

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
FEBRUARY 26, 2008

The special meeting of the City Council of the City of Benicia was called to order by Mayor Elizabeth Patterson at 6:00 p.m. on Tuesday, February 26, 2008, in the Doña Benicia Room, Benicia Public Library, 150 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

Council Member Ioakimedes 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).

ACTION ITEM:

Rating of 2007-09 Priorities and Policy Issues:

The Mayor went over, briefly, the goals of the meeting and then asked the City Manager to give an overview of what will be covered. The City Manager covered a handout, entitled Meeting Plan. He explained that the goal for the meeting was for the Council to confirm the Top Ten Priorities and Top Ten Policy Issues. He briefly covered some of the resources included in the packet to assist the Council with accomplishing that.

The City Manager also referenced the public hearing advertised for this meeting. He explained what the public hearing is, which is regarding design review as it relates to properties in the downtown historic district. He noted that staff recommends that this particular issue be prioritized similar to the other policy issues, and the scheduled for action. He went over the advantages of taking this approach, including the ability to better notice, etc.

The City Manager explained that Council had been asked to complete rating forms on both the priorities and policy issues, to help guide them in confirming the Top Ten priorities and policy issues. He referenced the nine Strategic Goals and the process that the Council went through during the Strategic Plan Update to determine the City's priorities. He also referenced the Citizen Survey completed in August of 2006, the results of which were also utilized in the Strategic Plan Update, and referenced the summary of results posted on the wall. He reiterated the importance of revisiting this information as the Council looks at the priorities and policy issues.

Next the City Manager noted that he and the other Department Heads could report, by exception, on each of the top ten priorities and policy issues. He commented that there are a few priorities and policy issues overlap, in that they are on both forms. The first one he touched on was the Police Station, in that the priority focuses on the actual remodel, while the policy issue focuses more so on the needs assessment for new or increased space. Council Member Schwartzman and Chief Spagnoli also commented briefly on this, agreeing and confirming that it makes sense for this topic to be on both lists.

Other ones that overlap both lists were noted, including:

Ferry Service – leave this on the project list, take off the policy list.

Arsenal – leave this on the project list, take off policy list.

Council Member Hughes asked about the Commandant's, as it is also on both lists.

The City Manager noted it is on the policy issue as the Commandant's Public/Private Use Study, and then the current project is on the project list. Mike Alvarez, Parks & Community Services Director, expanded on the current project and how it is two different phases – the current stabilization project – and then the second phase, which is looking at how it will be used.

Mayor Patterson noted there are two parts on the use study. The first part is what can it be used for that is consistent with the State's Secretary of Interior's standards, and then the second part is looking at what the City wants to do.

Council Member Hughes clarified what his question was, i.e., defining the project. Mr. Alvarez noted that historic preservation will be part of the study; he explained a bit further what the study will entail.

Council Member Schwartzman hoped that some of the study and restoration can be done simultaneously to facilitate getting the building occupied. Council Member Ioakimedes cautioned against not including the Arsenal as a whole when talking about this project, that this should guide the use of this building. Council Member Schwartzman noted that when the Arsenal Plan comes forward in June, that this will help with looking at the Commandant's. Mayor Patterson asked Mr. Alvarez if that was his understanding as well. He said that likely in September and October more information will be available on how to move forward and will coordinate with the Arsenal Plan.

It was proposed that this just go on the project list and be represented in two phases.

The City Manager noted that he had hoped that most of these priorities and policy issues could be discussed by exception. He noted a few of the additional resources that are available in the packet, particularly on the cultural commission and sustainability task

force. He commented that it is important to look at all options, when it comes to starting new commissions, to see what resources will be required, what the goals will be, etc.

The Mayor suggested that we move to public comment now, noting that she expects that the priorities will go more quickly, with perhaps more discussion about the policy issues.

Council Member Schwartzman requested clarification regarding some of information in the packet on the Climate Action Plan. He asked if whether it should say city, not county, when it references who will do reporting. Ms. Lorentz confirmed it should say city. He also asked Chief Hanley a question regarding the Fire/Rescue Boat Summary and a potential location to berth the boat.

The Mayor asked if there were any additional council comments on the priorities, and there were none. The Mayor invited public comment on the priority list.

Susan Street, on behalf of Brent Street, passed out an addendum to Mr. Street's previous submission on the Fire Rescue Boat. She relayed his comments as described in the handout, noting that the benefits of the boat are zero.

