

February 28, 2005

The Benicia City Council meets the 1st and 3rd Tuesday of each month at 7:30 p.m. in the Council Chambers. Copies of Council Agendas are available in the City Clerk's office on the Friday afternoon before the Council meeting.

**MINUTES OF THE
SPECIAL JOINT MEETING - CITY COUNCIL AND SCHOOL BOARD
FEBRUARY 28, 2005**

The special joint meeting of the City Council of the City of Benicia and Benicia Unified School District School Board was called to order by Mayor Steve Messina at 7:03 p.m. on Monday February 28, 2005, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

**Present: Council Members Smith, Patterson, Whitney, and Mayor Messina
Board Members Giuliani, Blomdal, Fulton, and Samiljan
Absent: Council Member Campbell - arrived at 7:22 pm
Board Member Zaks**

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

NEW BUSINESS:

Mayor Messina provided an overview of the purpose of tonight's meeting and clarified that the meeting would not be focusing at all on the topic of a school closure. He also explained that there would be an opportunity, toward the end of the meeting, for public comment on topics not on this agenda.

Mayor Messina suggested that the meeting begin with each council and board member sharing their expectations for the meeting this evening.

Mayor Messina then noted that his expectation was to get the joint use agreement completed. He commented that it is important for the City to "step up to the plate."

Council Member Smith commented that the fields are not only for the schools; that the taxpayers of Benicia expect the fields to be in good shape and that the community at large also uses them. He noted that he hopes that an agreement could be reached this evening, but would not be surprised if that were not the case, given that the agreement likely needs more work.

Vice Mayor Patterson expressed her concerns regarding finalizing the agreement this evening given its current state, noting that perhaps a more realistic expectation is that direction could be given to staff to finalize the details. She noted the goal is do what is fair for the school children.

Council Member Whitney said, as a member of the City Council/School Board Liaison Committee, he has been part of discussions of this joint use agreement at a number of meetings. He expressed his desire to pick up the pace and get the agreement finalized so the fields can be improved and made safe.

Board President Giuliani noted that he is hopeful they can move along on the agreement, but that he is not necessarily prepared to finalize it as the School District's attorney has not had the opportunity to review the most recent draft yet and that board members had just recently received the City Attorney's comments. He noted that he is hopeful that they can give direction to staff to work on the agreement and bring it back again.

Board Member Samiljan commented that it has been difficult to really move the agreement forward in the sub-committee and is glad that both the council and board are coming together as a whole. She noted she hopes to move forward on the agreement tonight.

Board Member Fulton said that he is glad Mayor Messina pointed out that school closure is another issue, and that this point was made clear. He noted that he sees this agreement as a "win-win" and that it will help the District's financial situation. He is prepared to move forward on this quickly and hopes that they can be specific enough when giving staff direction on how to proceed with the agreement.

Board Member Blomdal noted that she has not been part of the City Council/School Board Liaison Committee meetings and thus is not as informed on the content of the joint use agreement as some of her colleagues. She said she has many questions regarding areas she would like to better understand, but that she is also excited to move forward with the agreement.

Jim Erickson, City Manager, provided some background on previous discussions with the School District regarding the proposed agreement. He noted that he would like to go over the basic elements tonight and respond to questions, although he also said that not all questions regarding the agreement have been answered. He would also like to go over the City Council's comments on the agreement from the last Council Meeting on February 15, 2005.

Mayor Messina suggested that after Mr. Erickson's presentation, they go through the agreement section by section and gather input.

Mr. Erickson then presented a PowerPoint presentation that summarized the proposed agreement, as well as staff's evaluation of the proposal, including risks and rewards.

Following the presentation, Dr. Cunningham expressed her support of the proposed agreement, but also noted that they still have not reviewed the current version of the agreement in depth.

Vice Mayor Patterson asked the City Attorney to comment on the feasibility of the agreement. City Attorney, Heather McLaughlin, indicated pursuit of the agreement is certainly feasible, but also

commented that she can only speak to the City Council's legal issues, not the School District's.

