

**BENICIA CITY COUNCIL
REGULAR MEETING AGENDA**

**City Council Chambers
March 03, 2015
7:00 PM**

*Times set forth for the agenda items are estimates.
Items may be heard before or after the times designated.*

*Please Note:
Regardless of whether there is a Closed Session scheduled, the open session will begin
at 7:00 PM*

I. CALL TO ORDER (6:00 PM):

II. CLOSED SESSION (6:00 PM):

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)
Name of Case: Martino v. City of Benicia (one case)**
- B. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))
Agency negotiators: City Manager, Assistant City Manager and HR
Analyst
Employee organization: Benicia Public Service Employees' Association
(BPSEA) - Part-time**
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Subdivision (b) of Government Code Section 54957)
Title: City Manager**

III. CONVENE OPEN SESSION (7:00 PM):

- A. ROLL CALL.**

B. PLEDGE OF ALLEGIANCE.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC.

A plaque stating the fundamental rights of each member of the public is posted at the entrance to this meeting room per section 4.04.030 of the City of Benicia's Open Government Ordinance.

IV. ANNOUNCEMENTS/PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS:

A. ANNOUNCEMENTS.

1. Announcement of action taken at Closed Session, if any.

2. Openings on Boards and Commissions:

Arts & Culture Commission
1 unexpired term
Open until filled

Finance Committee
1 full term
Open until filled

SolTrans Public Advisory Committee
1 full term
Open until filled

3. 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.

4. Boards and Commissions - Council Subcommittee Recommendations:

Subcommittee recommendation to Mayor of Alfred Ignacio to the Civil Service Commission for full term ending January 30, 2019

Subcommittee recommendation to Mayor of Gary Montgomery to the Civil Service Commission for full term ending January 30, 2019

Subcommittee recommendation to Mayor of Craig Snider to the Community Sustainability Commission for full term ending January 30, 2019

Subcommittee recommendation to Mayor of David Lindsey to the Community Sustainability Commission for an unexpired term ending July 31, 2017

Subcommittee recommendation to Mayor of John Potter to the Finance Committee for full term ending January 30, 2019

Subcommittee recommendation to Mayor of Stacy Keyes to the Human Services Board for an unexpired term ending July 31, 2017

Subcommittee recommendation to Mayor of Ruth Workman to the Library Board of Trustees for full term ending January 30, 2018

Subcommittee recommendation to Mayor of Carol Nail to the Library Board of Trustees for full term ending January 30, 2018

Subcommittee recommendation to Mayor of George Oakes to the Planning Commission for full term ending January 30, 2019

Subcommittee recommendation to Mayor of Elizabeth Radke to the Planning Commission for full term ending January 30, 2019

Subcommittee recommendation to Mayor of James Cook to the SolTrans Public Advisory Committee for full term ending January 30, 2018

Subcommittee recommendation to Mayor of Dan Smith to the SolTrans Public Advisory Committee for full term ending January 30, 2018

Subcommittee recommendation to Mayor of Ernie Gutierrez to the Parks, Recreation & Cemetery Commission for a full term ending January 30, 2019

Subcommittee recommendation to Mayor of Rufus Bunch to the Parks, Recreation & Cemetery Commission for a full term ending January 30, 2019

Subcommittee recommendation to Mayor of Ann Brooner to the Parks, Recreation & Cemetery Commission for a full term ending January 30, 2019

Additional Board and Commission Applicants' names:

- Guy Benjamin, Planning Commission

- Kari Birdseye, Planning Commission and Sustainability Commission
- Judith Boyle, Board of Library Trustees
- Michael Boyle, Parks, Recreation & Cemetery Commission
- Ed Ruszel, Planning Commission
- Craig Snider, Planning Commission
- Gayle Vaughan, Planning Commission

B. PROCLAMATIONS.

1. **IN RECOGNITION OF SUNSHINE WEEK - MARCH 15 - 21, 2015**
2. **IN RECOGNITION OF WOMEN'S HISTORY MONTH AND INTERNATIONAL WOMEN'S DAY - MARCH 8, 2015**

C. APPOINTMENTS.

D. PRESENTATIONS.

1. **ANNUAL LIBRARY PRESENTATION**

V. ADOPTION OF AGENDA:

VI. OPPORTUNITY FOR PUBLIC COMMENT:

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the City Council from responding to or acting upon matters not listed on the agenda. Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN COMMENT.

B. PUBLIC COMMENT.

VII. CONSENT CALENDAR (7:30 PM):

Items listed on the Consent Calendar are considered routine and will be enacted, approved or adopted by one motion unless a request for removal or explanation is received from a Council Member, staff or member of the public. Items removed from the Consent Calendar shall be considered immediately following the adoption of the Consent Calendar.

A. APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2015 REGULAR COUNCIL MEETING. (City Clerk)

B. DENIAL OF CLAIM AGAINST THE CITY BY J. GARRY HEATON AND REFERRAL TO INSURANCE CARRIER. (City Attorney)

The claimant alleges that while driving on East 3rd Street, he ran into a pot hole, damaging his car's front end alignment.

Recommendation: Deny the claim against the City by J. Garry Heaton.

C. DENIAL OF CLAIM AGAINST THE CITY BY BRANDON A. KOFF AND REFERRAL TO INSURANCE CARRIER. (City Attorney)

The claimant alleges that the alley between G & H Streets and 1st and East 2nd Streets has numerous pot holes and that while driving in the alley, he hit a pot hole and sustained an irreparable hole in the sidewall of his right car tire.

Recommendation: Deny the claim against the City by Brandon A. Koff.

D. APPROVAL OF A CONTRACT AMENDMENT AND BUDGET MODIFICATION FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES. (Interim Community Development Director)

Bureau Veritas (BV) has been providing contract assistance to the Building Division for nine years. The division currently consists of one full-time inspector and a technician shared with the Planning Division (compared to three full-time employees in 2009). Following a competitive request for proposals in 2006, Bureau Veritas entered into an agreement with the City for professional services including; building official services, plan review and on-call building inspection for the Building Division during busy times. To ensure that permits are processed in a timely manner, complex plans are sent to BV to perform architectural, structural, energy and/or accessibility review. The proposed contract adjustment will bring the contract amount into conformance with the amount of contract services anticipated in the 14-15 Budget.

Recommendation: Adopt a resolution approving a contract amendment not-to-exceed \$120,000 for FY 14/15 with Bureau Veritas, North America,

Inc., for continued Building Official, plan review, and building inspection services, and authorize the City Manager to execute the contract amendment on behalf of the City.

E. EXECUTIVE SUMMARY FOR ENTERPRISE RESOURCE PLANNING REQUEST FOR PROPOSAL. (Finance Director)

The City of Benicia has prepared the Executive Summary for Enterprise Resource Planning (ERP) Request for Proposal (RFP). The Executive Summary will have four appendices, but only Appendix A is attached due to the size of the other documents. The other three appendices are available for review in the Finance Department. The tentative publishing date for the entire RFP is March 16, 2015.

Recommendation: Review the draft Executive Summary for Enterprise Resource Planning Request for Proposal. This item is provided for information only. No action is needed.

F. MARIN CLEAN ENERGY (MCE) OUTREACH PLAN IMPLEMENTATION - MONTHLY UPDATE. (City Manager)

On November 4, 2014, the City Council voted to join Marin Clean Energy (MCE), a community choice aggregation program that will provide Benicia customers with renewable electricity. As part of this program, MCE completes extensive outreach in the community to educate customers about its program and their choice of energy providers. The draft Outreach Plan was presented to the City Council for review and comment on February 3, 2015. MCE incorporated comments received, finalized the plan, and launched the outreach campaign on February 19, 2015. City Council will receive monthly updates on the status of Outreach Plan implementation at the first meeting of each month through July 2015.

Recommendation: Review status of MCE Outreach Plan implementation.

G. REVIEW OF JANUARY WATER REPORT. (Public Works Director)

Benicia customers are continuing to conserve water and their efforts are acknowledged and appreciated. Benicia has reduced its water use by 21.9% in the last 12 months compared to the 2013 baseline. In December, Benicia's water conservation rate was 31.7%, compared to the statewide average of 22.2%. Benicia customers are encouraged to continue voluntarily conserving 20% as the drought persists.

Recommendation: Receive the City's water supply, customer usage, and conservation update.

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

VIII. BUSINESS ITEMS (7:45 PM):

A. OVERVIEW OF CITY INVESTMENT PORTFOLIO. (Finance Director)

The investment portfolio is in compliance with the City's Investment Policy and California Law. Additionally, the City has adequate investments to meet its expenditure needs for the next six months. The Finance Committee has reviewed these reports and recommends approval.

Recommendation: Accept, by motion, the Investment Report for the quarter ended December 31, 2014.

B. REVIEW OF BENICIA MUNICIPAL CODE REGULATIONS GOVERNING PERMITTED HOURS OF CONSTRUCTION (BENICIA MUNICIPAL CODE SECTION 8.20.150). (Interim Community Development Director)

BMC Section 8.20.150 currently allows construction throughout the City from 7 AM to 10 PM seven days per week. These are unusually long hours compared to most cities and can lead to disturbance of residential neighbors at times when they can reasonably expect to be free from loud construction noises. Should the Council direct staff to initiate consideration of modification of the current permitted hours, staff would engage with stakeholders and recommend modified hours for construction within and in close proximity to residentially zoned areas of the City.

Recommendation: Discuss Benicia Municipal Code (BMC) Section 8.20.150 related to hours of construction to address residential neighbor concerns with the current extended hours of construction and determine whether or not to direct staff to initiate an amendment to the current regulations.

IX. ADJOURNMENT (9:00 PM):

Public Participation

The Benicia City Council welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on non-agendized matters under public comment, and on agendized

items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.

Should you have material you wish to enter into the record, please submit it to the City Manager.

Disabled Access or Special Needs

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Anne Cardwell, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

Meeting Procedures

All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.

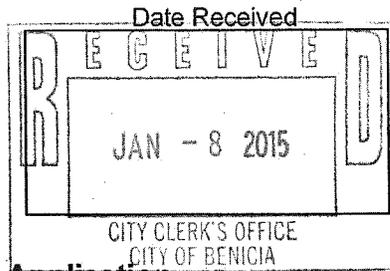
Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

Public Records

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that

are distributed after the agenda packet is prepared are available before the meeting at the City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerk's Office.



City of Benicia Board/Commission/Committee Application

It is the intent of the City Council to have Boards, Commissions or Committees composed of people from all geographical, social, environmental and economic sectors of the community and to avoid potential conflicts of interest.

Please check the board, commission, or committee you wish to apply for:

- Finance, Audit & Budget Committee
- Benicia Housing Authority Board of Commissioners
- Board of Library Trustees
- Uniform Code Board of Appeals
- Civil Service Commission
- Economic Development Board
- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sky Valley Open Space Committee

Name: ALFRED P. IGNACIO III

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 2

Occupation/Employer: FIREFIGHTER / CITY OF SAN JOSE

Please note your most recent community or civic volunteer experience: San Jose Firefighters Burn Foundation, Los Bomberos of Northern California

Please describe any applicable experience/training: AA & AS degree, 8 years in the US Army, 14 years as a firefighter, "new" to Benicia

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: [Handwritten Signature] Date: JAN 8, 2015

1-8-15



Civil Service Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission?

After moving to Benicia 2 years ago, I have been extremely happy & very satisfied with the level of professionalism amongst all City Employees. I want to ensure that higher standard of customer service & work ethic is maintained.

2. Do you have any experience in the area of human resources, employee relations, and/or supervising/managing employees or programs?

I have been in the workforce over 21 years and have held various supervisory roles, sat on recruitment interview panels, and participated in selection processes.

3. What knowledge and skills could you bring to the City of Benicia if appointed to this commission?

I am customer oriented and promote cooperation. I have been an employee of a large metropolitan city 14 years, and have an understanding of what is expected of all employees to provide ^{services to} those who live, work, and visit a city.

ALFRED IGNACIO
1-8-15



Parks, Recreation, and Cemetery Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. The Parks, Recreation, and Cemetery Commission is responsible for working closely with the Parks and Community Services Department to direct the City as effectively as possible on behalf of parks, cemeteries and recreational activities. What interests you about serving on the Parks, Recreation, and Cemetery Commission and participating in the work of the commission? Please describe your familiarity with the Commission.

What interests me about this commission is the impression that it can make on the youth of Benicia, and all its citizens & visitors. It is very positive and motivating. I understand the Commission acts as an advisory roles.
2. Please list current and past volunteer positions.

 - Youth Ministry in Vallejo*
 - assisted coaches in my kids various sports*
 - Los Bomberos of Northern California*
 - San Vase Fire Fighters Burn Foundation*
3. Responsibilities of being a Board member includes attending monthly Parks, Recreation, and Cemetery meetings, attending special events, and occasionally appearing at City Council meetings. Further, there are often subcommittees of the commission that will require additional meetings during the month. Do you feel you have the time and commitment to be able to consistently attend these meetings and events?

With my children (11 & 16) being more indepent & with a very flexible work schedule, I do have the time and will be extremely committed to meetings & events.
4. If you could achieve one goal during your term as a Parks, Recreation, and Cemetery Commissioner, what would it be?

I would like to see the expansion of our parks & more events that would keep Benicia Fit & Healthy.
5. Is there anything else you would like to share with us regarding your qualifications and/or interests?

I have been using Benicia Parks since my kids were babies. Now that I am a resident, most of my free time is spent at our facilities. My family & I exercise here on a regular basis. These facilities are important to the wellness of my family & as an active firefighter & competitive men's Physique athlete.

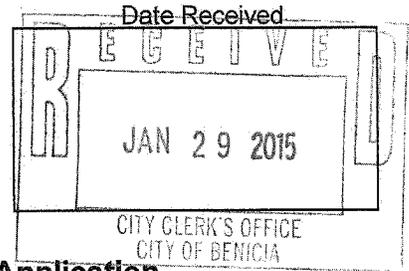
1-8-15



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?
I have lived in Benicia for 2 years and absolutely love it. I want to be involved in the community and see this city preserved as a great place to live. I have not attended a Planning Commission meeting.
2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?
I feel that I have the time and commitment to be a viable member, my children are more independent & my work schedule is very flexible, thus affording me more time to give back & stay involved with the community.
3. Is there a particular segment of planning and development that interests you more than others?
As a fairly new resident of Benicia, I admire the small, safe hometown feel, while still staying progressive. I want to ensure Benicia maintains its uniqueness and charm.
4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?
I think planning is important because it provides the citizens & business owners a vision of how Benicia will look and function in the future. I do not see an area that needs to be expanded at this point. However, there is always room for improvement. Zoning reinforces the goal by guiding future conservation and development in the city.



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- Civil Service Commission
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- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Gary N. Montgomery

Address: _____

Phone: (Work) N/A - Retired (Home) _____

(Cell) _____ Fax: _____

Email: _____ + _____ Years as Benicia resident: 4

Occupation/Employer: Retired from DC - San Diego, 2012

Please note your most recent community or civic volunteer experience: tutor for Literacy program - Benicia, San Rafael, Sacramento.

Please describe any applicable experience/training: work experience with Civil Service Commissions in City of L.A., Riverside, Ventura Counties.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: G. Montgomery Date: 1-28-15



Civil Service Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

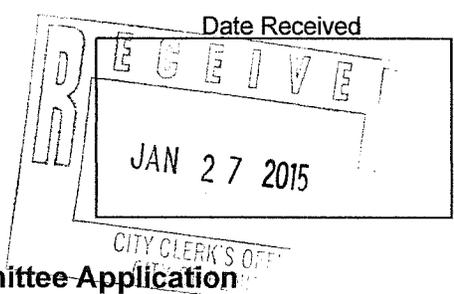
1. What interests you about this Commission? I am a strong believer in the civil service merit system. Avoiding politicizing the public personnel process is basic to providing competent, professional employees. I believe in a positive disciplinary system which emphasizes corrective action through progressively more severe supervisor/manager interventions.

2. Do you have any experience in the area of human resources, employee relations, and/or supervising/managing employees or programs?

I have extensive experience in public personnel administration, especially in wage and salary, labor relations, and classification functions. As Hospital Administrator for the state, I supervised 600 employees. In my personal business I supervised 20-50 employees. As the manager of Personnel & Administration in Venture County I supervised 30 employees.

3. What knowledge and skills could you bring to the City of Benicia if appointed to this commission?

I am an analyst by profession, training, and attitude. I pride myself in being sensitive to multi-cultural issues, in human resources contexts, in addition to my daily personal interactions. I readily work for compromise and mutually beneficial resolution of competing interests. Because of my varied employment and educational experiences I am able to see both sides of issues and formulate innovative solutions to problems.



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- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Craig Snider

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 11

Occupation/Employer: Retired from United States Department of Agriculture - Forest Service

Please note your most recent community or civic volunteer experience: _____

Sky Valley Committee for 5+ years. BOTTG performer, Benicia Bicycle Race

Please describe any applicable experience/training: _____

Most of my career with the US Forest Service was in planning. I retired as Regional Environmental Coordinator in 2014. Sustainability was a fundamental element of both project and program planning.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Craig B. Snider Date: January 26, 2015

Community Sustainability Commission Application

1. What interests you about this Commission?

I retired from the U.S. Forest Service one year ago. I started out as a Forester (U.C Berkeley, 1977). During my 35-year career I learned a lot about forest sustainability. In Forestry, one must take the long view. For instance, decisions made today will affect the nature of a forest and its inhabitants 200+ years in the future. I've come to view the human environment in that same light. How do we want to live 50-100-200 years from now? What can we do today to achieve that outcome? This commission addresses that question more than any other, and that's why it interests me.

2. Please describe any background or experience you may have in one or more of the following areas: (1) water quality, (2) water use efficiency and conservation; (3) air quality; (4) local and regional ecology; (5) energy; (4) mobility; (6) land use/stewardship; (7) green site planning and building; (8) waste management; (9) community and regional economics/finance; (10) social justice; (11) public relations, and/or, (12) local based business management (merchants, etc):

My background as a planner in the US Forest Service provided me with direct experience in water quality, air quality, ecology (macro/micro), land use/stewardship, green site planning, waste management, community and regional economics, social justice and public relations. The reason I've experienced many of these topics is due to my background in planning at local, regional and statewide levels. My job for the last 20 years involved both project and program planning where sustainability was a primary goal. I conducted and reviewed environmental analyses (Environmental Impact Statements, Environmental Assessments) under the National Environmental Planning Act (NEPA). The above topics were often important subjects discussed in various program and project plans. It was important for me to be fluent in these topics because it fell to me to conduct final reviews and/or write and edit discussions of such.

3. Have you read the City's Climate Action Plan? What aspects of this plan do you find important and why?

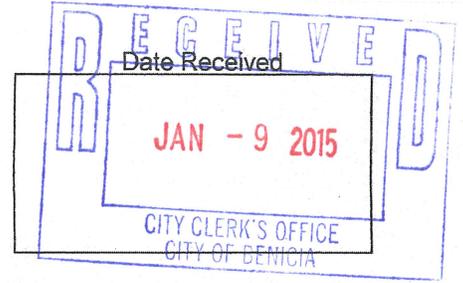
While the Climate Action Plan includes many ideas and laudable goals, I found it difficult to find any concrete information about monitoring. As stated on page 16 of the Plan, monitoring "is necessary to insure that the plan is relevant and practical." In fact the term "monitor" or "monitoring" does not appear in the glossary. The monitoring section of a plan includes the "who, what, where and when" of the monitoring process. That is, what will be measured and when. Here, in the CCAP, there are numerous goals and objectives arranged by topic, but no indication what will be monitored by whom or by when. How does one know whether the various

Community Sustainability Commission Application

goals will be met? As indicated by the plan itself, without such, a plan becomes irrelevant. To me, monitoring is the most important part of a plan. The lack of attention to this topic, or any reference to it, was a surprise.

4. How do you see the Community Sustainability Commission supporting sustainability and climate protection planning in the Benicia community?

The sustainability commission should help keep sustainability (in all its various aspects) at the forefront of public knowledge and discussion. This includes advising the city, city council, and public regarding current knowledge and ideas about sustainability. The Commission should review any monitoring of the Climate Action Plan to date, and identify any shortcomings or weak areas that should be addressed.



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- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- * Sustainability Commission - *first choice*
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: David A. Lindsay

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 7

Occupation/Employer: Chemical Engineer / UOP (Part of Honeywell)

Please note your most recent community or civic volunteer experience: _____
Volunteer tutor at BMS and BHS. Solano Land Trust volunteer (habitat restoration and fund raising events), past Board President and current Social Justice committee chair at my church.

Please describe any applicable experience/training: _____
Engineering background/training provides general knowledge of project issues (EIR etc.) as well as understanding of energy and environmental issues.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: David A. Lindsay Date: January 9, 2015



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

This commission is an important part of maintaining and improving the quality of life in Benicia. I have not attend a Planning Commission meeting, but have attended some Council meetings when key projects were discussed.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

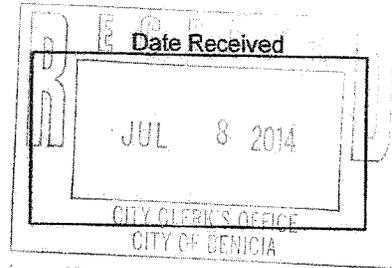
There may be occasional conflicts with work-related travel, but I expect to be able to be a regular attendee.

3. Is there a particular segment of planning and development that interests you more than others?

I have a strong interest in sustainable development which is an underlying value of the General Plan. I'm also a bicyclist and hiker, so I'm interest in improving bicycle access/safety and potential new hiking trails in the open areas. Other areas of interest include diverse economic development and low-cost housing options.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?

The qualities of Benicia: open space, small-town feel, unique downtown, etc. are the reasons that most of us enjoying living here. Planning and zoning are safeguards which ensure that these attributes are maintained and enhanced. Zoning policies ensure that we don't compromise our values for the sake of perceived short-term economic gain. We should be looking for win-win projects. Planning that encourage diverse economic growth without large environmental impacts, such as increases in traffic and emissions or loss of open space should be the goal and are consistent with the General Plan.



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- Economic Development Board
- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sky Valley Open Space Committee

Name: John L. Potter

Address: _____

Phone: (Work) NA (Home) _____

(Cell) NA Fax: _____

Email: J _____ Years as Benicia resident: 43

Occupation/Employer: Retired - Engineer/Controllership

Please note your most recent community or civic volunteer experience: _____

Commissioner - Solano County Airport Land-Use Commission
Treasurer - Tula Sister Cities Assn

Please describe any applicable experience/training: _____

MBA, PG&E Controllership (Poakle Canyon Clean Power Plant)

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: John L. Potter Date: 7/4/14



Finance Committee Supplemental Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about serving on the Finance Committee? Please describe your familiarity with the Committee.

To be able to use my extensive experience in enhancing Benicia's success in money management & long-term planning in finance & budgeting. I have read through the Finance Committee minutes & have read news accounts

2. Please list current and past volunteer positions.

- * Treasurer - Benicia Tech Santa Clara Co SSA - 06 - present
- * Community Council - 3rd & 4th Term - Solano County Airport Land Use Commission
- * Ben Unified School District - Trustee - 75-77
- * US Naval Academy Board of Trustees / Governance Committee @ 12 yrs
- * US Naval Academy BSG Officer (Recruitment), 23 high schools - 38 yrs.

3. Participation on this Committee involves supporting the Finance Committee in a number of venues. These include: attending monthly Finance Committee meetings and sometimes appearing at City Council meetings. Do you feel you have the time and commitment to be a viable member of this committee?

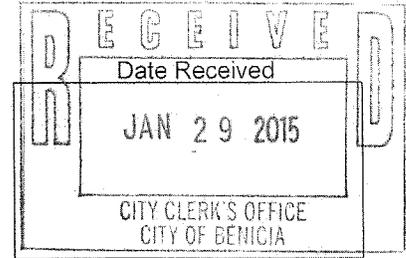
I will make the time.

4. If you could achieve one goal during your term as an Finance Committee member, what would it be?

Achieve full transparency in city government finances and improve financial/budgetary planning.

5. Is there anything else you would like to share with us regarding your qualifications and/or interests?

Governance - In most participation I have personally taken responsibility to rewrite bylaws/guidance. *
25 yrs PG&E - Diablo Canyon Nuc. Pwr. Plant - Major contract administration & Budget/Accounting management.
"Arctic Slope World Soc" consultant in project audits (Imperial Eskimos) - 3 yrs.



City of Benicia Board/Commission/Committee Application

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Please check the board, commission, or committee you wish to apply for:

- Arts and Culture Commission
- Benicia Housing Authority Board of Commissioners
- Board of Library Trustees
- Civil Service Commission
- Economic Development Board
- Finance, Audit & Budget Committee
- Historic Preservation Review Commission
- Human Services Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Stacy Keyes

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 2 1/2

Occupation/Employer: Print account manager & sales / IC group

Please note your most recent community or civic volunteer experience: I volunteer weekly for (SCFOA) Sobho City Friends of Animals & have assisted with special events for Arts Benicia.

Please describe any applicable experience/training: I have previously worked for nonprofits & enjoy serving others. I work for a printing company the last 15 years.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Stacy Keyes Date: 1-28-15



Human Services Board Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Board? Have you attended a Human Services Board meeting? If so, when? I am a newer resident to Benicia and would like to contribute to city as well as have opportunities to meet more people on both a professional and social level. This board appeals to me because I like helping others and feeling like I can assist in making a difference in the community. I have not had the chance to attend a board meeting yet.

2. Participation on this Board involves annual visits to an assigned grantee and attending outreach events, as well as review of grantee quarterly reports. Do you feel you have the time and commitment to be a viable member of this Board?

Yes, I understand some of the time and commitment involved and feel like I can be a viable and reliable member.

3. Is there a particular segment of human services and/or arts that interests you more than others?

Domestic violence/Womens' services
At-risk youth
Substance abuse
Arts - photography

4. Why do you think human services needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of human services that needs to be expanded at this point?

I think it is important for Benicia to offer a variety of assistance to those in need as it shows care for all members of the community. This in turn, unites and strengthens us as a whole.

Continue to increase awareness in what Human Services board does and services offered.

Date Received

[Empty box for Date Received]



City of Benicia Board/Commission/Committee Application

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- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Ruth Workman

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ years as Benicia resident: 70yrs.

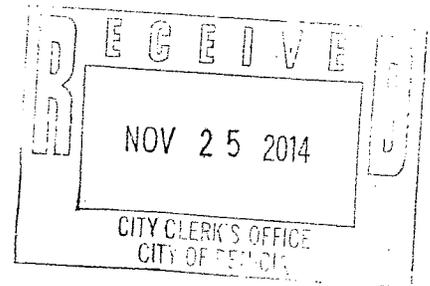
Occupation/Employer: retired sp. Ed. advocate/aide BUSD

Please note your most recent community or civic volunteer experience: Current Trustee, Benicia Public Library

Please describe any applicable experience/training: Completed library board training; lobbied in Sacramento on library issues;

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Ruth M. Workman Date: 11-23-14



Board of Library Trustees Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Board? Do you frequently use the Benicia Public Library?

I have used the Benicia Public Library all my life! As a native Benician it is important to represent those who have a long history in this community.

2. Participation on this Board involves supporting the Library in a number of venues. These sometimes include: attending monthly Board of Library Trustees' meetings, taking trips to Sacramento, appearing at City Council meetings, and attending programs and events. Do you feel you have the time and commitment to be a viable member of this Board?

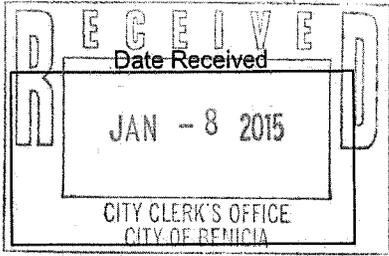
Yes! I make an attempt to attend all the public programs sponsored by the BPL, as well as Board meetings, etc.

3. Are there any particular segments of library services that interest you more than others?

I enjoy meeting and hearing from library staff to know them better & to share in their successes & frustrations. I want to make sure that Benicia's history is preserved & celebrated at the BPL.

4. The Benicia Public Library contributes to the success of our diverse community by being a vital center of learning, communication, culture and enjoyment. Why do you think library services need to play a lead role in enhancing the quality of life in Benicia? Do you see an area of library services that needs to be expanded at this point?

The BPL is the "diamond jewel" of our community, bringing all segments together (young, old, across social boundaries) where they feel empowered in a fair & safe environment. I would like to see us to continue to expand this mission.



City of Benicia Board/Commission/Committee Application

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- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Carole G. Nail

Address: _____

Phone: (Work) N/A - retired (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 23 yrs

Occupation/Employer: retired from Valero Refining Co

Please note your most recent community or civic volunteer experience: _____

① Currently serving on Library Board ③ current Board Liaison to Friends of Library

② Past Board Liaison to Art Gallery Committee ④ Director on Southampton Village Homeowners Association

Please describe any applicable experience/training: _____

Served on Benicia Board of Library Trustees since 1999, Board Effectiveness Training Courses

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Carole G. Nail Date: 1/8/15

BOARD OF LIBRARY TRUSTEES APPLICATION

CAROLE NAIL – PART 2

January 8, 2015

The following information was submitted with my application for reappointment to the Library Board of Trustees in 2012. While I have updated some of the participation details cited at that time, my commitment regarding the importance of our library, and what it adds to the quality of life in Benicia, remains unchanged. I continue to do whatever I can to ensure that our Library continues to grow and serve our community to the best of its ability. Thank you for the opportunity to reapply for a position on the Library Board of Trustees.

Carole Nail

1. *What interests you about this Board? Do you frequently use the Benicia Public Library?*

I have had the pleasure of serving on the Benicia Public Library Board since 1999, and have seen many changes in the services offered over the years. With the economic downturn which began in 2007, the resources and services provided to the community have become even more important. I continue to consider our library as a great equalizer in that resources are available to all regardless of race, gender, age, ethnicity, or economic status. My family had limited economic resources, yet I was able to succeed academically and become the first member of my family to graduate from college because of the information available to me at my local library. I want to help pass along this same advantage to the members of my community. The efforts of the Library Board of Trustees help to ensure that resources and services continue to be available to all who want them.

I frequent not only the Benicia Library, but when I travel I make it a point to visit the libraries wherever I am. Through speaking to the librarians and directors, I've learned about their programs and successes which I've then been able to share with our library.

2. *Participation on the Board involves supporting the Library in a number of venues. These sometimes include: attending monthly Board of Library Trustees' meetings, taking trips to Sacramento, appearing at City Council meetings, and attending programs and events. Do you feel you have the time and commitment to be a viable member of this Board?*

During the 12 years (*now 15 years*) that I have served on this Board, I feel that I've been a contributing member. I've missed very few meetings, attended Legislation Day in Sacramento, represented the Library Board's positions on various topics to the City Council, attended CALTAC seminars and Board training sessions, and attended many cultural events. I held the position of Co-Chair for the Benicia's **successful** effort to extend the Measure B Sales Tax funding that supports the Solano County and City

libraries. I appear at City Council meetings in support of Library items whenever needed.

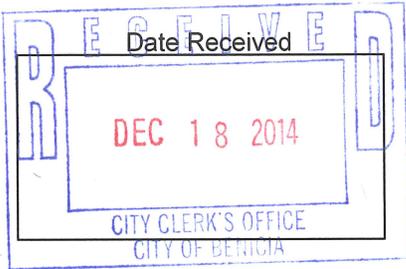
In addition, I feel very fortunate to have worked for a company that sponsors organizations and programs supported by its employees and retirees. As an advocate of the Benicia Library, I've been able to represent its interests to Valero and have successfully obtained financial support for children's programs.

3. *Are there any particular segments of library services that interest you more than others?*

While all of our programs are worthwhile, my favorite projects involve getting books into the hands of children. Reading, and the pure love of books, is the greatest gift given to me by my parents. I want to pass that along. I will continue to be an advocate for any funding sources that will allow our library to remain open and provide books and services to the children of our community.

4. *The Benicia Library contributes to the success of our diverse community by being a vital center of learning, communication, culture and enjoyment. Why do you think library services need to play a lead role in enhancing the quality of life in Benicia? Do you see an area of library services that needs to be expanded at this point?*

I was on the Library Board when we adopted this first sentence as our mission statement. In many ways, the Library has always been the heartbeat of our community; and with the economic downturn we have experienced since 2007, the Library has an even greater role in enhancing the quality of life in Benicia. Under the direction of Diane Smikahl, our library continues to enhance its services as community needs change. All of the resources are available to everyone at no cost – books, videos, computers, educational programs, tutors, study zones. The Small Business collection helps entrepreneurs find the resources they need to start their own businesses; computer services assist patrons in finding and applying for jobs; outreach efforts by the Children and Young Adult librarians have helped fill gaps caused by public school cutbacks. The Literacy Program helps adults to read and be better equipped to contribute to the overall success of the community. The way that people learn is varied, and the Library has been able to keep up by additions of e-books and readers, wi-fi, and updated computers. All of these services substantially enhance the quality of life in Benicia.



City of Benicia Board/Commission/Committee Application

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- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
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- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: George N. Oakes Sr.

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 18 years

Occupation/Employer: Twin Oaks Real Estate, Inc.

Please note your most recent community or civic volunteer experience: _____
Current Planning Commission Member, Sign Ordinance Review Committee Chair, Sewer Ordinance review task force.

Please describe any applicable experience/training: _____
Four year on the Planning Commission

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: _____ Date: Dec 19, 2014



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

The Zoning Ordinance and the General Plan provide the framework for managing the orderly growth and preservation of Benicia. The Planning Commission provide the means for citizens and developers to address their desired changes or new/revised development to ensure compliance with our governing regulations and laws. Currently a Planning Commission Member.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

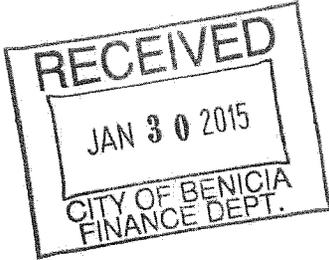
Prior commitment to the Planning Commission and assigned task forces demonstrate my willingness and ability to meet these requirements.

3. Is there a particular segment of planning and development that interests you more than others?

Living within a major metropolitan area while having an oil refinery in town and a business park requires our decisions to be made with a broader view, to include our neighbors. This need is critical to how Benicia fits within our greater Bay Area and should be a focus of our Planning Commission.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?

As our society progresses, our population increases, development needs arise and our ever changing integration in the Bay Area are based in our Zoning Ordinance and the General Plan. Without these tools we run the risk of random and potentially unsafe or ineffective solution to our development and land use issues. The General Plan provides the overall guidance for land use, while the Zoning Ordinance provides specific direction for all; together they provide the short and long-term guide for Benicia development and land use.



Date Received

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City of Benicia Board/Commission/Committee Application

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- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Elizabeth (Betsy) Radtke

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 20 years

Occupation/Employer: BUSD - Substitute Teacher, Brickspace - Instructor, City of Benicia - environ.ed

Please note your most recent community or civic volunteer experience: _____

Still Active in all: Benicia Girl Scouts - 14 years, Boy Scouts Venture Crew - 4 years, Benicia-Tula Sister City Association - 5 years, PTG/PTAs - 14 years, BHS Swim Team/Mountain Bike Team - 5 years

Please describe any applicable experience/training: _____

See Attached.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Elizabeth Radtke Date: 1/30/2015



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

With my background in land management, I am aware of the need to balance short-term issues with long-term needs. As a 20-year member of this community, I would like to be able to put my experience to work to continue to make Benicia the outstanding community that it has always been. I did attend a public participation planning meeting during the general plan update and I try to keep up-to-date on issues through online publications, the Benicia Herald and the Public Library.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

My children are older and I feel that I am now able to turn my interests to helping the community at large. If selected, I am prepared to set time aside to read and understand the documents that are the guidelines to making decisions. I am also blessed to work the types of jobs that allow me to move my schedule around as needed.

3. Is there a particular segment of planning and development that interests you more than others?

See Attached.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforce the goal of the General Plan?

Benicia has a very interesting dynamic. There are many small-business owners that need to be supported when possible, there are many homeowners who are not aware of the forces that determine why they like this community, there is an industrial park with many different needs and there is a strong historical overtone that needs to be maintained. These decisions can only be made through careful thought and discussion by a panel of differing interests in order to move forward in a balanced manner. The General Plan and zoning are the tools already established and should be used properly. I have seen communities that have poorly-written plans and do not have zoning and it reflects negatively on their quality of life.

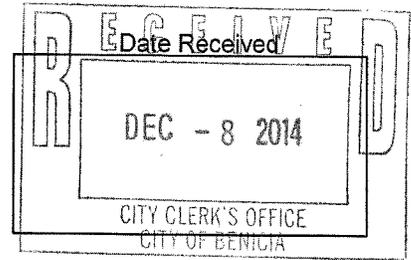
Planning Commission Application – Elizabeth Radtke

Applicable Experience/Training:

I worked for the Department of the Interior for 15 years as a land-manager before becoming a homemaker. As such, I was responsible for managing historic buildings, restoring habitat, and improving public use. All aspects of land management require a review to ensure public participation in planning; and, environmental documentation including EAs, compatibility determinations, code of federal regulations and working with an EIR staff for long-term planning. Training was received in each aspect with a week-long course in public participation and a 3-day course in compatibility determinations being particularly useful to a position on the City of Benicia Planning Committee.

3. Particular Segment of Planning and Development.

My interest in being part of the Planning Commission is to ensure that planning and development use a common-sense approach to advising our City. While some issues are very complicated and need thorough review and thought, there are others that should be able to progress rapidly. While with the DOI, compatibility determinations were a way to decide how to proceed. Each proposal was balanced against the founding laws for that piece of property, then general DOI laws and finally policies were looked at to decide about special use permits, restoration, and other changes. My interest is in using my experience to help make sure that the City progresses in a manner determined by the general population and not special interests.



