

March 2, 1999

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 MEETING - CITY COUNCIL
MARCH 2, 1999

A special meeting of the City Council of the City of Benicia was called by Mayor Jerry Hayes at 7:00 p.m. Tuesday, March 2, 1999.

CITY CLERK ANNOUNCEMENT OF CLOSED SESSION

Linda S. Purdy, City Clerk, stated the Benicia City Council meeting is called to order and announced that the Council will immediately convene in Closed Session to discuss the following:

CLOSED SESSION

Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation

(pursuant to Subdivision (b) of Section 54956.9)

2 Claims:

Woodmansee (1)

Woodmansee (2)

Notice was duly given twenty-four hours prior to the meeting by the City Clerk.

MINUTES OF THE
REGULAR MEETING - CITY COUNCIL
MARCH 2, 1999

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Jerry Hayes at 7:30 p.m. Tuesday, March 2, 1999, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL

Present: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Hayes led the pledge to the flag.

ANNOUNCEMENT:

Mayor Hayes announced that there had been no action taken in Closed Session.

COUNCIL CONSIDERATION OF GREENWASTE PROGRAM AT CITY COUNCIL MEETING
OF TUESDAY, MARCH 16, 1999

Otto Giuliani, City Manager, explained various methods to announce this project, which will be discussed at the Council meeting of March 16, 1999.

Mayor Hayes announced openings on Design Review Commission and Human Services Fund Board.

ADOPTION OF AGENDA:

Mayor Hayes asked if there were any additions or deletions to the Agenda.

On motion of Councilmember Gizzi, seconded by Councilmember Cox-Golovich, and unanimously carried, Agenda was adopted as presented.

CONSENT CALENDAR:

Mayor Hayes stated he has a request from the audience to pull Item F; asked if there were any other items to be pulled from the Consent Calendar.

On motion of Councilmember Gizzi, seconded by Councilmember Corbaley, and unanimously carried, the following items were approved under the Consent Calendar:

Minutes of February 16, 1999.

Denial of two (2) Claims and referral to insurance carrier - WOODMANSEE.

Denial of Claim and referral to insurance carrier - WOOD.

Waive the reading of all ordinances introduced and adopted pursuant to this Agenda.

(END OF CONSENT CALENDAR)

RENEWAL OF LEASE AGREEMENT FOR RENTAL AT 356 EAST I STREET

James O. Milburn, 280 East J Street, requested this item be pulled from the Consent Calendar; there is no landscaping; roof in poor condition; property should be rezoned and made available to organizations like the Girl/Boy Scouts.

Michael Alvarez, Parks and Community Services Director, stated Mr. Vallejo is preparing a landscape plan.

Councilmember Gizzi asked if City has ever explored public service use for this property.

Otto Giuliani, City Manager, responded that City had not.

Council took the following action:

RESOLUTION NO. 99-14 - A RESOLUTION AUTHORIZING RENEWAL OF LEASE AGREEMENT FOR RENTAL AT 356 EAST I STREET

On motion of Councilmember Corbaley, seconded by Councilmember Messina, the above resolution was adopted on roll call by the following vote:

Ayes: Councilmembers Corbaley, Cox-Golovich, Messina and Mayor Hayes

Noes: Councilmember Gizzi

Mayor Hayes stated there has been a problem with flooding on this property; directed staff to see if this is the best use for this property.

PUBLIC HEARING FOR PURPOSES OF SOLICITING PUBLIC COMMENT ON POTENTIAL ACTIVITIES FOR 1999 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

John Bunch, Planning Director, gave a report; Robert Moore, Housing Authority, will be helping to prepare Application. Only 48-50 cities will be approved for funds. There are two hearings required; intended to benefit low income households; application is due April 16, 1999. Staff has identified four potential projects. Public requested to sign the attendance sheet at the back of the room if they wish to speak or submit written comments by March 12, 1999. Next Public Hearing will be held April 6, 1999.

Mr. Bunch introduced Robert Moore.

Robert Moore, Housing Authority, outlined the potential projects, as follows:

Rancho Benicia - replacement of sewer lines.

Pre-school/child care program or help subsidize an existing program.