This was followed by some discussion of how specific comments on the agreement should be presented, in the interest of time. Mayor Messina suggested that each section of the agreement be addressed, but that we would try to avoid getting too specific to allow us to get through the entire agreement.

Board Member Samiljan expressed concern about possibly eliminating other fields if they are not specifically mentioned in the agreement, for example, the Middle School is not included. Board President Giuliani indicated that maintenance of the Middle School field is already happening. This was followed by discussion of current maintenance provided at the Middle School and whether to specifically note all schools or not in the agreement. It was eventually agreed that all sites should be included. In addition, the Board President requested that the agreement be clear about whether it is referring landscaping of school grounds in addition to the sports fields; that this could be misinterpreted. Parks and Community Services Director, Mike Alvarez, clarified that it did not include landscaping, but rather upgrade and maintenance of the sports fields.

There was also discussion of the gyms and multi-purpose rooms and whether those should be included. It was agreed that they should be, as they are an asset the School District can offer the City for community use, etc. The discussion then turned to gymnasiums and multi-purpose rooms, and potential issues with accessibility and security, and whether and/or how to draft appropriate language addressing such issues. Mr. Alvarez noted that the success of such agreements elsewhere have been based on the staff of each entity working together and following the direction of the governing bodies. He noted that he feels it is important to not start with a number of prohibitions, but rather to allow staff to work through such issues. He also noted that he is comfortable with the language allowing access to gyms and multipurpose rooms. While the use of classrooms might be nice for after-school child care programs, he understands the need to also respect the security of classrooms.

Mayor Messina asked whether there are any issues with use of City facilities. Board President Giuliani suggested that the agreement be clear about all City and District facilities in terms of which the agreement applies. Mr. Alvarez indicated that it refers to recreation facilities, pool, Clocktower, whereas for the School District facilities, the agreement should likely be more specific as to which parts of the various school sites are available to the City. It was recommended that a section be included that really describes the facilities, including the pool. Mayor Messina confirmed that all were in agreement that the document refers to gymnasiums, multi-purpose rooms, fields, and the City facilities Mr. Alvarez just noted.

The next topic of discussion was on community health and the Vice Mayor commented that it is important to note this agreement goes beyond just recreation, but also involves, for example, instructional classes offered by the City. That there are clear impacts on public health and that this perspective fits nicely with the General Plan section on Community Health. That presenting in this context makes it a bit easier and the City is better served.

Mr. Erickson noted that it may not be realistic to completely review the entire agreement tonight, given that the School Board and District staff have not really had a chance to review yet. He suggested instead that the City Council go through what their individual concerns are, as noted at the last Council Meeting, and highlight those issues. Mayor Messina noted that he would rather go through each section of the agreement, particularly the first few sections, as those are the thorniest. Vice Mayor Patterson expressed agreement with that approach, and noted that they could then hand over to staff to finalize the details.

The next issue to be discussed was regarding scheduling. As noted on page 3 of the agreement, it was agreed that the City and District need to identify one date each year for establishing the master schedule for the year. The feasibility of anticipating the entire year's schedule in advance was discussed, and Dr. Cunningham noted that the District is able to and does currently plan that far in advance. Mr. Alvarez noted that this approach will force both agencies to figure out their schedules, and while there will be some flexibility, they do need to try and set a master schedule each year. Potential issues at the Middle School and High School due to heavy activity at both sites were also noted.

Board Member Blomdal suggested directing staff to figure out why such scheduling issues are occurring now and to figure out a plan to make it more successful going forward. Dr. Cunningham agreed that, yes, the scheduling has been a huge issue, and that there are hurdles to overcome, but that staff will need to work together to make it work. Council Member Whitney echoed this approach, and maintained that staff needs to hear from both the City Council and School Board that they need to strive to make this agreement work.

Mayor Messina noted that he has concerns that, while the School District is clearly organized in its annual schedule, the public will not be as organized. We may need to explore different systems for scheduling. Further, he noted that citizen groups would need to know exactly where to go, whom to talk to, regarding scheduling events. The procedures need to be very clear. He also noted that Mr. Alvarez would be tasked with getting more usage from facilities, so there may be some potential concerns there too.

