

March 6, 2001

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

SPECIAL MEETING - CITY COUNCIL

March 6, 2001

MINUTES OF THE

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MARCH 6, 2001

A special meeting of the City Council of the City of Benicia was called by Mayor Steve Messina at 7:15 p.m. Tuesday, March 6, 2001.

CITY CLERK ANNOUNCEMENT OF CLOSED SESSION

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

Conference With Legal Counsel - Existing Litigation
(pursuant to Subdivision (a) of Government Code Section 54956.)
Name of Case: City of Benicia v. STANHOPE

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

MINUTES OF THE

REGULAR MEETING - CITY COUNCIL

MARCH 6, 2001

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:30 p.m. Tuesday, March 6, 2001, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina
Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

ANNOUNCEMENTS:

Mayor Messina announced action taken in Closed Session re: City of Benicia v. Stanhope - gave direction to City Attorney.

PROCLAMATION - "NATIONAL LIBRARY WEEK" APRIL 1-7

Mayor Messina read the Proclamation; accepted by Monique le Conge, Library Director.

ADOPTION OF AGENDA:

Mayor Messina asked if there were any changes to the Agenda.

On motion of Councilmember Corbaley, seconded by Councilmember Whitney, and unanimously carried, Agenda was adopted as presented.

WRITTEN COMMUNICATIONS;

PUBLIC COMMENT:

Walter Cross, 1170 Church Street, member of the Historical Society, spoke in favor of the formation of a Historic Preservation Commission.

Kitty Griffin, 236 Baker Street, read sections of other city's ordinances on Historic Preservation, specifically economic hardship and maintenance; in favor of formation of this Commission.

Cathy Ann Hewitt, 266 East B Street, thanked Dan Schiada and Michael Throne for their participation at the Marina meeting; Marina looks nicer, recycling has been improved; also reminded people of Proposition 10 funding that is available for programs for children ages 0-5.

Dan Smith, 365 Military East, spoke on first fund raiser held for the proposed skate park, raised \$1000; stated that the new Commission should meet more than four times a year; revive the Economic Development Board so that it may work with this new Commission.

James O. Milburn, 280 East J Street, spoke on shortness of Agenda.

Marilyn Bardet, 333 East K Street, spoke on Planning Study Session in Commission Room on March 7, 2001 in reference to Jefferson Street project; supports Historic Preservation Commission, but agreed with previous speaker that four meetings a year is too little.

Jon Van Landschoot, 175 West H Street, corrected Ms. Bardet's statement concerning the date of the Planning meeting, to Thursday, March 8, 2001.

CONSENT CALENDAR:

Mayor Messina stated there is a member of the audience who requested Item C be pulled; asked if there were any other requests for items to be pulled.

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

Minutes of February 20, 2001.

ADOPTION OF ORDINANCE NO. 01-2 - AN ORDINANCE ADDING A NEW CHAPTER 9.24 (POWER OF POLICE OFFICERS TO ENFORCE A MINIMUM SEPARATION DISTANCE) TO TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE BENICIA MUNICIPAL CODE

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

(END OF CONSENT CALENDAR)

AMENDMENT TO AGREEMENT WITH EDAW, INC. FOR ENVIRONMENTAL IMPACT REPORT FOR THE CLEANUP AND DEVELOPMENT OF ROSE DRIVE/BLAKE COURT AREA
James O. Milburn, 280 East J Street, requested this item be pulled from the Consent Calendar; welcomes the delay in the proposed golf course; spoke on water usage still being critical.

Council took the following action:

RESOLUTION NO. 01-17 - A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH EDAW, INC. FOR THE ENVIRONMENTAL IMPACT REPORT FOR THE CLEANUP AND DEVELOPMENT OF THE ROSE DRIVE/BLAKE COURT AREA

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

UNFINISHED BUSINESS:

ADD NEW CHAPTER 2.56 (HISTORIC PRESERVATION COMMISSION) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF BENICIA MUNICIPAL CODE

Otto Giuliani, City Manager, gave a report; outlined the effort of the citizens and the Council sub-committee; direction given to staff to put together an ordinance; the wording of Section 2.56.030 was done at the request of the State Office of Historic Preservation in order to allow the City to qualify for "Certified Local Government" (CLG) recognition; explained that all items on the Agenda were considered public hearings; Government Code does not require this to be listed as a "Public Hearing"; when the ordinance comes back for second reading, references to the General Plan will be eliminated; a video tape of the meeting held about the Mills Act will be shown on Channel 27 various times during the month of March.

Commissioner Corbaley suggested changing the wording in Section 2.56.060 to read the first Wednesday of "every" month and questioned whether or not this change would require the ordinance to be reintroduced.

Heather McLaughlin, City Attorney, stated the ordinance will not require another hearing; does not have to be reintroduced.

Two members of the audience expressed their views.

Councilmember Corbaley commented that there was a tremendous anticipation and enthusiasm for the formation of this commission; read Section 2.56.010 - Purpose, of the proposed Ordinance into the record; makes the motion to approve the first reading of the Ordinance with the word "every" replacing the word "the" in Section 2.56.060 - Meeting time and place.

Council took the following action:

INTRODUCTION OF ORDINANCE NO. 01- - AN ORDINANCE ADDING A NEW CHAPTER 2.56 (HISTORIC PRESERVATION COMMISSION) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE, AS AMENDED

On motion of Councilmember Corbaley, seconded by Mayor Messina, the above Ordinance was introduced by title only by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

(Further consideration of the above Ordinance will be held at the next regular Council meeting.)

Mayor Messina announced that applications for this Commission are available at the City Manager's office.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:15 p.m.

Linda S. Purdy, City Clerk