Extension of Safe Exchange Program, which provides counseling and help with custody exchanges to low income residents.

Provide funds to the Housing Authority to repair Casa de Vilarrasa heating system.

In addition, the CAC had proposed, earlier in the day, the refurbishing of their kitchen facilities to use in the training for Meals program.

(Councilmember Cox-Golovich stepped out at 7:51 p.m.)

Mayor Hayes requested clarification on time frame and quick turnaround that always seems to be associated with this grant process (only 10 days).

Robert Moore, Housing Authority, stated the training by the State on annual changes and application process had only been done a couple of weeks ago.

John Bunch, Planning Director, stated in the future, he will try to bring this item forward as soon as possible, even if projects have not been identified.

Mayor Hayes opened the Public Hearing. Legal notice was given. No written protests received.

The following persons spoke:

Fred Railsback, 2131 Goldenhill Way, representing the CAC, explained the installation of the community kitchen facilities and the training program.

(Councilmember Cox-Golovich returned at 7:58 p.m.)

James O. Milburn, 280 East J Street, on housing rehabilitation of older homes. The Housing Authority's 75 units have gotten an upgrade and look wonderful.

Dee Davis, representing Safe Exchange, 214 Eaton Court, explained what their program provides to low income residents.

Mayor Hayes closed the Public Hearing.

Councilmember Messina asked if there are other monies that can be applied for.

John Bunch, Planning Director, stated that there were funds available for Economic Development, but the City was not successful with that type of Application.

John Bunch, Planning Director, and Robert Moore, Housing Authority, explained that the applications would be reviewed to see which would be most competitive.

This item will be brought back April 6, 1999 for a second hearing.

AMENDING THE 1998-1999 MUNICIPAL BUDGET

Otto Giuliani, City Manager, explained changes made in the Budget and the need for the additional funding; explained each of the projects; corrected an error in the amount listed for traffic fines.

Council took the following action:

RESOLUTION NO. 99-15 - A RESOLUTION AMENDING THE 1998-1999 MUNICIPAL BUDGET

On motion of Councilmember Corbaley, seconded by Councilmember Cox-Golovich, the above resolution was adopted on roll call by the following vote:

Ayes: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Noes: None

UNFINISHED BUSINESS - CONTINUED PUBLIC HEARING - DISCUSSION OF EDITED DRAFT GENERAL PLAN; CHAPTER 2: PART A: LAND USE AND GROWTH MANAGEMENT; AND PART B: ECONOMIC DEVELOPMENT

Mayor Hayes expressed his personal concerns about the progress on this item and the need to revise the schedule.

Otto Giuliani, City Manager, suggested that the Council consider meeting every Tuesday.

Councilmember Cox-Golovich stated that she has school and would be unable to attend meetings every Tuesday.

Mayor Hayes requested that the Council be polled on available days and dates that would be acceptable for additional meetings.

Councilmember Gizzi stated he will abstain on any discussion and voting on land use, Change No. 3, West Channel Road and California Court - has interest in property located nearby.

Councilmember Corbaley stated she will abstain on any discussion and voting on land use, Change No. 1, because her home is nearby.

Councilmember Messina stated he will abstain on any discussion and voting on land use, Change No. 15 - properties are located nearby.

Mayor Hayes stated he will abstain on any discussion and voting on land use, Change No. 15, because his home, property and business are located in area.

Mayor Hayes opened the CONTINUED Public Hearing. Written correspondence was received.

The following persons spoke on Urban Growth Boundary re: Zocchi (Councilmember Corbaley left the Council Chambers)

Al Lavezzo, Attorney, 300 Tuolumne Street, Vallejo, representing Zocchi property on Lake Herman Road, previously submitted a letter dated December 29, 1998; asked Council to consider for future development of property the south side of Lake Herman Road as low density residential. Housing Element; adopt a moderate growth policy.

Mayor Hayes requested that visual aids (Map) be prepared for the next meeting so it is clear what is being discussed.

Bill Robbins, Attorney for Syar Industries, 1901 Harrison Street, #1550, Oakland, and Branch Office in Fairfield, supports current Urban Growth Boundary, as is. EIR will be needed if boundary changed.