Vice Mayor Patterson said that the guiding principal is that we need to make the agreement work and that there needs to be a single calendar. She noted she was ill at ease with the level of detail of the conversation so far tonight. She commented that the conversation should be more about the guiding principles for the Joint Use Agreement and less on all the details of the agreement.

The next section of the agreement that was discussed was fees. Board Member Blomdal noted that she is uneasy with the use of multi-purpose rooms during after school hours; being rented out to third parties who might not necessarily also maintain the site. Board Member Fulton suggested the possibility of revenue from such rentals going into a maintenance account. Mayor Messina asked Mr. Alvarez where the funds currently go. Mr. Alvarez noted that is still not entirely clear in the agreement. He commented that currently the City doesn't typically charge community groups for outdoor use and that there is very little rental of outdoor space. With indoor rentals, he suggested that the School District retain the fees. Mayor Messina noted that the City should coordinate leasing

of the facilities and that the funds derived should go back into an account for maintenance. He noted the City is equipped to handle rentals outside of school hours. Council Member Smith agreed, noting that scheduling usage should not be something that becomes an additional burden for the District. Mr. Alvarez noted some concern with possible impact on City staff, also that this will be a significant cultural change for site staff, and that this will be a big change to make right from the start. Down the line, once a committee is established and there is more credibility, it may be different, but initially this will be a big switch. Board Member Samiljan suggested that perhaps the committee could establish priorities and potentially hold off on the City coordinating rentals for a while. Mr. Alvarez assured her they would make it work, but that it is a cultural change that will be difficult initially.

The next area of discussion was the section on clean up and repair. Vice Mayor Patterson suggested that they identify definitions and criteria and then allow for implementation by the committee. Board President Giuliani noted that on page 4, where it notes each party's responsibilities, that it is not very clear in terms of what the City vs. the District does and who has access when. Board Member Samiljan suggested that the School District's attorney closely review that section in particular due to concerns with language that may sound like it is eliminating custodial services. Dr. Cunningham noted that there might be some union issues regarding who takes care of clean up in school facilities. Board President Giuliani echoed Dr. Cunningham's concerns, noting this is a major hurdle to overcome and will also impact whether school staff needs to be present to open and close school facilities. He noted that this issue needs to be worked out by School District staff with the union.

Council Member Smith commented that he is hopeful this issue can be addressed and the sites perhaps defined as community resources, to allow the City to take on some of these responsibilities. Mayor Messina asked Dr. Cunningham what other districts/cities have done to address this issue in the context of joint use agreements. Dr. Cunningham noted that is not uncommon in other places for sites to be used by other entities but when a school is used, school personnel cleans up, and this is a union issue. Mayor Messina asked Mr. Alvarez how the City currently deals with this issue with City facilities. Mr. Alvarez noted that we provide clean up with the fees received from users and that the same approach could be used with the School District facilities. If the District is comfortable providing the key, the City can oversee the clean up. He also commented that while it is a difficult issue, it can be overcome and used the pool as an example. He said we cannot turn over the key to the pool to the District, but that we still work it out so they can use the pool.

Council Member Campbell asked Dr. Cunningham to clarify whether the concern regarding the handing over the keys was due to union issues or an Education Code issue. Dr. Cunningham noted that Senate Bill 1490 prevents the District from contracting out work that is already done by a labor union, and that the City must abide by that as well. Board Member Fulton added that perhaps defining the District's facilities/fields as "community assets," as previously suggested, will put the issue outside the Education Code and thus solve that problem, but we'll still have the labor issue to work out.

The next section of agreement discussed was on the Joint Use Management Committee. There was discussion as whether there is need for another committee or if the City Council/School Board Liaison Committee could provide this function. Vice Mayor Patterson noted that it will be a lot of work, likes the idea of setting up a separate group. Council Member Smith suggested a technical-advisory sub-

committee. It was discussed that the committee should likely be comprised of management level individuals, such as principals from the various schools, management-level City staff, etc. Some level of involvement of elected officials, on a periodic basis through staff reports was noted as critical as well. The City Attorney also suggested taking into account the potential role of Parks and Recreation Commission members. Board Member Blomdal suggested a representative from the Booster group as well. Vice Mayor Patterson agreed that it might be useful to include members from the Parks Commission and Boosters.