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- Uniform Code Board of Appeals
- Civil Service Commission
- Economic Development Board
- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- SolTrans Public Advisory Committee

Name: JAMES G. COOK
Address: BENICIA CA 94510
Phone: ^{CELL} (Work) _____ (Home) _____
(Cell) _____ Fax: _____
Email: _____ Years as Benicia resident: 41

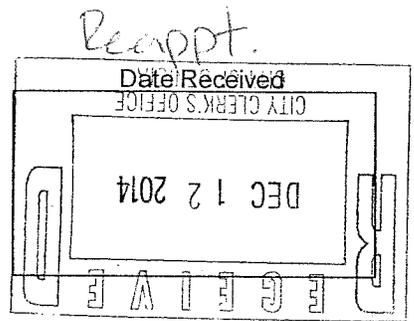
Occupation/Employer: TURPAROUND SERVICES, TRANSFIELD SERVICES
Please note your most recent community or civic volunteer experience: (2) (Times)
years Sol-Trans Public Advisory Committee Member

Please describe any applicable experience/training: BENICIA C.A.C. COMMITTEE MEMBER - LIGHT MOUNTAIN CTR PRESIDENT

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Signature: James G. Cook Date: 12-6-14

reschedule - phone interview



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- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- SolTrans Public Advisory Committee

Name: Daniel C. Smith

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 27

Occupation/Employer: Writer and community organizer/Benicia State Parks Asso

Please note your most recent community or civic volunteer experience: Current

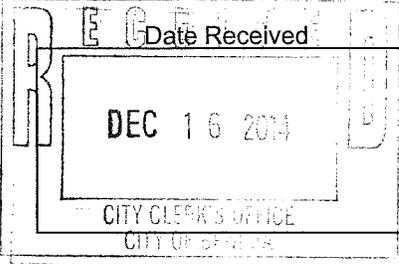
chair of this Advisory Committee and one for Solano Open Space

Please describe any applicable experience/training: Serving on various city

boards and commissions since 1990, including City Council

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Signature: Daniel C. Smith Date: 12/12/14



City of Benicia Board/Commission/Committee Application

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Historic Preservation Review Commission
Human Services & Arts Board
Open Government Commission
Parks, Recreation & Cemetery Commission (checked)
Planning Commission
Sustainability Commission
Sky Valley Open Space Committee
Uniform Code Board of Appeals

Name: ERNEST GUTIERREZ

Address:

Phone: (Home) (Work) (Home)

(Cell) Fax:

Email: Years as Benicia resident: 32

Occupation/Employer: RETIRED

Please note your most recent community or civic volunteer experience: MEMBER

PARKS & REC.; BOY SCOUT TROOP 7007 CHARTER REP.; MEMBER VFW & AMERICAN LEGION

Please describe any applicable experience/training: BROWN ACT TRAINING

CURRENT MEMBER COMMISSIONER PARKS & REC.

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Signature: [Signature] Date: NOV 30, 2014



Parks, Recreation, and Cemetery Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

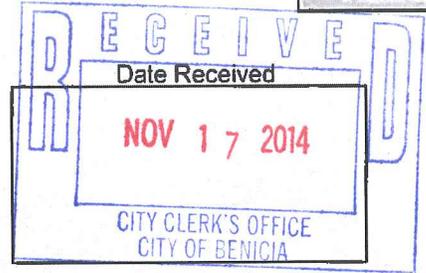
- The Parks, Recreation, and Cemetery Commission is responsible for working closely with the Parks and Community Services Department to direct the City as effectively as possible on behalf of parks, cemeteries and recreational activities. What interests you about serving on the Parks, Recreation, and Cemetery Commission and participating in the work of the commission? Please describe your familiarity with the Commission.

As a life long resident, past employee and mother of two young children I think I have a unique view on the community and its recreational needs.
- Please list current and past volunteer positions.

Benicia moms Group President 2013-2014, Playgroup mentor, preschool fair. Friends of Camp Concord Golf tournament Coordinator 2003, American Cancer Society, Guide Dogs for the Blind
- Responsibilities of being a Board member includes attending monthly Parks, Recreation, and Cemetery meetings, attending special events, and occasionally appearing at City Council meetings. Further, there are often subcommittees of the commission that will require additional meetings during the month. Do you feel you have the time and commitment to be able to consistently attend these meetings and events?

Yes
- If you could achieve one goal during your term as a Parks, Recreation, and Cemetery Commissioner, what would it be? I would love to see our parks and playgrounds updated (as a mother.) However I realize there are specific fund allocations so as a former Recreation Professional I would love to be an advocate for residents and a bridge/liason between those served and the P&C staff.
- Is there anything else you would like to share with us regarding your qualifications and/or interests?

I have a lot of respect for the department and the work they do. I understand the constraints of balancing a budget and meeting the needs of the community. If I could be helpful here, I would love to do so.



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Historic Preservation Review Commission
Human Services & Arts Board
Open Government Commission
Parks, Recreation & Cemetery Commission (checked)
Planning Commission
Sustainability Commission
Sky Valley Open Space Committee
Uniform Code Board of Appeals

Name: Rufus Bunch

Address:

Phone: (Work) (Home)

(Cell) Fax:

Email: rbunch@ettore.com Years as Benicia resident: 25+

Occupation/Employer: COO / Ettore Products Company

Please note your most recent community or civic volunteer experience:

Current Parks & Rec commissioner

Please describe any applicable experience/training:

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: [Handwritten Signature] Date: 11/18/2014



Parks, Recreation, and Cemetery Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. The Parks, Recreation, and Cemetery Commission is responsible for working closely with the Parks and Community Services Department to direct the City as effectively as possible on behalf of parks, cemeteries and recreational activities. What interests you about serving on the Parks, Recreation, and Cemetery Commission and participating in the work of the commission? Please describe your familiarity with the Commission.

Commissioner for a few years.

2. Please list current and past volunteer positions.

President Benicia Girls Softball
President Benicia Youth Football
Volunteer BHS Football

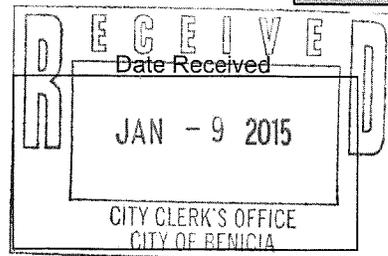
3. Responsibilities of being a Board member includes attending monthly Parks, Recreation, and Cemetery meetings, attending special events, and occasionally appearing at City Council meetings. Further, there are often subcommittees of the commission that will require additional meetings during the month. Do you feel you have the time and commitment to be able to consistently attend these meetings and events?

Yes

4. If you could achieve one goal during your term as a Parks, Recreation, and Cemetery Commissioner, what would it be?

With the popularity of Bocce Ball in Benicia, I would like to see the completion of a second set of Bocce Ball courts next to the current ones.

5. Is there anything else you would like to share with us regarding your qualifications and/or interests?



City of Benicia Board/Commission/Committee Application

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Please check the board, commission, or committee you wish to apply for:

- Arts and Culture Commission
- Benicia Housing Authority Board of Commissioners
- Board of Library Trustees
- Civil Service Commission
- Economic Development Board
- Finance, Audit & Budget Committee
- Historic Preservation Review Commission
- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Ann Brooner

Address: _____

Phone: (Work) NA (Home) _____

(Cell) _____ Fax: NA

Email: _____ Years as Benicia resident: Around 35

Occupation/Employer: Stay at home mom, past Event/Meeting Planner & Recreation Professional

Please note your most recent community or civic volunteer experience: _____

Past President of the Benicia Moms Group & Benicia Moms Group Preschool (age) Fair

Please describe any applicable experience/training: _____

BS in Recreation Administration from Cal Poly SLO. I've had nonprofit, for profit and government jobs.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Date: 1/8/15



Parks, Recreation, and Cemetery Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

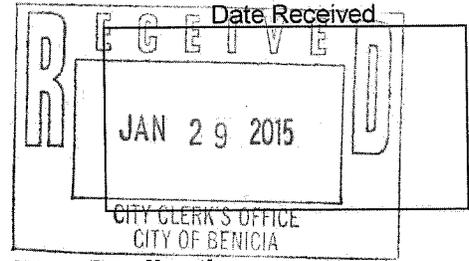
- The Parks, Recreation, and Cemetery Commission is responsible for working closely with the Parks and Community Services Department to direct the City as effectively as possible on behalf of parks, cemeteries and recreational activities. What interests you about serving on the Parks, Recreation, and Cemetery Commission and participating in the work of the commission? Please describe your familiarity with the Commission.

As a lifelong resident, past employee and mother of two young children I think I have a unique view on the community and its recreational needs.
- Please list current and past volunteer positions.

Benicia moms Group President 2013-2014, Playgroup mentor, preschool fair. Friends of Camp Concord Golf tournament coordinator 2003, American Cancer Society, Guide Dogs for the Blind
- Responsibilities of being a Board member includes attending monthly Parks, Recreation, and Cemetery meetings, attending special events, and occasionally appearing at City Council meetings. Further, there are often subcommittees of the commission that will require additional meetings during the month. Do you feel you have the time and commitment to be able to consistently attend these meetings and events?

Yes
- If you could achieve one goal during your term as a Parks, Recreation, and Cemetery Commissioner, what would it be? I would love to see our parks and playgrounds updated (as a mother.) However I realize there are specific fund allocations so as a former Recreation Professional I would love to be an advocate for residents and a bridge/liason between those served and the P&CS staff.
- Is there anything else you would like to share with us regarding your qualifications and/or interests?

I have a lot of respect for the department and the work they do. I understand the constraints of balancing a budget and meeting the needs of the community. If I could be helpful here, I would love to do so.



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- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

W p-m. - no good

Name: Guy A Benjamin

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 27

Occupation/Employer: Mortgage Banker / Fairway Independent Mortgage

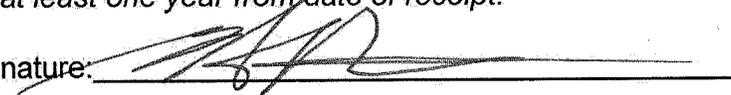
Please note your most recent community or civic volunteer experience: _____

Frequently involved in all things Benicia.

Please describe any applicable experience/training: _____

Licensed Real Estate Broker CA Bureau of Real Estate - 27 years in real estate finance field. Weekly columnist for Benicia Herald on all things real estate (Making \$ense of Real Estate)

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature:  Date: 1-29-15



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

I have attended numerous meetings over the years. In specific I am interested in issues surrounding the preservation of the historic charm of Benicia while providing a balanced approach to the needs of a thriving community. Since there is limited opportunity for development, planning is critical as it serves as one watch dog, over our communities limited resources.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

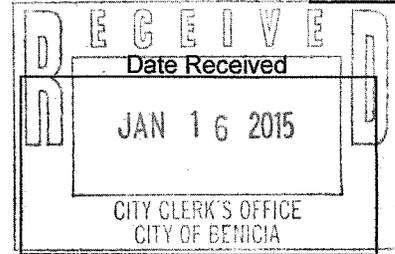
I have given this extensive thought as it is not just about attending a few meetings. Preparation for meetings is likely a larger time issue. I am committed to putting in the time necessary to prepare for, and be a valuable addition to planning commission meetings.

3. Is there a particular segment of planning and development that interests you more than others?

Preservation of the downtown historic districts and insuring opportunities for a thriving commercial district that attracts residents as well as tourists. As the waterfront park is developed we will need to be quite careful how we treat infill and restoration development in the downtown core.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?

Since Benicia is essentially built out, we must be very careful when considering proposals for development. Opportunities are limited and valuable. We need to always balance the needs of the community using zoning laws as our reference point. Like fences make good neighbors, zoning laws insure we maintain consistency, without them we wind up having incompatible uses as neighbors.



City of Benicia Board/Commission/Committee Application

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Board of Library Trustees
Civil Service Commission
Economic Development Board
Finance, Audit & Budget Committee
Historic Preservation Review Commission
Human Services & Arts Board
Open Government Commission
Parks, Recreation & Cemetery Commission
[X] Planning Commission
[X] Sustainability Commission
Sky Valley Open Space Committee
Uniform Code Board of Appeals

Avail: 1/28 - 2/4

Name: Kari Birdseye

Address:

Phone: (Work) (Home)

(Cell) Fax: none

Email: Years as Benicia resident: 14

Occupation/Employer: Campaign Manager, Earthjustice

Please note your most recent community or civic volunteer experience:

Current Benicia Human Resources Board Member, Benicia Stingrays Swim Team Board President 2012-14, Matthew Turner PTA President 2010-12, AAUW Vice President of Membership 2007-08

Please describe any applicable experience/training:

25 years of professional communications, 15 years of environmental writing & communications, CEQA training, contributed to draft EIR on the Marin County General Plan Update, past service to the City

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: [Handwritten Signature] Date: 1-16-15



Community Sustainability Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission?

Please see the following page for answers to these questions.
Also included are answers to the Planning Commission Application.

2. Please describe any background or experience you may have in one or more of the following areas: (1) water quality, (2) water use efficiency and conservation; (3) air quality; (4) local and regional ecology; (5) energy; (6) mobility; (7) land use/stewardship; (8) green site planning and building; (9) waste management; (10) community and regional economics/finance; (11) social justice; (12) public relations, and/or, (13) local based business management (merchants, etc):
3. Have you read the City's Climate Action Plan? What aspects of this plan do you find important and why?
4. How do you see the Community Sustainability Commission supporting sustainability and climate protection planning in the Benicia community?

****Please limit each response to 250 words and attach separately, if necessary****

Community Sustainability Commission Application

Kari Birdseye

What interests you about this Commission?

I have been working on sustainability issues since 2001 and would like to dedicate my skills and experience to the future of my hometown. I have followed the work of the CSC since its inception and believe my experience in journalism and professional communications combined with my environmental background will add to the diverse skill set of the current CSC, especially with the public outreach strategies and programs.

Please describe any background or experience you may have in one or more of the following areas: (1) water quality, (2) water use efficiency and conservation; (3) air quality; (4) local and regional ecology; (5) energy; (6) mobility; (7) land use/stewardship; (8) green site planning and building; (9) waste management; (10) community and regional economics/finance; (11) social justice; (12) public relations, and/or, (13) local based business management (merchants, etc):

I have experience in evaluating, writing and executing each of the areas listed above. I have performed sustainability audits for major corporations, such as Electronic Arts and McKesson and others. While employed at CSRware, I evaluated each of these areas, gathered data and wrote reports informing each company how to become more sustainable and lessen environmental impacts. While working at the Wine Institute, I facilitated development of the Code of Sustainable Winegrowing Practices, a workbook program that includes chapters on each of these areas. The program was designed to help winegrowers and wine makers to lessen their environmental footprints. As the sole proprietor of Birdseye Consulting in Benicia for six years, I concentrated on environmental and sustainability issues, consulting with wineries and other businesses on lessening impacts and communicating their efforts.

Have you read the City's Climate Action Plan? What aspects of this plan do you find important and why?

I have read Benicia's Climate Action Plan and own a hard copy I refer to often. I believe measurement and data are crucial to creating change. You cannot reduce what you do not measure. I believe the Community goal of emission reductions is achievable with strong leadership, solid community outreach and coherent timeline with intermediate timelines and goals. I am deeply committed to the triple bottom line of economic, environmental and social sustainability and find that the Climate Action Plan is a tremendous tool in securing a more sustainable future for our unique community.

How do you see the Community Sustainability Commission supporting sustainability and climate protection planning in the Benicia community?

I think sustainability doesn't happen without addressing climate change. Benicia is fortunate to have the Climate Action Plan already in practice as residents become more aware of the effects of climate change. As awareness increases, behavior will change and impacts will be lessened and addressed. I hope to have the opportunity to build on the success of the CSC board so far and help fill the void of the departure of Constance Beutel.

Planning Commission Application- Kari Birdseye

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

The Planning Commission holds the unique responsibility of providing opportunities for economic development while stewarding our natural and cultural resources in a responsible manner. I believe my experience as a local business owner and professional communicator would strengthen the diverse skill set of the Commission. While I have not attended a meeting in person, I have watched several meetings on DVD, most recently the December 2014 meeting.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

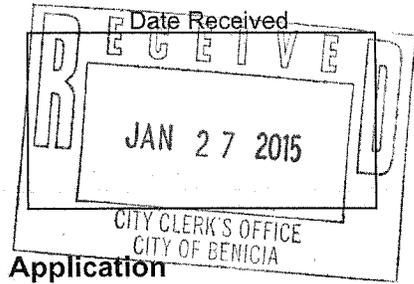
Just as I have demonstrated during my service on the Human Services Board, I will dedicate my time, energy and professional experience to becoming a valuable Board Commissioner and serve the City and its residents to the best of my ability. As a HSB member, I performed outreach at many farmers' market evenings, marched in parades and served as co-Master of Ceremonies, food server and bartender at our successful fundraiser, the 1st annual HSB Oktoberfest

3. Is there a particular segment of planning and development that interests you more than others?

I am most interested in evaluating each project and issue through the lens of the California Environmental Quality Act (CEQA) and the Benicia General Plan to provide a fair perspective on proposals put before the Commission. My experience in writing/drafting the Environmental Impact Report on the Marin County General Plan update with Nichols Berman, working closely with Bob Berman, has given me relevant insight and the skills required to review development and upgrade proposals. I have taken several classes on CEQA through UC Davis and while there is always room to learn more, I believe I have a good understanding of the CEQA guidelines as well as our local zoning ordinance.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforce the goal of the General Plan?

Benicians have a history of supporting smart growth to maintain our quality of life in our unique town. I believe by exploring economic development opportunities through the lens of smart, sustainable growth, we best serve the community as a whole. It is the responsibility of the Planning Commission utilize to the zoning ordinance for development and upgrade proposals while consulting the General Plan to ensure that any changes or growth in the community are in alignment with the long term goals, policies and respective programs in the Plan.



City of Benicia Board/Commission/Committee Application

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- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Judith Boyle

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ years as Benicia resident: 33 years

Occupation/Employer: BUSD - librarian - library media tech

Please note your most recent community or civic volunteer experience: _____

2013 "Kid Lit" Society - liason between group + BMS

Please describe any applicable experience/training: librarian at Mills (1999-2001)
Elementary + Benicia Middle School since 2004

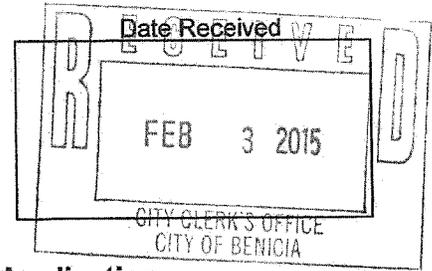
All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Judith Boyle Date: 1-27-2015

Judith Boyle
January 27, 2015

1. What interests you about this Board? Benicia Public Library is my "home away from home". I am mainly interested in its protection, funding, literacy and educational programs. I use the library one to four times a week.
2. Do you feel you have the time and commitment to be a viable member of this Board? Even though I work full-time at the middle school I am free evenings, weekends, holidays, and summer. My children are adults so child-care is not an issue.
3. Are there any particular segments of library services that interest you more than others? My major interests lay with Library programs that foster literacy for both children and adults, and coordination with Benicia schools, both public and private.
4. Why do you think library services need to play a lead role in enhancing the quality of life in Benicia? More than ever, libraries are community hubs – a safe harbor for teens, a point of contact for the elderly, and a place to nurture lifelong learning for everyone. People use libraries for more than reference and book checkout. Access to free technology and the availability of reference librarians are key services offered, and are more important than ever. People need access to computers and technology training. It's a mistake to believe everyone living in Benicia has a computer available in their home. School computers and the public library may be their only resource.

Do you see an area of library services that needs to be expanded at this point? Not at this point. My concern is with both Federal and State budget cuts and how this could affect our library. Local support has been generous with funding but we cannot grow complacent.



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- Open Government Commission
- Parks, Recreation & Cemetery Commission
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- Uniform Code Board of Appeals

Name: Michael Boyle

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

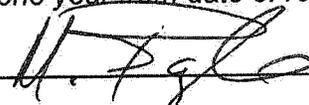
Email: _____ Years as Benicia resident: app. 33 years

Occupation/Employer: Manager/Benicia Health and Fitness Club

Please note your most recent community or civic volunteer experience:
Owner Mare Island Sports Center Vallejo, Ca. Responsible for youth soccer, adult soccer leagues well as basketball training, volleyball, and concessions, over a thousand visits a day and management of all.
Active member of Vallejo Business Community.

Please describe any applicable experience/training:
As above, Owner Mare Island Sports Center, Vallejo, Ca, for 14 years. Coach and Manager of numerous soccer and Little League Baseball Teams in Benicia, Ca. Both house and traveling teams over a period of 20 years. Benicia High School Volleyball coach for 10 years. Benicia Area Manager for

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Signature:  Date: 1/30/2015



Parks, Recreation, and Cemetery Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. **The Parks, Recreation, and Cemetery Commission is responsible for working closely with the Parks and Community Services Department to direct the City as effectively as possible on behalf of parks, cemeteries and recreational activities. What interests you about serving on the Parks, Recreation, and Cemetery Commission and participating in the work of the commission? Please describe your familiarity with the Commission.**

I am aware and cognizant of the work of the commission. My involvement in youth and adult sports in Benicia, has helped me to realize the importance and function of Parks and Rec. and has helped me realize how lucky we are to have a progressive, active, and involved Commission. I have been involved and tried to deal with the Gvrd in Vallejo since that was where my business was locate. More than ever I realized how lucky we are in Benicia, and with

2. **Please list current and past volunteer positions.**

Due to my business interests I have less involvement in volunteer positions than I would have preferred. However, over the years I have been involved in Benicia baseball/softball/soccer positions serving the youth of Benicia. In addition, while my Varsity coaching position at BHS wasn't a volunteer position, it did me bring me even closer to the population of Benicia and the needs, hopes and needs of the population..Along those lines I have been involved in Benicia

3. **Responsibilities of being a Board member includes attending monthly Parks, Recreation, and Cemetery meetings, attending special events, and occasionally appearing at City Council meetings. Further, there are often subcommittees of the commission that will require additional meetings during the month. Do you feel you have the time and commitment to be able to consistently attend these meetings and events?**

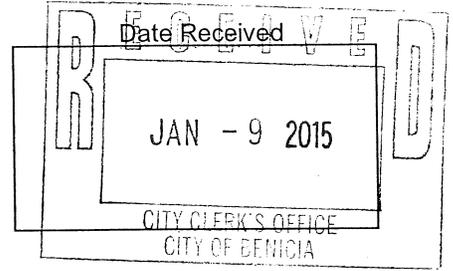
I have no doubt I have the time and commitment to attend meetings and dedicate the time and energy to the committee. I believe in commitment and want to improve opportunities for Benicia residents and wish to improve and facilitate accessibility to services in the community.

4. **If you could achieve one goal during your term as a Parks, Recreation, and Cemetery Commissioner, what would it be?**

I would aspire to a better opportunity for our youth. I often hear they have no where to go or anything to do...they need to know they have other options. Youth participation in baseball and soccer is declining, and I feel that commitment and interest needs to be rekindled in all ages. I would seek to make sports and recreation a viable option for members of our community for the youngest member of Benicia to the oldest. We are an amazing community.

5. **Is there anything else you would like to share with us regarding your qualifications and/or interests?**

I only wish to make sure that you know that in spite of most of my experience being in the private sector, I have a great deal of interest and experience in the volunteer organizations in Benicia and I would dedicate all my time and energy to improving opportunities to all in Benicia



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- Human Services & Arts Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
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- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Ed Ruszel

Address: _____

Phone: (Work) _____ (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 9

Occupation/Employer: Facility Manager, Ruszel Woodworks

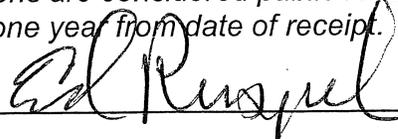
Please note your most recent community or civic volunteer experience: _____

I have attended BIPA meetings, Arsenal Clean up taskforce meeting, made presentations at Civic and local community event. I regularly organise donations of surplus materials to local groups.

Please describe any applicable experience/training: _____

I have training in architectural drafting, construction management, and facility maintenance.

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Signature:  Date: 1-9-15



Planning Commission Application

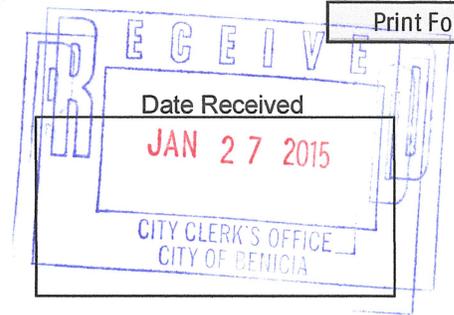
In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?
The ability to participate in the public decision-making process in Benicia as it relates to planning and building our community. Yes I have Attended Planning Commission meetings many times and have spoken to the board many times in the last several years. I have made presentations to the Commission, most recently in august of 2014. I have filed an appeal to Planning Commission decisions in the past.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?
Yes I do feel that I have the time and commitment to be and active member of thre Planning Commission. I read the agendas regularly and know the current project being reviewed by the Planning Department.

3. Is there a particular segment of planning and development that interests you more than others?
Zoning issues, especially in the commercial and industrial areas.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?
The Planning Department and the Planning Commisioners interpret the city's goals and reviews the property owner/developer/buisness's project, ensuring that it is in the best interest of the community.
The second question is confusing to me. Are we talking about planning in general or the Planning Dept? Or the Planning Commission? I could provide more specific answers if needed.



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- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

Name: Craig Snider

Address: 793 Carsten Circle

Phone: (Work) _____ (Home) 707-748-7213

(Cell) 707-319-1484 Fax: _____

Email: milkcrate25@sbcglobal.net Years as Benicia resident: 11

Occupation/Employer: Retired from United States Department of Agriculture - Forest Service

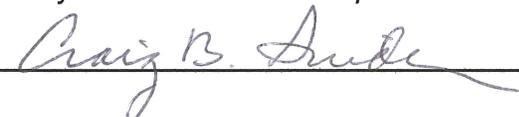
Please note your most recent community or civic volunteer experience: _____

Sky Valley Committee for 5+ years. BOTTG performer, Benicia Bicycle Race

Please describe any applicable experience/training: _____

Most of my career with the US Forest Service was in planning. I retired as Regional Environmental Coordinator in 2014. My specialty was environmental analysis at both plan and project levels.

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature:  Date: January 26, 2015

Planning Commission Application

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?

This commission deals with issues that are important to me as a citizen and which often have a bearing on the wellbeing of our community. I most recently attended last summer's Planning Commission meetings where public comments were received dealing with Valero's Crude by Rail proposal.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

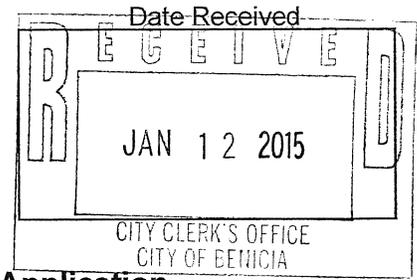
As to time, I am recently retired, so I can readily adjust my schedule to meet the demands of the commission. As to commitment, I've spent most of my work life in planning. I retired last year as a senior planner with the US Forest Service. I view planning as very important to "getting it right" the first time by carefully reviewing proposals and minimizing undesirable effects. From direct experience, I know what it takes to review and study a project or program proposal. I'm confident I can commit to that task.

3. Is there a particular segment of planning and development that interests you more than others?

My career dealt primarily with planning rural developments such as transmission lines, pipelines, wind turbines, watershed restoration, fuel treatment, campgrounds and highway developments. This consisted of reviewing various environmental documents under NEPA (the National Environmental Policy Act), including Environmental Impact Statements, Environmental Assessments and Categorical Exclusions. The NEPA and CEQA are very similar and I often reviewed joint NEPA/CEQA documents (e.g. EIS/EIR). While the same principles apply to environmental review under NEPA and CEQA, I'm interested in expanding my knowledge about urban planning and CEQA.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?

In my experience, there are two levels of planning and both are important. Zoning stems from program plans that establish the rules for development within a jurisdiction. Project plans guide site-specific project proposals such as the Seeno development or the Valero Crude by Rail project. Both are important to fortifying the quality of life in Benicia because without planning, the public loses the opportunity to "weigh in" on the merits of proposals or offer suggestions for protecting our environment and enjoyment of it.



City of Benicia Board/Commission/Committee Application

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- Uniform Code Board of Appeals

Name: Gayle Aileen Vaughan

Address: _____

Phone: (Work) retired (Home) _____

(Cell) _____ Fax: _____

Email: _____ Years as Benicia resident: 35

Occupation/Employer: Retired teacher BUSD/educational therapist private practice/marketing

Please note your most recent community or civic volunteer experience: _____

Currently: Director, League of Women Voters: Voter Services, Program Planning, Tidal Marsh Docent, Solano Land Trust at Rush Ranch, independent water activist providing information and forums about the Bay Delta Conservation Plan

Please describe any applicable experience/training: _____

Served on many, varied public committees and understand how government processes work. I have been informally studying county and state water and land use planning for the last few years

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: *Gayle Vaughan* Date: Jan. 12, 2015



Planning Commission Application

In addition to completing the City of Benicia Board/Commission/Committee Application form, please respond to the following questions:

1. What interests you about this Commission? Have you attended a Planning Commission meeting? If so, when?
Serving on the Planning Commission would allow me the opportunity to participate in local government in a way that would be beneficial to the future of residents, businesses, and the environment of the town I love. Working together with the Council and City Officials, I believe the Commission has the power to manage changes to our community in a productive and thoughtful manner. The last meeting I attended was about a decade ago, about Sky Valley. I will be attending the February meeting to learn more about Crude by Rail and the senior housing project in the Arsenal.

2. Participation on this Commission involves monthly meetings, periodically special meetings, and possibly attending community events related to planning. Do you feel you have the time and commitment to be a viable member of this Commission?

Yes. I am retired and can effectively manage my other civic and family duties to allow for the time required.

3. Is there a particular segment of planning and development that interests you more than others?

I am interested in water and land use, the environment, and the balance between private property rights and the need for governmental regulation. I am concerned about the environment and health effects of our city's industry. I think it is important to have economic growth while considering the possible future environmental results of today's actions.

4. Why do you think planning needs to play a lead role in fortifying the quality of life in Benicia? Do you see an area of planning that needs to be expanded at this point? How does zoning reinforces the goal of the General Plan?

Planning is important to maintaining the quality of life here. Whenever a large group of people live and work together, common goals, rules, and regulations are necessary. Individuals often don't anticipate the effects of their actions on others. Looking to the future and planning for it is essential to maintaining a safe, healthy, and well-functioning city.

The Commission may need to expand its influence on parking, traffic, and water use for landscaping on commercial properties. Zoning is important for maintaining the quality of life, development, sustainability, and health and safety of our community. Mixed use zoning, while helpful to residents and retail, is a difficult issue, and should be considered with caution.

**AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
PRESENTATION**

DATE : February 4, 2015
TO : City Council
FROM : City Attorney
SUBJECT : **PROCLAMATION ON SUNSHINE WEEK**

RECOMMENDATION:

Proclaim March 15 - 21 as Sunshine Week and direct staff to continue keeping a log of public record requests.

EXECUTIVE SUMMARY:

Historically, the Open Government Commission requests that a proclamation be issued regarding open government and Sunshine Week.

BUDGET INFORMATION:

There are no new budget impacts from this proclamation.

GENERAL PLAN:

N/A

STRATEGIC PLAN:

N/A

BACKGROUND:

At their March 9, 2015 meeting, the Open Government Commission will consider the annual proclamation for Sunshine Week. Historically, the Commission has recommended that the proclamation be issued.

The Commission will discuss the importance of open government and the importance of having informed citizens participate in government. Citizen participation is key to making sure that the public's trust and confidence in their government is enhanced and maintained.

July 5, 2015 will mark the 10th anniversary of the Benicia Open Government Ordinance, which puts Benicia at the forefront of transparency in government. Benicia also has annual training on open government for all staff, boards and commissions.

The Open Government Commission will continue to review and monitor the Open Government Ordinance for possible improvements or trends.

This work will be accomplished with minimal impact on staff.

Attachment:

- Proclamation



PROCLAMATION

IN RECOGNITION OF

SUNSHINE WEEK

WHEREAS, our government is one “of the people, by the people and for the people”; and

WHEREAS, the Open Government Ordinance was created 10 years ago, with the intention of increasing the public trust and confidence in the city government, with open meetings, easier access to public records, ethical guidelines and a watchdog commission; and

WHEREAS, Sunshine Week is a non-partisan initiative whose supporters are conservative, liberal and from every group in between; and

WHEREAS, Sunshine Week supports the public's right to know about their government and its actions. Sunshine Week enlightens and empowers people to get involved in their government at all levels, making access to government information easier so they can be well informed and help make their communities better.

NOW, THEREFORE, BE IT RESOLVED THAT I, Elizabeth Patterson, Mayor of the City of Benicia on behalf of the City Council, do hereby honor and recognize Sunshine Week, March 15 – 21, 2015, and encourage all citizens to educate themselves about government processes that affect their lives.

Elizabeth Patterson, Mayor
March 3, 2015





PROCLAMATION

IN RECOGNITION OF

Women's History Month and International Women's Day

WHEREAS, in 1911, International Women's Day was first honored in Austria, Denmark, Germany and Switzerland and March 8 is now celebrated across the world as International Women's Day; and

WHEREAS, in 1987, Congress expanded the celebration to a month, declaring March Women's History Month; and

WHEREAS, on March 8, and throughout the month of March, we recognize and reflect on the progress made to advance women's equality, to celebrate the gains made by women in our society, and reflect on the challenges and barriers which women continue to face; and

WHEREAS, on this day, women can celebrate the progress that has been made, but also contemplate those areas of women's lives where more can be done. Women's access to education, health care, and paid labor has improved, and legislation that promises equal opportunities for women and respect for their human rights has been adopted in many countries; and

WHEREAS, however, nowhere in the world can women claim to have all the same rights and opportunities as men, and until we all work together to secure the rights and full potential of women, lasting solutions to social, economic and political problems are unlikely to be found. We need to see changes that transform relationships between women and men, so women will be able to take greater financial, political, and physical control of their lives; and

WHEREAS, International Women's Day and Women's History Month addresses the social, economic, and political barriers still facing women and girls while celebrating their achievements and the progress that have been made in support of women's equality.

NOW, THEREFORE BE IT RESOLVED THAT I, Elizabeth Patterson, Mayor of the City of Benicia on behalf of the City Council, do hereby proclaim the month of March as Women's History Month and March 8 as International Women's Day.

Elizabeth Patterson, Mayor
March 3, 2015



Benicia Public Library

MEMORANDUM

To: Brad Kilger, City Manager
From: Diane Smikahl, Library Director
Date: January 15, 2015
Re: Library's Annual Report

Attached please find the Annual Report submitted by the Benicia Public Library to the California State Library. This report was approved by the Board of Library Trustees on January 13, 2015, and is ready for the City Manager's review. The due date for this report has been shifted by the State Library from August until December, causing an unavoidable delay in preparing and presenting this information.

The Library's mission: to contribute to the success of our diverse community by being a vital center of learning, communication, culture and enjoyment.

Fiscal Year 2013-14 was a relatively stable year for staff. There were no retirements of full-time employees. While staff turnover of Department Aides and Pages was high, permanent staff worked tirelessly to ensure that materials were ready for patrons as quickly as possible, and key part-time staff continued to backfill for vacant/frozen full-time positions, allowing us to continue to provide essential services to the public.

Library staff assessed services being offered, trying out some new services (Friday evening movie night, staying open later during Finals Week, and a "Food for Fines" program) and eliminating those that were not successful or that no longer met the needs of the residents (20-something book club).

The staff demonstrated their ongoing commitment to providing excellent core services to the public. Worth noting is that the American Library Association just requested completion of the 2014 Digital Inclusion Survey of Public Libraries, covering the areas of public access technology infrastructure, technology instruction, and programming that public libraries make available to their communities. In the Library's responses, our programming covered a wide range of programs including community and civic engagement, economy and workforce development, education and learning, and health and wellness. Our Library provided 27 of the 36 possible services listed (75%), which is exceptional for a library of our size and population served.

Our regional consortiums continued to create a robust infrastructure that enhanced the services the Library provided to Benicia residents. NorthNet Library System provided grant funding for staff development and training, allowing us the opportunity to send staff to the California Library Association's Annual Conference, the Public Library Association's Bi-Annual Conference, and Internet Librarian Conference, with some funds remaining for 2014-15 training. For staff unable to attend one of these professional conferences, we were able to provide educational opportunities through local

workshops, including *Leading from Any Position*, *Cataloging Basics*, and other online or on-ground sessions selected by supervisors and staff.

Additional money was made available through NorthNet for e-book purchases, allowing us to enhance and grow our collection of digital materials. The State Library assisted all libraries in the State by offering “Books4U” grants, focusing this year expanding library collections of Common Core materials and recreational reading materials for all ages.

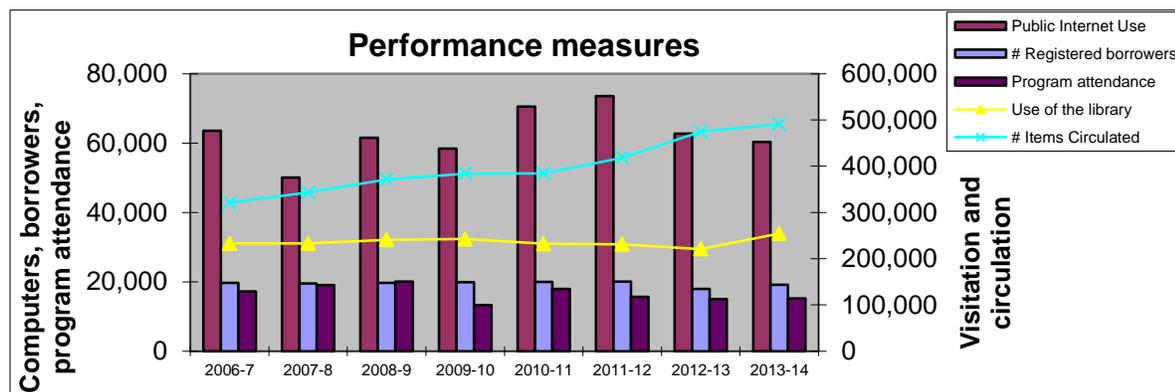
Our local partnership, the Solano, Napa and Partners (SNAP) group, has continued to investigate current technology and opportunities to provide different, less expensive ways of obtaining shared services. This year the partners banded together to purchase a collection of e-magazine titles on a shared digital platform called Zinio. As a result of this, our Library now has access to 119 additional titles and over 2000 copies of current and back-issues of magazines that patrons can access on computers or other mobile devices.