Mr. Surrat spoke re: the fireboat. He noted this was on the list last year and he has discussed this with many in the community. He commented that he has asked previously whether a cost/benefit analysis has been done, but it hasn't, so where does this come from. In the absence of a true cost/benefit assessment, this should be dropped.

The City Manager spoke to where these priorities come from, in this case it was a suggestion, based on community input, of a council member. He noted that does not necessarily mean that staff believes this is the most cost effective way to deal with the need. Generally, he noted that most of the priorities come from public input gathered through the Strategic Planning process. He also referenced the information in the packet that speaks to some of the cost/benefit issues.

Constance Beutel spoke in support of the police building priority and the need for a new facility.

Marilyn Bardet asked for an update on the Arsenal Specific Plan. She also commented on the Energy Conservation priority and how it relates to the information she presented to the Council on February 19th, and that should be tied into forming a Sustainability Task Force.

Damon Golubics, Principal Planner, provided an update on the Arsenal Specific Plan. He referenced page III-A-43 in the packet.

Mayor Patterson asked if the Environmental Impact Report (EIR) will tell us the potential costs for the mitigation measures. Mr. Golubics noted that he doesn't think they have gotten that far, that LSA still needs to get involved to sort out the costs.

Mayor Patterson noted that her fear is that the protocol in the mitigation may cause the project to come to a halt. The City Attorney spoke to the phases of the project and the plan for dealing with the mitigation measure.

Bonnie Silveria, representing the Main Street Program, spoke in support of the Tourism Plan and the First St. Pedestrian Friendly Improvements, as well as some beautification needed downtown and at the gateways.

Mayor Patterson asked if Ms. Lorentz would like to comment on the beautification part of the Tourism Plan. Ms. Lorentz noted that there is a small budget line item for \$10,000 for beautification that can be done soon, but this work would not include any major projects or signage construction.

A citizen spoke in support of the recommendations of the Economic Development Board in this area. She would love to see the City incorporate ways to make wind energy, etc. possible. This should not be just City operations, but community-wide.

Council Member Schwartzman commented it would be nice to have incentives to do things like the wind energy, etc., but he wondered if looking at things bigger than what we are currently addressing, such as incentives, etc., if perhaps that should be a project or more of a policy issue. Ms. Lorentz clarified that yes, the project speaks to the current things that are underway, such as climate action plan, green building program, incremental improvements at City Hall, etc. If the Council wants to go further, it should probably be added to the Policy Issue list.

Mayor Patterson noted that she thinks a report should come forward that notes opportunities and what we could be doing, and not necessarily another policy discussion.

Ms. Lorentz and the City Manager further clarified what the current project is and how we could handle additional opportunities and recommendations that will result from the inventory.

J.B Davis commented on the Benicia Business Park Development, he noted he is happy to see that it is on the list. He hopes that whatever project does get completed out there will be consistent with the Economic Development Plan. Regarding the Tourism Plan and the First St. Pedestrian Improvements, it should really be one project. It is kind of hard to do one without the other. He commented that he is also happy to see the Ferry Service on the list, and that this project also goes hand in hand with the Tourism Plan and First St. improvements.

Marilyn Bardet noted that there is a person assigned at the Bay Area Air Quality Management District to help with a workshop on the air monitoring equipment, etc.

Council Member Schwartzman voiced dissatisfaction with the process. He commented that we are all over the map as to how we do this. There has to be a better way to rank

the priorities. He commented there are a number of ties with the current ranking and that he doesn't feel comfortable with this method.

Council Member Hughes noted he agrees to a certain extent, he commented that there has been a different scoring each of the three times the Council has done this, which isn't good. But, in looking at the ratings, it is clear there is some agreement on some projects (both in terms of high and low ratings), but that there are some that are on the bubble – and those are likely the ones we should focus on. He described a more refined process for evaluating the priorities that he talked about with the City Manager, which perhaps they could complete, if needed.

Mayor Patterson commented that based on the current rankings, if we combine the Tourism priority and the First St. Pedestrian priority, then we would have 10 priorities. Council Members Hughes and Schwartzman both commented that they aren't comfortable combining those priorities.

Council Member Schwartzman went on to talk about concern with the ties, for example, with the 4.4 ones, how to determine which goes first. Vice Mayor Campbell noted that you do the one you can afford to do first, this is only part of making the decision. Part of it is also about the financial resources available.