Vice Mayor Patterson noted that, in the paragraph addressing the Joint Use Management Committee, it would be useful to mention the use of an arbitration approach, instead of moving right to legal action or termination of the agreement if the informal attempts already noted in the agreement do not work. Board Member Fulton expressed agreement with this addition. Mr. Alvarez noted that the City of Roseville has a similar committee that meet quarterly. He also noted that arbitration can get expensive and may also be used as an excuse; he believes that many issues can be resolved at the committee level. He suggested that the next draft of the agreement include the proposed make-up of the committee and then go from there.

The next section of the agreement discussed was Section 5, Day-to-Day Management. The discussion of this section focused primarily on the need for better definition and clarification in this section. Mr. Alvarez suggested that an exhibit be attached that would further clarify the levels of service and better define the facilities. Access to fields for maintenance duties was also addressed, particularly at the Middle School. Mr. Alvarez noted that currently, the Parks Department only has before and after school access to the fields. Subsequently, these fields have the worst turf in their system. He noted this is definitely an area that needs to be worked out. Mayor Messina asked Dr. Cunningham what the concern is with allowing increased access for field maintenance. Dr. Cunningham noted is an issue of interference with concurrent educational activities, as well as a safety issue. She agreed that both entities would need to come to an agreement on this issue.

This was followed by further discussion of school hours and when maintenance activities are currently occurring at the various school sites that the School District currently maintains. It was noted that this issue is currently less problematic at the elementary sites, where the fields are not in as much use throughout the school day. At the Middle School and High School, there more P.E. classes, sports activities, etc. Mr. Alvarez reminded the Board and Council that such agreements are working in other cities, and that all involved need to "think outside the box" and also make maintenance a priority. Council Member Whitney agreed, noting that it will not be a huge issue unless we make it one. Dr. Cunningham commented that the City and School District have been discussing this agreement for 18 months, and this has been a significant issue that will require a large cultural change to overcome, although she did express agreement that this issue could likely be resolved.

Section 7, Joint Use of Other Facilities, was not further discussed. The next section discussed focused on Utilities. Both Board Members Samiljan and Fulton expressed concern over the current language in this section that indicates the School District will be responsible for utility services at school facilities. Board Member Fulton went on to note that this was likely one of the driving forces of establishing the agreement. He also said that despite assurances from Mr. Alvarez that utility costs could be kept

down with better maintenance of the fields, that in terms of the District's bottom line, all or some utility relief would be a homerun for the District. Council Member Smith added his concerns, noting that he feels that the City should help with utility costs and again noted that the fields are community resources.

Vice Mayor Patterson talked about water conservation and the Urban Water Management Plan. She agreed with Mr. Alvarez regarding decreased usage of water if the field maintenance is done properly. She said that the District could be eligible for some grant funds and referenced the State Water Resources Control Board, noting she has a contact there. She suggested that the City assist the District to make that happen, noting this is a bigger issue than just for the schools.

Board President Giuliani talked about the current costs for the District and his concern about the District's ability to cover utilities, noting that the District has already had to make the difficult decision to cut water and it might ultimately hurt the investment made in the fields if it had to do that again.

Council Member Campbell commented on water costs going back to the residents and requested clarification from the City Manager regarding expected costs. Mr. Erickson noted that it would likely be an additional \$100,000 per year if the City did not charge the District for that water. Also, he confirmed that the cost would likely be absorbed by other users with a rate increase, assuming that was approved by Council. He noted that the General Fund is not in the best position to pick up this extra cost. There was further discussion of the potential impact on rate payers. The Public Works Director, Dan Schiada, noted that the estimated 2-3% increase for the average rate payer, plus other legality issues need to be further addressed by the City Attorney. The City Attorney noted that inequitable rates might also impact the City's ability get loans and grants. The Vice Mayor asked for further clarification. Ms. McLaughlin commented that if rates unfavorable impact certain categories of users, that it might impact the City's loan for the Waste Water Treatment Plant.