Bob Berman, 250 West K Street, reject change for Zocchi property - access problems through Bantry Way; visual impact on Lake Herman recreational area; part of Sky Valley property, which was rejected in the survey taken by GPOC.

Suggestions were made by Mayor, Council, City Manager and Planning Director regarding the taking of a straw vote after hearing all public comment and make recommendation to staff.

Mayor Hayes requested direction of Council regarding Urban Growth Boundary - favor recommendation of Planning Commission, which excludes Zocchi property from Urban Growth Boundary, as well as I.T. property or favor including both or including one and excluding the other.

Heather Mc Laughlin, City Attorney, advised Council these two properties can be taken as separate items.

Re: Zocchi property - inclusion or exclusion

Councilmember Cox-Golovich - exclude

Councilmember Gizzi - exclude

Councilmember Messina - wants to include churches or golf courses

Mayor Hayes - exclude

(Councilmember Corbaley - not present for vote)

Mayor Hayes called for a break at 9:41 p.m.

Mayor Hayes reconvened the meeting at 9:55 p.m.

2. Re: Balance of Urban Growth Boundary line as presented by
Planning Commission - exclusive of the I.T. issue-(section from Zocchi to I.T. property)
Councilmember Cox-Golovich - yes
Councilmember Gizzi - yes
Councilmember Messina - yes
Mayor Hayes - yes
(Councilmember Corbaley - not present for vote)
(Councilmember Corbaley returned to the Council Chambers.)

Re: I.T. Property

Retain as Open Space

Keep property in or out of the Urban Growth Boundary

Councilmember Corbaley - include

Councilmember Cox-Golovich - out

Councilmember Gizzi - include

Councilmember Messina - include

Mayor Hayes - include

Re: I.T. FACILITY

In favor of staff recommendation for the name of the dump site to be I.T. Panoche Hazardous
Waste Disposal Facility.

Councilmember Corbaley - in favor

Councilmember Cox-Golovich - in favor

Councilmember Gizzi - disagree

Councilmember Messina - disagree

Mayor Hayes - in favor

(Councilmember Gizzi left the meeting at 10:10 p.m.)

WEST CHANNEL ISSUE

Stephen David, 401 Channel Road, requested clarification on property he owns that is part of
the proposed buffer zone; does not want zoning changed to light industrial.

Les Johnson, Delta Tech, 397 West Channel Road, has problem with zoning changes; will
cause problems for existing tenants.

Andy Siri, 716 West H Street, 18 letters from property owners opposed to change.

Angelo Accurso, property on California Court, does not want to downgrade zoning - opposed to
the change.

Bill Cawley, 1228 West L Street, owns property at 265 Channel Court - opposed to the zoning
change.

Chuck Pixley, 350 West Channel, on buffer zone - now coming in to his property.

Amy Herman, Three Embarcadero Court, San Francisco, consulting firm that represents Benicia
Industrial Park Association, mixed uses are incompatible; more revenue from industrial uses -
not residential.

Larry Hazard, real estate broker. Most successful industrial parks have businesses that are
compatible - against mixed uses.

Royce Huddleston, 899 West K Street, on behalf of the youth of Benicia, requested Council
consider a place for live music in the Industrial Park.

Mayor Hayes stated there are a number of issues raised regarding buffer impact; questions of
the residents and zone changes on Channel Road; requested staff to provide answers and it will
be the first item to be discussed at the next meeting.

Mayor Hayes CONTINUED the Public Hearing to March 16, 1999.

PUBLIC COMMENT:

Karen Burns, 161 West N Street, spoke on garbage service survey she did, cost of current service; asked that public be told of increase.

Kitty Griffin, 236 Baker Street, spoke on Zocchi property for church land use; too many churches could destroy rural area - put in City area.

Mike Anderson, 68 La Prenda, asked if there would be a revised schedule.

Otto Giuliani, City Manager, stated a schedule will be brought back by March 16.

Mayor Hayes stated public will be notified if that is not the case.

James O. Milburn, 280 East J Street, spoke about the need for providing a water supply to the 18 hole golf course.

ADJOURNMENT:

Mayor Hayes adjourned the meeting at 11:24 p.m.

Linda S. Purdy, City Clerk