Our statistics on number of borrowers have bounced back from the purging we did in preparation for the migration to our new Carl.X platform in February of 2012. At that time, obsolete patron records were purged, and the number of cards in our system sharply declined. We have been reconstructing and reissuing as needed, and between July 1, 2013 and July 1, 2014, staff issued (or reissued) more than 1,000 cards, or a 7% increase over the number held the previous year.

Performance measures in Libraries often are based upon visits, circulation, public access computer use, and program attendance, so data in each of these areas is being provided.

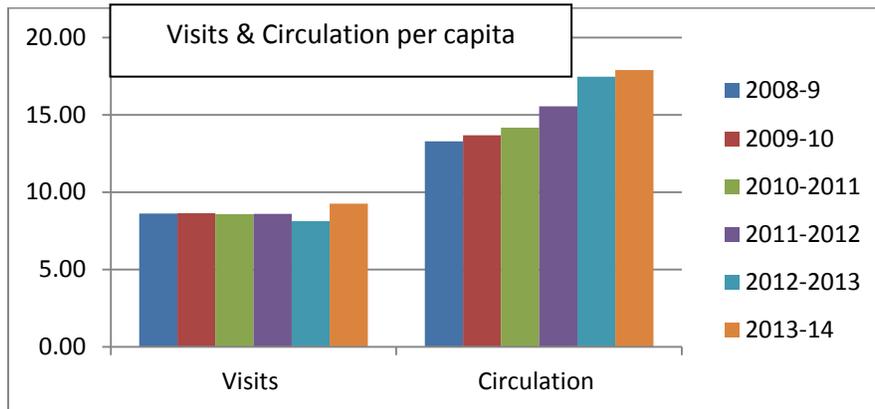
Trends in Benicia Library’s use – 5 year data

	2009-10	2010-11	2011-12	2012-13	2013-14	5-year change	% change over 5 yrs
Circulation	384,056	384,134	418,396	474,472	490,984	106,928	28%
Visits	242,359	232,326	231,197	220,798	254,225	11,866	5%
Registered borrowers	19,847	19,950	16,550	17,925	19,105	-742	-4%
Program attendance	13,260	17,978	15,618	15,016	15,245	1,985	15%
Reference Questions	35,845	31,996	30,110	27,090	26,264	-9,581	-27%
Public Internet use	58,434	70,488	73,504	62,709	60,319	1,885	3%



Circulation and Use of the Library

- Circulation per capita has continued to increase. 16,512 more items were checked out in 2013-14 than in the previous year. Library circulation has increased each year for the past five years, showing 28% growth over that time period. More than 100,000 items were checked out of the library in fiscal year 2013-14 than were checked out in fiscal year 2009-10. The total number of full-time Reference staff has been reduced over the past five years in response to an ongoing decrease in the number of reference questions asked, and the part-time staffs who provide circulation services at the customer service desk have become even more essential for providing the public with a high level of service.
- Visits per capita have also substantially increased. 15% more people came into the Library in 2013-14 than in 2012-13. As you can see by the following graph, in 2012-13, there was a decrease in the number with a 5% drop in attendance. In part this may have been due to failing equipment: in 2014, we were able to purchase a new people counter, and it showed an immediate and significantly better account of the number of people using the Library. In looking at long-term trends, the amount of use has continued to increase over the past 5 years, with 10% growth between 2011-12 and 2013-14.

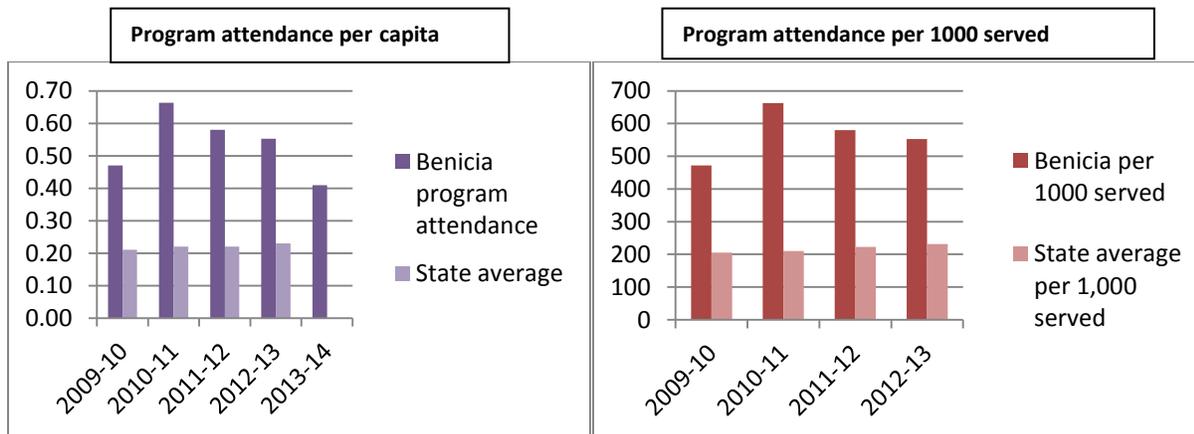
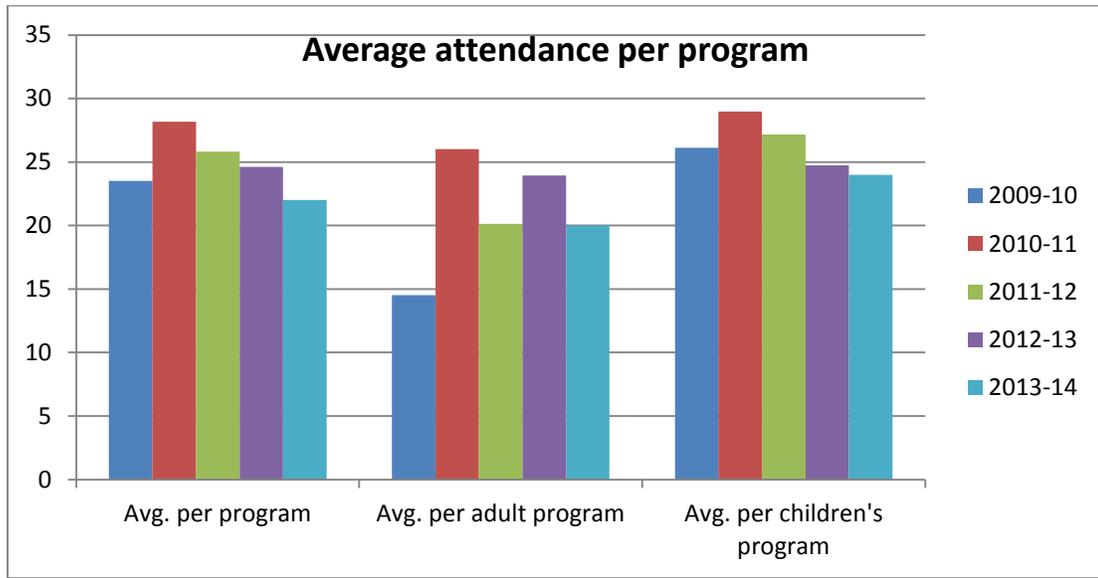


Programs

- Total attendance at programs has fluctuated.
 - Overall attendance at all programs has increased from 13,260 in 2009-10 to 15,245 in 2013-14, showing a healthy (15%) increase over a 5-year period.
 - Children’s program attendance has been decreasing while teen and adult program attendance has been increasing as can be seen below.
 - This year, the State Library tracked numbers differently, defining children as 11 and under and teens as 12-19 year olds. In previous years, children were 0-12 and teens were 13-19. This greatly impacted numbers for children’s attendance.
 - Data from 2012-13 shows the program attendance per capita and program attendance per 1000-served both decreased.
 - Average overall would be higher, but we do programs designed for fewer numbers, such as Tails n’ Tales, which has a maximum of 6 attendees, and book clubs, designed for smaller groups with an average of about 6 per session. These more intimate and cozy programs, as compared with programs like Toddler Story Time which averages about 55 per session, and any of the Summer

Reading Program events, which typically average about 80 per event, reduce the average number of attendees per event significantly.

- Both are still markedly higher than the state average. Of note is that 2010 showed our highest attendance, just prior to the freeze on a vacant Children’s Librarian position.



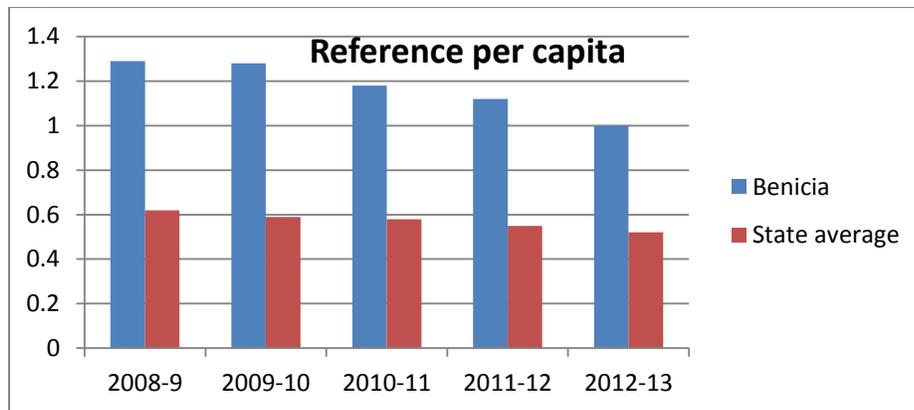
Registered Borrowers

- Although the number of borrowers has decreased over the past five years, a large number of people signed up for Library cards in 2013-14.
 - More than 1,000 library cards were issued in the last year.
 - The high use of Libraries during the peak of “The Great Recession” was well-documented, and this could account for the extraordinarily large number of library card holders at that time in 2009-10 and 2010-11. Library cards are required for online access, which may have influenced the number of card holders.

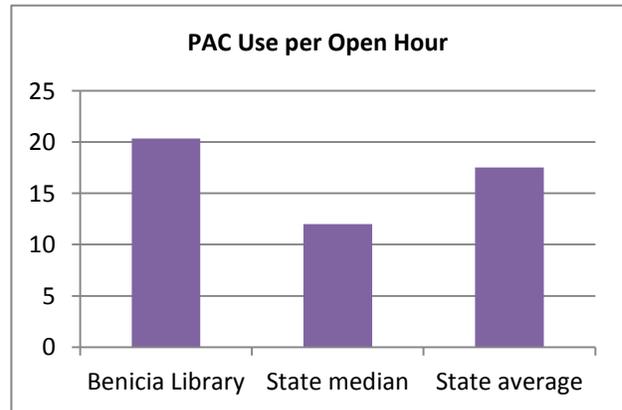
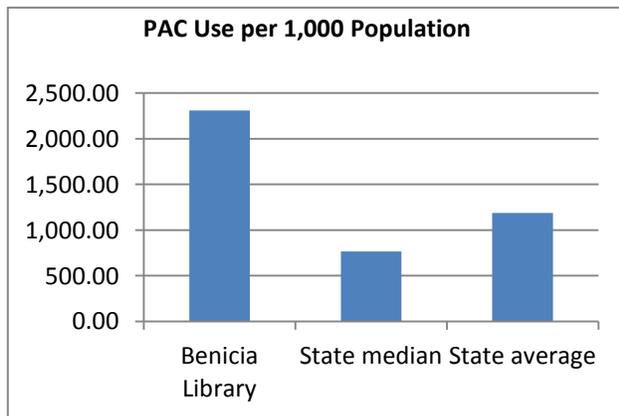
- Some of the records that were added to the system this year may have been for borrowers that previously were inactive in the system, whose records were deleted during the deep cleaning.
- In 2012-13¹, the state median number of registered borrowers per capita was .62 while Benicia's was .66.

Reference and Internet

- Reference questions decreased by 10% and Internet use decreased by 14%.
 - Reference questions in libraries continue to decline nationally, possibly as a result of the success people have had in using Google and other search engines to find information independently. However, because people are finding answers to simple questions on their own, the questions being asked of librarians are often more challenging and require more time to answer or to obtain credible documentation.



- Internet and wireless access (PAC) use declined. Some of this decline is attributed by staff to a change in procedure. Staff changed the way time was extended for people using public Internet computers and wireless access. In previous years, if a patron needed more time, staff logged them back on as a new session as long as more than half the computers were empty. Now, staff is simply adding time onto the existing session instead of logging the person on again. This may explain some decrease in use. Nevertheless, Benicia PAC use per 1,000 population and per open hour is still higher than the state's median or average use.



¹ Fiscal year 2012-13 data is the most current data available from the State Library.

The following numbers track trends in usage and other data for the past few years. Six years information has been included, as not all data sources have 2013-14 information and are still using 2008-9 through 2012-13 for five year calculations.

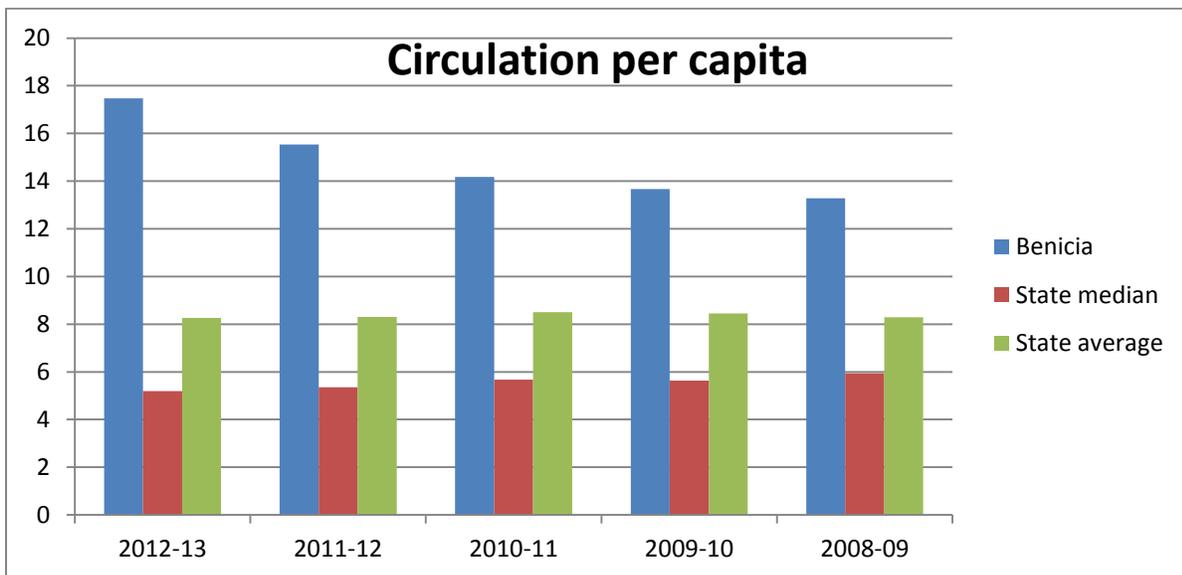
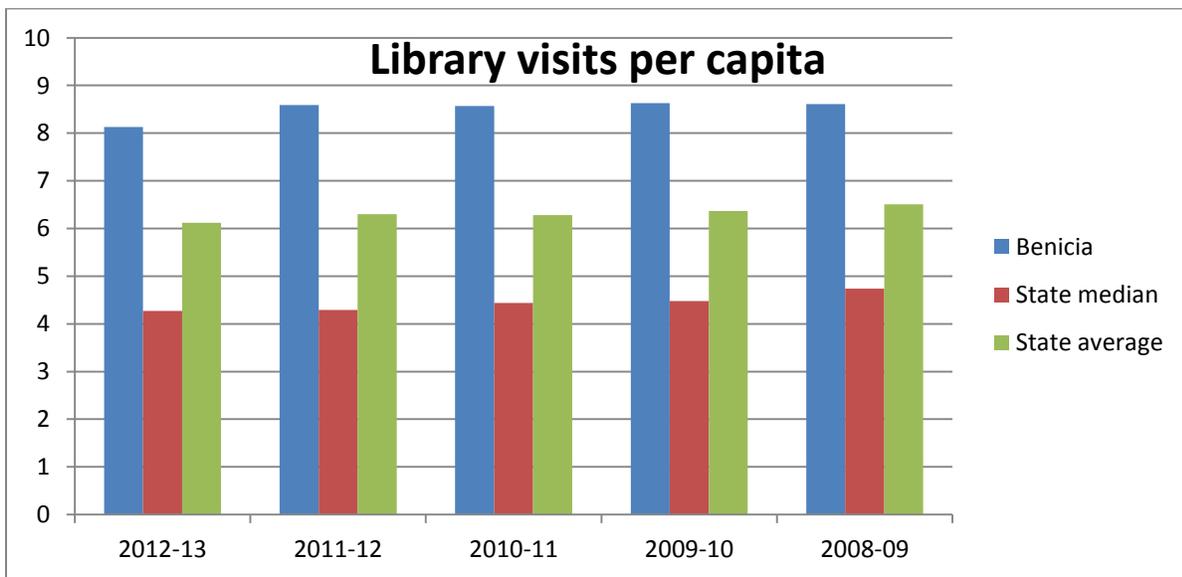
	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2 year change
Public service hrs.	3,224	3,103	3,117	3,084	3,081	3,065	-1%
Population	27977	28,086	27,118	26,919	27,163	27,454	1%
Pop of children under 5	1510	1,514	1,510	1,286	1,286	1,954	52%
<i>Per Capita data:</i>							
Public service hours	0.12	0.11	0.11	0.11	0.11	0.11	0%
Visits	8.61	8.63	8.57	8.59	8.13	9.26	14%
Circulation	13.28	13.67	14.17	15.54	17.47	17.88	2%
Reference Questions	1.29	1.24	1.18	1.12	1.00	0.96	-4%
Reference Questions per public service hour	11.23	11.55	10.26	9.76	8.79	8.57	-3%
Use of Public Internet per Year	2.20	2.08	2.04	1.88	1.62	1.50	-7%
Use of public wireless			0.57	0.85	0.69	0.70	1%
<i>Program data:</i>							
Total program attendance per capita	0.72	0.47	0.66	0.58	0.55	0.56	2%
Average attendance per program	34.94	23.51	28.16	25.81	24.62	21.97	-11%
Avg attendance per adult program	16.37	14.51	26.01	20.12	23.95	19.54	-18%
Avg attendance per children's program	38.40	26.12	28.98	27.17	24.75	23.53	-5%
<i>Other data:</i>							
Number of registered borrowers	19,712	19,847	19,950	16,550	17,925	19,105	7%
Number of registered borrowers per capita	0.74	0.75	0.78	0.65	0.69	0.70	1%
Funding per capita	\$82.87	\$75.21	\$79.44	\$71.91	\$67.81	\$69.18	2%
Materials expenditures per capita	\$6.72	\$5.36	\$4.38	\$5.57	\$5.59	\$5.99	7%
Pop' served by FTE staff	1,089	1,386	1,337	1,393	1,434	1,420	-1%

Comparison with other California library data

The State Library has recently provided an online resource for Public Libraries allowing each library to track trends for each library. General information is at <http://californialibrarystatistics.com> and more specific information for each library can be obtained through logging onto the site.

According to State Library staff, averages are skewed by any incorrect information and by large libraries in the state, such as the Los Angeles Public Library. Any very large or very small numbers will influence the average, and sometimes these numbers are simple errors in reporting. For that reason, both median and average numbers are provided.

Following are graphs showing comparisons with median and average numbers.



Specific data for key comparisons with the average/median data for libraries in the state.

2012-13	Visits per capita	Visits per Borrower	Circulation per Hour Open	Circulation per Visit	Circulation per Borrower	Registered Borrowers per Capita	Staff FTE per 1,000 Population
Benicia	8.13	12.32	154	2.15	26.47	.66	.22
Median	3.06	7.02	89	1.26	9.24	.62	.08
Average	5.62	8.17	127	1.28	11.58	.73	.14

Comparisons with similar libraries

Using this source it's also possible to look at libraries with similar expenditures per capita. With this data, it is possible to compare Benicia's usage statistics with comparable libraries.

KEY COMPARATIVE DATA FOR SIMILAR-SIZED LIBRARIES

Location	Population	Expenditures per Capita	Circulation per Capita	Visits per Capita	Hours Open per 100 Pop.
DEL NORTE COUNTY LIBRARY DISTRICT	28,380	\$0.00	0	0.00	0.00
MONTEREY PUBLIC LIBRARY	28,252	\$100.64	18	11.68	9.60
BENICIA PUBLIC LIBRARY	27,163	\$68.04	17	8.13	11.34
DIXON PUBLIC LIBRARY DISTRICT	27,089	\$30.76	2	3.06	9.60
COALINGA-HURON UNIFIED SCHOOL DISTRICT LIBRARY	26,238	\$33.46	2	2.46	20.59
BRAWLEY PUBLIC LIBRARY	25,906	\$21.33	3	2.36	10.18
SOUTH PASADENA PUBLIC LIBRARY	25,857	\$48.28	16	11.65	10.36
Number of similar sized libraries	7	7	7	7	7
Average	26,984	\$43.21	8	5.62	10.24
Median	27,089	\$33.46	3	3.06	10.18
Minimum	25,857	\$0.00	0	0.00	0.00
Maximum	28,380	\$100.64	18	11.68	20.59

In conclusion, Benicia Public Library is well-used by our community, with a large number of uses (visits) per capita and per borrower. Expenditures per capita are higher than average, undoubtedly related to the voter-approved sales tax funding provided for the Library through Measure B/Measure L. Circulation per capita also indicates that we are providing a valuable resource, with patrons using items selected and purchased by our staff.

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
February 17, 2015

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

I. CALL TO ORDER:

Mayor Patterson called the Closed Session to order at 6:00 p.m.

All Council Members were present.

II. CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9

Number of potential cases: One (1)

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Name of cases: McLanahan v. City of Benicia (one)

C. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))

Agency Negotiators: City Manager, Assistant City Manager and Senior
Human Resources Analyst

Employee Organizations: Benicia Public Service Employees
Association (BPSEA) Part-Time Unit

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Subdivision (b) of Government Code Section 54957)

Title: City Manager

III. CONVENE OPEN SESSION:

Mayor Patterson called the Open Session to order at 7:05 p.m.

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Jasmine Powell led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC

IV. ANNOUNCEMENTS/PROCLAMATIONS/ APPOINTMENTS/PRESENTATIONS:

A. ANNOUNCEMENTS

1. Announcement of action taken at Closed Session, if any.

Heather McLaughlin, City Attorney, reported the following actions:

Item II.A - Council gave direction to the City Attorney to enter into an agreement to extend the time for filing a lawsuit to see if the City could work out a voluntary settlement of the process.

Item II.B - Council gave authority to Staff to settle the claim.

Item II.C - The item was not heard tonight.

Item II.D - This item was continued to the next meeting.

2. Openings on Boards and Commissions:

We are currently in the process of interviewing for Board and Commission recommendations for appointment.

3. Mayor's Office Hours:

4. Benicia Arsenal Update

Update from City Attorney

Heather McLaughlin reported they were working on this project to come up with a voluntary and cooperative cleanup approach to it. Staff is trying to set up meetings with property owners to discuss a work plan to characterize the site.

B. PROCLAMATIONS

C. APPOINTMENTS

1. Appointment of Gilbert Von Studnitz of the Historic Preservation Review Commission (HPRC) as a Historical Property Owner in the Historic District

RESOLUTION 15-13 - A RESOLUTION DESIGNATING GILBERT VON STUDNITZ TO THE HISTORIC PRESERVATION REVIEW COMMISSION AS OWNERS OF HISTORIC PROPERTY

On motion of Mayor Patterson, Council adopted Resolution 15-13, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

2. Appointment of Dale Alexander to the Solano Senior Coalition

RESOLUTION 15-14 - A RESOLUTION RECOMMENDING THE APPOINTMENT OF DALE ALEXANDER TO THE SOLANO SENIOR COALITION FOR A TWO-YEAR TERM ENDING FEBRUARY 28, 2017

On motion of Mayor Patterson, Council adopted Resolution 15-14, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

D. PRESENTATIONS

1. PRESENTATION FROM BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD)

V. ADOPTION OF AGENDA:

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

One item received (copy on file).

B. PUBLIC COMMENT

VII. CONSENT CALENDAR (7:30 PM):

- A. APPROVAL OF THE MINUTES OF FEBRUARY 3, 2015 SPECIAL AND REGULAR CITY COUNCIL MEETINGS. (City Clerk)**
- B. DENIAL OF CLAIM AGAINST THE CITY BY NADINE RICHARDSON AND REFERRAL TO INSURANCE CARRIER**
- C. DENIAL OF CLAIM AGAINST THE CITY BY RAYMOND L. NELSON AND REFERRAL TO INSURANCE CARRIER**
- D. DENIAL OF CLAIM AGAINST THE CITY BY HISTORIC ARSENAL PARK, LLC AND REFERRAL TO INSURANCE CARRIER**
- E. AGREEMENT TO PROVIDE SCHOOL RESOURCE OFFICERS TO BENICIA UNIFIED SCHOOL DISTRICT**

RESOLUTION 15-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING AN AGREEMENT BETWEEN THE CITY OF BENICIA AND THE BENICIA UNIFIED SCHOOL DISTRICT TO CONTINUE THE ESTABLISHED SCHOOL RESOURCE OFFICER PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

F. PURCHASE IRRIGATION CONTROL SYSTEM EXPANSION

RESOLUTION 15-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE PURCHASE AND INSTALLATION OF AN UPGRADE TO IRRIGATION CONTROL SYSTEM SOFTWARE, A RADIO REPEATER, EIGHT EVAPOTRANSPIRATION CONTROLLERS, AND ASSOCIATED MATERIALS IN THE AMOUNT OF \$141,982.94 ALLOCATED FROM THE VALERO GOOD NEIGHBOR STEERING COMMITTEE FUND

Mayor Patterson and Staff discussed the control system expansion. Mayor Patterson would like to make sure Council gives direction to Staff that as they develop their priorities, the turf be removed and replaced with artificial turf, which...Staff should advertise to encourage citizens to do the same with drought tolerant options.

Council Member Strawbridge and Staff discussed how many parks had been upgraded.

Vice Mayor Hughes requested that the 'unnecessary' turf being removed be brought before the Parks, Recreation & Cemetery Commission for discussion.

Public Comment:

None

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 15-16, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

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

VIII. BUSINESS ITEMS:

A. COMPLETION OF OPEN GOVERNMENT AWARENESS TRAINING

Heather McLaughlin, City Attorney completed the Open Government Awareness Training for all Staff and Council present at the meeting.

Public Comment:

None

B. BUDGET TO ACTUAL REPORTS FOR ALL FUNDS FOR THE QUARTER ENDING DECEMBER 31, 2014 AND AMENDING THE FISCAL YEAR 2014-2015 BUDGET

RESOLUTION 15-17 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2014-2015

Karin Schnaider, Finance Director, reviewed the staff report.

Council Member Campbell and Staff discussed the issue of staffing, the Climate Action Plan Coordinator position.

Vice Mayor Hughes and Staff discussed the issue of staffing and support for the additional staff positions listed.

Mayor Patterson discussed support for adding the two additional staff positions.

Public Comment:

None

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, Council adopted Resolution 15-17, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

C. COUNCIL MEMBER CAMPBELL'S REQUEST TO AGENDIZE DISCUSSION OF THE REDUCTION OF EVENING HOURS THAT CONSTRUCTION IS ALLOWED IN RESIDENTIAL AREAS OF BENICIA

Staff and Council Member Campbell discussed the request.

Council Member Schwartzman and Hughes discussed support for agendizing this item.

Public Comment:

None

On motion of Council Member Campbell, seconded by Council Member Strawbridge, Council agreed to discuss the reduction of evening hours that construction is allowed in residential areas of Benicia on a future agenda, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge
Noes: (None)

D. Council Member Committee Reports:

1. **Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date TBD:**
2. **Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: April 23, 2015**
3. **Finance Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: February 26, 2015**
4. **League of California Cities. (Mayor Patterson and Vice Mayor Hughes) Next Meeting Date: April 16, 2015**
5. **School Liaison Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: March 5, 2015**

6. Sky Valley Open Space Committee. (Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: TBD
7. Solano EDC Board of Directors. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: March 12, 2015
8. Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Campbell) Next Meeting Date: March 11, 2015
9. Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/> (Mayor Patterson, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: March 12, 2015
10. Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: April 16, 2015
11. Tri-City and County Cooperative Planning Group. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: March 9, 2015
12. Valero Community Advisory Panel (CAP). (Council Member Campbell and Council Member Schwartzman) Next Meeting Date: TBD
13. Youth Action Coalition. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: February 25, 2015
14. ABAG-CAL FED Task Force-Bay Area Water Forum. <http://www.baywaterforum.org/> (Mayor Patterson) Next Meeting Date: TBD
15. SOLTRANS Joint Powers Authority (Mayor Patterson, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: February 19, 2015

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:25 p.m.

**AGENDA ITEM
CITY COUNCIL MEETING DATE - FEBRUARY 24, 2015
CONSENT CALENDAR**

DATE : February 2, 2015
TO : City Council
FROM : City Attorney
SUBJECT : **DENIAL OF CLAIM AGAINST THE CITY BY J. GARRY HEATON
AND REFERRAL TO INSURANCE CARRIER**

RECOMMENDATION:

Deny the claim against the City by J. Garry Heaton.

EXECUTIVE SUMMARY:

The claimant alleges that while driving on East 3rd Street, he ran into a pot hole, damaging his car's front end alignment.

BUDGET INFORMATION:

This claim is for \$89.99.

GENERAL PLAN:

N/A.

STRATEGIC PLAN:

N/A-there is not a relevant Strategic Plan Goal that relates to this agenda item.

BACKGROUND:

The claimant alleges that while driving on East 3rd Street at Golden Slopes Court, he ran into a pot hole that damaged his vehicle's front end alignment. Upon rejection of the claim, the City Clerk should issue a rejection notice to Mr. Heaton using ABAG's Form Letter No. 3 of the ABAG Plan Claims Procedures Manual and process with proof of service by mail form. A copy of the rejection notice and proof of service by mail form should be sent to the Claims Examiner for ABAG Plan and the City Attorney.

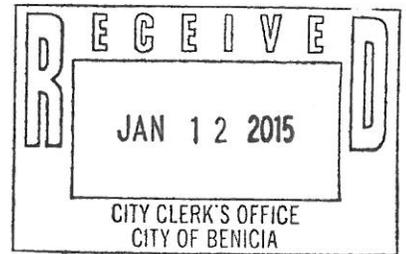
Attachment:

- Claim Against the City

CLAIM AGAINST THE CITY OF BENICIA

Please return to the City Clerk, 250 East L Street, Benicia, CA 94510

Complete the following, adding additional sheets as necessary.



1. CLAIMANT'S NAME (Print): J. GARRY HEATON

2. CLAIMANT'S ADDRESS: _____
(Street or P.O. Box Number, City, State, Zip Code)

HOME PHONE: _____ WORK PHONE: NONE

3. AMOUNT OF CLAIM: \$ 89.99 (Attach copies of bills/estimates)

If amount claimed is more than \$10,000, indicate where jurisdiction rests:

Limited Civil Case _____
Unlimited Civil Case N/A

4. Address to which notices are to be sent, if different from lines 1 and 2 (Print):

(Name) SAME AS LINE 2

(Street or P.O. Box Number, City, State, Zip Code)

5. DATE OF INCIDENT: ^{APPROX} 12/28/2014 TIME OF INCIDENT: 9:15 AM ±
LOCATION OF INCIDENT: EAST 3RD ST @ GOLDEN SLOPES

6. Describe the incident or accident including your reason for believing that the City is liable for your damages: WHILE DRIVING ON EAST 3RD ST I HIT A POT HOLE WHICH DAMAGED MY CAR - CITY OF BENICIA'S FAILURE TO MAINTAIN STREET.
7. Describe all damages which you believe you have incurred as a result of the incident: FRONT END (WHEEL) OUT OF ALIGNMENT.

8. Names of public employee(s) causing the damages you are claiming: CITY OF BENICIA STREET DEPT.

J. Garry Heaton 1/12/2015
Signature of Claimant Date

Any person who, with intent to defraud, presents any false or fraudulent claim may be punished by imprisonment or fine or both.

Note: YOU must file a claim in compliance with Government Code Section 911.2.

(revised 12/18/02)

→ THESE POT HOLES ARE A TRAFFIC HAZARD AND SHOULD BE REPORTED BY THE POLICE AND ALL OTHER CITY EMPLOYEES.

AGENDA ITEM
CITY COUNCIL MEETING DATE - FEBRUARY 24, 2015
CONSENT CALENDAR

DATE : February 2, 2015

TO : City Council

FROM : City Attorney

SUBJECT : **DENIAL OF CLAIM AGAINST THE CITY BY BRANDON A. KOFF AND REFERRAL TO INSURANCE CARRIER**

RECOMMENDATION:

Deny the claim against the City by Brandon A. Koff.

EXECUTIVE SUMMARY:

The claimant alleges that the alley between G & H Streets and 1st and East 2nd Streets has numerous pot holes and that while driving in the alley, he hit a pot hole and sustained an irreparable hole in the sidewall of his right car tire.

BUDGET INFORMATION:

This claim is for \$251.62.

GENERAL PLAN:

N/A.

STRATEGIC PLAN:

N/A-There is not a relevant Strategic Plan Goal that relates to this agenda item.

BACKGROUND:

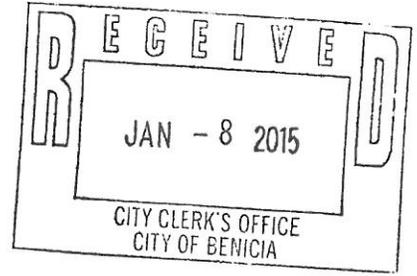
The claimant resides near the alley between G and H Streets and 1st and East 2nd Streets and should be aware of the condition of the alley and use care. Upon rejection of the claim, the City Clerk should issue a rejection notice to Mr. Koff using ABAG's Form Letter No. 3 of the ABAG Plan Claims Procedures Manual and process with proof of service by mail form. A copy of the rejection notice and proof of service by mail form should be sent to the Claims Examiner for ABAG Plan and the City Attorney.

Attachment:

- Claim Against the City

CLAIM AGAINST THE CITY OF BENICIA

Please return to the City Clerk, 250 East L Street, Benicia, CA 94510



Complete the following, adding additional sheets as necessary.

1. CLAIMANT'S NAME (Print): BRANDON A. KOFF

2. CLAIMANT'S ADDRESS: _____
(Street or P.O. Box Number, City, State, Zip Code)

HOME PHONE: _____ WORK PHONE: _____

3. AMOUNT OF CLAIM: \$ 251.62 (Attach copies of bills/estimates)

If amount claimed is more than \$10,000, indicate where jurisdiction rests:

Limited Civil Case _____
Unlimited Civil Case _____

4. Address to which notices are to be sent, if different from lines 1 and 2 (Print):

(Name)

(Street or P.O. Box Number, City, State, Zip Code)

5. DATE OF INCIDENT: 1/1/15 TIME OF INCIDENT: 8:00 am

LOCATION OF INCIDENT: ALLEY IN BETWEEN G & H AND 1ST & 2ND STREETS

6. Describe the incident or accident including your reason for believing that the City is liable for your damages: THERE ARE NUMEROUS POTHOLES IN THIS ALLEY. DRIVING THROUGH ALLEY IS DANGEROUS & THEY NEED TO BE REPAIRED SO NO FURTHER DAMAGE WILL HAPPEN TO ANY OTHER VEHICLES

7. Describe all damages which you believe you have incurred as a result of the incident: DUE TO MY VEHICLE DRIVING ACROSS ONE OF THE MANY POTHOLES IN THE ALLEY I SUSTAINED A HOLE IN THE SIDEWALL OF MY RIGHT REAR TIRE WHICH WAS NOT REPAIRABLE

8. Names of public employee(s) causing the damages you are claiming:

Brandon Koff
Signature of Claimant

1/8/15
Date

Any person who, with intent to defraud, presents any false or fraudulent claim may be punished by imprisonment or fine or both.

Note: YOU must file a claim in compliance with Government Code Section 911.2.

(revised 12/18/02)

AGENDA ITEM
CITY COUNCIL MEETING DATE-MARCH 3, 2015
CONSENT CALENDAR

DATE : February 17, 2015

TO : City Manager

FROM : Interim Community Development Director

SUBJECT : **APPROVAL OF A CONTRACT AMENDMENT AND BUDGET MODIFICATION FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES**

RECOMMENDATION:

Adopt a resolution approving a contract amendment not-to-exceed \$120,000 for FY 14/15 with Bureau Veritas, North America, Inc., for continued Building Official, plan review, and building inspection services, and authorize the City Manager to execute the contract amendment on behalf of the City.

EXECUTIVE SUMMARY:

Bureau Veritas (BV) has been providing contract assistance to the Building Division for nine years. The division currently consists of one full-time inspector and a technician shared with the Planning Division (compared to three full-time employees in 2009). Following a competitive request for proposals in 2006, Bureau Veritas entered into an agreement with the City for professional services including; building official services, plan review and on-call building inspection for the Building Division during busy times. To ensure that permits are processed in a timely manner, complex plans are sent to BV to perform architectural, structural, energy and/or accessibility review. The proposed contract adjustment will bring the contract amount into conformance with the amount of contract services anticipated in the 14-15 Budget.