Council Member Ioakimedes noted that the very expensive ones keep waiting to get done, because they keep getting put off due to the cost. He referenced the linking of the projects and how it is difficult to connect the dots when you get them one at a time and don't get the big picture. Suggested looking at broad headings, such as historic preservation, and then allocate dollars as appropriate to projects under those headings – but take into account other projects under that same heading. Looking at what we can do with dollars available to get something done on each project.

Mayor Patterson thanked Council for their comments, and asked the City Manager to speak to the ranking process and the top ten, what does it mean and how does it fit into the Strategic Plan. She agrees with Council Member Ioakimedes that this process is frustrating and asked if the City Manager would bring this back to how this fits into the Strategic Plan.

City Manager referenced the nine strategic goals and that the individual projects relate back to those overarching goals. The Strategic Plan Update process was based on quite a bit of public input, and from that, the goals were developed along with an extensive list of priorities that were narrowed down to the current list. This is an opportunity to confirm these priorities, not go through the whole process again.

Council Member Hughes agreed and said yes, he is now reminded that they did go through that extensive process and that this is a confirmation of those priorities, given the new council, etc.

Mayor Patterson talked about revising the current list, specifically removing the Fire Boat and adding the BHS Traffic Signal and the First St. Pedestrian Friendly Improvements, as well as determining whether there are other projects that need to come off the list.

The City Manager said yes, we are asking the council to confirm the top 10 to really focus on and pursue as priorities. Not to say that other projects won't be continued to be worked on – but will help staff to focus on those top 10 projects that are truly top priorities. He went on to describe an alternative way to prioritize the projects by selecting the “Top Five” and then the “Next Five” approach.

Vice Mayor Campbell said, sure, he would be willing to try that, to try to cross off the list those that are basically done, or ready to be done. Council Member Schwartzman commented that perhaps this is not the way to go, as then maybe the progress on the project will not continue if its not a priority. They discussed the impact of something coming of the priority list and the progress of the project.

Mayor Patterson brought up the Ferry Service, noting that there are a lot of unknowns and pointed out the need for staff to stay in touch with what Vallejo and Antioch are doing. So she sees this as sort of a low-level staff demand project. She also mentioned the State Park Rd. project – that it is so close – and we would lose a lot of funding if that does not get done. She suggested that we just move forward with the list, less the Fire Boat.

Marilyn Bardet noted that on the Strategic Goals that projects such as the Energy Conservation/Air Quality, etc. isn't really reflected in the goals statement and does it fall under community health. Council Member Hughes said yes, that is where he feels it goes.

Council member Schwartzman agreed on taking the fire boat off of the list, and also expressed surprise that the State Park Rd. is so low on the list. Talked a bit about the Ferry Service item and First St. Pedestrian Friendly projects, and integrating various aspects of the projects. For example, with the First St. project, focusing on the relatively inexpensive things that could be done to make progress.

Mayor Patterson noted that the budget discussion will be key in figuring what can be allocated where, but would like to live with this list and go forward.

Vice Mayor Campbell would like staff to look more intensely at a few, narrow down to three or four, and then the rest are sort of on autopilot.

They agreed to take five minutes to go through and note on the large poster listing the priorities what their top priorities are. The Council took a short break and did this.

Mayor Patterson informed the public in attendance that the individual submissions from members of the public submitted to the City Manager's Office did not get scored, just the council ratings are reflected in the final average scores on the poster.

After checking off their top priorities, the top six priorities were as follows:

- ❑ Community Center
- ❑ Benicia Business Park Development
- ❑ Police Building Remodeling
- ❑ First Street Pedestrian Friendly Improvements
- ❑ Commandant's Residence
- ❑ State Park Road Bike/Pedestrian Bridge Project

Sue Johnson expressed frustration regarding the rating forms forwarded by Mayor Patterson. If the City didn't compile the public's input, what is the point of attending the meeting?

Council Member Hughes noted that we went the strategic planning process and took public input, this is just confirming the list of priorities.

Mayor Patterson clarified that we are taking a mid-course review – based on the previous more involved process, we are guided by that – just checking in to confirm priorities. The next step, on the policy issues, will likely provide more of an opportunity to benefit from public input. Nothing is dropping of the list, except the fire boat, because the Council has agreement.

