

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
MARCH 2, 2010

The regular meeting of the City Council of the City of Benicia was called to order by Vice Mayor Schwartzman at 7:00 p.m. on Tuesday, March 2, 2010 in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

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

Absent: Mayor Patterson

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).

ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

ANNOUNCEMENTS:

Openings on Boards and Commissions:

Benicia Housing Authority:

Two full tenant terms to January 31, 2012

- ❑ Civil Service Commission:
Four full terms to January 31, 2014
- ❑ Historic Preservation Review Commission:
One full term to January 31, 2014
- ❑ Human Services and Arts Board:
Two unexpired terms to June 30, 2010 and July 31, 2013
- ❑ Open Government Commission:
Two full terms to January 31, 2014
- ❑ Parks, Recreation and Cemetery Commission:
One full term to January 31, 2014
- ❑ Sky Valley Open Space Committee:
One full term to January 31, 2013

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.

APPOINTMENTS:

None

PRESENTATIONS:

None

PROCLAMATIONS:

- Observance of the 100th Anniversary of Boy Scouts of America

ADOPTION OF AGENDA:

Mr. Erickson noted that per the agenda, Staff requested item VIII-B be continued to allow for additional Staff work.

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

Ayes: Council Members Campbell, Hughes, Ioakimedes, and Vice Mayor Schwartzman

Noes: None

Absent: Mayor Patterson

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

Various items submitted (copies on file).

PUBLIC COMMENT:

1. Christina Strawbridge – Mrs. Strawbridge discussed the upcoming ‘Relay for Life’ event, which will be held on 3/22/10-3/23/10. She encouraged citizens to participate.
2. Gene Doherty – Mr. Doherty announced upcoming events at Arts Benicia. Arts Benicia is looking into hiring a new executive director.
3. Vice Mayor Schwartzman – Vice Mayor Schwartzman discussed concern regarding the recent thefts of unlocked vehicles.

CONSENT CALENDAR:

Council pulled items VII-B and VII-H.

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

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

Noes: None

The Minutes of January 26, 2010 and February 16, 2010 were approved.

RESOLUTION 10-21 - A RESOLUTION ACCEPTING THE EAST 2ND STREET OVERLAY PROJECT AS COMPLETE, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE SAME WITH THE SOLANO COUNTY RECORDER

RESOLUTION 10-22 - A RESOLUTION ACCEPTING THE CHEMICAL TRENCH AND WASTE CONTAINMENT TANK REPLACEMENT PROJECT AS COMPLETE, INCLUDING APPROVAL OF CHANGE ORDER NOS. 1 THROUGH 4, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE SAME WITH THE SOLANO COUNTY RECORDER

ORDINANCE 10-01 - AN ORDINANCE AMENDING SECTION 2.60.030 (TERM OF OFFICE) BY ADDING SUBSECTION D (STAGGERED TERMS) AND AMENDING SECTION 2.60.120 (APPLICATION) BY ADDING SUBSECTION M (OPEN GOVERNMENT) OF CHAPTER 2.60 (ADVISORY BODIES) OF DIVISION 2 (BOARDS AND COMMISSIONS) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE

Council approved a consulting services agreement between the City of Benicia and Successful.com for a Benicia Industrial Park broadband needs assessment.

RESOLUTION 10-23 - A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT FUNDS FOR FISCAL YEAR 2009-10

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

(END OF CONSENT CALENDAR)

Council took the following actions:

Agreement with Solano Land Trust to cooperatively pursue a conservation easement on the Signature parcel on the north side of Lake Herman Road:

Council discussed whether this had been discussed with the Good Neighbor Steering Committee and Valero, and whether the City expected opposition from them (the City did not expect opposition). Council discussed language and date clarifications.

Council Member Campbell discussed how the conservation easement would work.

Public Comment:

None

RESOLUTION 10-24 - A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF BENICIA AND SOLANO LAND TRUST TO COOPERATE FOR STUDY BY SOLANO COUNTY, PURSUANT TO A GRANT TO USE FEDERAL 2005 SAFETEA-LU FUNDS FOR THE ACQUISITION OF RIGHT-OF-WAY AND TRAILS IN THE SKY VALLEY CORDELIA HILLS AREA

Approval to amend the name of the “Human Services and Arts Board” to the “Human Services Board” and remove activities related to the Cultural Arts from the Board’s duties:

Public Comment:

1. Mary Frances Kelly Poh – Ms. Kelly Poh discussed concerns regarding the name change and how it would affect the funds in Sacramento, as well as the registered name and logo.

Council and Staff discussed the need to look into Ms. Poh’s concerns further. Staff requested the item be continued so they could research the issue further.

On motion of Council Member Hughes, seconded by Council Member Ioakimedes, Council approved continuing the item, on roll call by the following vote:
Ayes: Council Members Campbell, Hughes, Ioakimedes, and Vice Mayor Schwartzman
Noes: None
Absent: Mayor Patterson

PUBLIC HEARINGS:

Adoption of annual increases for the Capital Improvement License Tax, the Parkland Dedication Fee, and the Library Book Fee:

Rob Sousa, Finance Director, reviewed the staff report.

Council and Staff discussed how the proposed fees compare to fees in other cities. They discussed the minimal increase and whether it needed to come before Council in the future.

Public Hearing Opened

Public Comment:

None

Public Hearing Closed

RESOLUTION 10-25 - A RESOLUTION ADOPTING INCREASES FOR THE CAPITAL IMPROVEMENT LICENSE TAX FOR CONSTRUCTION OR ALTERATION OF SINGLE-FAMILY RESIDENCES, MULTIPLE-DWELLING STRUCTURES, AND COMMERCIAL OR INDUSTRIAL FACILITIES

On motion of Council Member Hughes, seconded by Council Member Ioakimedes, the above Resolution was adopted, on roll call by the following vote:
Ayes: Council Members Campbell, Hughes, Ioakimedes, and Vice Mayor Schwartzman
Noes: None
Absent: Mayor Patterson

RESOLUTION 10-26 - A RESOLUTION ADOPTING AN INCREASE IN THE PARK LAND DEDICATION FEE

On motion of Council Member Hughes, seconded by Council Member Ioakimedes, the above Resolution was adopted, on roll call by the following vote:
Ayes: Council Members Campbell, Hughes, Ioakimedes, and Vice Mayor Schwartzman

Noes: None
Absent: Mayor Patterson

RESOLUTION 10-27 - A RESOLUTION ADOPTING AN EXTENSION AND INCREASE IN THE LIBRARY BOOK FEE

On motion of Council Member Hughes, seconded by Council Member Ioakimedes, the above Resolution was adopted, on roll call by the following vote:
Ayes: Council Members Campbell, Hughes, Ioakimedes, and Vice Mayor Schwartzman
Noes: None
Absent: Mayor Patterson

Adopt changes to the Master Fee Schedule that includes changes in Building Fees and service charges:
Continued

Council requested Staff provide a narrative when the item is brought back.

Public Comment:

1. Gene Doherty – Mr. Doherty stated he did not think Council had voted on the consent calendar. Vice Mayor Schwartzman confirmed Council had voted and approved the consent calendar.

ACTION ITEMS:

None

INFORMATIONAL ITEMS:

Reports from City Manager:

Mr. Erickson discussed the Valero Improvement Project. Staff was not ready to present the item at the 3/2/10 meeting due to amendments being received late. Staff hoped to have it ready to present to Council in the near future.

COUNCIL MEMBER REPORTS:

None

ADJOURNMENT:

Mayor Patterson adjourned the meeting at 7:34 p.m.

Lisa Wolfe, City Clerk