messina

PLEDGE OF ALLEGIANCE:

Vice Mayor Schwartzman led the pledge to the flag.

FUNDAMENTAL RIGHTS:

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

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

None

PUBLIC COMMENT:

None

ACTION ITEMS:

Consideration of extending the deadline for public comment on the Benicia Business Park Environmental Impact Report (Seeno" EIR):

Jim Erickson, City Manager, reviewed the Staff report. He stated that a one-week delay would cause any harm. It would shorten the time Staff and LSA have for a comment period. However, any time over a one-week period would delay things.

Council Member Patterson asked Mr. Erickson what he meant by ‘purpose of a schedule’, reputation, etc. How did the April date get set? Mr. Erickson stated that the review is usually 45 days from the announcement of the EIR. That date just happened to be in April. The draft EIR was ready in mid-January. Council Member Patterson stated that the worse case scenario would be that it would take an additional Council meeting to get through it.

Public Comment:

1. Steve Getz – Mr. Getz stated that he read the EIR. It frightens him as to how it will affect his neighborhood. He is not sure he fully understands the EIR so he is re-reading it. He wants to make sure he understands the information correctly so

- he can address his comments, concerns, etc properly. He would need two weeks to finish that. He understands that there are schedules. Council has a responsibility to the citizens and the developers both. The nature of the project is that you cannot rely on schedules that were developer so far in advance. He hopes Council will have some consideration for the citizens who would be impacted by the project. Council Member Whitney asked Mr. Getz to comment on the one-week vs. two-week delay. One week would be a 20% extension of time. Mr. Getz stated that he understood the one-week delay preference with Staff is so it would not have to delay it's meeting. He hopes to be able to complete his comments in a two-week period. Mr. Getz stated that he understood Planning Commissioner Bortolazzo stated that he did not have any concerns with the EIR.
2. Jeanine Seeds – Ms. Seeds stated that Council should give the developer the same amount of respect that it gave the citizens regarding the whole Starbucks issue. A two-week extension is not an unreasonable request. The citizens are entitled to know what is going on with this project. There was not enough coverage about this issue in the media.
  3. Bob Craft – Mr. Craft stated that he appreciated that Council called a special meeting to consider this issue. This is an incredibly big complex project. The EIR is very complicated and complex; even more so than the Valero Improvement Project. The past scoping session addressed some of the problems, but not all of them. It is fair to point out that it took them 18 months to develop the EIR. Forty-five days to review it is not that fair. He would rather have four weeks, but could live with two. A one-week extension would be difficult. He urged Council to grant a two-week extension if at all possible. He heard that a Planning Commissioner commented that he took one weekend to review the EIR and was fine with it.
  4. Jackie Klare – Ms. Klare stated that a lot of the EIR is boilerplate. She found that the EIR is unwieldy. We need to dot the i's and cross the t's. It will be one of the last huge projects that Benicia will be able to develop. We all need to do diligence to this effort. She recommended a three-week delay. One week is not reasonable. She does not know how many citizens in Benicia have been chartered to review the document. She is going through it and it is a very unwieldy task.
  5. Marilyn Bardet – Ms. Bardet stated that she picked up the EIR on 1/9. There are so many parts of the EIR that affect various parts of town. Citizens had to review other important documents this month. She emailed the BUSD to state her concerns regarding the effects of the projects. It would be quite a great impact on children's health. There would be increased traffic flow with the commuters. Ms. Bardet stated that the paper is not reviewing this issue. She advocated a three-week extension. The Arsenal plan will be coming to the citizens for review about the same time the Seeno EIR goes to Council. She wants to make sure the Seeno Project is getting proper focus.
  6. Citizen – The citizen stated that this was an important project. She would like to see a two-week extension. She would like to see the project schedule for all projects so she knows what is going on.
  7. Sabina Yates – Ms. Yates stated that she moved to Benicia ten years ago. The views around Benicia are fantastic. When she heard they would be moving 900

million cubic yards of soil from her view. She has never read an EIR before. She would appreciate two months for review. She appreciated Council coming in on a Saturday to discuss this.

Council Member Whitney stated that he had gone through the EIR. He was not sure there were thousands of people out there who would be reviewing the document. He was open to a two-week extension.

Council Member Patterson stated that she appreciated the citizens coming out on a Saturday. She hopes the two-week extension is approved.

Council Member Hughes stated that he agreed with a two-week extension. It is an overwhelming task and it would help him as well as the citizens.

Vice Mayor Schwartzman stated that he agreed a two-week extension was appropriate. It is a huge undertaking to review. It would make a lot of sense to extend it to two weeks.

On motion of Council Member Whitney, seconded by Council Member Patterson, Council agreed to a two-week extension of the deadline for public comment on the Benicia Business Park Environmental Impact Report, on roll call by the following vote:  
Ayes: Council Members Hughes, Patterson, Schwartzman, and Whitney  
Noes: None  
Absent: Mayor Messina

ADJOURNMENT:

Vice Mayor Schwartzman adjourned the meeting at 5:29 p.m.

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Lisa Wolfe, City Clerk