BUDGET INFORMATION:

The Council-approved Fiscal Year 2014-15 Building Division budget includes \$120,000 for contract Building Official, plan review and inspection services (Account No. 010-4205-8106). The increase in the contract amount was anticipated during the budget process, but the contract was not modified to be consistent with the budget. This proposed contract revision will bring the contract into conformance with the budget.

GENERAL PLAN:

Relevant General Plan Goal and Policy:

- Goal 2.28: Improve and Maintain Public Facilities and Services

STRATEGIC PLAN:

Relevant Strategic Issues and Strategies and Actions:

- Strategic Issue 3: Strengthening Economic and Fiscal Conditions
 - Strategy 3.3: Retain and attract business

BACKGROUND:

Bureau Veritas (BV) has provided contract assistance to the Building Division for nine years. The Division currently consists of one full-time inspector and a technician shared with the Planning Division. The Division is supplemented by several services provided by BV:

- a 2/5 time contract Building Official
- Plan Checking services
- as-needed on-call building inspection services

The City has relied on contractors to assist the Building Division for approximately 10 years, including Bureau Veritas since 2004. Up until the retirement of the longstanding full-time Building Official in 2010, these services consisted of plan review and inspection services when workload for the three-person division was unusually high, during staff absences, or for specialized types of construction (such as at the Valero refinery).

With the freezing of the Building Official position, however, the Building Division has required part-time Building Official services, as well as plan check and inspection assistance on occasion. Bureau Veritas has been providing these additional services under a prior contract since January 2012.

As it has been some years since the City has engaged in competitive bidding for these building division services, the City is in the process of preparing an RFP. Staff did not modify the not-to-exceed contract amount of \$75,000 with BV to the budgeted amount of \$120,000 because staff expected to need to establish a new contract at the conclusion of the RFP process this spring.

However, an unexpectedly large building permit project was received that lead to an exceedance of the contracted amount for these services. Staff is therefore seeking an increase in the contract to cover this project review.

Attachments:

- Proposed Resolution
- Revised Rate Proposal
- Proposed Contract Amendment

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING A CONTRACT AMENDMENT IN THE AMOUNT NOT-TO-EXCEED \$120,000 FOR FISCAL YEAR 2014-2015 WITH BUREAU VERITAS FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

WHEREAS, a professional consulting firm is needed for building functions including architectural, structural, energy and accessibility plan review services as assigned by the Community Development Director; and

WHEREAS, Bureau Veritas has demonstrated the expertise necessary to provide the required professional services for the division.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Benicia approves the contract amendment in the amount not-to-exceed \$120,000 for Fiscal Year 2014-2015 with Bureau Veritas for professional services for the Building Division, Community Development Department and authorizes the City Manager to execute the agreement on behalf of the City, subject to approval by the City Attorney.

* * * * *

On motion of Council Member _____, seconded by Council Member _____, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 3rd day of March 2015, and adopted by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

ATTEST:

Lisa Wolfe, City Clerk

Date



February 11, 2015

City of Benicia
Teresa Olson
Community Development Department
250 East L Street
Benicia, CA 94510

Re: Updated Rates - 2015-2016 Fiscal Year

Dear Ms. Olson,

We are pleased to provide this updated rate sheet to include hourly rates for Project Inspectors for the City of Benicia. Below are the updated rates for your review and consideration.

Outside Plan Review*	60% for full plan review 40% for structural only
Building Official Services	\$100.00 per hour
ICC Certified Plans Examiner	\$95.00 per hour
ICC Certified Building Inspector	\$75.00 per hour
Permit Technician	\$60.00 per hour

*% is based on City collected plan review fee

Thank you for the opportunity to provide services. We are ready to start immediately.

Sincerely,

Michael Vieira, CBO
Director of Operations
180 Promenade Circle, Suite 150
Sacramento, CA 95834
T. 916.725.4200 / F. 916.725.8242
michael.vieira@us.bureauveritas.com

AMENDMENT TO AGREEMENT

This Amendment of the Agreement, entered into this _____ day of March, 2015, by and between the City of Benicia, a municipal corporation (“CITY”) and Bureau Veritas, a Delaware Corporation with its primary office located at 180 Promenade Circle, Suite 150, Sacramento, CA 95834, herein called “CONSULTANT”, is made with reference to the following:

RECITALS:

A. On April 13, 2007, an agreement was entered into by and between CITY and Bureau Veritas (“Agreement”). An amendment was executed on January 31, 2008, with addendums on January 26, 2012, October 4, 2012, and July 18, 2013.

B. CITY and CONSULTANT desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. Exhibit A (dated February 11, 2015) replaces the previous exhibit (dated June 11, 2013) and includes Building Official, Plan Review and Inspection Services for services after the date of this amendment.
2. Paragraph 3 (a) of the Agreement is modified to read as follows: Compensation. The total cost for services provided by CONSULTANT shall not exceed \$120,000.00 for fiscal year 2014-2015 at the rates set forth in Exhibit A.
3. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

Bureau Veritas

City of Benicia,
A Municipal Corporation

By _____

By _____ Date: _____
Brad Kilger, City Manager

APPROVED AS TO FORM:

Heather McLaughlin, City Attorney

AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
CONSENT CALENDAR

DATE : February 23, 2015

TO : City Council

FROM : Finance Director

SUBJECT : **EXECUTIVE SUMMARY FOR ENTERPRISE RESOURCE PLANNING
REQUEST FOR PROPOSAL**

RECOMMENDATION:

Review the draft Executive Summary for Enterprise Resource Planning Request for Proposal. This item is provided for information only. No action is needed.

EXECUTIVE SUMMARY:

The City of Benicia has prepared the Executive Summary for Enterprise Resource Planning (ERP) Request for Proposal (RFP). The Executive Summary will have four appendices, but only Appendix A is attached due to the size of the other documents. The other three appendices are available for review in the Finance Department. The tentative publishing date for the entire RFP is March 16, 2015.

BUDGET INFORMATION:

The request for proposal will determine the costs of replacing the City existing accounting software. The budget impact will be presented for consideration as part of the FY 2015-2017 biennial budget process.

GENERAL PLAN:

There is no impact on the City's General Plan.

STRATEGIC PLAN:

Relevant Strategic Plan Goals and Strategies:

- Strategy Issue #3: Strengthening Economic and Fiscal Conditions
 - Strategy #4: Manage City finances prudently

BACKGROUND:

Staff has prepared an Executive Summary for the Enterprise Resource Planning (ERP) Request for Proposal (RFP). The Executive Summary is a high level overview of the applications the City wishes to have replaced. The City is seeking a single, comprehensive software that can be utilized throughout the organization. The City is looking to purchase a multi-suite product where the various accounting and reporting modules are fully integrated throughout the ERP. The full ERP RFP will have

four appendices. Appendix A has been attached and provides the list of all the current applications the City is using and may be replacing. The other appendices are not attached to this Executive Summary, but include the City's standardized RFP language and the evaluation forms to allow the firm to discuss their products functionality and price structure. The full RFP will be available in the Finance Department, as well as, on the City's website. The anticipated release of the full RFP is March 16, 2015.

Attachments:

- Executive Summary for the City of Benicia's Enterprise Resource Planning Request for Proposal
- Appendix A: List of current technology applications in use at the City of Benicia.

-DRAFT-
REQUEST FOR PROPOSALS
REPLACEMENT OF ERP
(Enterprise Resource Planning)
Executive Summary
for

City of Benicia

RETURN PROPOSAL TO:

City of Benicia
ATTN: Karin Schnaider, Finance Director
250 East L Street
Benicia, CA 94510
(707) 746-4217



INTRODUCTION

Organization Overview

The City of Benicia, California, hereinafter referred to as "City", is a waterside city in Solano County, California, United States. The population was 26,997 at the 2010 census. The city is located in the San Francisco Bay Area along the north bank of the Carquinez Strait. It is a general law city operating under the City Council/City Manager form of government. The five-member Council is elected at-large. The community encompasses 15.7 square miles, and is bordered on the east of Vallejo and across the Strait from Martinez.

Benicia has a small but lively downtown commercial district, many parks, its own water production and distribution system, a wastewater collection and treatment system, and an active population which is interested and involved in the decision making processes of the City. The City is a full service organization offering Public Safety (including Police, Fire and Code Enforcement), Library, Parks & Recreation, Administration, Development Services (including Building and Planning), and Public Works (including Water, Sewer, Streets, and City Maintenance and Engineering).

Project Overview and Objectives

The City of Benicia requests proposals from qualified bidders for professional services to implement an Enterprise Resource Planning (ERP) and to provide support and maintenance through the next five to seven years and possibly beyond. To that end, the City is seeking proposals to engage the services of a qualified professional firm(s) experienced in conversion of historical data, general guidelines for proper work flow and security, templates for payroll, utility billing, payables, receivables, and others with ability to self-modify to match City expectations, start-up training and on-going support and maintenance of all applications.

By definition, an ERP system is a City-wide computer software system used to manage and coordinate all the resources, information, and functions of a business from shared data stores. An ERP system has a service-oriented architecture with modular hardware and software units and "services" that communicate on a local area network. The modular design allows the City to add or reconfigure modules while preserving data integrity in one shared database that may be centralized or distributed. The purpose of this contract is to ensure that the City is accurately accounting for all City provided services through one comprehensive accounting software purchase.



In this RFP, the City is considering the following modules: General Ledger, Payroll, Utility Billing, Cash Register, Accounts Receivable, Licensing (including Animal, and Business Licenses), Accounts Payable/Purchasing/Requisitions, Budget Modules including Position Control, Personnel (HR), Building Permit or Planning modules with consideration of GIS interface, Code Enforcement, Project/Grant Management, Work Orders, Bank Reconciliation, and E-Government Solutions including Web Payments and remote customer access.

SCOPE OF PROJECT OVERVIEW

1. *Project Tasks*

The firm must demonstrate how their products/modules have been developed/programmed/established (the firm's "system strengths") to meet Government Accounting Standards Board (GASB) and Generally Accepted Accounting Principles (GAAP) ("accounting process"). Project tasks shall include, but are not necessarily limited to, the following. If the firm includes additional tasks, they must be clearly identified in the firm's proposal.

1. The consultant will be expected to convert historical records from current, multiple platform software.
2. Evaluate the business environment and make recommendations for work flow and security levels.
3. Evaluate the current accounting processes and make recommendations for enhancements based upon system strengths.
4. Evaluate the current accounting structure and make recommendations for enhancements based upon system strengths.
5. Evaluate the current accounting reports and make recommendations for enhancements based upon system strengths.
6. Evaluate the current accounting procedures and make recommendations for enhancements based upon system strengths.
7. Provide step by step consultation and training throughout implementation, including but not limited to testing accuracy of data, sampling reports, and testing staffs understanding.
8. Provide one point of contact throughout implementation for which information should flow freely.



2. Timeline

The City intends to complete the process using the following schedule.

Request for Proposal Release	March 16, 2015
Vendor Proposal Responses Due	May 1, 2015
Finalists Notified	May 22, 2015
Vendor Demonstrations Completed	July 2015
Council Consideration/Contract Awarded	August 2015
Implementation/Training	October 2015-June 2016

CURRENT AND DESIRED ENVIRONMENT

Benicia City Government Profile

The City is currently comprised of nine departments. The city has 220 full time employees, 60 of whom are exempt, and average of 75 part-time expanding to 175 part-time during the summer. Employees are covered by nine MOUs.

The City has eleven off-site locations: a Library, Recreation Center, Aquatic Center, Police Department, Fire Stations (2), Corporation Yard, Office Space, Water Treatment Plant, and Wastewater Treatment Plant. All should have to access to the same information and transmit the same information; therefore, a cloud environment will be most beneficial for the City. Provide the best way to service these areas.

The City contracts with CALPERs for retirement with six concurrent tiers. The City reports electronically to CALPERs. Additionally, the City reports electronically to both the IRS and California Tax agencies for vendors 1099, sales taxes, and employee taxes.

The City has approximately 9600 Water and Sewer customers that are billed bi-monthly on the same utility bill. Each utility has rates that are billed both by connection fee and usage and consumption is billed by tiers.

The City desires to move as much as possible of its current work flow to a paperless environment. Please describe in the firm’s proposal, how the firm’s applications can eliminate the creation/need of paper and will facilitate a paperless workflow.

The City currently has 10 fulltime employees in Finance. The City will be providing access to other employees outside of Finance. These employees will be using the Requisition application, Utility Billing application, Time Keeping application, Building Permit application, Code Enforcement application, and ***all*** reporting/inquiry features of ***all*** modules. In addition, some users will be data entry users and some will be administrators who only provide approvals or want to complete analytics of the data. Please describe in the firm’s proposal how the firm’s products will enhance our work



flow without overwhelming the end user who is not familiar with the accounting side of the firm's products. Additionally, please describe the cost structure for user licenses.

Government Technology Environment

Current applications can be found in attachment A.

Financial System/Security and Safeguards should be interfaced and compatible with all modules provided by firm. It should be made very clear if **any** modules sold by firm are not fully integrated with any other modules sold by firm. Security should be covered in depth by firm including, but not limited to, restricted access to individual user IDs, administrative override functions, internal control over confidential information, and audit trails of user ID actions/approvals. Highlight any safeguards such as journal reconciliation, confirmation of active accounts, offset of cash or total fund caused by user input, or any other safeguards the firm wishes to highlight.

Ledgers and sub-ledgers should have drill down and drill up capability. A user should be able to pull the high summary report and drill down all the way to posting entry. Software should have cross directional ability to drill into other applications. For example an expenditure/revenue account should drill down to detail ledger then cross over to A/P or A/R to see vendor/customer detail. This process should be easy to use for non-accountants, but detailed enough to support audit work.

Budgeting/Forecasting should integrate with historical information in Financial System and Payroll/HR; should allow for multiple "trial" budgets to be open simultaneously; should allow for both flat or percentage scenarios applicable to individual accounts or a group of accounts; should import and export easily to Excel; should import directly to financial system once budget is finalized. Ideal software will have position control to allow for budgeting vacant positions and forecasting based upon individual pay codes.

Account Receivables should fully interface with the Financial System (both General Ledger and Subsidiary Ledgers). It should track at a minimum by customer name, account number/name, date, and amount. Interface with other modules is very desirable. The platform should be adaptable so as to allow for invoicing of Animal Licenses, Business Licenses, NSF and other fees and fines. Please explain the use of attachments and document storage features of these applications.

Cash Receipts (POS) is desired on-site and on-line and should have real-time and batch features. The POS should be able to reprint receipts upon demand with unique date/time and receipt/confirmation numbers printed on receipt. The POS should be able to take credit card, debit card, cash and check. The firm's proposal should include the cost per POS terminal/ on-line application. The City takes in payments from a



separate Library process and Recreation process. An import definition to allow for ease of data transfer with these systems is desired.

General Ledger and sub-ledgers should be able to trace back to batches reported in POS for cross reference between receipts and daily deposits. POS should also fully integrate with UB processing and Permit software. Describe if firm products can interface with Bank Reconciliation and include process to post ACH/EFT deposits.

Utility Billing should interface with Cash Receipts (POS) and fully interface with the Financial System. The Utility Billing module should interface with other modules, such as customers in Accounts Receivable or Permitting applications. The City should be able to customize bills to add comments, graphs, or other information. The City should be able to bill for both Sewer and Water or just one utility, if desired. The City should be able to implement a tiered rating fee structure, as well as, base connection fees; and the utility bill should be able to reflect how all individual rates affect a customer's bill. The City should be able to add penalties for late payments, generate shut off list, and make any manual overrides when necessary. The accounts should be traceable through both the customer and through the property address. It should track at a minimum by customer name, property address, unique account number, account type, date, and amount.

Reports should support audit of water accounts such as: providing high/low usage; accounts showing Water without Sewer accounts; when connection fee types do not match; change out requests for new customers or new meters; accounts that come in without readings; track shut-off accounts; aging reports; manual, scheduled, or other account changes; and more.

The City uses Itron water reading handhelds and MV-RS for data collection and route management. The Utility billing application must be compatible. The City is looking to replace current meters and migrate to remote reads in 1-3 years. In 5-10 years, the City is considering Budget Based Billing for Utility Rates. Please describe how the firm's product will meet these changes.

On-line bill pay is a must have for utility billing. Customers should be able to continue to pull up their account information and view history of usage, payments, and invoices. It is desirable to provide other services through E-government (E-gov) platform, such as allowing customers to open new account, change billing information, and make service requests. Should these services be provided, please explain their interface with work orders and utility billing. The proposal should discuss real-time or batch process that would take place and describe how the on-line information is extracted and imported into ERP. For paper bills, the City sends an electronic file to offsite printers from which they are mailed. Further payments are processed offsite, as well; please describe how the module would handle these needs.



Requisition/Purchasing/Accounts Payable should interface across multiple layers of authority. The product should allow for a user to type in at the department level, be processed and approved through a determined work flow, and be finalized in Accounts Payable. The application must be easy to use for non-accountants to create, process, and approve. The firm's modules should be fully integrated to the General and all subsidiary ledgers in the financial system module. Warrants should also be linked to Bank Reconciliation module with ease of determining outstanding checks. Accounts Payable must be able to transmit electronic files to vendors, IRS and California tax agencies, for example ACH/EFT payments, electronic PO's, 1099, and sales taxes information. The system should be able to produce batch transactions, ACH transactions, and real-time (or manual) transactions for individual transactions. Requisitions/Purchase Orders and Invoices should allow for one-time or recurring options, should allow for multiple accounts to be charged, and should allow for percentage/distribution charges. Please explain the use of attachments and document storage features of these applications.

Timekeeping/Payroll/HR should be interfaced so as to allow ***all*** employees to enter time electronically (on/off site), processed and approved through a determined work flow, and finalized and approved in Payroll. The time entry portion should be easy to use for non-accountants. The Payroll module should interface electronically with California State taxes, Unemployment Insurance, Medicare, IRS, and other mandated agencies for general reporting purposes. A firm's familiarity with CALPERs will set them apart from competing firms. Warrants should also be linked to Bank Reconciliation module with ease of determining outstanding checks.

It is desirable to have HR and Payroll be segregated yet fully interfaced, processed and approved through a determined work flow, and have strict security features to limit access to confidential information. It is also desirable to have position control, linked to on-line application/recruitment processing that will allow Personnel to better manage the recruiting process. It is also desirable that the position control be interfaced with the Budget module so as to make projections based upon vacant and filled positions. Please explain the use of attachments and document storage features of these applications.

Building Permits/Code Enforcement should fully interface with General Ledger and subsidiary ledgers. The modules ability to interface with other modules is very desirable, particularly with Business Licenses, GIS, and work orders. It should track at a minimum by customer name, property address, unique account number, account type, date, and amount. The firm should spend sometime in the proposal explaining how their firm can help establish these applications based upon consultation of workflow, established templates, and industry standards. Please explain the use of attachments and document storage features of these applications.



Work Orders currently only exist in Utility Billing and not any other applications. Please explain the work order application, such as scheduling of building inspections, facility maintenance/repair requests, or meter re-reads, and how they are used in the ERP. Please explain if work orders are only transmitted within the ERP or can they be pushed to Outlook and PDAs. Please clarify in the product description the notification process; this should include batch or real time processes. Please explain if work orders can be traced in Payroll/HR for time keeping and in General Ledger accounting structure for expenditure tracking. The ability to Interface with other modules is very desirable, particularly in Utility Billing and E-Gov solutions. The firm should spend sometime in the proposal explaining how their firm can help establish these applications based upon consultation of workflow, established templates, and industry standards.

Project/Grant Management Applications would be a new Module for the City. Please explain its applications and typical uses. Please explain how Grant or Project Management can enhance Payroll/HR for time keeping and in General Ledger accounting structure for expenditure tracking and reporting receivable to granting agencies. The module's ability to interface with other applications should be highlighted in the proposal. The firm should spend sometime in the proposal explaining how their firm can help establish these applications based upon consultation of workflow, established templates, and industry standards.

Asset/Inventory Management should be a comprehensive asset/inventory management application. The City currently uses various systems to management its assets. Please explain how Asset/Inventory Management can enhance the General Ledger accounting structure for expenditure tracking and how it can be used to enhance annual financial reporting. The proposal should describe the interface functionality of this module, particularly Accounts Payable/Purchasing and Project/Grant Management. The proposal should explain how the firm can help establish these applications based upon consultation of workflow, established templates, and industry standards.

E-Government (E-Gov) Solutions (Internal and External Customer Usage) Please explain how E-Gov solutions can enhance the General Ledger accounting structure for expenditure and revenue tracking, payroll reporting, and external customer requests and payments. Please describe the E-Gov solutions for all modules and how the firm products are adapting to enhancements in technology and demands for real-time reporting and transparency. The proposal should explain how the firm can help establish these applications based upon consultation of workflow, established templates, and industry standards.

Third Party Systems should list all third party applications which interface directly with the ERP. The City maintains the attached applications, list possible interfaces for these systems. The City is also considering a GIS system. The proposal should speak specifically to how the ERP will integrate with a GIS system.



BID EVALUATION PROCESS

Evaluation Procedures

The project's core implementation team, comprised of City staff, will be responsible for the bid evaluations. This team, in accordance with the criteria listed below, will evaluate all proposals received as specified. The City team members, in applying the major criteria to the proposals, may consider additional sub-criteria beyond those listed. During the evaluation period, the team may elect to interview some or all the proposing firms. The firm's project manager(s), who will be directly responsible for oversight of the implementation of the contract, if awarded, should be present at the oral interview.

The project's core implementation team, comprised of City staff, will review all proposals received as part of a documented evaluation process. For each decision point in the process, the City will evaluate proposers according to specific criteria and will then elevate a certain number of proposers to compete in the next level. Proposers not previously elevated may be elevated at a later date.

The sole purpose of the proposal evaluation process is to determine which solution best meets the City's needs. The evaluation process is not meant to imply that one proposer is superior to any other, but rather that the selected proposer can provide and has proposed the best software and implementation approach for the City's current and future needs based on the information available and the City's best efforts of determination.

The proposal evaluation criteria, which will be developed by the Evaluation Committee prior to opening of proposals, should be viewed as standards that measure how well a proposer's approach meets the desired requirements and needs of the City. The criteria that will be used to evaluate proposals may include, but are not limited to, the following:

- Cost
- Response to Attachment 14 (Functional Requirements)
- Software Demonstrations
- Implementation Approach
- Past Experience with Similar Organizations and References
- Proposed Integration to Other Modules / Systems in RFP Scope
- Technical Compatibility
- Proposed Hosting Services and Service Level Guarantees
- Overall Understanding of the City's Needs and Project Risk Mitigation
- Project Management Approach
- Compliance with Contract Terms and Conditions
- Background and experience in organizational analysis evaluation.
- Staff expertise and overall experience of personnel assigned to the work.



The City reserves the right to determine the suitability of proposals on the basis of any or all of these criteria or other criteria not included in the above list. The City's evaluation team will then make a recommendation to be approved by the City's steering committee to elevate proposals for software demonstrations, discovery, and final contract negotiations.

Although price for the services will be an important part of the consideration for award of the project, the City will consider the consultant's qualifications, expertise and level of professional service and advice in the award of the project.

It is the City's intention to award a contract based on the information contained within the proposals received, as well as information obtained from other sources.

The City reserves the right to make an award without further discussion of the proposal submitted. The proposal should be initially submitted on the most favorable terms the vendor can offer. The respondent shall specifically stipulate that the proposal is predicated upon the acceptance of all terms and conditions stated in the Request for Proposal. It is understood that the proposal will become a part of the official file on this matter without obligation to the City.

The foregoing should not be interpreted to prohibit either party from proposing additional terms and conditions during negotiation of the final contract.

The City reserves the right to amend, withdraw, and/or cancel this RFP at any time. The City reserves the right to reject any and all proposals, to waive any informality, defect, or irregularity in a proposal, to alter the selection process in any way, to postpone the selection process at any time, to accept or reject any individual sub-consultant that a firm proposes to use, and/or to decide whether or not to contract with any firm. Nothing in this RFP shall be construed to obligate the City to negotiate or enter into a contract with any particular firm(s). This RFP shall not be deemed to be an offer to contract or to enter into a binding contract or agreement of any kind.

Attachments

1. Appendix A: List of the City of Benicia's current technology environment
2. Appendix B: Request for Proposal
3. Appendix C: Electronic Attachment City of Benicia Response Requirement Template.



RFP Inquiries

All inquiries related to this RFP should be directed to Karin Schnaider, Finance Director:

City of Benicia

Attn: Karin Schnaider, Finance Director

250 East L Street Benicia, CA 94510

Email: kschnaider@ci.benicia.ca.us.com Phone: (707) 746-4217

RFP Submission Requirements

The written proposal should include all attachments and exhibits, submitted as follows: one original (unbound), three paper copies, and one copy on CD-ROM in Microsoft Word/Excel or pdf format.

The complete bid package, including all attachments and requisite copies, should be sealed and marked "Proposal for ERP" and delivered to the City Manager's office at City Hall, 250 East L Street Benicia, CA 94510, no later than 4:00 p.m. on May 1, 2015. An incomplete or partially complete package may disqualify a firm's proposal. Completion of Appendix C is a critical factor in evaluation of the firm's proposal.

Written proposals received after the RFP Submission Deadline (or Closing Date) will not be accepted. Late proposals will be returned unopened to the Firm. Unless resulting from a material change made by the City in writing, modifications or corrections received after the RFP Submission Deadline (or Closing Date) will be rejected.

Appendix A

Application	Functionality	Considering replacement as part of ERP
SunGard BiTech IFAS 7.6	Financial System, General Ledger, Account Receivables, Accounts Payable, Payroll	Yes
Disclmage	Document Management	Yes
Custom Access Database	HR	Yes
Acella	Permitting & Business Licenses	Yes
SAGE	Fixed Assets	Yes
RTA	Fleet Management	Yes
Telestaff	Scheduling, Time Keeping (Fire Only)	Yes
PlanIT	CIP planning	Yes
Harris Northstar	Utility Billing	Yes
GovPartner ReqeustPartner	Citizen service request system	Yes
GovPartner GovDelivery	Citizen notification system	Yes
GovPartner GovOffice	City website	No
NeoGov	New hire applicant tracking software	No
Itron MVRS	Water Data collection	No
Carl.X	Library Automation System	No
Class	Recreation Scheduling	No

AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
CONSENT CALENDAR

DATE : February 9, 2015

TO : City Council

FROM : City Manager

SUBJECT : **MARIN CLEAN ENERGY (MCE) OUTREACH PLAN**
IMPLEMENTATION - MONTHLY UPDATE

RECOMMENDATION:

Review status of MCE Outreach Plan implementation.

EXECUTIVE SUMMARY:

On November 4, 2014, the City Council voted to join Marin Clean Energy (MCE), a community choice aggregation program that will provide Benicia customers with renewable electricity. As part of this program, MCE completes extensive outreach in the community to educate customers about its program and their choice of energy providers. The draft Outreach Plan was presented to the City Council for review and comment on February 3, 2015. MCE incorporated comments received, finalized the plan, and launched the outreach campaign on February 19, 2015. City Council will receive monthly updates on the status of Outreach Plan implementation at the first meeting of each month through July 2015.

BUDGET INFORMATION:

Staff time needed to assist in facilitating community outreach and implementation of the CCA program is already included in the CAP Coordinator's 2014-15 work plan. Some additional staff time will be needed to support the CAP Coordinator in responding to community questions or attending any workshops during the opt-out phase.

ENVIRONMENTAL REVIEW:

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. City staff, in consultation with the City Attorney, concluded that potential environmental impacts are speculative in nature and require no further analysis at this time.

GENERAL PLAN:

The project supports the overarching Goal of the General Plan, which is Sustainability.

STRATEGIC PLAN:

Relevant Strategic Plan Issues and Strategies:

- Strategic Issue #2: Protecting and Enhancing the Environment
 - Strategy #1: Reduce greenhouse gas emissions and energy consumption
 - Strategy #3: Pursue and adopt sustainable practices

BACKGROUND:

Community Choice Aggregation (CCA) allows local governments to purchase and/or develop clean power on behalf of their residents, businesses, and municipal accounts. CCA is an energy supply model that works in partnership with Pacific Gas & Electric (PG&E), which delivers renewable electricity, maintains the energy grid, and provides customer service and billing. Below is overview of the City's timeline to join MCE and launch outreach:

- *June 17, 2014*, the City Council allocated \$18,000 in Valero Good Neighbor Steering Committee Settlement Agreement funds and authorized the City Manager to execute a contract with MCE.
- *September 9, 2014* study session, Council directed staff to assess the need for further outside review of the pending MCE Membership Analysis.
- *September 10, 2014*, staff received the completed MCE analysis concluding that Benicia joining MCE would have a net beneficial impact on MCE's current customers and likely reduces near term electrical energy costs for Benicia residents and businesses.
- *October 7, 2014* the City Council directed staff to schedule a special Community Sustainability Commission meeting and request that the CSC allocate \$30,000 from the Valero Good Neighbor Steering Committee Settlement Agreement funds to cover the cost of independent analyses prepared by MRW & Associates and Davis Wright Tremaine, LLP. The CSC did make this recommendation on October 14, 2014.
- *October 22, 2014*, independent analyses were completed.
- *November 4, 2014*, the Council reviewed these reports and determined that the benefits of joining MCE outweighed the risks and voted unanimously to adopt the enabling resolution and introduce the ordinance approving the Marin Clean Energy (MCE) Joint Powers Agreement and authorizing the implementation of a CCA program.
- *November 18, 2014*, the second reading of the required ordinance passed and Benicia joined MCE.

- *February 3, 2015*, MCE presents draft Outreach Plan to City Council and public.
- *February 19, 2015*, outreach officially launches and first Opt Out Notice is mailed to Benicia customers.
- *May 2015*, MCE begins to provide electricity service to customers. Service begins on each customers "meter read" date.

Activities Completed – February 2015

- MCE contacted community groups listed in the Outreach Plan presented to Council on February 3 to schedule educational workshops and presentations to inform their members about their energy option. Below is a list of confirmed outreach or presentations scheduled:
 - Arts Benicia – will distribute via Facebook
 - Benicia League of Women Voters – distribute information via existing email list
 - Benicia Rotary – presenting March 10th
 - Women's Friendship Club – presenting April 30th
- Identified residents to be part of ad campaign (billboards – locations *to be determined as of February 18th*).
- MCE also invited individuals to take part in the Community Leader Advisory Group (CLAG).
- Developed the Final Outreach Plan (attached).
- Sent out the first enrollment notice (attached) on February 19th to approximately 13,000 customers.
- Reminded City Council about the first opt out notice, provided an update on implementation progress, and provided each member with MCE Basics (attached), a one page document with basic information about MCE and contact info for MCE customer service staff (all City staff received this document). Future updates will happen at the first Council meeting of each month through July 2015.
- MCE staff had a table outside the Finance Department on February 24th and 25th (the two days following when the first enrollment notice landed in mailboxes) to respond to customer walk-ins and phone calls.
- Worked with CAP Coordinator to update the Finance Department's outgoing message to mention MCE staff assistance on the 24th and 25th and MCE's customer service phone number.

Attachments:

- Benicia Community Outreach Plan
- Notice 1
- MCE Benicia – The Basics

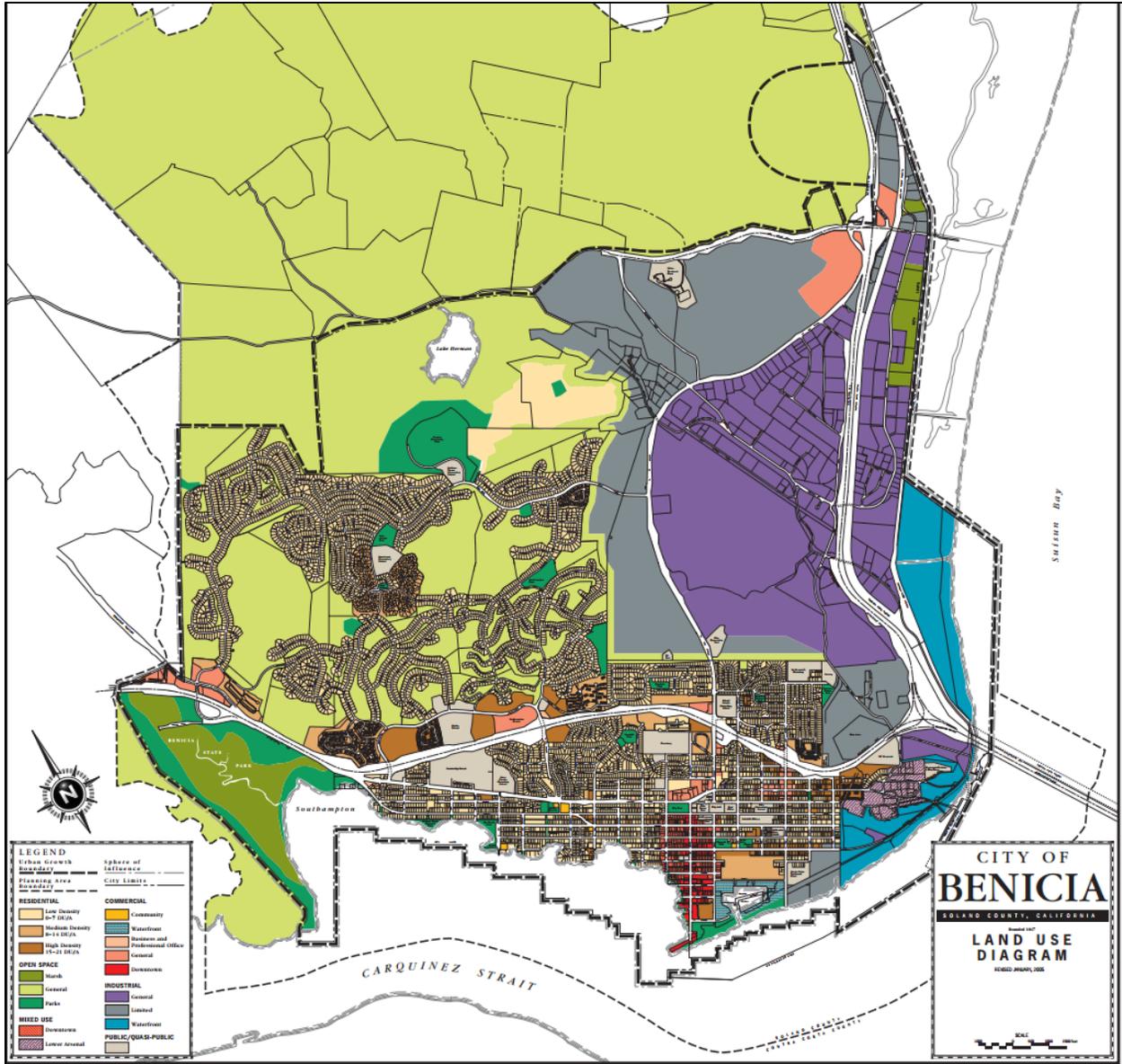


MCE Benicia Community Outreach Plan

February 2015



THE CITY OF
BENICIA
CALIFORNIA



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Outreach Plan Overview

This document is intended to serve as a roadmap for Marin Clean Energy's (MCE) community outreach and implementation strategy for Benicia electricity customers. It provides an overview of the presentations, meetings, events, and other informational venues to be organized and attended by MCE to facilitate community understanding of MCE and the new electricity options. The goal is to ensure all electric customers will be equipped with the information necessary to make informed decisions about their electric service provider.

The Benicia Community Outreach Plan combines strategies used successfully for general outreach in Marin (2010-2012), Richmond (2013), and unincorporated Napa County in (2014-15) with targeted strategies based on analysis of the electricity accounts in Benicia, recognizing the unique characteristics and different information channels of this new service territory.

Introduction to MCE Benicia

On November 18, 2014¹, the Benicia City Council voted to join MCE to give residents and business a choice in where their power is purchased. This decision followed an MCE membership analysis and an independent analysis by MRW & Associates and Davis Wright Tremaine, LLP. The MCE Board voted to admit the City of Benicia into the MCE program at its October 2, 2014² meeting. MCE's service area also includes Marin County, unincorporated Napa County, the City of Richmond, the City of San Pablo, and the City of El Cerrito. The MCE Implementation Plan that includes Benicia was submitted to the California Public Utilities Commission on November 21, 2014 and was approved on December 1, 2014.

MCE offers Benicia residents and businesses a choice of affordable, renewable energy in competition, but also in partnership, with PG&E. For customers who choose MCE, PG&E continues to provide electric delivery services including operating power lines, reading meters, issuing monthly bills and providing the same maintenance and repair services it always has. MCE determines the source of power, called electric generation, and replaces what PG&E would otherwise charge for generation.

As a not-for-profit, community-based electricity provider, MCE gives the Benicia community more local control as to how and where its ratepayer dollars are spent. To this end, MCE's priorities include reinvesting revenues toward 1) reducing energy-

¹Minutes of the November 18th City Council Meeting: <http://www.ci.benicia.ca.us/vertical/sites/%7B3436CBED-6A58-4FEF-BFDF-5F9331215932%7D/uploads/MINI111814.pdf>

² Minutes of the October 2nd MCE Board of Directors Meeting: http://marincleanenergy.org/sites/default/files/board-meeting/11.6.14_Board_Packet.pdf

related greenhouse gas emissions; 2) supporting local energy efficiency and renewable generation projects; and 3) maintaining competitive rates.

Because California State law (Assembly Bill 117, 2002) requires Community Choice Aggregation (CCA) programs like MCE to operate as opt out programs, customers will be automatically enrolled with MCE in May 2015 (on their meter read date, which varies by customer) unless they choose to opt out and continue purchasing PG&E's energy supply.