Vice Mayor Patterson again encouraged pursuit of conservation measures that may allow the City to take advantage of programs for funding. She also noted that the schools impact our property values and the overall appearance of the community. She encouraged staff to work out the legalities.

Mayor Messina inquired how the City currently pays for water used for the parks. Mr. Erickson noted this is picked up by the water fund. He went on to say that given the City picks up the Parks Department water costs with that fund, there will already be a rate increase for that, so any additional costs will likely require further rate increases. Mayor Messina commented that the City Council needs to let the School Board know clearly what the City is willing to do, and work out the details later.

Vice Mayor Patterson inquired about assessment districts. Mr. Schiada mentioned the option noted in the staff report, expanding the Landscaping and Lighting Assessment District. Currently the assessment is not paid by all residents, just those in certain areas, but additional revenues would result if this were expanded to include the whole city. He also noted that if the revenue were obtained through water rate increases, the City would likely be looking at a 5% increase through the public hearing process. This was followed by further discussion of the average monthly water bill and

how that increase compares to potential assessment district costs. Mayor Messina then confirmed that direction to staff is clear; that the City will cover the costs.

The next section of discussion was on Section 9 of the agreement, Capital Improvements. Mayor Messina summarized the text of the agreement and asked for any comments. Board Member Fulton suggested that Mr. Alvarez's previous report to the City Council/School Board Liaison Committee be attached as an exhibit.

The next section of review was Section 10, Ownership. Mayor Messina suggested an amortization of funds as it relates to termination and capital improvements. He noted the City is making a \$1 million investment and that there needs to be some amortization over time to allow for some repayment if the School District wished to terminate the agreement. He asked Mr. Alvarez for a potential timeframe for the amortization and Mr. Alvarez noted he could look into that. Board President Giuliani commented that perhaps identifying a specific timeframe is not necessary since he feels that whatever the City wants is fair, as it is unlikely the School District would ever want to back out. Board Member Samiljan suggested perhaps using a percentage rate as opposed to an exact figure.

The next section addressed was advertising. Vice Mayor Patterson emphasized the importance of this topic, and referenced the Senate Joint Resolution #29 that recognizes that food marketing and advertising directed to children has a profound effect on their health and well-being. She noted that she thinks this should be further addressed in this section. Dr. Cunningham noted that this section perhaps should be more specific that it refers to fields, not facilities necessarily. Mayor Messina inquired as to whether any additional information should be included in this section and Council Member Smith noted he would like to see it broadened to include unhealthy food and beverages.

There were no comments on the section addressing Easements. The next section, Security was then discussed. Board President Giuliani commented that this needs to be flushed out further. Mr. Alvarez inquired as to whether City staff would have to be present at a school field that might be used for a soccer game, or would it just be indoor rentals, and Dr. Cunningham indicated they would not need to be present when the fields are used.

Next, the section on the term of the agreement was reviewed. Mayor Messina indicated that 20 years should be ok, with the addition of a clause addressing additional years, unless anyone objects. Board Member Blomdal asked about the current agreement, what is standard? The City Attorney noted that a long-term lease agreement is preferable, and they can always renew. Mayor Messina confirmed that all are comfortable with language added to continue to the agreement beyond the specified term.

Termination, Section 15, was discussed next. Board Member Fulton suggested specifying termination for cause and what might trigger the proposed amortization clause. Vice Mayor Patterson offered an option of a termination clause that would allow for gradual payback. Mayor Messina noted that if the City wants out of the agreement, without cause, then the City should not expect payback from the District. There was further discussion regarding incorporating triggers for cause in the agreement and the School Districts ability to pay back, regardless of cause. Board President Giuliani expressed concern that the District would ever be in a situation to pay back that amount of money. Council