The City Manager gave an overview of the policy issues on the list, and suggested that goal be to select 10 for the remainder of the 2007-09 fiscal period. Last year the Council got through about eight, so if they select more than 10, they will unlikely to be getting through all of them.

The Mayor noted her concerns with a number of the items on the policy list, for example, why is the Tree Ordinance on the list when it is ready to come to the Council. She also wondered about why the Sky Valley Open Space committee and Ahwahnee Principles are on the list as well, as they are basically straightforward.

The City Manager responded to her question by providing a brief overview of why each issues is included on the list.

Council Member Schwartzman asked if the Council is in agreement – is the Arsenal Plan a project. He also asked about Lighting & Landscaping (L&L) Districts policy issue, isn't it a project. He also wondered why YATF and Sky Valley is separated out from the board & commission review policy issue, and also the YATF strategic planning process – staff has been directed to do this – so couldn't that one come off.

Council Member Ioakimedes requested that another item be added to the list – Industrial Parks Needs Assessment – thinks Economic Development should meet with Benicia Industrial Park Association and pursue this.

Mayor Patterson started with the Residential Design Review Authority issue, which based on the Historic Preservation Review Commission's recommendation, should get put on a March meeting.

The City Manager noted that the goal was to try and prioritize these items, including recommendations from commissions, and have that dictate on how the policy calendar is set up.

Mayor Patterson asked if this item could be on an agenda in March. The City Manager said its fine to schedule this in March, but noted that the Council may want to first prioritize the list.

They discussed the process a bit further. The Mayor asked if the Council could at least agree it will be on a future agenda for action. There was agreement on that.

On L&L, the Mayor suggested that this come back to Council after staff meets with the property owners, so they can hear the feedback, and then it will come back to Council.

They discussed whether some of the items on the list are really policy issues. Council Member Hughes noted that some are already clear what needs to happen, they will just come back as action items. He also noted that some are reconsiderations, because some of have been addressed in the last year.

The City Manager noted that with that some of these, it is a timing issue – in terms of prioritizing the scheduling of the items.

Council Member Schwartzman commented it is not clear how long it takes for staff to gather the information and come back on some of these, and perhaps that is part of the question, assessing the time and resources involved to move forward. So there is a scheduling side, even if some of these are not really policy issues. Also, yes, why are some of these on here if they've already been considered.

Mayor Patterson noted those that are easy to schedule:

- ❑ Tree Ordinance
- ❑ Design Review
- ❑ L&L
- ❑ YATF Strategic Planning Process
- ❑ Sky Valley Open Space Committee
- ❑ Adult Entertainment Ordinance
- ❑ Ahwahnee Principles
- ❑ Newsrack

She noted that yes, the last four items would be reconsiderations. She commented, that just leaves the Cultural Arts Commission, Sustainability Task Force and the Police Facility Modernization and Space Needs.

Bob Mutch asked when it would be appropriate to ask about the process. There is not a clear coherent tie in with the goals, projects and policies.

Mayor Patterson thanked him for his comments, and suggested that the City Manager reiterate how the list was developed and as we refine the process going forward, she welcomes his ideas.

The City Manager covered why each of the items are on the policy issue list. He listed his thoughts on each of the policy issue items. He noted that with the final four, staff has direction, but there has been a request to revisit each of those.

Council Member Ioakimedes commented that on some of these there is an inherent timeline tied to the item, such as the campaign items, should occur at least 15 months before the next election. He suggested that the Council think about what should be done within the next 90 days.

Vice Mayor Campbell mentioned that he had already submitted a request to reconsider the Campaign Contribution Ordinance for the March 4th meeting.

Susan Street noted that the elephant in the room is Seeno. Aren't there things on the list that need to be considered very quickly in the context of Seeno's project coming.

City Attorney noted that any action the Council would take would on Formula Based Business Regulations and Big Box would have very little impact on Seeno.

Marilyn Bardet asked about the Sustainability Task Force and noted that the EDB recommended this to the Council. Ms. Lorentz gave an update on the information provided in the packet and noted that the Sustainability Task Force is on the list of policy issues to be prioritized.

The Mayor asked for clarification on next steps, should a resolution come to the Council forming such a task force. Ms. Lorentz noted that the first step is to prioritize as part of the policy issue discussion, that staff is not ready to give a full-fledged recommendation regarding resources necessary, etc.