Residents and businesses in the City of Benicia will soon have four choices for their electricity supply: MCE Light Green 50% renewable; MCE Deep Green 100% renewable; MCE Local Sol 100% local solar; or PG&E's 22%³ renewable energy.

Light Green is MCE's default service for automatic enrollment. If customers take no action, this is the level they will be enrolled in. Deep Green and Local Sol are voluntary programs also available to Benicia electric customers.

MCE will be offering Light Green service to Benicia customers beginning May 1, 2015. MCE will send five notices to all electricity customers with instructions on how to opt out and stay with PG&E's electricity supply (three notices before enrollment and two after service starts). After customers receive their first notice, they may request to opt out at any time. The first notice is scheduled to be mailed February 19, 2015.

Deep Green® is now available to Benicia customers. Early requests to enroll in MCE's Local Sol 100% local solar option are also being accepted and added to the waitlist. Service for Local Sol will begin in fall 2015.

Benicia Demographics & Outreach Strategy Overview

The City of Benicia covers an area of approximately 13 square miles with a population of roughly 27,500⁴ and 13,105 electricity accounts. The ethnic composition of Benicia is primarily Caucasian (72.5%) with a significant Hispanic/ Latino population (12%)⁵ and a significant Asian population (11%); 15% of Benicia speaks a language other than English at home⁶. The most representative age segment (19%) is 35 to 44⁷. The median Household Income is \$88,502⁸. Ninety four percent of residents in Benicia graduated high school or have a higher degree.⁹

³ Most recently reported by PG&E.

⁴ <http://quickfacts.census.gov/qfd/states/06/0605290.html>

⁵ <http://quickfacts.census.gov/qfd/states/06/0605290.html>

⁶ <http://quickfacts.census.gov/qfd/states/06/0605290.html>

⁷ http://www.ci.benicia.ca.us/search/index.asp?Type=B_LIST&SEC=%7B30026364-0917-437F-A0E9-94A9F9041984%7D

⁸ <http://quickfacts.census.gov/qfd/states/06/0605290.html>

⁹ <http://quickfacts.census.gov/qfd/states/06/0605290.html>

MCE will educate the general customer base including residential, commercial, industrial, and municipal account holders through communitywide outreach. MCE will also implement targeted outreach strategies to specific community groups (e.g. service clubs, nonprofits, chambers of commerce, etc.). Outreach strategies are tailored to the community and will be reviewed by the Community Leader Advisory Group (CLAG).

Community Leader Advisory Group (CLAG)

Local input is central to MCE's mission, so forming a Community Leader Advisory Group (CLAG) to guide outreach efforts is a priority. MCE proposes that the CLAG be composed of representatives from industry and business associations, community organizations (sustainability, English as a Second Language (ESL), and senior focused), and local government officials/staff. MCE will ensure that invited CLAG participants include community members who are openly opposed to Benicia's inclusion in MCE, as well as those who are supportive, and/or undecided. Participation in the CLAG will be purely on a volunteer basis, open to all types of stakeholders. Participants are invited based on consultations with city staff and council. Specific duties of the CLAG include:

1. Meet to advise on outreach. The primary purpose of the CLAG is to advise MCE in its customer outreach and marketing strategies. This group will provide valuable insight to MCE on community needs and help determine strategies for public engagement, outreach opportunities, and venues for reaching a broad cross-section of Benicia.
2. Assist in drafting enrollment notices. CLAG participant feedback will be incorporated into the notices.
3. Help organize and promote public Town Hall-style meetings. These meetings will provide an additional venue for MCE and Benicia City Council to provide residents and businesses information and answer questions about the new energy choices available.

Communitywide Outreach Strategies

MCE's goal is to reach a broad cross-section of the Benicia community (i.e. a demographically and socio-economically diverse collection of neighborhoods) and as much of the Benicia community as possible with general outreach.

Mailed Notices

Enrollment notices will be sent to every electricity customer in Benicia, as required by California law. Specifically, California law requires that four such notices be sent; MCE will send five (as done in the past) as part of its effort to help energy customers make an informed decision. The CLAG will be consulted for feedback on content within the notices. The notices will be printed in English and Spanish and include MCE's Terms and Conditions of Service with instructions for how to opt out and stay with PG&E's

electricity supply. Three notices will be delivered before enrollment which is scheduled to occur for all customers between May 1, 2015 and May 31, 2015, depending on individual electric meter read dates. Customers will be transferred to MCE service on their regularly scheduled meter read date unless they choose to opt out. Two additional notices will be mailed to customers after enrollment. There is no fee to opt out if done before service starts or within 60 days of the start of MCE service. Customers who opt out after this time period will be subject to a one-time \$5 (residential) or \$25 (commercial) administrative fee. Customers will also be subject to PG&E's terms and conditions of service and will not be able to return to MCE service for 1 year¹⁰.

The printed notices will also include a referral to the website, which is available in Spanish and has online Google translation options for other languages (e.g. Chinese, Lao, and Vietnamese).

Benicia Enrollment Notice Schedule:

Notice 1 (*letter*)

- Customer Groups 1&2: February 2015

Notice 2 (*letter*)

- Customer Group 1&2: March 2015

Notice 3 (*trifold brochure*):

- Customer Group 1&2: April 2015

[May ENROLLMENT]

Notice 4 (*trifold brochure*):

- Customer Group 1: Second week of May 2015
- Customer Group 2: Fourth week of May 2015

Notice 5 (*trifold brochure*):

- Customer Group 1: Second week of June 2015
- Customer Group 2: Fourth week of June 2015

The fourth and fifth notices are delivered to customers depending on the date of MCE service start (e.g. some start first week of May and others the second week of May). Customers will receive their fourth notice within the first 30 days of service and their fifth notice between 30 and 60 days of service per state law. MCE cannot guarantee that Notice 5 will be received in enough time to allow a customer to opt out prior to reaching the 60 days of service mark; they will have had 4 prior opportunities to do so. How many days a customer has to opt out after receiving the fifth notice depends on their meter read date.

If a customer opts out before the start of MCE service (May), they will not receive a fourth or fifth enrollment notice.

¹⁰More information on PG&E's terms of service can be found here: <http://www.mcecleanenergy.org/terms/>

Customer Service

MCE has a call center dedicated to responding to assisting customers with questions, and processing opt outs and Deep Green enrollments. Call center representatives are available 24 hours a day, 7 days a week between November 4, 2014, and August 1, 2015 to process opt out requests and provide information (opt outs can only be processed after the first enrollment notice is mailed on February 19th). The call center number is 1 (888) 632-3674 and the following languages are available: Spanish, Vietnamese, Mandarin, Cantonese, Tagalog, and Laotian. The info@mceCleanEnergy.org email address is monitored and maintained by MCE senior customer service staff and it is MCE's policy to make all reasonable efforts to respond to emails within one business day whenever possible. Customers can opt out via the info@mceCleanEnergy.org email as well by sending their PG&E account number, name and address.

MCE also offers new member communities in-office staff support after the first and second enrollment notices are mailed to customers. MCE will locate a staff member in Benicia at a location specified by the City to be available during business hours on the day after the first notice is scheduled to be delivered in mailboxes and the day following to assist with questions from City Staff and community members, as well as to help process opt out requests.

Advertising

MCE further seeks to inform Benicia ratepayers about community choice aggregation and the enrollment process via conventional advertising methods.

- Benicia Herald
- Benicia Magazine
- Billboards
- Geographically targeted web based advertising

MCE Benicia Webpage

MCE will create a webpage dedicated to the Benicia enrollment and include the URL on customer outreach materials. The webpage will include the enrollment timeline, information on the choices available to customers including the choice to opt out, a calendar of community events where MCE will present, and local related news articles.

Targeted Outreach Strategies

The following outreach strategies and lists will be presented to City Officials and CLAG participants for review and feedback.

Community Based Organizations

MCE will contact community based organizations to offer a presentation (at a meeting or community event), to provide information for newsletters or websites, and/or to partner in any other way to inform their audience about MCE's service. Community based organizations/forums/facilities include:

- Arts Benicia
- Benicia Amateur Radio Club
- Benicia Bicycle Club
- Benicia Community Action Council
- Benicia Community Center
- Benicia Community Gardens
- Benicia Emergency Response Team
- Benicia Family Resource Center
- Benicia Historical Society
- Benicia Improvement District
- Benicia Kiwanis
- Benicia League of Women Voters
- Benicia Main Street
- Benicia Poets
- Benicia Public Library
- Benicia Rotary
- Benicians for a Safe and Healthy Community
- Benicia Soroptimists
- Benicia State Parks Association
- Benicia Tree Foundation
- Catholic Charities of Solano County
- Families in Transition
- Lions Club
- Neighborhood Watch Group
- NextDoor
- Raleighs Supermarket
- Safeway Supermarket
- Solano Square
- Southampton Shopping Center
- WattzOn

Tabling Community Events

MCE will participate in community events to distribute MCE information and literature. Events will include:

- Farmers Market (April to October)
- Earth Day (April 21)
- Wine & Chocolate Walk (February 7)
- Benicia In Bloom (May 16 &17)
- Benicia Mini Maker Faire (Mar 28)

City Commissions and Boards

- Arts & Culture Commission
- Benicia City Council
- Civil Service Commission
- Community Sustainability Commission
- Economic Development Board
- Finance Committee
- Historic Preservation Review Commission
- Housing Authority Board
- Human Services Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Traffic, Pedestrian and Bicycle Safety Committee
- Youth Commission

Homeowners' Associations

- Bay View Villas
- Benicia Marina
- Costa Vista
- Hampton Bay
- Rancho Benicia
- Portside Village

Schools

- Benicia Unified School District
- Parent Teacher Association (PTA)

Places of Worship

- Benicia Fellowship Church
- Benicia Lutheran Church
- Bridge Eastgate Christian Church
- Calvary Community Church
- Community Congregational Church of United Church of Christ
- Jesus our Restorer
- Lighthouse Covenant Fellowship
- New Harbor Community Church
- Northgate Christian Fellowship Church
- St. Paul's Episcopal Church

- Emmanuel Apostolic Church
- First Baptist Church of Benicia
- Heritage Presbyterian Church at Benicia
- St. Dominic's Church
- The Gateway

Individuals for whom English is a Second Language

MCE will also focus specific outreach to individuals to whom English might be a second language. 15% of Benicia residents speak a language other than English at home, the most common language being Spanish followed by Asian and Pacific Islander languages¹¹. It is important to MCE that all residents and business understand the change to their electricity service and are able to make informed decisions.

MCE has a Spanish website, will provide Spanish printed informational materials, and also has Spanish speaking customer service specialists available through our call center. There are also call center translation options for Cantonese, Mandarin, Tagalog, Lao, and Vietnamese.

MCE will contact community based organizations to offer a presentation (at a meeting or community event), to provide information for newsletters or websites, and/or to partner in any other way to inform their audience about MCE's coming service. Organizations will include:

- Adult Literacy Program of the Benicia Public Library

Seniors

Because elderly individuals are often on fixed incomes or have special electricity discounts, MCE makes outreach to seniors a priority. While MCE service is less expensive than the Pacific Gas & Electric Company (PG&E) (as of January 2015), MCE considers it particularly important for individuals on fixed incomes to understand their electricity options and to know that discounts like the California Alternative Rates for Energy (CARE) and Family Electric Rate Assistance (FERA) are unaffected by MCE service and continue to be managed and billed by PG&E. If a customer is already enrolled in these programs, they do not need to do anything if they elect to stay with MCE. MCE will reach out to organizations serving senior citizens and retirement homes in Benicia.

MCE will contact community based organizations that work specifically with seniors to offer a presentation (at a meeting or community event), to provide information for newsletters or websites, and/or to partner in any other way to inform their audience about MCE's coming service. Organizations will include:

¹¹ <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

- Area Agency on Aging
- Benicia Senior Center
- Casa Vilarassa

Commercial/Industrial

Commercial and industrial customers consume the majority of electricity in Benicia. Because these sectors are quite diverse, extensive general commercial/industrial outreach in Benicia will be an important component of outreach.

MCE will contact organizations/boards that work with Benicia businesses to offer a presentation (at a meeting or community event), to provide information for newsletters or websites, and/or to partner in any other way to inform their audience about MCE's coming service, including the following:

- Benicia Industrial Park Association (BIPA)
- Chamber of Commerce*
- Economic Development Board

MCE will directly contact all large commercial and industrial businesses and employers to offer a presentation about MCE (to key staff or all staff), and to provide information for their employees. The list will be taken from MCE's electricity account information.

The following list of the top ten employers (in order) in Benicia is included on the City of Benicia's website. The number of employees for each organization is represented in parenthesis:

- Valero Refining Company (531)
- Dunlop Manufacturing (209)
- Bio-Rad Laboratories (197)
- Cytosport (187)
- Coca-Cola Bottling Co. (145)
- APS West Coast Inc. (131)
- Radiator Express Warehouse Inc. (130)
- Cycle Gear Inc. (121)
- The Pepsi Bottling Group (120)
- American Civil Constructors (109)

Analysis of Strengths, Challenges and Opportunities

Strengths

- MCE's stable and affordable rates
- Generous Net Energy Metering program
- Increased renewable energy supply
- Reduced greenhouse gas emissions
- Community choice

Challenges

- Correcting misinformation
- Locating marketing and advertising opportunities that specifically target Benicia
- Making sure all customers are informed of their choices

Opportunities

- Overlap between target sectors
- Well organized community based organizations and trade organizations
- Community emphasis on sustainability
- Ability to offer tailored energy efficiency (EE) programs in the future (2016)

General Outreach Timeline

January

- Develop MCE Benicia webpage (www.mceCleanEnergy.org/Benicia)
- Present community outreach plan to MCE Executive Committee – January 21

February

- Present community outreach plan to Benicia City Council – February 3, 2015
- Meet with Benicia City officials for feedback and direction on community outreach plan
- Invite community leaders to join the Community Leader Advisory Group (CLAG)
- First CLAG meeting to discuss outreach lists and enrollment notices
- Commence advertising campaign
- Contact community groups and offer to present at their meetings and events
- Present to organizations, attend organizational events, and circulate MCE information in community newsletters and on websites (February onward)
- Mail enrollment notice 1 (letter) – February 19, 2015

March

- Mail enrollment notice 2 (letter)

April

- Mail enrollment notice 3 (trifold brochure)
- Second CLAG meeting
- First MCE and City hosted community workshop
- Advertising campaign ends

May

- Enroll customers with MCE Light Green 50% renewable energy service
- Mail enrollment notice 4 to first half of enrolled customers (trifold brochure)
- Mail enrollment notice 4 to second half of enrolled customers (trifold brochure)

June

- Second MCE and County hosted community workshop
- Mail enrollment notice 5 to first half of enrolled customers (trifold brochure)
- Mail enrollment notice 5 to second half of enrolled customers (trifold brochure)

Outreach Lists

Community Based Organizations

- Arts Benicia
- Benicia Amateur Radio Club
- Benicia Bicycle Club
- Benicia Community Action Council
- Benicia Community Center
- Benicia Community Gardens
- Benicia Emergency Response Team
- Benicia Family Resource Center
- Benicia Historical Society
- Benicia Improvement District
- Benicia Kiwanis
- Benicia League of Women Voters
- Benicia Main Street*
- Benicia Poets
- Benicia Public Library
- Benicia Rotary
- Benicians for a Safe and Healthy Community
- Neighborhood Watch Group
- Benicia Soroptimists
- Benicia State Parks Association
- Benicia Tree Foundation
- Catholic Charities of Solano County
- Families in Transition
- Lions Club
- NextDoor
- Raleighs Supermarket
- Safeway Supermarket
- Solano Square
- Southampton Shopping Center
- WattzOn

City Commissions and Boards

- Arts & Culture Commission
- Benicia City Council
- Civil Service Commission
- Community Sustainability Commission
- Economic Development Board
- Finance Committee
- Historic Preservation Review Commission
- Housing Authority Board

- Human Services Board
- Planning Commission
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Traffic, Pedestrian and Bicycle Safety Committee
- Youth Commission

Events to consider presence/sponsorship

- Farmers Market (April to October)
- Earth Day (April 21)
- Wine & Chocolate Walk (February 7)
- Benicia In Bloom (May 16 & 17)
- Benicia Mini Maker Faire (Mar 28)

Homeowners Associations

- Bay View Villas
- Benicia Marina
- Costa Vista
- Hampton Bay
- Rancho Benicia
- Portside Village

Schools

- Benicia Unified School District
- Parent Teacher Associations (PTA)

Houses of Worship

- Benicia Fellowship Church
- Benicia Lutheran Church
- Bridge Eastgate Christian Church
- Calvary Community Church
- Community Congregational Church of United Church of Christ
- Emmanuel Apostolic Church
- First Baptist Church of Benicia
- Heritage Presbyterian Church at Benicia
- Jesus Our Restorer
- Lighthouse Covenant Fellowship
- New Harbor Community Church
- Northgate Christian Fellowship Church
- St. Paul's Episcopal Church
- The Gateway
- St. Dominic's Church

ESL Organizations

- Adult Literacy Program of the Benicia Public Library

Senior Organizations

- Area Agency on Aging serving Napa and Solano Counties
- Benicia Senior Center
- Casa Vilarassa

Business Organizations

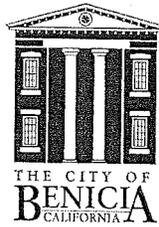
- Chamber of Commerce*
- Benicia Industrial Park Association (BIPA)*
- Economic Development Board

Large Employers

- Valero Refining Company (531)*
- Dunlop Manufacturing (209)
- Bio-Rad Laboratories (197)
- Cytosport (187)
- Coca-Cola Bottling Co. (145)
- APS West Coast Inc. (131) Ampports
- Radiator Express Warehouse Inc. (130)
- Cycle Gear Inc. (121)
- The Pepsi Bottling Group (120)
- American Civil Constructors (109)

Advertising

- Benicia Herald
- Benicia Magazine
- Billboards
- Geographically targeted web based advertising



<ACCOUNT HOLDER NAME>
 <ADDRESS 1>
 <ADDRESS 2>
 <CITY><STATE><<ZIP>

February 19, 2015

Your electric account(s) will be enrolled with MCE's low-cost, greener power in May 2015 - unless you choose another option.

The Benicia City Council has voted to join MCE, a not-for-profit, community-based organization that partners with PG&E to provide your electric service. MCE offers choices for 50-100% renewable energy from solar, wind, bioenergy, geothermal and hydroelectricity.

Aside from low rates and cleaner energy generation, not much will change. PG&E will still handle electric delivery, maintain the power lines, read your meter and send your monthly bill. Your bill will include charges for both PG&E electric delivery and MCE electric generation. You will never be double-billed for your service because MCE's low generation rates will replace PG&E's.

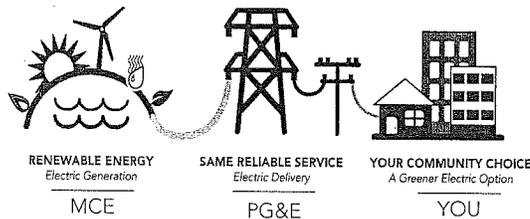
Here are your options and how to make your choice!

Your Energy Choices	How to Make Your Choice
MCE's Light Green 50% renewable energy	<input type="radio"/> Do nothing and your account will be enrolled in May 2015
MCE's Deep Green 100% renewable energy A penny more per kilowatt-hour, or about \$5/month for the average home, buys you 100% renewable energy!	<input type="radio"/> Enroll online or by phone
PG&E's 22%* renewable energy *Most recently reported by PG&E	<input type="radio"/> To buy your energy from PG&E, opt out of MCE online or by phone

Call 1 (888) 632-3674 or visit www.mceCleanEnergy.org/Benicia to opt out or sign up for Deep Green. Please have your PG&E bill on hand to process your request.

Sincerely,

Dawn Weisz
MCE Executive Officer



MCE Terms and Conditions of Service

Rates

MCE electric generation rates are stable and cost-competitive. Any changes to MCE rates will be adopted at duly noticed public MCE Board meetings. Changes to PG&E or MCE rates will impact cost comparisons between MCE and PG&E. PG&E charges MCE customers a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. These fees are always included in our cost comparisons. **View MCE rates and PG&E cost comparisons at www.mceCleanEnergy.org/rates or call 1 (888) 632-3674 for more information. These rates and cost comparisons may change over time.**

Financial assistance programs like CARE (California Alternative Rates for Energy), FERA (Federal Electric Rate Assistance) and Medical Baseline Allowance remain the same with MCE. If you are enrolled in any of these programs with PG&E, you will continue to be enrolled if you choose MCE.

Billing

You will receive a single monthly bill from PG&E which will include MCE's electric generation charge. MCE's electric generation charge **replaces** PG&E's electric generation charge. **MCE's charge is not a duplicate charge or extra fee.** PG&E will continue to charge for electric delivery services. If you opt out of MCE, PG&E will resume charging you for electric generation.

Enrollment

As a not-for-profit, community based organization*, MCE will become the default electric generation provider in May 2015. California State Assembly Bill 117, passed and signed into law in 2002, requires that programs like MCE automatically enroll customers.

Your account will be automatically enrolled with MCE's Light Green 50% renewable energy service on your regularly scheduled meter read date in May 2015. You may request to opt out at any time. You may also choose Deep Green 100% renewable energy. To opt out, or to sign up for Deep Green, call 1 (888) 632-3674 or visit www.mceCleanEnergy.org. Please have your PG&E account information on hand to process your request.

Opt Out

You may request to opt out of MCE at any time by calling 1 (888) 632-3674 or by visiting www.mceCleanEnergy.org/opt-out. Please have your PG&E account information on hand to process your request.

If you do not opt out before MCE service starts or within 60 days after MCE service starts you will be subject to the payment of a one-time administrative fee (\$5 residential and \$5-25 commercial), will not have the option to return to MCE for one year and will be subject to PG&E's terms and conditions of service. For information on PG&E's terms and conditions visit www.mceCleanEnergy.org/terms. You will not be charged an administrative fee if you opt out before MCE service starts or within the first 60 days after your enrollment with MCE, or if you cancel electric service. Your opt out request must be received five business days prior to your account meter read date in order to switch service to PG&E before your next billing cycle begins. Your account will be transferred to PG&E on your meter read date and cannot be transferred during a billing cycle. You will be charged for all electricity procured by MCE on your behalf prior to the cancellation or transfer of electric service to PG&E.

Failure to Pay

MCE may transfer your account to PG&E upon 14 calendar days' written notice to you if you fail to pay your bill. If your service is transferred you will be required to pay the termination fee described above.

**MCE is governed by a Board of Directors of elected officials from Marin County, Unincorporated Napa County and the Cities of Benicia, El Cerrito, Richmond and San Pablo. We're committed to protecting customer privacy. Learn more at www.mceCleanEnergy.org/privacy.*

1 (888) 632-3674 | www.mceCleanEnergy.org | info@mceCleanEnergy.org | printed on recycled paper with soy based ink



Clean energy makes a difference...and so do low rates.
When you choose MCE, you get both.

Based on proposed rates,* the average home will save approximately \$17.28 per year with MCE's Light Green 50% renewable energy service. Electric delivery rates are the same for MCE and PG&E customers. Electric generation rates are different for MCE and PG&E customers.

Cost comparisons are subject to change based on PG&E or MCE generation rate adjustments. MCE typically changes its rates once per year in April. PG&E typically changes its rates about three times per year.

For more information about rates visit www.mceCleanEnergy.org/residential-rates or give us a call at 1 (888) 632-3674. Press 0 to speak with a customer service specialist.

	PG&E	MCE Light Green	MCE Deep Green
Renewable Energy	22%**	50%	100%
Electric Delivery	\$36.46	\$36.46	\$36.46
Electric Generation	\$45.12	\$37.97	\$42.60
Gas	-	\$5.71	\$5.71
Average Total Cost	\$81.58	\$80.14	\$84.77

Typical homes save \$1.44 per month with MCE adding up to \$17.28 per year.

*The above comparison is based on a typical usage of 463 kWh at PG&E's current rates and MCE's proposed rates to take effect on April 1, 2015 under the Res-1/E-1 rate schedule. Costs shown are an average of summer and winter rates in baseline territory X with gas heating; actual differences may vary depending on usage, rate schedule and other factors.

**Most recently reported by PG&E.



La energía limpia hace la diferencia... y también lo hacen las tarifas bajas.

Cuando usted elige MCE, usted recibe ambas.

Basados en las tarifas actuales,* el hogar promedio ahorraría aproximadamente \$17.28 al año con el servicio Verde Claro de MCE, 50% de energía renovable. Las tarifas de entrega de electricidad son las mismas tanto para los clientes de MCE como para los de PG&E. Las tarifas de generación eléctrica son diferentes para los clientes de MCE y para los clientes de PG&E.

Las comparaciones de costos están sujetas a cambios con base en los ajustes de tarifas de generación de PG&E o de MCE. Normalmente MCE cambia sus tarifas una vez al año en abril. PG&E por lo general, cambia sus tarifas de tres veces al año.

Para obtener más información acerca de las tarifas visite www.es.mceCleanEnergy.org/residencial-tarifas o lláme al 1 (888) 632-3674. Oprima el 0 para hablar con un representante de servicio al cliente.

	PG&E	MCE Verde Claro	MCE Verde Fuerte
Costo de entrega de electricidad	22%** Energía renovable	50% Energía renovable	100% Energía renovable
Tarifa de entrega de electricidad	\$36.46	\$36.46	\$36.46
Tarifa de generación de electricidad	\$45.12	\$37.97	\$42.60
Tarifa de generación de electricidad	-	\$5.71	\$5.71
El costo total promedio	\$81.58	\$80.14	\$84.77

Ahorros mensuales de \$1.44 pueden ahorrarse hasta \$17.28 al año.

*La comparación muestra los costos de una casa típica que usa 463 kWh por mes en las tarifas Res-1/E-1, efectivas de PG&E ahora y de MCE propuestos para 1 de abril 2015; los costos calculados son un promedio de los cobros en un mes típico en verano y en invierno.

**El más reciente de PG&E



19 de febrero del 2015

Su(s) cuenta(s) de electricidad será(n) inscrita(s) automáticamente con la energía de bajo costo y más Verde (más limpia) de MCE, en mayo del 2015, a menos que usted decida no participar.

Benicia ha votado para unirse a MCE, una organización comunitaria sin fines de lucro, la cual se ha asociado con PG&E para proporcionarle su servicio de electricidad. Con nuestros precios bajos y una energía más limpia, usted puede ayudar a limpiar el medio ambiente, manteniendo su presupuesto!

Le ofrecemos opciones del 50 y 100% de energía renovable proveniente de la energía solar, eólica, bioenergía, geotérmica e hidroeléctrica.

Aparte de unas tarifas más bajas y una generación de energía más limpia, no van a cambiar muchas cosas. PG&E todavía se encargará de la entrega de electricidad, de mantener las líneas de energía, de leer su contador y de enviarle su factura mensual. Su factura incluirá los cobros de la entrega eléctrica de PG&E y de la generación eléctrica de MCE. Nunca se le cobrará doble por su servicio, porque el cobro de generación de MCE reemplazará el de PG&E.

Aquí están las opciones que ahora tiene para su fuente de alimentación, y la forma de hacer su elección!

Sus elecciones de energía	Cómo hacer su elección
<p>① Verde Claro de MCE, 50% de energía renovable</p>	<p>No haga nada y su cuenta será inscrita automáticamente en mayo del 2015</p> <p>Inscribese en línea o por teléfono</p> <p>Optar por no participar con MCE, en línea o por teléfono</p>
<p>② Verde Fuerte de MCE, 100% de energía renovable Con un centavo más por kilovatio-hora, cerca de un promedio de \$5 más al mes, se le entrega 100% de energía renovable!</p>	
<p>③ 22%* de energía renovable de PG&E *según lo informado por PG&E</p>	

Llame al 1 (888) 632-3674 o visite www.es.mceCleanEnergy.org para optar por no participar o registrarse en el Verde Fuerte. Por favor tenga a la mano su factura de PG&E para procesar su solicitud.

Atentamente,

Dawn Weisz
Directora Ejecutiva de MCE



Términos y Condiciones del Servicio de MCE

MCE está gobernada por una Junta de Directores compuesta por funcionarios elegidos por el condado de Marin, la parte sin incorporar del condado de Napa, y las ciudades de Benicia, El Cerrito, San Pablo, y Richmond. Estamos comprometidos a proteger la privacidad del cliente. Obtenga más información en www.mceCleanEnergy.org/privacy.

Las Tarifas

Las tarifas de generación eléctrica de MCE son estables y tienen un costo competitivo. Cualquier cambio adoptado en las tarifas de MCE será debidamente notificado en las sesiones públicas de la Junta Directiva de MCE. Los cambios en las tarifas de PG&E o MCE impactarán las comparaciones de costos entre MCE y PG&E. PG&E le cobra mensualmente a los clientes de MCE una cantidad por el Ajuste de Indiferencia (PCIA) y un Recargo de Franquicia. **Estas tarifas siempre están incluidas en nuestras comparaciones de costos. Las podrá revisar en nuestro sitio web www.es.mceCleanEnergy.org/tarifas o llamando al 1 (888) 632-3674 para más información.**

Los Programas de asistencia financiera como CARE (Tarifas Alternativas de Energía de California), FERA (Tarifas de Asistencia de Electricidad Federal), y Medical Baseline (Concesión Médica Básica) siguen siendo los mismos para los clientes de MCE. Si usted está actualmente inscrito en alguno de estos programas con PG&E, usted continuará inscrito automáticamente si elige MCE.

La Facturación

Usted recibirá una única factura mensual de PG&E, la cual incluirá la tarifa de generación eléctrica de MCE. Ese cobro de generación eléctrica de MCE reemplaza el cobro de generación eléctrica de PG&E. **Ese cobro de MCE ni se duplica ni es un cobro adicional.** PG&E continuará cobrando los servicios de entrega de electricidad. Si Ud. opta por no participar con MCE, PG&E volverá a ser quien le cobre la generación eléctrica.

La Inscripción

Como organización sin ánimo de lucro de la comunidad, MCE será el proveedor de generación eléctrica en mayo del 2015. La ley 117 de la Asamblea Estatal de California, aprobada y promulgada en el 2002, exige que los programas como el de MCE, inscriban automáticamente a los clientes.

Su cuenta será inscrita automáticamente en el servicio de energía 50% renovable de MCE, Verde Claro, cuando corresponda la fecha de lectura de su contador en mayo del 2015. Usted puede solicitar optar por no participar en cualquier momento. También puede optar por escoger la energía 100% renovable, Verde Fuerte. Para optar por no participar o para inscribirse en Verde Fuerte, llame al 1 (888) 632-3674 o visite www.es.mceCleanEnergy.org. Por favor, tenga a la mano su información de PG&E para procesar su solicitud.

Optar por No Participar

Usted puede solicitar optar por no participar con MCE en cualquier momento llamando al 1 (888) 632-3674 o visitando www.es.mceCleanEnergy.org/optar-por-no-participar. Por favor tenga la información de cuenta de PG&E a la mano para poder procesar su solicitud.

Si usted opta por no participar con MCE antes de que inicie el servicio de MCE o dentro de los 60 días de que comience el servicio, usted deberá pagar una tarifa administrativa única de \$5 (residencial) o \$25 (comercial), no tendrá la opción de volver a MCE por un año y estará sujeto a los términos y condiciones del servicio de PG&E. Para obtener información sobre los términos y condiciones de PG&E visite www.mceCleanEnergy.org/terms. No se le cobrará la tarifa administrativa si opta dentro de los primeros 60 días después de su inscripción con MCE o si cancela el servicio eléctrico. Su solicitud para no participar deberá ser recibida 5 días antes de la fecha de lectura de su contador, así se podrá cambiar el servicio a PG&E antes de que comience el ciclo de facturación. Su cuenta será transferida a PG&E en la fecha de lectura de su contador y no podrá ser transferida durante el ciclo de facturación. Antes de la cancelación o transferencia del servicio eléctrico a PG&E, se le cobrará por toda la electricidad obtenida por MCE en su nombre.

Falta de Pago

MCE puede transferir su cuenta a PG&E mediante notificación por escrito de 14 días, si usted no paga ninguna parte de los cobros de MCE en su factura. Si se transfiere el servicio, usted tendrá que pagar el cobro de cancelación descrito anteriormente.

1 (888) 632-3674 | es.mceCleanEnergy.org | info@mceCleanEnergy.org | Impreso en papel reciclado con tinta a base de soya

MCE Benicia - THE BASICS

Public Contact Info:

To opt out of MCE or sign up for MCE's Deep Green 100% renewable energy, the customer needs their PG&E account information on hand, which is included on their bills.

- 1. Phone:** 1 (888) 632-3674
*Call center reps available 24/7 between November 4, 2014, and August 1, 2015 to process opt out requests.
Regular hours for all other questions: Monday - Friday 7 A.M. to 7 P.M.
Spanish, Vietnamese, Mandarin, Cantonese, Tagalog, and Laotian available*
- 2. Web:** www.mceCleanEnergy.org
*Available in Spanish and also has Google translate for all other languages
www.mceCleanEnergy.org/optout
(For opt out requests)*
- 3. Email:** info@mceCleanEnergy.org
This email address is read and maintained by our senior customer service staff.
- 4. Office:** 781 Lincoln Ave, Suite 320, San Rafael, CA 94901
Customer service hours for customer walk-ins are Monday - Friday 9 A.M. to 4 P.M.

What is MCE?

MCE is a not-for-profit, community-based organization partnering with PG&E to provide electricity service. MCE offers choices for 50% to 100% renewable energy from solar, wind, bioenergy, geothermal and hydroelectricity at competitive rates. By choosing MCE, customers help support new in-state and local renewable energy generation.

MCE has provided service to Marin County since 2010, and the City of Richmond since 2013.

What does MCE do? What are the differences?

All electric customers in Benicia will be enrolled with MCE in May 2015, unless they choose to opt out.

MCE offers cleaner energy and currently has rates lower than PG&E. Aside from that, not much will change. PG&E will still handle electric delivery, maintain the power lines, read your meter, and send your monthly bill. MCE will source cleaner power, called electric generation. Your bill will include charges for both PG&E electric delivery and MCE electric generation. You will never be double-billed for your service because MCE's generation charge will replace PG&E's. MCE does not offer gas service.

How much does it cost?

MCE's rates replace a portion of PG&E's regular rates, and are not an added fee. As MCE's rates are currently lower than rates for PG&E service, MCE customers pay less on their monthly bills than they would with PG&E service.

Based on current rates for PG&E and proposed MCE rates (which will take effect in April), selecting MCE service will save the typical residential customer in our service area about \$1.44 per month, based on a \$81.58 monthly PG&E electricity bill. The typical commercial customer can expect to save about \$13.85 per month with MCE, based on a \$267.23 monthly PG&E bill. **Discount programs like CARE, FERA, and Medical Baseline are unaffected by enrollment; these customers receive the same discount with MCE as they would with PG&E.**

Why am I being enrolled?

The Benicia City Council voted to join MCE to give all electric customers in the City the opportunity to purchase greener, competitively-priced electricity as an alternative to PG&E. A democratically-elected member of Benicia's City Council will become a member of the MCE Board of Directors and will provide input on policy and programs on behalf of Benicia residents and businesses.

Historically, when someone needed electric service in Benicia, PG&E has provided that service by default. Beginning in May 2015, MCE will replace PG&E as the primary provider of electric generation, and PG&E will continue to provide electric delivery services.

When does this all take place and how will I be notified?

Benicia electric customers will be enrolled with MCE in May 2015, unless they choose to opt out. Benicia customers may request to opt out beginning on February 19th, 2015.

Existing customers in Benicia will receive five mailers notifying them of the change of service, as well as instructions on how to opt out if they would prefer to continue receiving all electric services from PG&E, between February and June 2015. Customers who do not opt out prior to May (and in some cases the last week of April) will be enrolled in MCE service, but may request to opt out at any time, even after service starts.

The first two notices will be mailed in February and March 2015 respectively. The third will be mailed in April 2015. Enrollment with MCE is scheduled for May 2015 on customers' regularly scheduled meter-read dates. The last two notices will be mailed after customers' enrollment in May and June, during the first 60 days of service.

**AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
CONSENT CALENDAR**

DATE : February 18, 2015
TO : City Manager
FROM : Public Works Director
SUBJECT : **REVIEW OF JANUARY WATER REPORT**

RECOMMENDATION:

Receive the City's water supply, customer usage, and conservation update.

EXECUTIVE SUMMARY:

Benicia customers are continuing to conserve water and their efforts are acknowledged and appreciated. Benicia has reduced its water use by 21.9% in the last 12 months compared to the 2013 baseline. In December, Benicia's water conservation rate was 31.7%, compared to the statewide average of 22.2%. Benicia customers are encouraged to continue voluntarily conserving 20% as the drought persists.

BUDGET INFORMATION:

No budget impacts are associated with this update.

GENERAL PLAN:

Relevant General Plan Goals:

- Overarching Goal of the General Plan: Sustainability
- Goal 2.36: Ensure an adequate water supply for current and future residents and businesses.

STRATEGIC PLAN:

Relevant Strategic Plan Issue and Strategy:

- Strategic Issue #1: Protecting Community Health and Safety
- Strategy #5: Promote community and personal health

BACKGROUND:

California has a climate with drought cycles every 10 to 20 years. The attached "Drought Brochure" lists nine multi-year, large scale droughts in California since 1900. The last two severe droughts were in the mid-1970's and late-1980's to early 1990's. Northern California has experienced record low rainfall and snow accumulation in January. As a result of the four years of drought, communities in California need to significantly cutback water use.

The City of Benicia has a population of approximately 28,000 people, 8,500 residential water meter service connections, and 1,000 commercial, industrial and institutional connections. The City purchases approximately 10,000 acre - feet or 3.3 billion gallons of water per year, and half of this water is used at the Valero Oil Refinery. The State Water Project (SWP) supplies 75% to 85% of the City's water from the Sacramento - San Joaquin Delta and the Solano Project (SP) supplies 15% to 25% of the City's water from Lake Berryessa. Lake Herman has historically been used as an emergency water supply and temporary storage reservoir.