Member Campbell raised concerns regarding the level of funding the City was committing and the School District's concerns regarding payback. This was followed by some discussion of how the City would be paying for the improvements and how it could potentially impact the General Fund. Council Member Campbell again expressed concern that the City would just be out that money if the agreement was terminated. Board President Giuliani noted that it would be funds given to the community as well. Board Member Samiljan then provided some background on discussions at the City Council/School Board Liaison Committee meetings, noting that the School District had never asked for the \$1 million, but that over the process of exploring how the District could recognize some cost-savings it was determined that this initial outlay was linked to those savings. Vice Mayor Patterson noted that we need to pay for what we want as a community in terms of education and that this should be one of our guiding principles. We need to work together to make the community whole, which includes education. This was followed by further discussion of Board Member Fulton's suggestion regarding amortization and the importance of figuring an out an option that will work. Board President Giuliani also added that, furthermore, the County office would likely have to approve an agreement that had a significant payback requirement. He also noted that the County Office would be unlikely to do so. Mr. Alvarez noted that an alternative might be to incorporate other types of assets in return, such as in-kind services.

Mayor Messina noted that the language regarding the breach paragraph had already been discussed and moved on to the next paragraph regarding automatic termination if a site is not usable. He suggested in that case the agreement would be re-worked to just take that asset out of the agreement, rather than an automatic termination of the entire agreement.

Next, the section addressing the Repair and Improvements Fund was covered. Board Member Samiljan expressed concern over the District being able to maintain such a fund. Mayor Messina asked Ms. McLaughlin to explain this section. Ms. McLaughlin noted that the section was put in by the School District's attorney, and that she expanded on a bit. This was followed by discussion of the School District's responsibility to spend at least 3% or \$900,000 on maintenance in order to receive state funds. The need to further explore and understand this requirement and how funding from either the City and/or the School District for ongoing maintenance and capital improvements could be acquired, without impacting the percentage the District needs to dedicate to maintenance was discussed. It was agreed that staff would come back with further information regarding options.

Next, Mayor Messina inquired about the Insurance section of the agreement, if there are any comments. Board Member Samiljan asked whether the proposed levels are consistent with the current levels utilized by City and Schools. Ms. McLaughlin and Dr. Cunningham both responded yes. This was followed by some questions raised by Council Member Campbell about increased levels needed for the pool. It was clarified that proposed increases for the pool would need to happen anyway, regardless of this proposed agreement, and that it does not currently seem to be a burden for the District.

There were no comments specific to the remaining sections of the agreement.

Regarding general comments and issues, Board Member Samiljan asked her fellow School Board

Members if they had additional questions or concerns not already addressed.

Board Member Blomdal noted that the District's attorney and CFO need to review and fully understand the agreement. She noted that she understands the maintenance costs and issues better now, and how they bear on the agreement. She said she would like to be clear on the existing agreement and how it will be affected by this agreement. She also noted that the facilities need to be defined better, as to which areas of the facilities and what sites specifically.

Mayor Messina asked if everyone was comfortable with the general direction of the agreement.

Board President Giuliani indicated yes, and thanked the City Council/School Board Liaison Committee for their work on this. He noted that his major concerns are the maintenance cost questions and the requirement of the District to spend a certain percentage. Also, he pointed out the question of vehicles/equipment, whether the City would take over the District's equipment. Mr. Alvarez noted that the assumption is yes, the City would utilize the District's equipment and that the model does not include capital equipment. Board President Giuliani noted that this is not clear in the agreement and that this should be noted as the District will have to figure out what they may still need in terms of equipment in order to continue doing functions they will still need to do. He also again mentioned his concerns regarding the potential of increased staffing costs for the District if District personnel must be on-site for opening/closing, etc. This was followed by further discussion of current practices of the City for staffing events. It was eventually agreed that the assumption could be that if the City is using a District site for an event, then the City would be responsible for necessary staffing and vice versa.

Council Member Campbell asked about the proposed four additional staff for the Parks & Community Services Department and why there would be so many. Mr. Alvarez noted that the fields at the schools are used almost continuously and will require significant work. He noted that he looked closely at the use for each field when determining the number of staff to maintain the standard and the investment of the \$1 million by the City. Council Member Smith said that it did seem a bit excessive; given that the City has 11 people to maintain the parks it does now. Mr. Alvarez agreed that it is a conservative estimate, but maintained that the school fields will need significant work and that the proposed number of staff is necessary. Council Member Smith again expressed concern that Parks & Community Services may be attempting to further staff the department on the back of this agreement. Mr. Erickson indicated the staffing would be looked at again.