Mr. Surratt commented on the cultural arts commission. He noted that the Human Services Arts Board (HSAB) was asked to take on the arts as part of this body. It would be nice to utilize the subcommittee work from the HSAB in looking at this committee.

Sue Johnson spoke to the cultural arts commission being a fabulous idea and talked about the importance of adding this body. She mentioned the importance for tourism, etc.

Another citizen noted she would like to echo what Marilyn Bardet and Susan Street said on sustainability. She noted that she thinks the sustainability should be separate from the Planning Commission.

Bob Mutch commented that it seems we are straying from the process of strategic planning. Thinks there needs to be one common understanding of what strategic planning is.

Dan Clark talked about the cultural arts commission and the need for one. Referenced the study done by the Mayors Committee in 1984 that Bonnie Weidell provided for this meeting. Feels that much of the work done back then is still valid and important – just a little more overdue. He talked about the HSAB and how the human services model didn't adapt very well to the arts community. He noted that this appears to be something that continues to be put off and ignored.

The City Manager noted that we are nearing 9 pm, and that is a cut off time, as the Library closes at that time.

Gretchen Burgess spoke on the dog park and asked when the meeting with the City manager will happen.

The Mayor asked if this meeting would be scheduled and Mr. Alvarez noted they had attempted to schedule it, but were informed at this point, it was not necessary – but if there is still a desire to meet, that is fine. The Mayor asked if this could be resolved outside of this meeting and Ms. Burgess agreed.

Leann Taagepera spoke about the design review item and gave some background on this issue. She referenced her letter to the Council, which is on file. She wondered why we need to ask if we need to comply with what the State already requires. She talked about what the City of Vallejo does in terms of lower fees, etc. She encouraged council to get going on this in March.

JB Davis expressed frustration with the process. He also spoke about sustainability – it is a policy that has already been adopted – so it should move forward. He also talked about the arts and the Main St. Feasibility Study – how this is old stuff that we've been talking about for a long time. If it takes a cultural arts commission to get this stuff done, lets do it.

Donnell Rubay talked about the importance of addressing the design review issue, the City needs to understand where historic property owners are coming from. She also asked that staff look at how other cities are handling and consider whether people will want to be historic property owners.

Mr. Ernst spoke about a lecture he attended last week and reducing use of oil. He provided a report to council on this. He commented that a Sustainability Task Force would be great.

The Mayor suggested organizing the policy issue list as follows:

- Police Building – Beyond 90 days

- ❑ Commandants Public/Private Use Study – Beyond 90 days
- ❑ Design Review – Schedule for action within 30 days
- ❑ L& L – Beyond 90 days
- ❑ ITS – Not sure on timing
- ❑ YATF – Already underway, will need more than 90 days
- ❑ Sky Valley Open Space Committee – Beyond 90 days
- ❑ Voluntary Campaign – Go through the two step process
- ❑ Adult Entertainment Ordinance – Schedule for 2009
- ❑ Ahwahnee Principles – Within 90 days
- ❑ Newsrack – Short term report within 90 days, ordinance after 90 days
- ❑ Tree Ordinance – Within 90 days
- ❑ Campaign Contributions – Two step process
- ❑ Boards & Commissions – Staff recommendation ok
- ❑ Big Box and Formula Based Business – Two step process

On the Cultural Arts Commission, the Mayor suggested that staff get started now on the process of looking at this and then come back to Council, probably outside 90 days. On the Sustainability Task Force, she suggested continuing to research this and then come back with a report.

Council Member Schwartzman expressed frustration with the items that went on the list that have already been addressed within the last year. Council Member Hughes agreed that these are not policy issues until they get three votes to be reconsidered. He noted that he agrees with the Mayor's recommendation, in general, but needs clarification on the Cultural Arts Commission and Sustainability Task Force, as he likes the idea of moving the latter to the Planning Commission. He also noted that he likes the idea of Industrial Park needs assessment, but doesn't think we have the time now.

The City Manager suggested coming back at a future meeting to confirm the list of priorities and policy issues, on either March 4th or 18th. On the design review issue, it will be scheduled within 30 days. The Mayor suggested noticing this again to make sure the public is aware of the meeting date.

ADJOURNMENT:

Mayor Patterson adjourned the meeting at approximately 9:05 p.m.

Lisa Wolfe, City Clerk