The City has 3,100 acre-feet of reliable water supply and has purchased water from various agencies when needed. Allocations of water from the SWP have varied from 5% to 65%. When the allocation exceeded 35%, then the City had adequate water supply. Some of the SWP and SP water that is allocated and not used can be "banked" for use in future years. Approximately 10,000 acre-feet of water has been "banked" in Lake Berryessa for use during a drought.

It appears that the State is threatened by a fourth consecutive dry year. Below is a timeline of drought actions from 2014.

- January 17, 2014 - The Governor declared a drought and asked for 20% voluntary water reduction.
- February 18, 2014 – City Council implemented a community wide goal of voluntarily reducing water consumption by 20%.
- March 4, 2014 – City Council authorized additional water purchases up to \$900,000.
- April 17, 2014 – City purchased 245-AF of Yuba Accord-State Water Project water through the Solano County Water Agency.
- April 29, 2014 – City Council formally adopted a resolution for voluntary 20% water reduction.
- July 1, 2014 – City Council adopted an Emergency Outdoor Water Restrictions Ordinance.
- August 28, 2014 – City purchased 2,000 acre-feet (AF) of Solano Project Carryover Water from the City of Vacaville.
- October 15, 2014 – Drought Surcharge became effective.
- December 18, 2014 – City purchased an additional 2,000 AF (for a total of 4,000 AF) of Solano Project Carryover Water from the City of Vacaville.
- December 2014 – Benicia customers reached the goal of 20% water conservation.

The drought conditions remain very serious. The Department of Water Resources webpage summarized current conditions as of mid-February, "Three consecutive dry years have left millions of acre-feet of empty space in reservoirs across California. That space cannot be filled by several typical winter storms or even one particularly powerful storm." In particular, while total rainfall in Northern California is higher than the average at this time of year, the water content of the snowpack is at 32% of normal. City staff recommends that an assumption that the drought will continue should be the basis for planning water supply and conservation activities in 2015.

The City is managing its water supply to maximize the use of the allocated State Water Project water, conserve Solano Project water that can be stored/banked in Lake Berryessa, maximize Lake Herman water storage and delivery, and make improvements to components of the water infrastructure to ensure reliability and redundancy. All of these efforts are intended to ensure, to the extent feasible, an adequate water supply through December 2016 in case the drought continues.

Monthly reports are submitted to the State Water Resources Control Board (SWRCB) on an ongoing basis. In December, Benicia's water conservation rate was 31.7%, compared to the statewide average of 22.2%. Benicia's per capita water use was 70.4 gallons per person per day in December, compared to the statewide average of 67.2. Note that various factors can affect the per capita water use comparison such as precipitation, temperature, population, socio-economic measures and even water prices.

MONTHLY WATER UPDATE

Historically, the City has depended more on its State Water Project availability than its Solano Project supply. Table 1 shows the available amount of water from each source between 2008 and 2014.

**Table 1
2008 – 2014 State Water Project (SWP) and Solano Project (SP) Availability
(acre-feet)**

Type/Year	2008	2009	2010	2011	2012	2013	2014
SWP Table A	6,020	6,880	8,600	13,760	11,180	6,020	860
SWP Carryover	6,337	4,687	8,656	0	8,614	11,180	9,396
SWP Settlement	3,500	2,515	158	900	900	0	1,580
SWP Bank Mojave WA	1,000	1,500	3,000	0	0	0	1,000
SWP Article 21	0	0	0	4,278	384	193	0
SP - 1962 Vallejo	1,100	1,600	1,100	1,100	1,100	1,100	1,100
SP – 2009 SID		2,000	2,000	2,000	2,000	2,000	2,000
SP Carryover	0	1,770	2,593	2,725	2,637	4,341	5,531
SP – 2014 Vacaville		1,333					4,000
SP – 2014 Vallejo Exch							166
TOTAL	17,957	22,285	26,107	24,763	26,815	24,834	25,633

Table 2 shows the actual usage among the two primary sources for the City:

**Table 2
2008 – 2014 State Water Project and Solano Project Usage
(acre-feet)**

Type/Year	2008	2009	2010	2011	2012	2013	2014
State Water Project	10,410	8,651	8,231	7,154	8,298	10,082	6,785
Solano Project	1,316	2,225	2,632	2,843	3,423	2,083	2,138
TOTAL	11,726	10,876	10,863	9,997	11,721	12,165	8,923

Table 3 details the usage of all three water supplies by the City from January 2014 through January 2015. Due to the heavy rains in December, the water treatment plant switched to its Lake Herman water source on December 18 until January 27, treating 322-AF Lake Herman water. This decision was made after the lake level crested over the spillway on December 18. Instead of losing this valuable “free rainfall” water, the staff chose to treat and distribute Lake Herman water supply. The water treatment plant switched back to its North Bay Aqueduct (NBA) source on January 27 when the water quality in the NBA improved. The 24” Cordelia Transmission Main, damaged from the South Napa

Earthquake, is scheduled for service the second week of February 2015. Once this pipeline is back in service, the water treatment plant will switch from the State Water Project/NBA supply to our Solano Project/Putah South Canal supply, treating this water into May 2015.

**Table 3
2014 Source Water Usage through December 31, 2014
(acre-feet)**

2014	<i>Total Water Demand</i>	<i>State Water Project Supply</i>	<i>Solano Project Supply</i>	<i>Total Project Source Supply</i>	<i>Lake Herman Makeup Water</i>
January	769	779	0	779	
February	601	320	229	549	52
March	735	0	454	454	281
April	784	737	310	1047	
May	986	765	78	843	143
June	1007	788	172	960	47
July	957	794	396	1190	
August	948	766	106	872	76
September	914	770	0	770	144
October	860	801	0	801	59
November	718	114	367	481	237
December	675	151	26	177	498
TOTAL	9,954	6,785	2,138	8,923	1,537

2015	<i>Total Water Demand</i>	<i>State Water Project Supply</i>	<i>Solano Project Supply</i>	<i>Total Project Source Supply</i>	<i>Lake Herman Makeup Water</i>
January	708	147	0	147	561
TOTAL	708	147	0	147	561

In 2015, with anticipated rains this winter and planned water exports, Lake Herman should provide approximately 1,500 AF of water to the Valero Oil Refinery and the City of Benicia. The water quality of Lake Herman in the winter is generally good, with low levels of phytoplankton (algae) minimizing the

potential for taste and odor problems. Though the lake received quicksilver tailing runoff in the late 1930's and 40's, the elemental mercury is trapped in the lake sediments and ends up in the food chain, thus limiting the amount of fish that can be consumed. Elemental mercury will not dissolve into the water supply due to the high levels of pH and alkalinity in the Lake Herman water quality.

Table 4 and Graph 1 show the monthly treated water production through January. The 12-month cumulative water conservation is 21.9% (from February 2014 through January 2015 compared to the 2013 baseline.)

Table 4
Monthly Treated Water Production Leaving the Water Treatment Plant (acre-feet)

	January	February	March	April	May	June	July	August	September	October	November	December
2013	354.8	375.6	494.1	546.0	703.4	648.5	682.5	662.9	601.8	551.8	438.5	419.2
2014	411.8	312.4	352.3	394.7	534.7	575.0	557.0	515.0	478.2	426.1	320.8	286.5
2015	308.8											
2014 percent difference from 2013	16.1%	-16.8%	-28.7%	-27.7%	-24.0%	-11.3%	-18.4%	-22.3%	-20.5%	-22.8%	-26.8%	-31.7%
2015 percent difference from 2013	-13.0%											

Graph 1
Monthly Treated Water Production Leaving the Water Treatment Plant (acre-feet)

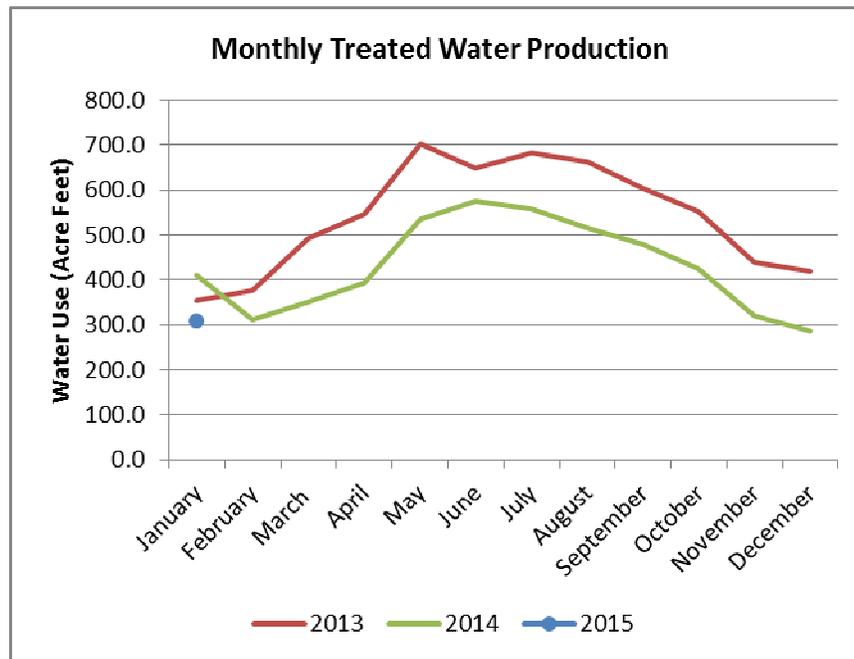


Table 5 and Graph 2 show the amount of water the City municipal meters have used during this same period. A total of 308 AF were used in 2013 and 212 AF were used in 2014, which is a 31% reduction.

Table 5
City Facilities Metered Water Use
(acre-feet)

	January	February	March	April	May	June	July	August	September	October	November	December
2013	8.8	2.3	10.0	18.9	17.9	57.5	22.9	63.3	21.7	50.6	17.8	16.2
2014	10.0	13.6	11.8	4.8	12.5	26.8	22.1	40.3	17.6	30.8	14.1	7.4
2015	4.9											
2014 percent difference from 2013	13.6%	491.3%	18.0%	-74.6%	-30.2%	-53.4%	-3.5%	-36.3%	-18.9%	-39.1%	-20.8%	-54.3%
2015 percent difference from 2013	-44.3%											

Graph 2
Cumulative City Facilities Metered Water Use
(acre-feet)

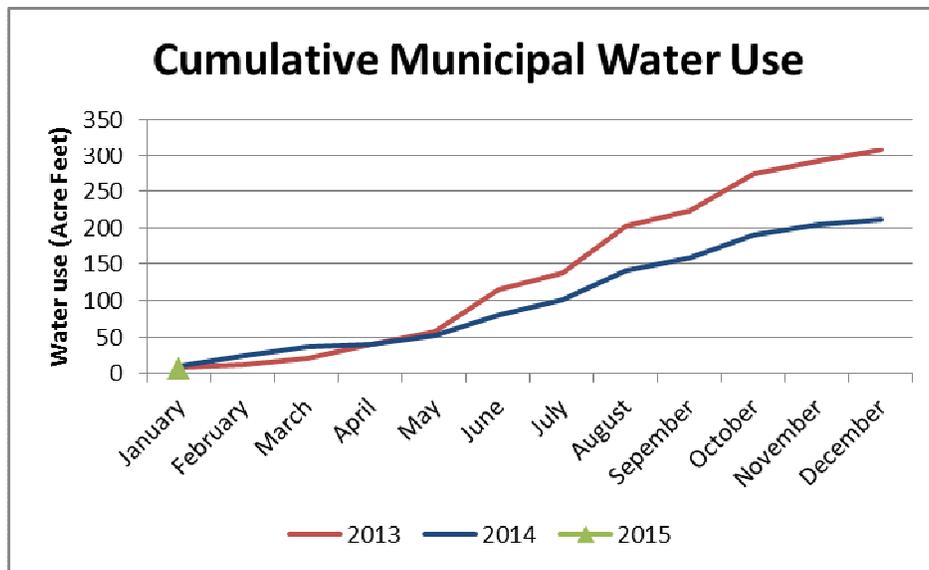


Table 6 identifies the different accounts within the Benicia Water Supply Portfolio. The State Water Project water that the City is guaranteed comes from our Table A contract water (2,580-AF), the Carry-over from previous years (6,905-AF), and the remaining water banked with the Mojave Water Agency (1,000-AF). Solano County Water Agency is recommending that Benicia trade some of its Carry-over to the City of Vallejo for their Permit Water, at a 1:2 ratio. Vallejo's Permit Water comes from the same source as the North Bay Aqueduct, and can be described as a "use it or lose it" water each calendar year. SCWA believes that cities with large carryover accounts may find this trade advantageous, whereby they can trade 2 units of Vallejo Permit water for 1 unit of their Carryover. SCWA

also projects that their North of Delta Area of Origin water supply will be available in 2015, possibly providing up to 1,720-AF of SWP to the City. These values will not be shown on the table until they are realized.

The strategy of “banking” purchased Solano Project water in Lake Berryessa has demonstrated that the City can store almost one year’s worth of water. At the beginning of 2015, 12,797-AF of Solano Project water will be available. At the beginning of 2016, 12,863-AF of Solano Project water is projected. These volumes will remain relatively constant while the demand for Solano Project (approximately 3,030-AF) water is offset by the annual deposit from the Vallejo and SID agreements (3,100-AF). Lake Herman is shown as a typical supply available each year.

**Table 6
Benicia Water Portfolio for 2015 and 2016**

Water Source	2014	2015	2016
SWP - Table A Allocation	860	2,580	?
SWP- Advanced Table A	0	?	?
SWP – Carryover	9,396	6,905	4,910
SWP - Article 21	0	?	?
Vallejo Permit Water Exchange	588	?	?
SWP - Settlement Water	1,580	?	?
SWP - Mojave Water Agency Bank	1,000	1,000	0
SWP - Yuba Accord Water	266	?	?
SWP- North of Delta Allocation	0	?	?
State Water Project Sub-Total	13,690	10,485	4,910
SP - Vallejo 1962 Agreement	1,100	1,100	1,100
SP - SID 2009 Agreement	2,000	2,000	2,000
SP - Vacaville Purchase (July & Dec)	4,000	?	?
SP- Vallejo Exchange (Sept 2014)	166	?	?
SP-Total Carryover	4,697	9,697	9,763
Solano Project Sub-Total	11,963	12,797	12,863
Lake Herman - Projected Supply	1,500	1,500	1,500
Grand Total	27,153	24,782	19,273

Table 7 describes how much water is available to the City and how much was used in 2014, the projected usage in 2015, and the estimated supply in 2016. Based on current water demand and projected water availability in 2015, the estimated supply of water in 2016 should be 17,116-AF, enough water to meet the typical 10,000-AF municipal and industrial demand.

**Table 7
Water Supply and Usage
(acre-feet)**

<i>Last Update February 9, 2015</i>	2014 Available Water Supply (AF)	2014 Actual Water Usage (AF)	2015 Available Water Supply (AF)	2015 Projected Water Usage (AF)	2016 Available Water Supply (AF)
State Water Project	13,690	6,785	10,485	5,232	4,910
Solano Project Water	11,963	2,138	12,797	3,034	12,863
Lake Herman	1,500	1,537	1,500	1,500	1,500
Total Water Supply (AF)	27,153	10,460	24,782	9,766	19,273

WATER CONSERVATION

Water Conservation Presentation to Community Sustainability Commission January 26

Public Works Department staff gave a presentation on Benicia's Water Conservation program to the Community Sustainability Commission (CSC) regular meeting on January 26, 2015. The presentation described the water sources used by the City, the current difficult water supply situation and possible continuation of the drought, and the various elements of the City's water conservation program. One highlight was that Benicia met its water conservation goal of 20% reduction for calendar year 2014, achieving a 20.3% percent reduction compared with 2013.

Estimated water savings and costs to the city were presented for various elements of the water conservation program that were carried out in 2014. The

most effective measure was the Council's adoption of mandatory Outdoor Water Restrictions last July, which resulted in an estimated 600 acre-feet (AF) in 2014. Staff also presented potential water conservation projects and programs to achieve additional savings. By far the largest savings could be attained by implementing a recycled water project to supply Valero with cooling tower water, a project that could save about 2,100 AF per year, more than 20% of the City's overall water needs.

Mandatory Outdoor Water Restrictions

On July 1, 2014, City Council enacted mandatory restrictions on outdoor water use, which accounts for about 50% of residential water demand. The winter water restrictions, which began on October 16, limit watering by sprinkler systems to Saturday or Sunday (customer choice) before 8 a.m. or after 7 p.m. until March 31. There are exceptions for hoses with a shut-off nozzle, drip irrigation, watering container plants and for watering turf at recreational areas. Summer restrictions begin on April 1, and limit watering to three days per week, also before 8 am or after 7 pm. As noted above, this was an effective measure that was critical to successfully achieving the 20% reduction goal.

The community as a whole has complied with these rules. When the restrictions first went into effect, City staff responded to more than 100 phone calls and drop-in visits from residents who had questions or concerns, but the number of public inquiries has dropped to a few per month since then. City staff has also followed up on numerous complaints or observations of non-compliance with verbal counseling, but other enforcement actions have been rare. During 2014, the following enforcement actions were taken:

Informal written warning (door hanger):	6
Formal written warning:	1
Notice of Violation	0

In January 2015, one door hanger was given out.

Solano County Turf Replacement Program Update

Landscape irrigation typically accounts for about 50% of residential water use. Encouraging the replacement of lawn with drip-irrigated low-water use plants or permeable hardscape is an effective, long-term strategy for water conservation.

The Solano County Water Agency (SCWA) administers a turf-replacement program using state grant funding that provides rebates to residents who replace their water thirsty lawn with drought-tolerant landscaping. This program will reimburse a property owner \$1.00 per square foot, up to \$1,000 per project.

The Benicia Sustainability Commission has provided a \$100,000 grant funding for an additional \$1.00/ sq. ft. rebate for Benicia residents for an enhanced rebate of \$2.00 per sq. ft., up to \$2,000, until the grant funds are exhausted.

Of the \$100,000 grant allocation from the Community Sustainability Commission, \$56,996 has been paid to Benicia projects as of December 31, 2015. This rebate helped 74 residents replace 64,218 square feet of lawn with water-wise landscaping. It is estimated that this amount of lawn will save 2,054,976 gallons of water per year (or 6.3 acre-feet) and 1.53 metric tons of carbon dioxide (greenhouse gas emission reductions).

The turf replacement rebate program has been very popular and successful. City staff was notified in January that the Solano County Water Agency (SCWA) has ran out of funding for this program. SCWA is currently putting Benicia residents on a waiting list. It is anticipated that additional funding from SCWA will become available next fiscal year (July 2015.) At that time, residents on the waiting list would receive the rebate if they complied with the requirements of the program.

City staff completed the Grantee Semi-Annual Report on January 31, 2015. It will be brought to the Community Sustainability Commission (CSC) at an upcoming meeting. As part of the grant report, City staff is asking the CSC how they would like to proceed in light of the lack of funds from SCWA until July 2015. The options are to waiting until July 2015 for customers to receive the \$2/square foot rebate (from both SCWA and the CSC grant); offer customers \$1/sq. ft. now (from CSC grant) and offer the additional \$1/sq. ft. (from SCWA) when funds become available in July 2015; or offer customers \$2/sq. ft. now (from the CSC grant).

Other Water Conservation Programs and Activities

In addition to the very popular turf replacement rebate program, SCWA also has rebates available for water-efficient indoor appliances. Benicia residents also participated in these programs, receiving a total of 271 rebates for high-efficiency washing machines and low-flow toilets in 2014.

Benicia citizens also have access to several programs that can inform water conservation decisions by providing information on how water is being used and on suggestions for ways to conserve. There are several programs that provide free home visits and water use assessments. In 2014, these programs had the following levels of participation:

SCWA Home Survey program: 55

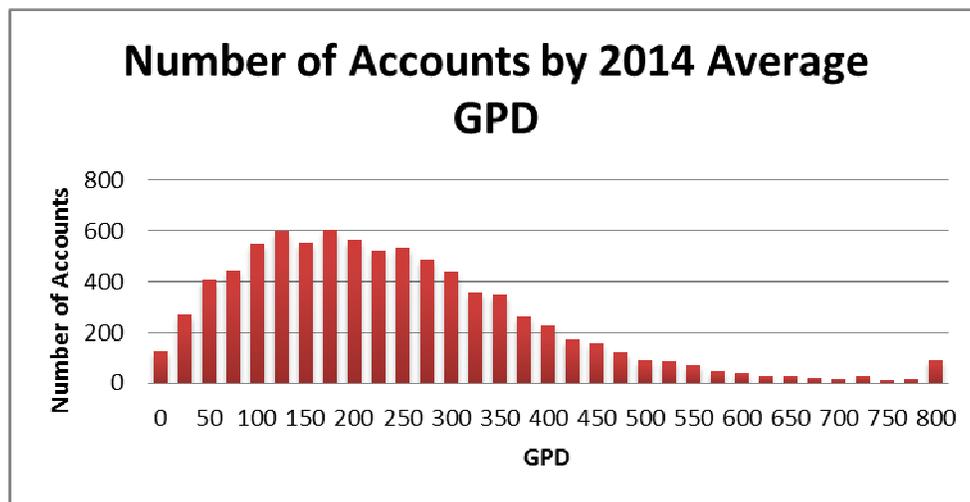
WattzOn (funded by CSC): 101

Rising Sun (funded by PG&E): 225

SCWA provided funding for a year-long pilot test in Benicia of home water reports from WaterSmart software. In December 2014, a random selection of 5,000 Benicia single-family homes began receiving free Home Water reports that compare individual customers' water consumption to similar households, and provide targeting suggestions for ways to conserve. WaterSmart has partnered with more than 30 other utilities in the past few years, and reports an average 5% consumption drop for customers who receive Home Water Reports compared to those who do not.

The WaterSmart software uses what behavior psychologists call a “social norm” to let users know whether the amount of water they use is consistent with the social norms of their community. Graph 3 is a histogram of Gallons Per Day (GPD) consumption for Benicia homes of all sizes and all number of occupants. Half of all Benicia households used less than 250 GPD in 2014.

Graph 3
Number of Water Accounts by Average Water Use in 2014
(Gallons Per Day – GPD)



Water Meter Replacement Project

Twenty-six percent more water is treated than is read by water meters. Some of this unaccounted water is from leaks, but the majority is probably from water meters that under-read water usage. Over 60% of the 9,600 water meters in the City are over 20 years old. Staff is sending out a request for qualifications in February to water meter companies. It is anticipated that City staff will ask the City Council at a future meeting for direction on proceeding with a request for

proposals to replace most of the water meters in the City. It is estimated that it could take two years to replace the water meters and set up a meter reading hardware and software.

Leak Detection

In 2014, the City's Public Works Maintenance Division repaired 105 water leaks. In January 2015 the crew repaired eight water leaks. Additionally there was a large leak on a private residence that leaked about 2,200 gallons per day. It was first detected in the October meter read and City staff notified the property owner. A Warning of Violation of the Water Use Ordinance was delivered to the property owner in November and water service to the property was turned off in December. The property owner repaired the leak in early January.

City staff hired a leak detection contractor in 2014 to evaluate three miles of water pipelines in the Historic Arsenal area and is currently preparing a contract to hire the contractor to provide leak detection services citywide. Locating and repairing leaks is an important part of the City's commitment to water conservation.

Water Recycling

One opportunity for significant reductions in water use at municipal facilities would be the production of recycled water for on-site applications at the Wastewater Treatment Plant (WWTP), which uses an average 36,000 gallons of potable water per day (40 AF per year) for various in-plant uses and irrigation. Most of that amount could be replaced with recycled water, which can be produced by furthering filtering and treating WWTP effluent. Pilot testing of recycling in late 2014 resulted in the savings of 627,000 gallons, showing the potential for significant water savings at full-scale operation. Work to develop this option is continuing.

On a much larger scale is the possibility of recycling much of the WWTP's effluent for use as cooling water by the Valero refinery. Preliminary discussions between Public Works staff and Valero staff indicate that more than 2,000 AF per year of recycled water could be provided to the refinery at a cost significantly less than the \$31.5 million estimated in the 2008 study of a similar project. If realized, this project could save more than 20% of the City's water needs, and bring Benicia closer to the goal of a sustainable balance between water supply and demand. For such a project to be financially feasible, significant funding in the form of grants and/or loans would be necessary. City staff is pursuing opportunities for grants or loans at both the Federal and State levels.

In January, the City became a Participating Member of the Western Recycled

Water Coalition (WRWC), which is a collaboration among water agencies that lobbies for and facilitates Federal funding for recycled water projects. This allows the Valero project to be included in the list of projects for which the WRWC is lobbying for Federal funding authorization, the first step in the Federal grant funding process. WRWC's lobbyists are seeking bipartisan support for recycled water programs, and are setting up meetings in Washington D.C. with key Congressional representatives in late February.

City staff is preparing an application for a Federal grant for a feasibility study of the Valero project under the Bureau of Reclamation's WaterSMART program. These grants are for up to \$150,000 and require a 50% non-Federal funding match. Applications are due March 3, 2015. The application requires a resolution from the City Council, which may be submitted up to 30 days after the application deadline, and will be brought to City Council for consideration at the March 17 meeting.

At the State level, there are several opportunities for recycled water project funding in the form of grants administered by the Department of Water Resources (DWR) or the State Water Resources Control Board (SWRCB), or loans at below-market interest rates through the Clean Water State Revolving Fund program. SWRCB administers a grant program that can provide up to \$75,000 for recycled water feasibility studies, with a \$75,000 local match, and City staff will also prepare an application for a grant under this program.

Drought Surcharge Update

Conservation efforts have resulted in less revenue, which is common. The 20%+ water conservation has resulted in 23% less revenue. Expenses were also higher because water was purchased from Vacaville, Mohave and Yuba at higher prices than what the City pays for State Water Project and Solano Project water. A drought surcharge report will be brought to Council at a future meeting.

Attachments:

- DWR Brochure on Droughts in California
- DWR Reservoir Conditions
- SCWA Weekly Report and Lake Berryessa Storage Graph
- Benicia Source Water Inventory
- 2014 – 2016 Supply Versus Demand Table
- Benicia Contract Water Delivery Schedule (2003-2015)
- Drought Measures Presented to CSC on 1/26/15

Droughts in California

Drought played a role in shaping California's early history, as the so-called Great Drought in 1863–64 contributed to the demise of the cattle rancho system, especially in Southern California.

MULTI-YEAR DROUGHTS OF LARGE-SCALE EXTENT SINCE 1900

1918–1920

1923–1926

1928–1935

1947–1950

1959–1962

1976–1977

1987–1992

2000–2002

2007–2009

(Based on statewide runoff)

Subsequently, a notable period of extended dry conditions was experienced during most of the 1920s and well into the 1930s, with the latter time including the Dustbowl drought that gripped much of the United States.

Three twentieth century droughts were of particular importance from a water supply standpoint – the droughts of 1928–35, 1976–77, and 1987–92.

The 1928–35 Dustbowl drought established hydrologic criteria widely used in used in designing storage capacity and yield of large Northern California reservoirs. The 1976–77 drought, when statewide runoff in 1977 hit an all-time, low served as a wake-up call for California water agencies that were unprepared for major cut-backs in their supplies. Forty-seven of the State's 58 counties declared local drought-related emergencies at that time. Probably the most iconic symbol

of the 1976–77 drought was construction of an emergency pipeline across the San Rafael Bridge to bring water obtained through a complex system of exchanges to Marin Municipal Water District in southern Marin County. The 1987–92 drought was notable for its six-year duration. Twenty three counties declared local drought emergencies. Santa Barbara experienced the greatest water supply reductions among the



Emergency pipeline constructed during 1976–77 drought to bring water to southern Marin County.

larger urban areas. In addition to adoption of measures such as a 14-month ban on all lawn watering, the city installed a temporary emergency desalination plant and an emergency pipeline was constructed to make State Water Project supplies available to southern Santa Barbara County.

It is important to recognize that a period of historically recorded hydrology of little more than a century does not represent the full range of the climate system's natural variability. Paleoclimate information, such as streamflow reconstructions based on tree-ring data, shows that natural variability can be far greater than that observed in the historical record. These reconstructions have identified droughts prior to the historical record that were far more severe than today's water institutions and infrastructure were designed to manage. The Colorado River Basin, an important source of Southern California's water supply, has been particularly well studied; its streamflow reconstructions show multidecadal periods when flows were below the long-term average.

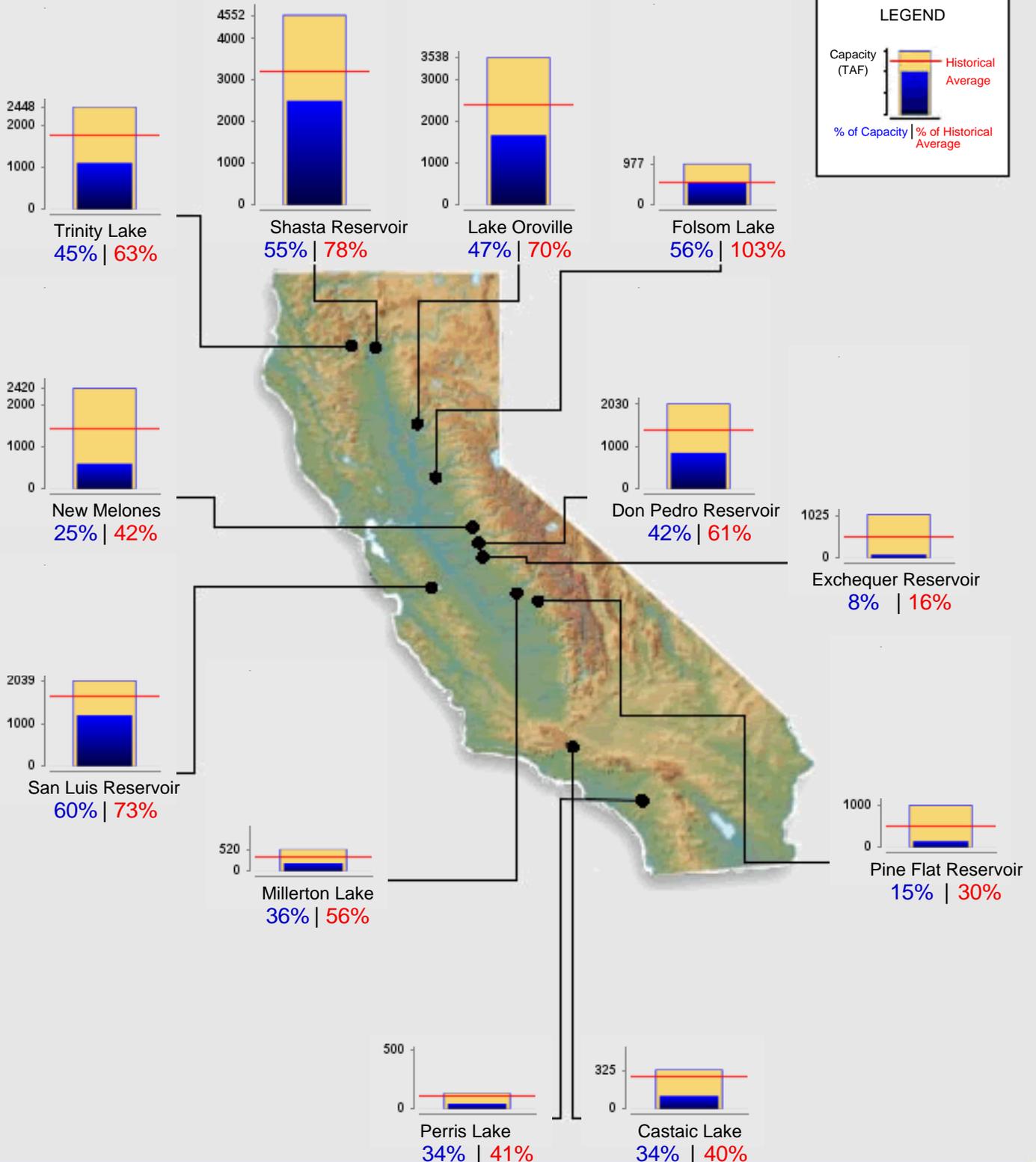
The 1928–35 Dustbowl drought established hydrologic criteria widely used in used in designing storage capacity and yield of large Northern California reservoirs.



Reservoir Conditions

Ending At Midnight - February 16, 2015

CURRENT RESERVOIR CONDITIONS



SOLANO COUNTY WATER AGENCY
WEEKLY REPORT
For Week Ending Sunday, February 01, 2015

Last Updated: Monday, February 02, 2015

SOLANO PROJECT

Lake Berryessa Surface Elevation	408.15 ft (top of Glory Hole is 439.96 ft)
Surface Elevation Changes from 2/1/2015	0 ft
Lake Berryessa Storage (acre-feet)	1,000,433 AF (Max 1.6 Million AF)
Storage Changes from 2/1/2015	0 AF
Lake Berryessa % Capacity	62.5%
Distance to Glory Hole	31.81 feet BELOW
Increase from Low Point	116,280 AF (Lake low of 884,153 on 12/01/2014)
Putah Creek Releases	44 cfs
Putah Creek Flood Releases	0.00 cfs

Operating to post - Fall pulse flow requirement of 19 cfs at I-80 through February.

NORTH BAY AQUEDUCT

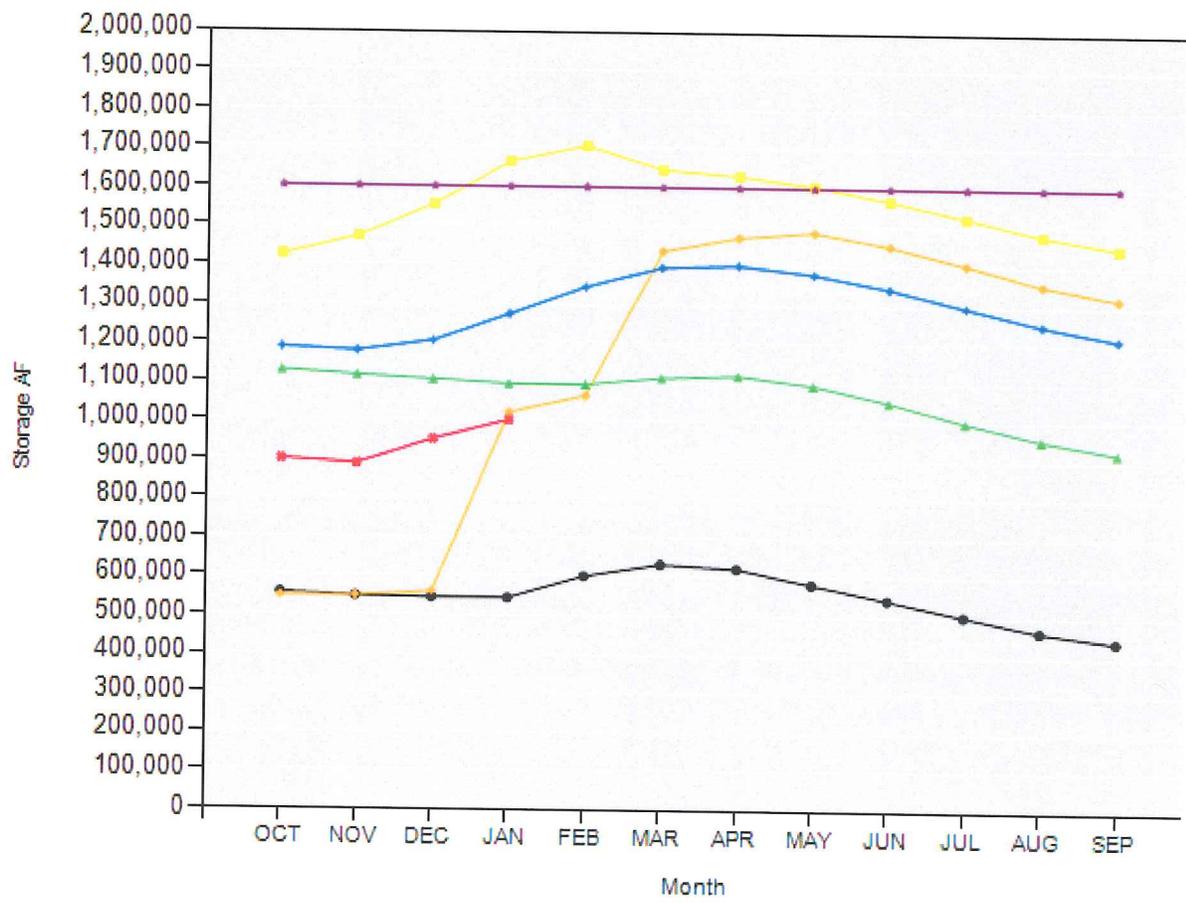
Current Allocations of Contract Amount

Allocation increased to 25% on January 15, 2015
Initial allocation for 2015 is 10% on December 1, 2014

Delta Conditions: Balanced conditions effective January 15, 2015. Term 91 imposed on May 20, 2014 and lifted on November 26, 2014.