Council Member Whitney noted he is on-board with the agreement and that they must have zero tolerance for not making it work. That both entities need to work together and not take sides. Vice Mayor Patterson indicated that she is impressed with the leadership of the Mayor and Board President Giuliani and that she hopes to see the agreement return to Council again soon. Mayor Messina asked what the timing is for having the agreement come back to both bodies and who is working on it. Mr. Erickson indicated that he, Mr. Alvarez, Dr. Cunningham and the District's Attorney would be working on the agreement and that they would likely need at least a couple of weeks. This was followed by further discussion of the timing for finalizing the agreement, as well as when work on the fields could actually start. Mr. Erickson offered the reminder that it is still not clear how the maintenance will be paid for, as well as other outstanding issues, such as the previously noted labor

discussions.

This was followed by discussion of the Council's upcoming Budget Review and Priorities Workshop. Mr. Erickson noted that the Council will have many projects and priorities to consider at the upcoming workshop on Saturday, and that the forecast is a potential budget imbalance as the City moves forward. Vice Mayor Patterson noted that she appreciates Mr. Erickson's concerns but that there will be remedies for that in the long term. She noted that, at this point, they need to identify a schedule for moving forward and then figure out options. She maintained that the fields couldn't wait.

Mayor Messina inquired again as to how soon work could actually start. Mr. Alvarez noted that for the \$1 million in improvements to the fields, they need to prepare designs and bids. He estimated probably late June. Mayor Messina asked the Council if they were comfortable with Mr. Alvarez beginning that process tomorrow. Vice Mayor Patterson indicated yes. Council Member Smith indicated that perhaps we should at least wait for the workshop on Saturday, to formally move this priority to the top. Council Member Campbell indicated that he wants to go forward with the agreement, but echoed Mr. Erickson's concerns about figuring how to pay for it. Council Member Whitney indicated that it is not likely the \$1 million will be spent tomorrow, and in the interest of addressing the fields soon, that Mr. Alvarez should go ahead and start the plans, recognizing that there may be some difficult decisions as it progresses.

Board President Giuliani suggested that the agreement be brought back to the School Board in 30 days, at the first meeting in April. He confirmed that this was acceptable to the School Board.

Mr. Erickson clarified that we do not yet have an agreement, and expressed some concern regarding expending staff resources when the City does not currently have an executed agreement. Board Member Fulton noted that from the District's perspective, there is an agreement in principal. Mayor Messina indicated that from the City Council's perspective, that is the case as well and that staff can go forward with expending time and energy on this.

PUBLIC COMMENT:

George Whitney - 540 Military Way - Mr. Whitney congratulated the School Board and City Council on this wonderful endeavor. He indicated that the day-to-day management will likely take much effort, and hoped they would designate people with the same spirit demonstrated here tonight. He emphasized the importance of negotiation skills in that process. He also expressed his concern about the City neglecting the infrastructure of Benicia, specifically the alleys. He indicated they have been allowed to deteriorate and that "Old Town Benicia" has been neglected.

Mark Peters - 560 Sandy Way - Mr. Peters said he is also very impressed with the spirit of both entities this evening. He thanked the City Council/School Board Liaison Committee, as well as the Mayor, for keeping this moving along. He then specifically addressed Council Member Campbell, regarding his funding concerns, he noted the importance of keeping school fields safe and maintained and described how much they are used each day by the schools and communities. He indicated that he thought the comparison of school fields to the various parks around town was like comparing apples

to oranges, in terms of the usage.

Council Member Campbell thanked Mr. Peters for his comments, but also noted that regardless, the question of how to pay for it still needs to be addressed.

Mayor Messina indicated that the City Council and School Board also received a letter tonight from Nancy Parent Smith and that a copy of the letter would be provided for each of the School Board and City Council members.

ADJOURNMENT:

Mayor Messina adjourned the meeting at approximately 10:30 p.m.

Lisa Wolfe, City Clerk