Lake Berryessa Storage

■ 1983 - Highest Storage ■ 1995 - Greatest Gain ■ 2015
■ 1992 - Lowest Storage ■ 2014 ■ Average (1960 - Current) ■ SPILL LEVEL



Benicia Source Water Inventory

Water Source	2014	2015	2016
SWP - Table A Allocation	860	2,580	?
SWP- Advanced Table A		?	
SWP - Carryover	9,396	6,905	4,253
SWP - Article 21	0	0	0
Vallejo Permit Water	588	?	
SWP - Settlement Water	1,580	?	?
SWP - Mojave Water Agency Bank	1,000	1,000	0
SWP - Yuba Accord Water	266	?	0
SWP-NOD Allocation		?	
<i>State Water Project Sub-Total</i>	<i>13,690</i>	<i>10,485</i>	<i>4,253</i>
SP - Vallejo 1962 Agreement	1,100	1,100	1,100
SP - SID 2009 Agreement	2,000	2,000	2,000
SP-SID Carryover	4,697	5,531	9,763
SP - Vacaville Purchase (July & Dec)	4,000		
SP - Vacaville Carryover		4,000	
SP- Vallejo Exchange (Sept 2014)	166	166	
<i>Solano Project Sub-Total</i>	<i>11,963</i>	<i>12,797</i>	<i>12,863</i>
Lake Herman - Available Supply	1,500	1,500	1,500
<i>Grand Total</i>	<i>27,153</i>	<i>24,782</i>	<i>18,616</i>

2014 - 2016 Supply versus Demand Table

Last Update February 9, 2015	<i>2014 Available Water Supply (AF) ¹</i>	<i>2014 Actual Water Usage (AF)</i>	<i>2015 Available Water Supply (AF) ^{2, 3 & 4}</i>	<i>2015 Projected Water Usage (AF)</i>	<i>2016 Available Water Supply (AF)</i>	<i>2014 Demand with 5% M&I Conservation</i>	<i>2014 Demand with 10% M&I Conservation</i>	<i>2014 Demand with 15% M&I Conservation</i>	<i>2014 Demand with 20% M&I Conservation</i>
State Water Project	13,690	6,785	10,485	5,232	4,253				
Solano Project Water	11,963	2,138	12,797	3,034	12,863				
Lake Herman		-1,590		-1,774					
Total Water Supply (AF)	25,653	10,513	23,282	10,040	17,116				
Municipal & Industrial - TW						5,941	5,683	5,424	5,166
Valero Industrial - RW						4,790	4,790	4,790	4,790
Total Water Demand (AF)						10,731	10,473	10,214	9,956
Water Deficit (-) or Conserved (+)						-218	40	298	557

¹ Includes purchase of 4,000 AF of Solano Project Water from Vacaville

² Includes reclassification of carryover to settlement water

³ Includes the transfer of 1000-AF of Mojave banked water in 2015

⁴ Includes transfer of 166-AF of Vallejo SP carryover in 2014

Benicia Contract Water Delivery Schedule

Year	State Water Project (acre-feet)										Solano Water Project (acre feet)						
	Allocation	Table A	Available	Carryover	Available	Settlement	Year's End	Mojave	Article 21	Yuba	Sub-Total	COV/PSC	SID Bank	SID/PSC	Vac/PSC	Sub-Total	Delivered
2003	16,800	7,400	1,485	1,930	10,500	0			0		9,330	1,082		174		1,082	10,412
2004	11,180	4,669	7,718	2,341	10,500	3,681			0		10,691	1,089		843		1,089	11,780
2005	15,480	6,630	4,511	3,955	10,500	0			0		10,585	1,852				1,852	12,437
2006	13,760	3,241	6,850	6,185	10,500	1,439	7,500		0		10,865	1,992				1,992	12,857
2007	10,320	3,983	13,959	3,532	10,500	4,786	7,500		0		12,301	441				441	12,742
2008	6,020	0	6,337	6,910	10,500	3,500	6,500	1,000	0		11,410	1,316				1,316	12,726
2009	6,880	1,374	4,687	3,262	10,500	2,515	5,000	1,500	0		8,651	1,461	1,770	230	695	3,926	12,577
2010	8,600	3,384	8,656	1,689	10,500	158	2,000	3,000	0		8,231	841	2,593	1,177	638	4,072	12,303
2011	13,760	2,583	0	0	10,500	900	2,000	0	4,278		7,761	729	2,725	1,868	0	3,454	11,215
2012	11,180	0	8,614	7,014	10,500	900	2,000	0	384		8,298	2,200	2,637	2,088	0	4,837	13,135
2013	6,020	0	11,180	9,097	10,500	0	2,000	0	193		9,290	1,100	4,341	296	0	5,441	14,731
2014	860	0	9,396	3,351	10,500	1,580	1,000	1,000	0	246	6,177	1,100	4,697	810	4,000	9,797	15,974
2015	2,580	450	6,905	2,075	10,500	1,050	1,000	1,000	0	0	4,575	1,100	5,531	3,445	0	6,631	11,206
2016											0					0	0
2017											0					0	0
2018											0					0	0
2019											0					0	0
2020											0					0	0
Full Amt	17,200				10,500		7,500					1,100		2,000			

2003 - 2013 Average 12,447

n.d. indicates projection for 2015

City of Benicia Water Conservation Program Elements – January 2015

<i>Program elements implemented in 2014</i>					
Element		Description	Annual Cost to City of Benicia	Water saved in 2014 (AF/yr)	Annual Cost/AF
1	Outdoor water use restrictions	Mandatory restrictions on irrigation and other outdoors uses since July 1, 2014	\$33,750	603	\$56
2	Public outreach	Voluntary conservation encouraged by publicity campaign	\$58,000	360	\$161
3	Home Water Reports	WaterSmart pilot program, tailored customer home use reports	Paid by SCWA	Unknown	NA
4	Turf Replacement Rebate	Rebates of up to \$1/sq ft, up to 1,000 sq ft.	\$17,000		\$1243
5	Supplemental turf rebate	Additional \$1/sq ft added to SCWA rebate	\$68,000 (CSC grant)		
6	Toilet rebates	\$50 rebate on low-flow toilets	\$1812	2.6	\$697
7	Washing machine rebate	\$150 rebate on high-efficiency washing machines	\$ 4725	2.5	\$1890
8	Residential Surveys	SCWA program, available in summer	Paid by SCWA	Unknown	NA
9	Residential Surveys	Wattz On, available year round	CSC grant: \$90,000/yr	Unknown	NA
10	Business Surveys and Incentives	CII technical assistance (free surveys), financial assistance available	Paid by SCWA	Unknown	NA
11	Business Incentives	Resource management analysis and reimbursement for businesses	City-funded program	Unknown	NA

Notes

- 1) Cost \$33,750 = 0.25 FTE (\$90K x1.5 multiplier). Savings estimated from post-restriction savings of 695 AF, less 40 AF per month attributed to voluntary program.
- 2) Cost = \$47,000 consultant plus 0.08 FTE for OT at Farmer’s Market. Savings: assume 40 AF savings per month, derived from averaging pre-restrictions savings compared to Mar – Jun 2012, (due to weather-caused reductions compared to 2013) was due to voluntary program, extended over 9 months.
- 3) TBD
- 4) 68,000 sq ft replaced in Benicia in 2014. \$1 per sq ft rebate paid by SCWA (75%) and City of Benicia (25%), supplemented by second \$1 per sq ft rebate funded by CSC grant. Savings: Public Policy Institute study estimates 32 gal / year per sq ft when turf replaced. 1000 sq ft = 0.1 AF. For cost per AF: assume savings are realized over 10 years, so 1 AF per 1,000 sq ft.
- 5) See (4) above.
- 6) Benicia Cost \$1812: 75% paid by SCWA, \$50 rebate x 145 rebates in 2014. Estimated savings 2 gal/flush x 8 per day for average (2 person) household.
- 7) Benicia Cost \$4725: 75% paid by SCWA, \$150 rebate x 126 rebates in 2014. Estimated savings: save 25 gal/load, 5 loads per week for average (2-person) household.
- 8– 11) TBD

Potential Future Water Conservation Measures					
Element		Description	Annual Cost to City of Benicia	Annual Water savings (AF/yr)	Annual Cost/AF
1	Valero Recycled Water Project	Provide 1.9 million gallon per day recycled water for cooling towers	\$370,000 - \$590,000	2127	\$175 - \$277
2	Meter replacement	1360 AF/yr of unaccounted treated water, much due to low-reading meters	\$190,000	272	\$700
3	Continue Home Water Reports	Continue WaterSmart program for another year	\$66,289	145	\$457
4	WWTP recycled water project	Recycle water for use at WWTP	\$75,000	41	\$1875
5	Additional turf replacement rebates	Provide additional rebates to complement SCWA program	\$75,000	6	\$1250
6	ET controllers in Parks.	Install Evapotranspiration controllers for 10 selected Benicia parks.	TBD	Unknown	NA
7	Leak detection	Comprehensive leak detection and repair program	See notes		

Notes

- 1) Total cost of project estimated at \$16 million. Assume City share is between 25% - 50%, borrowed from SRF at 1% interest paid over 20 years, plus \$150,000 per year operational costs. Other potential funding sources include state and federal grants and Valero.
- 2) Cost is 3.4 million, borrowed from SRF at 1% interest for 20 years. Savings assumes that residents will save 20% of the additional 1360 AF once it appears on their water bills.
- 3) Cost is quote from WaterSmart Software for a 2nd year in Benicia. Savings is estimated at 5% based on WaterSmart past performance with other utilities.
- 4) Same assumptions as Note (4) above.
- 5) Recycled water project internal to WWTP would save 37,000 gal/day = 41 AF per year. Cost is estimated annual lease or \$200,000 capital cost over 3 years.
- 6) Cost and water savings to be determined.
- 7) Leak detection for Benicia. Extrapolating from 2009 EBMUD study, \$1.5 million cost to install data loggers for leak detection, estimated savings of 0.6% total produced water would be 60 AF per year. These estimates would need to be validated for Benicia conditions.

CITY OF BENICIA
WATER CONSERVATION PROJECTS
PROJECT DESCRIPTIONS

JANUARY 26, 2015

1. WWTP Recycled Water Effluent to Valero Refinery

The Benicia Waste Water Treatment Plant (WWTP) treats an average of 2.16 million gallons of wastewater per day (MGD) and discharges it into the Carquinez Strait. In 2009, CDM prepared the “Water Reuse Project Preliminary Design Report” that proposed treating the wastewater with microfiltration, reverse osmosis, and ultraviolet light disinfection before pumping the recycled water to the Valero Refinery for use in boilers and cooling towers. The Valero Refinery uses approximately 4 million gallons per day and 5,000 acre-feet of raw (un-treated) water per year, which is 45% to 50% of the amount of water that the City purchases each year. The estimated cost of the project would cost approximately \$40 million. Recent discussions with Valero indicate that their demand for cooling tower water is approximately 2 MGD, which would require less expensive treatment. The project would reduce the City’s annual water purchases by more than 20%. There would be a reduction in raw water pumping that would reduce greenhouse gases, but there would probably be a total increase in GHG production from additional treatment and pumping of recycled water.

2. Distribution System Leak Detection Program

Approximately 26% of the water produced by the WTP is “unaccounted for” and is not billed to customers. City estimates that the majority of this water is due to low-reading meters, since the vast majority of the system’s meters are more than 20 years old and need to be replaced. Replacing water meters would result in increased water bills, and hence savings as customers increased their water conservation efforts.

3. Implement WaterSmart Program City-wide

The Solano County Water Agency (SCWA) received a \$60,000 state grant and entered into an agreement with WaterSmart Software for a one year Home Water Use Reports Pilot Study, and the City of Benicia agreed to participate in the pilot study, at no cost to the City. In October, WaterSmart began the pilot study of the effectiveness of WaterSmart’s proprietary software that provides individualized water use reports to utility customers combined with other products that promote water conservation. The pilot study includes 5,000 Benicia water customers chosen at random by City staff. These customers will receive Home Water Use reports, both in print and by email, that compare the individual customer’s pattern of water use to high, low, and average water users with a similar profile of occupancy and property lot size. In addition, WaterSmart provides an online Customer Portal with additional information, along with various printed and electronic materials that promote water conservation. WaterSmart will also provide City staff with software tools for tracking and analyzing customer water use data. It is estimated that it would cost \$67,000 to hire WaterSmart to continue the Program with another set of 5,000 water customers.

4. WWTP Recycled for Pump Seal Water Project

The Benicia Waste Water Treatment Plant consumes 25,000 - 35,000 gal/day for process-related equipment at the WWTP, primarily used as seal water for the pumps. A pilot program is being evaluated to determine if WWTP effluent can be used as an alternative seal water supply and irrigation water. If the pilot project proves effective, the cost of a full-scale recycled water packet plant would cost approximately \$225,000 and reduce greenhouse gases through the significant reduction in treated water consumption. The Wastewater Fund also pays for water, so there would be a savings to rate payers.

5. Continue Turf Replacement “Cash for Grass” Rebate Program

Eighty percent of Benicia water customers are residential properties and approximately 50% of water use is for outdoor landscape irrigation. Benicia has partnered with the Solano County Water Agency (SCWA) to provide a \$1 rebate to residents for turf replacement in order to reduce irrigation costs. Between July 1, 2010 and November 24, 2014, approximately 78,300 square feet of turf has been replaced in Benicia. The program has been highly successful and ran out of money this fiscal year, so applicants are being placed on a waiting list until July 2015 when more grant funding is anticipated. A CSC grant contributed \$100,000 to SCWA for an additional \$1 rebate per square foot of turf removed. Approximately 70% of the \$100,000 has been paid or set aside for property owners who were issued a notice to proceed. An infusion of another \$100,000 would keep the program going for fiscal year 2015-16. Greenhouse gases are reduced because of the impacts that irrigation has on water conservation.

6. Evapotranspiration Controllers for Benicia Parks

A potential savings in treated water can be realized if the Parks and Community Services Department installs evapotranspiration (ET) controllers at ten designated parks in Benicia. The 50-acre Community Park is irrigated through an ET system and a substantial amount of water was conserved. The cost for this project is estimated at \$250,000 and it reduces greenhouse gases through a reduction of pumping.

7. Distribution System Leak Program

The City estimates that two-fifths of the 25% unaccounted water may be due to leaks in the distribution system, thus accounting for up to 500 gal/day. The City does not have the forces to conduct a comprehensive leak detection program and would choose to contract this out to a reputable firm. The City would be obligated to repair all leaks discovered in the system, thus saving lost water and reducing the unaccounted water quotient. Greenhouse gases would be reduced by fixing the leaks and reducing the amount of water treated and pumped through the water distribution system.

AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
BUSINESS ITEMS

DATE : February 5, 2015
TO : City Manager
FROM : Finance Director
SUBJECT : **OVERVIEW OF CITY INVESTMENT PORTFOLIO**

RECOMMENDATION:

Accept, by motion, the Investment Report for the quarter ended December 31, 2014.

EXECUTIVE SUMMARY:

The investment portfolio is in compliance with the City's Investment Policy and California Law. Additionally, the City has adequate investments to meet its expenditure needs for the next six months. The Finance Committee has reviewed these reports and recommends approval.

BUDGET INFORMATION:

The interest earnings from the Investment Report have been reported in the appropriate fiscal year's budget.

GENERAL PLAN:

There is no effect on the City's General Plan.

STRATEGIC PLAN:

Relevant Strategic Plan Issues and Strategies:

- Strategic Issue #3: Strengthening Economic and Fiscal Conditions
 - Strategy #4: Manage City's finances prudently

BACKGROUND:

The City's investment portfolio consists of cash balances in checking accounts (less outstanding checks), Local Agency Investment Fund, treasury bills, federal agency notes, corporate notes, certificates of deposits and trustee accounts, which manage the installment payments and reserves for bonds issued by the City. The City has adequate investments to meet its expenditure requirements for the next six months. In addition, the City's investment portfolio is in compliance with Government Code Sections 53600 et seq. and the City's Investment Policy.

The Finance Committee reviewed and accepted the Investment Report, as well

as PFM Asset Management's quarterly review of the portfolio, at its January meeting. The attached report summarizes the City's investments by purchase date, maturity date, investment type, issuer of investment, cost, current yield and yield to maturity.

At the December 2, 2014 City Council meeting, staff was asked to return with a presentation on the current investment policy. The City of Benicia's investment policy was last updated and approved on July 15, 2014. The City's investment firm PFM Asset Management will make a short presentation on the parameters of the current investment policy. The investment policy will return to the City Council in June 2015 as part of the biennial budget adoption and staff will make recommendations at that time, if any, for consideration.

Attachments:

- Investment Report for the quarter ended December 31, 2014
- PFM Asset Management investment presentation
- Government Code Section 53600-53610

**City of Benicia
Investment Report
As of December 31, 2014**

Type of Investment	Name of Issuer	Purchase Date	Maturity Date	Current Yield	Yield to Maturity	Par Value	Cost of Investment	Current Market Value
L.A.I.F.	L.A.I.F.			0.250%		\$ 9,394,548.12	\$ 9,394,548.12	\$ 9,394,363.80
Checking	Bank of America			0.600%		3,945,090.24	3,945,090.24	3,945,090.24
Money Market	PFM Funds - Prime			0.000%		13,314.12	13,314.12	13,314.12
Subtotal						13,352,952.48	13,352,952.48	13,352,768.16
6 Months to 1 Year								
Corporate Note	JP Morgan Chase Bank	26-Dec-13	30-Jul-15	0.480%	0.430%	550,000.00	550,566.50	550,628.10
US Obligation	Fed Farm Credit Bank	14-Feb-14	14-Aug-15	0.200%	0.280%	700,000.00	699,162.35	699,685.00
US Obligation	FNMA	15-Sep-11	26-Oct-15	1.580%	0.930%	700,000.00	719,719.00	707,966.00
US Obligation	FHLB Global Notes	30-Dec-13	30-Dec-15	0.390%	0.390%	550,000.00	549,835.00	550,120.45
Subtotal						2,500,000.00	2,519,282.85	2,508,399.55
1 Year to 2 Years								
Corporate Note	General Electric	8-Jan-13	8-Jan-16	0.990%	1.110%	275,000.00	274,117.25	276,001.00
Corporate Note	Bank of New York	20-Dec-12	15-Jan-16	2.460%	0.830%	500,000.00	525,250.00	509,525.50
US Obligation	US Treasury	7-Feb-14	31-Jan-16	0.390%	0.310%	650,000.00	650,837.89	650,304.85
Corporate Note	Cisco Systems	20-Dec-13	22-Feb-16	5.210%	0.620%	550,000.00	607,860.00	580,259.90
US Obligation	FNMA	15-Feb-13	30-Mar-16	0.490%	0.540%	465,000.00	464,469.90	465,465.00
US Obligation	FNMA	30-Jul-12	11-Apr-16	2.340%	0.590%	750,000.00	798,960.00	768,487.50
Cert of Deposit	Westpac Banking Corp	17-Apr-14	15-Apr-16	0.390%	0.410%	575,000.00	575,000.00	575,581.33
Cert of Deposit	Rabobank Nederland	13-May-14	6-May-16	0.700%	0.710%	675,000.00	675,000.00	672,968.93
Corporate Note	Toyota Motor	17-May-13	17-May-16	0.790%	0.810%	290,000.00	289,881.10	290,456.75
Cert of Deposit	Bank of Nova Scotia	13-Jun-14	10-Jun-16	0.400%	0.280%	550,000.00	549,667.80	549,054.00
Cert of Deposit	Nordea Bank Finland	13-Jun-14	13-Jun-16	0.390%	0.310%	550,000.00	550,000.00	550,131.45
Corporate Note	GE Cap Corp	12-Jul-13	12-Jul-16	0.890%	0.930%	350,000.00	350,000.00	352,384.55
Corporate Note	Wells Fargo & Co	29-Jul-13	20-Jul-16	1.190%	1.280%	410,000.00	409,606.40	411,359.56
Corporate Note	IBM Corp	26-Dec-12	22-Jul-16	1.860%	0.850%	650,000.00	675,129.00	662,234.95
Corporate Note	Procter & Gamble	9-Jan-13	15-Aug-16	1.380%	0.840%	650,000.00	663,981.50	657,544.55
US Obligation	US Treasury	30-Aug-13	31-Aug-16	0.990%	0.820%	75,000.00	75,410.16	75,562.50
US Obligation	FNMA	5-Oct-12	28-Sep-16	1.180%	0.560%	900,000.00	924,264.00	909,187.20
US Obligation	FHLB Notes	7-Aug-14	28-Sep-16	0.500%	0.610%	400,000.00	399,100.00	398,939.60
Cert of Deposit	Toronto Dominion Bank	29-Sep-14	29-Sep-16	0.900%	0.900%	550,000.00	550,000.00	550,471.90
US Obligation	FHLMC	3-Oct-13	14-Oct-16	0.890%	0.770%	550,000.00	551,672.00	552,050.40
Subtotal						10,365,000.00	10,560,207.00	10,457,971.42
2 Years to 3 Years								
US Obligation	US Treasury	24-Feb-14	28-Feb-17	0.890%	0.750%	225,000.00	225,852.54	225,544.92
Corporate Note	Exxon	20-Mar-14	15-Mar-17	0.900%	0.920%	735,000.00	735,000.00	734,045.97
US Obligation	FHFB	4-Apr-14	27-Mar-17	1.590%	1.250%	540,000.00	545,934.60	541,682.10
US Obligation	FNMA	30-Jul-12	27-Apr-17	1.090%	0.840%	760,000.00	760,080.00	754,183.50
Corporate Note	Apple	6-May-14	5-May-17	0.990%	1.070%	550,000.00	549,708.50	551,224.30

VIII.A.4

**City of Benicia
Investment Report
As of December 31, 2014**

Type of Investment	Name of Issuer	Purchase Date	Maturity Date	Current Yield	Yield to Maturity	Par Value	Cost of Investment	Current Market Value
Corporate Note	Berkshire Hathaway	15-Jan-13	15-May-17	1.580%	1.260%	275,000.00	278,918.75	277,350.98
US Obligation	FHLMC	1-Nov-13	29-Jun-17	0.990%	0.960%	950,000.00	951,330.00	951,870.55
US Obligation	FHLMC	31-Jul-12	28-Jul-17	1.000%	0.860%	750,000.00	755,017.50	749,718.75
US Obligation	FNMA	10-Sep-12	28-Aug-17	0.900%	0.820%	700,000.00	701,736.00	697,554.90
Cert of Deposit	US Bank NA Cincinnati	11-Sep-14	11-Sep-17	1.410%	1.410%	550,000.00	549,114.50	544,219.50
US Obligation	FNMA	3-Dec-13	26-Oct-17	0.900%	1.080%	700,000.00	694,589.00	694,083.60
US Obligation	US Treasury	5-Nov-12	31-Oct-17	1.000%	0.740%	150,000.00	150,087.89	148,804.65
Corporate Note	Johnson & Johnson	21-Nov-14	21-Nov-17	1.700%	1.150%	175,000.00	174,861.75	174,477.63
US Obligation	US Treasury	9-May-14	30-Nov-17	0.600%	1.180%	425,000.00	416,832.03	419,554.90
Corporate Note	Chevron	5-Dec-12	5-Dec-17	1.100%	0.990%	85,000.00	85,459.85	84,474.53
Corporate Note	Chevron	5-Dec-12	5-Dec-17	1.100%	1.100%	145,000.00	145,000.00	144,103.61
Subtotal						7,765,000.00	7,719,522.91	7,692,894.39
3 Years to 5 Years								
Corporate Note	Berkshire Hathaway	11-Feb-13	9-Feb-18	1.500%	1.580%	350,000.00	349,513.50	349,828.15
Corporate Note	Wal-Mart Stores	11-Apr-13	11-Apr-18	1.110%	1.140%	255,000.00	254,765.40	252,075.66
Corporate Note	Microsoft Corp	2-May-13	1-May-18	1.010%	1.010%	160,000.00	159,899.20	157,974.24
Corporate Note	Apple	3-May-13	3-May-18	1.010%	1.080%	300,000.00	298,893.00	295,548.00
US Obligation	FNMA	31-May-13	21-May-18	0.910%	1.190%	250,000.00	246,212.50	245,843.00
US Obligation	FNMA	24-May-13	21-May-18	0.910%	1.050%	550,000.00	545,352.50	540,854.60
Corporate Note	Chevron	24-Jun-13	24-Jun-18	1.690%	1.720%	425,000.00	425,000.00	427,148.38
US Obligation	US Treasury	4-Sep-14	31-Aug-18	1.490%	1.430%	925,000.00	927,420.90	929,480.70
US Obligation	US Treasury	7-Jul-14	31-Oct-18	1.200%	1.470%	200,000.00	198,171.88	198,703.20
US Obligation	US Treasury	3-Oct-14	31-Oct-18	1.200%	1.470%	250,000.00	247,851.56	248,379.00
US Obligation	US Treasury	3-Nov-14	31-Oct-18	1.200%	1.340%	375,000.00	373,725.59	372,568.50
US Obligation	FNMA	19-Jun-14	27-Nov-18	1.590%	1.620%	350,000.00	350,010.50	351,685.25
US Obligation	US Treasury	3-Jun-14	30-Nov-18	1.200%	1.410%	500,000.00	496,503.91	496,484.50
US Obligation	US Treasury	31-Jul-14	31-Jan-19	1.490%	1.610%	600,000.00	597,210.94	600,234.60
US Obligation	US Treasury	30-Dec-14	31-Jan-19	1.490%	1.540%	600,000.00	598,968.75	600,234.60
US Obligation	US Treasury	3-Dec-14	28-Feb-19	1.400%	1.330%	850,000.00	851,394.53	845,417.65
Subtotal						6,940,000.00	6,920,894.66	6,912,460.03
Total (before fiscal agent accounts)								
						\$ 40,862,952.48	\$ 41,072,859.90	\$ 40,924,493.55
Fiscal Agent Accounts								
							1,323,708.64	1,323,708.64
TOTAL INVESTMENT PORTFOLIO								
						\$ 42,396,568.54	\$ 42,248,202.19	\$ 42,248,202.19

1.66 Years

Mark to Market \$ (148,366.35)

WEIGHTED AVERAGE MATURITY OF THE INVESTMENT PORTFOLIO

The City of Benicia complies with Government Code Sections 63600 et seq. and the City's Investment Policy. The source of market value is US Bank. The City has the ability to meet expenditure requirements for the next six months. This report to the best of my knowledge, is accurate representation of the City of Benicia's investments.

Karin Schpaider
Karin Schpaider, Finance Director

Kenneth Paulk
Kenneth Paulk, City Treasurer

City of Benicia
Investment Report - Balance by Fund Type
December 31, 2014

Fund Type	Cost Balance	Market Value Balance
General Fund	8,718,798.59	8,688,287.25
Special Revenue Funds	5,000,734.28	4,983,234.26
Debt Service Funds	413,516.95	412,069.85
Capital Project Funds	818,620.52	815,755.77
Enterprise Funds	20,568,458.97	20,496,479.86
Internal Service Funds	5,467,949.33	5,448,814.30
Fiduciary Funds	20,414.99	20,343.55
Agency Funds	1,388,074.91	1,383,217.35
	<u>42,396,568.54</u>	<u>42,248,202.19</u>

F:\finance\Investments\InvestmentReports\FY14-15\2014.15 Investment Reports.xlsx]Dec 2014 Funds

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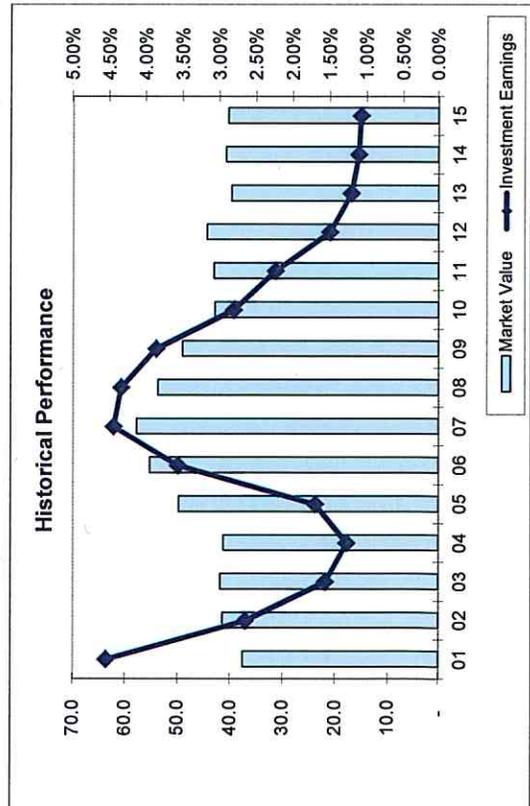
City of Benicia
Investment Report Totals - December 31, 2014
Reconciliation - PFM and City Reports

	<u>Amount</u>
Total Market Value Balance - City report	42,248,202
Less: LAIF	(9,394,364)
B of A Checking accounts	(3,945,090)
Fiscal Agent accounts	(1,323,709)
Total Market Value	<u>27,585,040</u>
Total Market Value - PFM Report	27,672,521
Less: Accrued Interest	(87,481)
Total Market Value	<u>27,585,040</u>

City of Benicia
Historical Portfolio Comparison

Market Value (Millions)					
Fiscal Year / Quarter	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Annual Average
2001	33.0	36.7	37.7	42.8	37.5
2002	39.3	41.5	40.3	44.6	41.4
2003	39.7	43.4	39.5	44.8	41.8
2004	39.3	42.8	41.1	41.8	41.3
2005	38.7	53.8	50.0	56.6	49.8
2006	46.9	54.9	55.1	64.3	55.3
2007	57.4	59.3	54.4	60.1	57.8
2008	51.9	54.7	51.4	56.8	53.7
2009	48.1	52.1	47.3	48.7	49.1
2010	42.6	43.7	39.4	45.7	42.9
2011	37.6	46.2	35.7	52.6	43.0
2012	46.6	45.7	40.2	45.0	44.4
2013	39.2	41.3	36.1	42.4	39.8
2014	37.9	41.8	39.0	44.4	40.8
2015	38.5	42.2			40.4

Investment Earnings					
Fiscal Year / Quarter	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Annual Average
01	4.76%	4.82%	4.58%	4.07%	4.55%
02	3.62%	2.72%	2.27%	2.01%	2.66%
03	1.90%	1.61%	1.41%	1.34%	1.57%
04	1.38%	1.28%	1.24%	1.20%	1.28%
05	1.31%	1.43%	1.74%	2.33%	1.70%
06	2.52%	3.76%	3.84%	4.16%	3.57%
07	4.34%	4.44%	4.46%	4.57%	4.45%
08	4.56%	4.48%	4.20%	4.15%	4.35%
09	4.01%	4.07%	4.03%	3.36%	3.87%
10	3.17%	2.83%	2.65%	2.60%	2.81%
11	2.51%	2.38%	2.15%	1.95%	2.25%
12	1.76%	1.64%	1.43%	1.21%	1.51%
13	1.22%	1.26%	1.20%	1.18%	1.21%
14	1.15%	1.17%	1.09%	1.05%	1.12%
15	1.07%	1.10%			1.09%



Investment Earnings - Dollars						
Fiscal Year / Quarter	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Mark to Market *	Annual Average
2008	319,769	789,398	474,720	327,578	403,879	578,836
2009	275,114	580,504	577,776	469,555	267,309	542,565
2010	299,040	294,913	226,519	289,374	(196,842)	228,251
2011	267,030	235,311	165,343	162,677	(352,938)	119,356
2012	46,173	132,626	130,494	131,294	(47,338)	98,312
2013	88,542	100,933	79,202	89,351	(327,648)	7,595
2014	99,460	45,980	55,704	66,838	122,842	97,706
2015	59,623	not available				

* Mark to market is the difference between current year minus prior year's mark to market gain or loss.



City of Benicia



Fourth Quarter 2014 Review of Portfolio

Carlos Oblites, Director

PFM Asset Management LLC

50 California Street, Suite 2300

San Francisco, CA 94111

415-982-5544

Investments Permitted by California Gov't Code

		Overnight	180 Days	270 Days	1 Year	5 Years	Beyond 5 Years	
"Conventional" Fixed-Income	U.S. Treasuries	Permitted					With Council Approval	
	Federal Agencies	Permitted					With Council Approval	
	Municipal Securities	Permitted					With Council Approval	
	Negotiable Certificates of Deposit	Permitted					With Council Approval	
	Commercial Paper	Permitted			Prohibited			
	Bankers' Acceptances	Permitted		Prohibited				
	Medium-Term Corporate Bonds ("A" or Better)	Permitted					Prohibited	
	Asset-Backed Securities (ABS)	Permitted					Prohibited	
	Repurchase Agreements	Permitted				Prohibited		
	Money Market Funds	Permitted	Prohibited					
Local Government Investment Pools	Permitted	Prohibited						
Broader Fixed-Income	Foreign Sovereign/Supranationals	Prohibited						
	Commercial MBS	Prohibited						
	High-Yield	Prohibited						
	Private Placements	Prohibited						
	Convertibles	Prohibited						
	Non-U.S. Dollar Investment Grade	Prohibited						
	Emerging Markets Debt	Prohibited						
Equities	Domestic Small/Mid Cap	Prohibited						
	Domestic Large Cap	Prohibited						
	Domestic Value/Growth	Prohibited						
	International Small/Mid Cap	Prohibited						
	International Large Cap	Prohibited						
	Emerging Markets	Prohibited						
Alternatives	Commodities	Prohibited						
	Real Estate	Prohibited						
	Hedge Funds	Prohibited						
	Private Equity	Prohibited						
	Venture Capital	Prohibited						
	Tangible Assets	Prohibited						

Source: California Government Code, §53600 et seq.

Credit Universe Limited for Local Governments

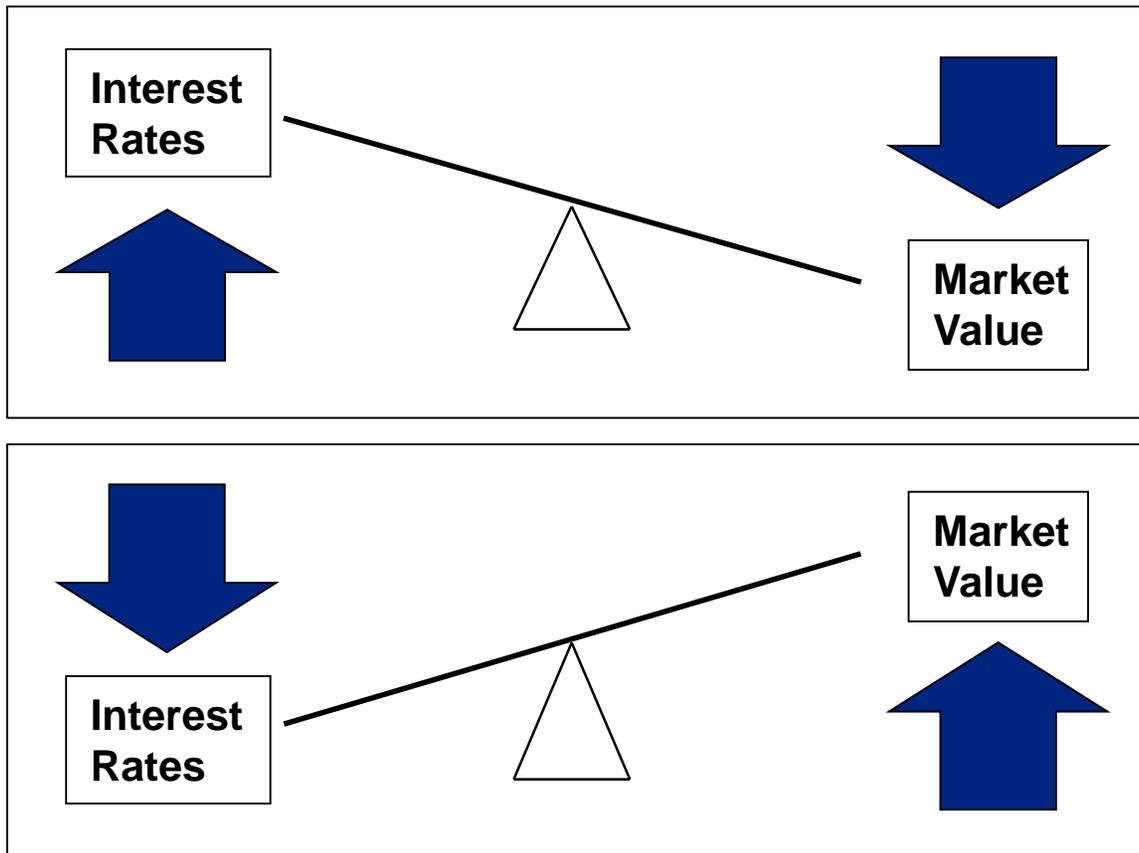
S&P	Moody's	Definition of Rating
AAA	Aaa	High quality. Smallest degree of investment risk.
AA	Aa	High quality. Differs only slightly from highest-rated issues.
A	A	Adequate capacity to pay interest and repay principal.
BBB	Baa	More susceptible to adverse effects of changes in economic conditions.
BB	Ba	Has speculative elements; future not considered to be well-assured.
B	B	Generally lack characteristics of desirable investment.
CCC	Caa	Poor standing. Vulnerability to default.
CC	Ca	Highly vulnerable to nonpayment.
C	C	Extremely poor prospects.
D	D	In default.

CA Code Minimum

Investment
Grade Threshold

Changes in Interest Rates Affect Your Investment

- Market values move inversely to interest rates.



Relationship Between Rates and Market Value

Security Type	Investment Choices			Amount Received at Maturity			
	Spend	Coupon Rate	Annual Interest Earnings	Return of Face Amount	Interest Earnings	Return of Principal + Interest	Yield
Today	\$1,000,000	5%	\$50,000	\$1 mm	\$50,000	\$1,050,000	5%
Tomorrow	\$1,000,000	6%	\$60,000	\$1 mm	\$60,000	\$1,060,000	6%
Tomorrow	?	5%	\$50,000	\$1 mm	\$50,000	?	?

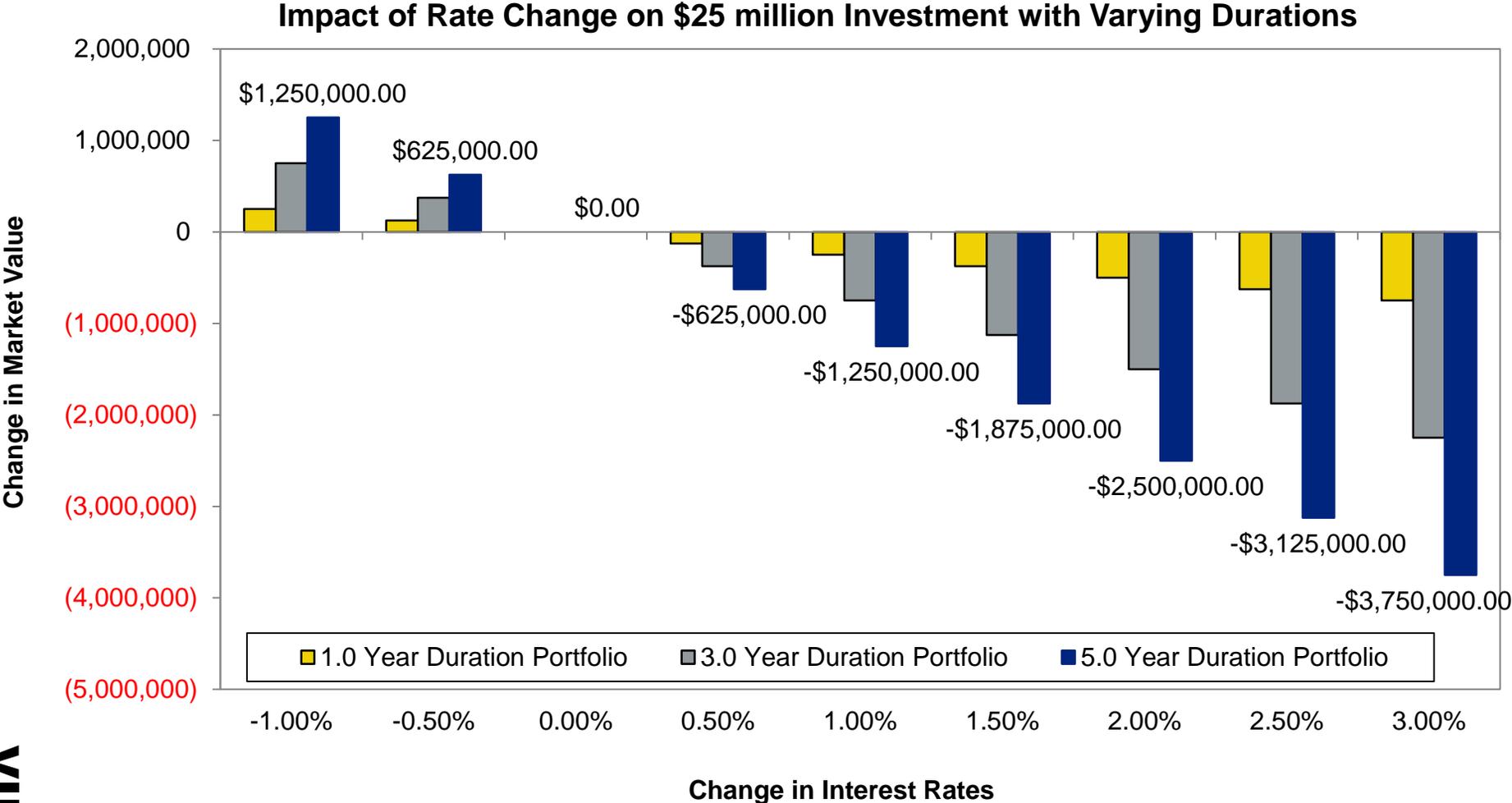
How much would you pay for this security?

Relationship Between Rates and Market Value

Security Type	Investment Choices			Amount Received at Maturity			
	Spend	Coupon Rate	Annual Interest Earnings	Return of Face Amount	Interest Earnings	Return of Principal + Interest	Yield
Today	\$1,000,000	5%	\$50,000	\$1 mm	\$50,000	\$1,050,000	5%
Tomorrow	\$1,000,000	6%	\$60,000	\$1 mm	\$60,000	\$1,060,000	6%
Tomorrow	\$990,000	5%	\$50,000	\$1 mm	\$50,000	\$1,060,000	6%

You would require a discount of \$10,000 to make up for the \$10,000 difference in interest.

Evaluating Bond Price Sensitivity



Interest Rates Are (Finally) on the Rise...

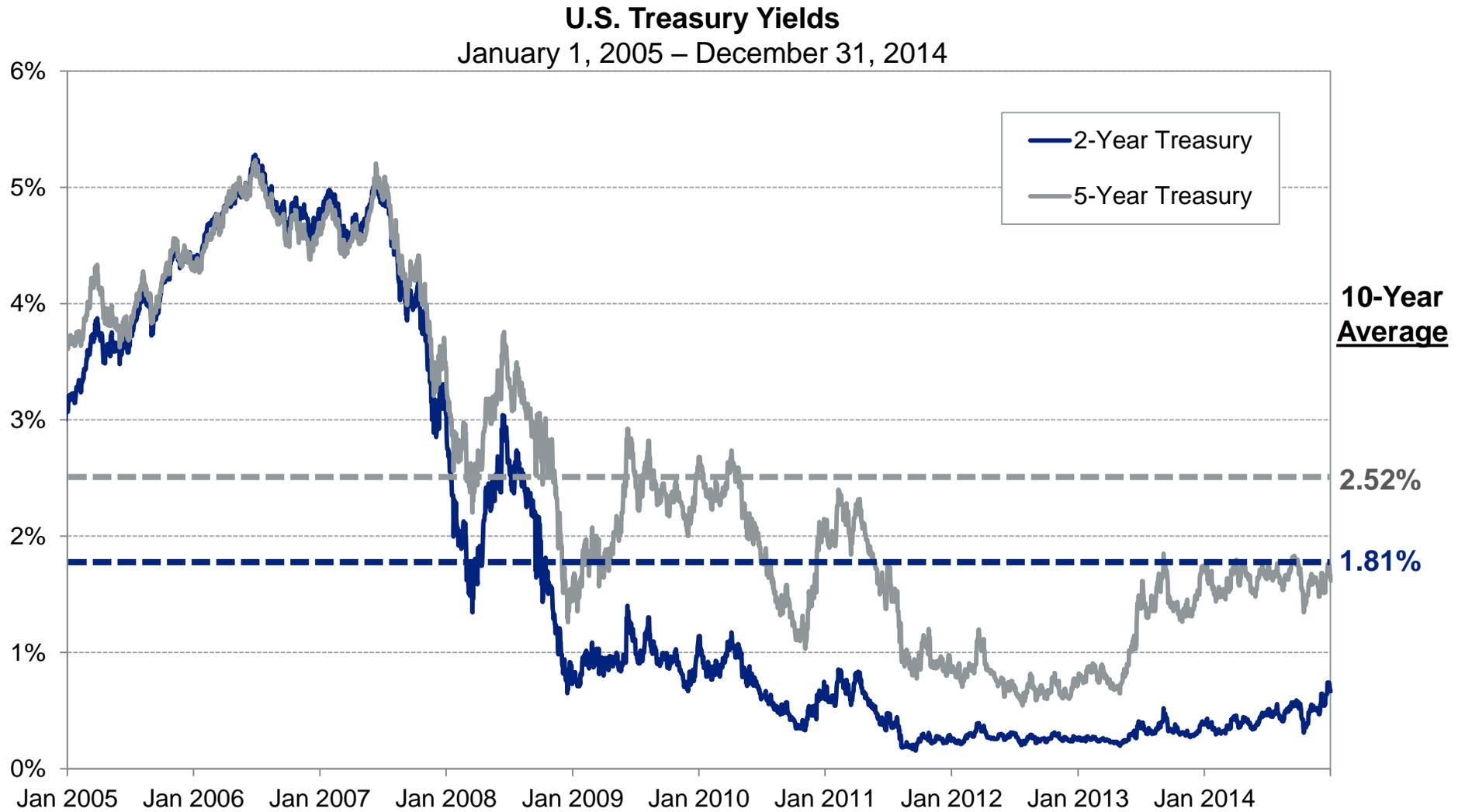
2-Year U.S. Treasury Yield
January 1, 2014 – December 31, 2014



Rates volatile,
but higher than
last year

Source: Bloomberg

...But Remain Below Historical Averages



Source: Bloomberg

Risk/Return Analysis as of 1/15/2015

Sector	Current Allocation ¹	Current Portfolio Annual Income	Current Average Maturity	Potential Gain/Loss on Sale ²	New Portfolio Average Term ^{3,4}	New Portfolio Annual Income	Increase/ (Decrease) in Annual Income
US Treasuries	21.07%	1.25%	3.44 years	(471.89)	5 years	1.27%	0.02%
Federal Agencies	38.35%	0.81%	2.03 years	(8,136.22)	5 years	1.39%	0.58%
Corporate Notes ⁵	28.05%	0.99%	1.97 years	1,675.97	5 years	1.89%	0.90%
Negotiable CDs	12.48%	0.67%	1.63 years	(6,537.85)	2 years	0.93%	0.26%
TOTAL	99.95%	0.93%	2.25 years	(13,469.99)			

(1) Remaining Allocation to sweep

(2) Assumes all securities in current portfolio with maturities less than 5 years are sold

(3) Maximum allowed by Investment Policy

(4) Very little negotiable certificates of deposit issuance beyond 2 years

(5) AA Credit Rating

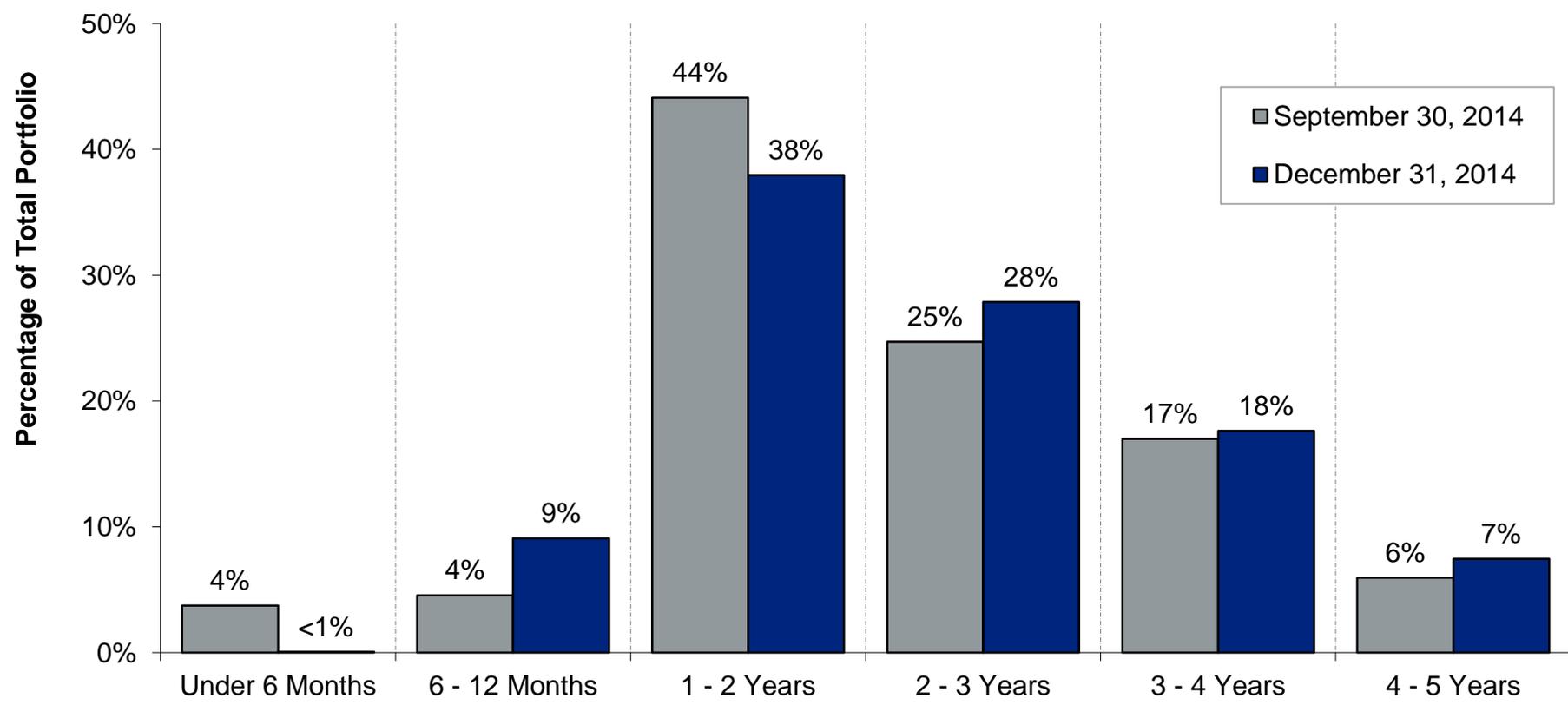
Horizon Analysis—Longer Duration More Volatile

Market Value Loss on \$25 Million Portfolio Due to Instantaneous Change in Interest Rates

Index	Portfolio Duration (years)	Interest Rates Rise 0.25%	Interest Rates Rise 0.50%	Interest Rates Rise 1.00%
City of Benicia Portfolio	2.09	(130,625)	(261,250)	(522,500)
0-5 Year Treasury	2.17	(135,625)	(271,250)	(542,500)
1-5 Year Treasury	2.64	(165,000)	(330,000)	(660,000)
3-5 Year Treasury	3.78	(236,250)	(472,500)	(945,000)
5 Year Treasury	5.00	(312,500)	(625,000)	(1,250,000)

Durations as of 12/31/14

Portfolio's Current Maturity Distribution



Note: Callable securities in portfolio are included in the maturity distribution analysis to their stated maturity date, although they may be called prior to maturity.

Active Management: Decisions... Decisions...

Hold To Maturity?

Do Nothing and
Collect Income

- Income is known
- Portfolio naturally gets shorter
- Reinvestment rates unknown

Sell Before Maturity?

What to purchase with
the reinvestment?

Which way are
interest rates headed?

What will the portfolio
look like after the
swap?

Will the swap earn
more money on a net
basis?

- New income is known at time of reinvestment
- Now a yield picker instead of a yield taker
- Able to reposition portfolio to perform under expected environment
- Lock in gains
- Potentially higher returns

Select Swap Trades in City's Portfolio

Settle Date	Trade Type	Issuer	Par	Maturity	Yield at Cost	Yield at Market	Gain on Sale	Earnings to 10/31/14	Total Cash Flow
7/7/14	Sale	U.S. Treasury	\$220,000	10/31/14	0.26%	0.07%	\$134	(\$182)	(\$48)
7/7/14	Purchase	U.S. Treasury	\$200,000	10/31/18	1.47%	1.47%	-	\$919	\$919
Additional Net Benefit to 10/31/14									\$871

Settle Date	Trade Type	Issuer	Par	Maturity	Yield at Cost	Yield at Market	Gain on Sale	Earnings to 8/31/16	Total Cash Flow
8/7/14	Sale	U.S. Treasury	\$400,000	8/31/16	0.82%	0.52%	\$2,474	(\$6,790)	(\$4,316)
8/7/14	Purchase	FHLB	\$400,000	9/28/16	0.61%	0.61%	-	\$5,002	\$5,002
Additional Net Benefit to 8/31/16									\$686

Portfolio Results

Total Return For periods ending December 31, 2014

	Duration (years)	Yield to Maturity at Cost	Past Year	Past 2 Years	Since Inception
City of Benicia Return	2.09	0.93%	1.06%	0.61%	2.78%
Merrill Lynch U.S. Treasury Index	2.17	0.79%	1.00%	0.44%	2.89%

- Performance on trade date basis, gross (i.e., before fees), in accordance with the CFA Institute's Global Investment Performance Standards (GIPS).
- Merrill Lynch Indices provided by Bloomberg Financial Markets. Custom Benchmark consists of the Merrill Lynch 1-3 Year U.S. Treasury Index through 6/30/2006 and the Merrill Lynch 0-5 Year U.S. Treasury Index thereafter.
- Performance numbers for periods greater than one year are presented on an annualized basis.
- The portfolio started being actively managed against the 0-5 year U.S. Treasury Index in the first quarter of 2012.
- Money market fund balance is included in performance and duration calculations.
- Inception date is December 31, 2005.

City of Benicia Earnings Analysis

	Q1 2014	Q2 2014	Q3 2014	Q4 2014	2014
<i>Total Interest and Realized Gain/Loss</i>	69,163.72	57,648.02	58,833.67	61,583.07	247,228.48
+ <i>Change in market value</i>	12,298.41	64,120.56	(64,688.89)	30,878.94	42,609.02
= Total Return	81,462.13	121,768.58	(5,855.22)	92,462.01	289,837.50

Total Return	0.30%	0.44%	-0.02%	0.34%	1.06%
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<i>Fees</i>	7,499.82	7,586.33	7,689.00	7,699.04	30,474.19
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- Performance on trade date basis, gross (i.e., before fees), in accordance with the CFA Institute's Global Investment Performance Standards (GIPS).
- Fees total 11 basis points annually (0.11%) and are calculated on total amortized cost.
- City books Total interest earnings and realized gains and losses. It makes a one-time adjustment for change in market value at fiscal year-end.

PFM Sector Preferences – January 2015

Sector	Unfavorable Favorable	Sector Considerations
MMF/LGIP		<p>CP/CDs Supply is constrained for shorter maturities, but Fed expectations has improved value in 6-12 month maturities.</p>
Commercial Paper/CDs		
Treasury: T-Bill		<p>Treasuries New issuance shrinking as federal deficit improves; 1-5 year maturities offer value near the upper end of recent trading ranges.</p>
T-Note		
Agency: <= 3 years		<p>Federal Agencies Housing GSEs continue to reduce issuance as they shrink their balance sheets; result is diminished supply and shrinking spreads, little value in short maturities.</p>
> 3 Years		
Corporates: Financials		<p>Corporates Positive macro environment is particularly supportive of industrial issuers which appear attractive; some new issues still contain price concessions; bank sector may come under ratings pressure in 2015, but still provide an opportunity to enhance returns.</p>
Industrials		
Municipal Bonds		<p>Municipals Supply has diminished as advance refundings decline and new money projects lag; taxables offer occasional value compared to other spread products.</p>
Asset-Backed		<p>ABS Economic outlook supports incremental value in AAA senior fixed-rate auto loan and credit card tranches.</p>
Mortgage Backed		

VIII.A.25

Source: PFMAM. As of December 31, 2014. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation. Analysis is subject to changes in the market environment, and may vary based on the client's particular circumstances.

GOVERNMENT CODE

SECTION 53600-53610

53600. As used in this article, "local agency" means county, city, city and county, including a chartered city or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

53600.3. Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

53600.5. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, the primary objective of a trustee shall be to safeguard the principal of the funds under its control. The secondary objective shall be to meet the liquidity needs of the depositor. The third objective shall be to achieve a return on the funds under its control.

53600.6. The Legislature hereby finds that the solvency and creditworthiness of each individual local agency can impact the solvency and creditworthiness of the state and other local agencies within the state. Therefore, to protect the solvency and creditworthiness of the state and all of its political subdivisions, the Legislature hereby declares that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern.

53601. This section shall apply to a local agency that is a city, a district, or other local agency that does not pool money in deposits or investments with other local agencies, other than local agencies that have the same governing body. However, Section 53635 shall apply to all local agencies that pool money in deposits or investments with other local agencies that have separate governing bodies. The legislative body of a local agency having moneys in a sinking fund or moneys in its treasury not required for the immediate needs of the

local agency may invest any portion of the moneys that it deems wise or expedient in those investments set forth below. A local agency purchasing or obtaining any securities prescribed in this section, in a negotiable, bearer, registered, or nonregistered format, shall require delivery of the securities to the local agency, including those purchased for the agency by financial advisers, consultants, or managers using the agency's funds, by book entry, physical delivery, or by third-party custodial agreement. The transfer of securities to the counterparty bank's customer book entry account may be used for book entry delivery.

For purposes of this section, "counterparty" means the other party to the transaction. A counterparty bank's trust department or separate safekeeping department may be used for the physical delivery of the security if the security is held in the name of the local agency. Where this section specifies a percentage limitation for a particular category of investment, that percentage is applicable only at the date of purchase. Where this section does not specify a limitation on the term or remaining maturity at the time of the investment, no investment shall be made in any security, other than a security underlying a repurchase or reverse repurchase agreement or securities lending agreement authorized by this section, that at the time of the investment has a term remaining to maturity in excess of five years, unless the legislative body has granted express authority to make that investment either specifically or as a part of an investment program approved by the legislative body no less than three months prior to the investment:

(a) Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.

(b) United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

(c) Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

(d) Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California.

(e) Bonds, notes, warrants, or other evidences of indebtedness of a local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

(f) Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.

(g) Bankers' acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers' acceptances shall not exceed 180 days' maturity or 40 percent of the agency's moneys that may be invested pursuant to this section. However, no more than 30 percent of the agency's moneys may be invested in the bankers' acceptances of any one commercial bank pursuant to this section.

This subdivision does not preclude a municipal utility district investing moneys in its treasury in a manner authorized by the

Municipal Utility District Act (Division 6 (commencing with Section 11501) of the Public Utilities Code).

(h) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or (2):

(1) The entity meets the following criteria:

(A) Is organized and operating in the United States as a general corporation.

(B) Has total assets in excess of five hundred million dollars (\$500,000,000).

(C) Has debt other than commercial paper, if any, that is rated "A" or higher by an NRSRO.

(2) The entity meets the following criteria:

(A) Is organized within the United States as a special purpose corporation, trust, or limited liability company.

(B) Has programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond.

(C) Has commercial paper that is rated "A-1" or higher, or the equivalent, by an NRSRO.

Eligible commercial paper shall have a maximum maturity of 270 days or less. Local agencies, other than counties or a city and county, may invest no more than 25 percent of their moneys in eligible commercial paper. Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper of any single issuer. Counties or a city and county may invest in commercial paper pursuant to the concentration limits in subdivision (a) of Section 53635.

(i) Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit shall not exceed 30 percent of the agency's moneys that may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the moneys are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or a person with investment decisionmaking authority in the administrative office manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

(j) (1) Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of securities authorized by this section, as long as the agreements are subject to this subdivision, including the delivery requirements specified in this section.

(2) Investments in repurchase agreements may be made, on an investment authorized in this section, when the term of the agreement does not exceed one year. The market value of securities that underlie a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed against those securities and the value

shall be adjusted no less than quarterly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.

(3) Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:

(A) The security to be sold using a reverse repurchase agreement or securities lending agreement has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.

(B) The total of all reverse repurchase agreements and securities lending agreements on investments owned by the local agency does not exceed 20 percent of the base value of the portfolio.

(C) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(D) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty using a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.

(4) (A) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may be made only upon prior approval of the governing body of the local agency and shall be made only with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.

(B) For purposes of this chapter, "significant banking relationship" means any of the following activities of a bank:

(i) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.

(ii) Financing of a local agency's activities.

(iii) Acceptance of a local agency's securities or funds as deposits.

(5) (A) "Repurchase agreement" means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third-party custodial agreement. The transfer of underlying securities to the counterparty bank's customer book-entry account may be used for book-entry delivery.

(B) "Securities," for purposes of repurchase under this subdivision, means securities of the same issuer, description, issue date, and maturity.

(C) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date and includes other comparable agreements.

"Securities lending agreement" means an agreement under which

a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

(E) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.

(F) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.

(k) Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated "A" or better by an NRSRO. Purchases of medium-term notes shall not include other instruments authorized by this section and shall not exceed 30 percent of the agency's moneys that may be invested pursuant to this section.

(1) (1) Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying a repurchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.

(2) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.).

(3) If investment is in shares issued pursuant to paragraph (1), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subdivisions (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).

(4) If investment is in shares issued pursuant to paragraph (2), the company shall have met either of the following criteria:

(A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs.

(B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).

(5) The purchase price of shares of beneficial interest purchased pursuant to this subdivision shall not include commission that the companies may charge and shall not exceed 20 percent of the agency's moneys that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to paragraph (1).

(m) Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.

(n) Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

(o) A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by an NRSRO and rated in a rating category of "AA" or its equivalent or better by an NRSRO. Purchase of securities authorized by this subdivision shall not exceed 20 percent of the agency's surplus moneys that may be invested pursuant to this section.

(p) Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (q), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

(q) United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and

eligible for purchase and sale within the United States. Investments under this subdivision shall be rated "AA" or better by an NRSRO and shall not exceed 30 percent of the agency's moneys that may be invested pursuant to this section.

53601.1. The authority of a local agency to invest funds pursuant to Section 53601 includes, in addition thereto, authority to invest in financial futures or financial option contracts in any of the investment categories enumerated in that section.

53601.2. As used in this article, "corporation" includes a limited liability company.

53601.5. The purchase by a local agency of any investment authorized pursuant to Section 53601 or 53601.1, not purchased directly from the issuer, shall be purchased either from an institution licensed by the state as a broker-dealer, as defined in Section 25004 of the Corporations Code, or from a member of a federally regulated securities exchange, from a national or state-chartered bank, from a savings association or federal association (as defined by Section 5102 of the Financial Code) or from a brokerage firm designated as a primary government dealer by the Federal Reserve bank.

53601.6. (a) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in inverse floaters, range notes, or mortgage-derived, interest-only strips.

(b) A local agency shall not invest any funds pursuant to this article or pursuant to Article 2 (commencing with Section 53630) in any security that could result in zero interest accrual if held to maturity. However, a local agency may hold prohibited instruments until their maturity dates. The limitation in this subdivision shall not apply to local agency investments in shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.) that are authorized for investment pursuant to subdivision (1) of Section 53601.

53601.8. Notwithstanding Section 53601 or any other provision of this code, a local agency that has the authority under law to invest funds, at its discretion, may invest a portion of its surplus funds in deposits at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of deposits. The following conditions shall apply:

(a) The local agency shall choose a nationally or state chartered commercial bank, savings bank, savings and loan association, or credit union in this state to invest the funds, which shall be known as the "selected" depository institution.

(b) The selected depository institution may use a private sector entity to help place local agency deposits with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States and are within the network used by the private sector entity for this purpose.

(c) Any private sector entity used by a selected depository institution to help place its local agency deposits shall maintain policies and procedures requiring both of the following:

(1) The full amount of each deposit placed pursuant to subdivision (b) and the interest that may accrue on each such deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(2) Every depository institution where funds are placed shall be capitalized at a level that is sufficient, and be otherwise eligible, to receive such deposits pursuant to regulations of the Federal Deposit Insurance Corporation or the National Credit Union Administration, as applicable.

(d) The selected depository institution shall serve as a custodian for each such deposit.

(e) On the same date that the local agency's funds are placed pursuant to subdivision (b) by the private sector entity, the selected depository institution shall receive an amount of insured deposits from other financial institutions that, in total, are equal to, or greater than, the full amount of the principal that the local agency initially deposited through the selected depository institution pursuant to subdivision (b).

(f) Notwithstanding subdivisions (a) to (e), inclusive, a credit union shall not act as a selected depository institution under this section or Section 53635.8 unless both of the following conditions are satisfied:

(1) The credit union offers federal depository insurance through the National Credit Union Administration.

(2) The credit union is in possession of written guidance or other written communication from the National Credit Union Administration authorizing participation of federally insured credit unions in one or more deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal government.

(g) It is the intent of the Legislature that this section shall not restrict competition among private sector entities that provide placement services pursuant to this section.

(h) The deposits placed pursuant to this section and Section 53635.8 shall not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose.

(i) Purchases of certificates of deposit pursuant to this section, Section 53635.8, and subdivision (i) of Section 53601 shall not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose.

(j) Excluding purchases of certificates of deposit pursuant to this section, no more than 10 percent of the agency's funds that may be invested for this purpose may be submitted, pursuant to subdivision (b), to any one private sector entity that assists in the placement of deposits with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States, for the local agency's account.

(k) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

53601.8. Notwithstanding Section 53601 or any other provision of this code, a local agency that has the authority under law to invest funds may, at its discretion, invest a portion of its surplus funds in certificates of deposit at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of certificates of deposit, provided that the purchases of certificates of deposit pursuant to this section, Section 53635.8, and subdivision (i) of Section 53601 do not, in total, exceed 30 percent of the agency's funds that may be invested for this purpose. The following conditions shall apply:

(a) The local agency shall choose a nationally or state-chartered commercial bank, savings bank, savings and loan association, or credit union in this state to invest the funds, which shall be known as the "selected" depository institution.

(b) The selected depository institution may submit the funds to a private sector entity that assists in the placement of certificates of deposit with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States for the local agency's account.

(c) The full amount of the principal and the interest that may be accrued during the maximum term of each certificate of deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(d) The selected depository institution shall serve as a custodian for each certificate of deposit that is issued with the placement service for the local agency's account.

(e) At the same time the local agency's funds are deposited and the certificates of deposit are issued, the selected depository institution shall receive an amount of deposits from other commercial banks, savings banks, savings and loan associations, or credit unions that, in total, are equal to, or greater than, the full amount of the principal that the local agency initially deposited through the selected depository institution for investment.

(f) Notwithstanding subdivisions (a) to (e), inclusive, no credit union may act as a selected depository institution under this section or Section 53635.8 unless both of the following conditions are satisfied:

(1) The credit union offers federal depository insurance through the National Credit Union Administration.

(2) The credit union is in possession of written guidance or other written communication from the National Credit Union Administration authorizing participation of federally insured credit unions in one or more certificate of deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal government.

(g) It is the intent of the Legislature that this section shall not restrict competition among private sector entities that provide placement services pursuant to this section.

(h) This section shall become operative on January 1, 2017.

53602. The legislative body shall invest only in notes, bonds, bills, certificates of indebtedness, warrants, or registered warrants which are legal investments for savings banks in the State, provided, that the board of supervisors of a county may, by a four-fifths vote thereof, invest in notes, warrants or other evidences of indebtedness of public districts wholly or partly within the county, whether or not such notes, warrants, or other evidences

of indebtedness are legal investments for savings banks.

53603. The legislative body may make the investment by direct purchase of any issue of eligible securities at their original sale or after they have been issued.

53604. The legislative body may sell, or exchange for other eligible securities, and reinvest the proceeds of, the securities purchased.

53605. From time to time, the legislative body shall sell the securities so that the proceeds may be applied to the purposes for which the original purchase money was placed in the sinking fund or the treasury of the local agency.

53606. The bonds purchased, which were issued by the purchaser, may be canceled either in satisfaction or sinking fund obligations or otherwise. When canceled, they are no longer outstanding, unless in its discretion, the legislative body holds them uncanceled. While held uncanceled, the bonds may be resold.

53607. The authority of the legislative body to invest or to reinvest funds of a local agency, or to sell or exchange securities so purchased, may be delegated for a one-year period by the legislative body to the treasurer of the local agency, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires, and shall make a monthly report of those transactions to the legislative body. Subject to review, the legislative body may renew the delegation of authority pursuant to this section each year.

53608. The legislative body of a local agency may deposit for safekeeping with a federal or state association (as defined by Section 5102 of the Financial Code), a trust company or a state or national bank located within this state or with the Federal Reserve Bank of San Francisco or any branch thereof within this state, or with any Federal Reserve bank or with any state or national bank located in any city designated as a reserve city by the Board of Governors of the Federal Reserve System, the bonds, notes, bills, debentures, obligations, certificates of indebtedness, warrants, or other evidences of indebtedness in which the money of the local agency is invested pursuant to this article or pursuant to other legislative authority. The local agency shall take from such financial institution a receipt for securities so deposited. The authority of the legislative body to deposit for safekeeping may be delegated by the legislative body to the treasurer of the local agency; the treasurer shall not be responsible for securities delivered to and receipted for by a financial institution until they are withdrawn from the financial institution by the treasurer.

53609. Notwithstanding the provisions of this chapter or any other provisions of this code, funds held by a local agency pursuant to a written agreement between the agency and employees of the agency to defer a portion of the compensation otherwise receivable by the agency's employees and pursuant to a plan for such deferral as adopted by the governing body of the agency, may be invested in the types of investments set forth in Sections 53601 and 53602 of this code, and may additionally be invested in corporate stocks, bonds, and securities, mutual funds, savings and loan accounts, credit union accounts, life insurance policies, annuities, mortgages, deeds of trust, or other security interests in real or personal property. Nothing herein shall be construed to permit any type of investment prohibited by the Constitution.

Deferred compensation funds are public pension or retirement funds for the purposes of Section 17 of Article XVI of the Constitution.

53610. (a) For purposes of this section, "Proposition 1A receivable" means the right to payment of moneys due or to become due to a local agency, pursuant to clause (iii) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 25.5 of Article XIII of the California Constitution and Section 100.06 of the Revenue and Taxation Code.

(b) Notwithstanding any other law, a local agency may purchase, with its revenue, Proposition 1A receivables sold pursuant to Section 53999.

(c) A purchaser of Proposition 1A receivables pursuant to this section shall not offer them for sale pursuant to Section 6588.

AGENDA ITEM
CITY COUNCIL MEETING DATE - MARCH 3, 2015
BUSINESS ITEMS

DATE : February 20, 2015

TO : City Manager

FROM : Interim Community Development Director

SUBJECT : **REVIEW OF BENICIA MUNICIPAL CODE REGULATIONS GOVERNING PERMITTED HOURS OF CONSTRUCTION (BENICIA MUNICIPAL CODE SECTION 8.20.150)**

RECOMMENDATION:

Discuss Benicia Municipal Code (BMC) Section 8.20.150 related to hours of construction to address residential neighbor concerns with the current extended hours of construction and determine whether or not to direct staff to initiate an amendment to the current regulations.

EXECUTIVE SUMMARY:

BMC Section 8.20.150 currently allows construction throughout the City from 7 AM to 10 PM seven days per week. These are unusually long hours compared to most cities and can lead to disturbance of residential neighbors at times when they can reasonably expect to be free from loud construction noises. Should the Council direct staff to initiate consideration of modification of the current permitted hours, staff would engage with stakeholders and recommend modified hours for construction within and in close proximity to residentially zoned areas of the City.

BUDGET INFORMATION:

Staff anticipates that the community engagement and modification process would require roughly 80 hours of staff time over approximately three months, depending on other priorities and current planning activity.

GENERAL PLAN:

Relevant General Plan Goal:

- GOAL 4.23: Reduce or eliminate the effects of excessive noise.

STRATEGIC PLAN:

There are no issues, strategies or actions related to construction noise or noise impacts in general.

BACKGROUND:

At the City Council meeting of February 17, 2015, at the request of Council Member Campbell, the Council agendaized for March 3, 2015 the topic of construction hours for discussion to determine whether a text amendment should be initiated.

Construction hours are governed by Benicia Municipal Code (BMC) section 8.20 which regulates noise. Section 8.20.150, permits construction activities from 7:00 a.m. to 10:00 p.m., seven days per week:

It is unlawful for any person within a residential zone, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of any one day and 7:00 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from the city manager or his designee. No permit shall be required to perform emergency work as defined in BMC 8.20.020. (Ord. 77-2 N.S. § 1, 1977; prior code § 12-301).

The Community Development Department routinely receives inquiries about the allowable construction hours. While there is no precise tally of such inquiries, staff from the Building Division estimates that they receive 1-2 calls per week from neighbors calling to complain or to understand the allowable construction hours. At the time of permit issuance, contractors and property owners are informed of construction hours, but also encouraged to talk with neighbors in advance of construction work.

The topic of construction hours was raised most recently as a concern of neighbors during the October 28, 2014 Zoning Administrator hearing for the tentative parcel map at 1035 West K Street. During the hearing, adjacent neighbors expressed concern about noise impacts from the construction of new homes that could continue for several years, depending on when lots were sold and developed. The neighbors indicated that noise in the early morning and evening hours, especially until 10:00 PM, and on weekends would significantly disturb their peace and well-being.

Analysis

A cursory review of noise ordinances for nearby jurisdictions in Solano County and Contra Costa County reveals that Benicia's permitted construction hours are similar to those in Fairfield and Suisun, but more liberal than many other nearby communities, generally summarized below*:

Jurisdiction	Permitted Construction Hours
Fairfield	7:00 a.m. to 10:00 p.m.
Suisun	7:00 a.m. to 10:00 p.m., Monday – Saturday 8:00 a.m. to 10:00 p.m., Sunday
Vacaville	7:00 a.m. to dusk (1/2 hour after sunset), Monday-Saturday
Vallejo	7:00 a.m. to 6:00 p.m. Monday – Saturday, excl. holidays
Concord	7:30 a.m. to 6:00 p.m., Monday – Friday 8:00 a.m. to 5:00 p.m., Saturday
Martinez	7:00 a.m. to 7:00 p.m., Monday - Friday 9:00 a.m. to 5:00 p.m., Saturday-Sunday, holidays
Pleasant Hill	7:30 a.m. to 7:00 p.m., Monday – Friday 9:00 a.m. to 6:00 pm., Saturday-Sunday
Walnut Creek	7:00 a.m. to 6:00 p.m., Monday – Friday excl. holidays

*some jurisdictions have additional detail in the ordinance relating to emergency work, grading, homeowner repair/construction, distance from occupied residences.

Should the City Council initiate an amendment to Section 8.20.150, staff expects that modification to the ordinance would entail some outreach to the contractor community as well as other stakeholders. The issues that would need to be addressed would include:

- Should hours vary by zoning district. For example, staff anticipates that construction hours in the industrial areas would remain as currently written, while being modified for construction activity within some reasonable distance of existing residential zones.
- What are appropriate construction activity hours that balance the interests of property owners to make reasonably expeditious improvements to their property, with the rights of neighbors for the peaceful enjoyment of their property.
- What is the appropriate mechanism to allow for modification of construction hours to address unusual circumstances.
- Should hours be modified for weekends? As noted above, most jurisdictions have different hours for weekends.

As Section 8 of the BMC is not part of the Zoning Ordinance, modifications to the ordinance are not technically under the purview of the Planning Commission. Nevertheless, as this issue relates to development in the City, staff recommends that should the Council direct preparation of modifications to the code, those revisions be brought to the Planning Commission for a public hearing and recommendation prior to bringing them before the City Council.

