

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
March 18, 2014

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 6:30 p.m.

Council Member Hughes was absent. All other Council Members were present.

II. CLOSED SESSION:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Potential Contracts for Various Water Rights

Agency negotiator: City Manager, City Attorney, Interim Public Works

Negotiating parties: City of Benicia and various water providers

Under negotiation: Both price and terms of payment

III. CONVENE OPEN SESSION:

Mayor Patterson called the Open Session to order at 7:07 p.m.

A. ROLL CALL

Council Members Hughes and Schwartzman were absent.

All other Council Members were present.

B. PLEDGE OF ALLEGIANCE

Boy Scout Troop 295 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 that Council received information from Staff and provided direction to Staff.

2. Openings on Boards and Commissions:

Arts and Culture
1 full term
Open until filled

Historic Preservation Review Commission
1 unfilled term
Open until filled

3. Mayor's Office Hours:

4. Benicia Arsenal Update

Update from City Attorney

Status quo. Nothing new to report.

B. PROCLAMATIONS

1. IN RECOGNITION OF SUNSHINE WEEK - MARCH 16-22, 2014

C. APPOINTMENTS

Mayor Patterson discussed concerns regarding the appointment process. She and Staff have been working on ideas that might make the process smoother.

Council Member Strawbridge requested the appointments be continued until all Council Members could be present.

Vice Mayor Campbell discussed support for voting on the appointments tonight.

Mayor Patterson discussed concern regarding delaying the appointments. If an appointment could not be agreed upon, it would be continued to the next meeting.

1. Appointment of Jacquelyn Sells DuBois to the Arts and Culture Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF JACQUELYN SELLS DUBOIS TO THE ARTS AND CULTURE COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-18, on roll call by the following vote:

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

2. Reappointment of Douglas Funk to the Civil Service Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF DOUGLAS FUNK TO THE CIVIL SERVICE COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-19, on roll call by the following vote:

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

3. Reappointment of Martha Christopher to the Civil Service Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF MARTHA CHRISTOPHER TO THE CIVIL SERVICE COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted 14-20, on roll call by the following vote:

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

4. Appointment of Stanley Adkins, Jr. to the Civil Service Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF STANLEY ADKINS, JR. TO THE CIVIL SERVICE COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-21, on roll call by the following vote:

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

5. **Reappointment of Michael Roetzer to the Civil Service Commission for a four-year term ending January 31, 2018.**

RESOLUTION 14-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF MICHAEL ROETZER TO THE CIVIL SERVICE COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-22, on roll call by the following vote:

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

6. **Appointment of Dennis Cullen to the Economic Development Board for a four-year term ending January 31, 2018.**

RESOLUTION 14-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF DENNIS CULLEN TO THE ECONOMIC DEVELOPMENT BOARD FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson Council adopted Resolution 14-23, on roll call by the following vote:

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

7. **Reappointment of Jon Van Landschoot to the Historic Preservation Review Commission for a four-year term ending January 31, 2018.**

On motion of Mayor Patterson, Council adopted Resolution 14-24, on roll call by the following vote:

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

8. **Reappointment of Richard Sprankle to the Benicia Housing**

Authority Board of Commissioners for a two-year term ending January 31, 2016.

RESOLUTION 14-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF RICHARD SPRANKLE TO THE BENICIA HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR A TWO-YEAR TERM ENDING JANUARY 31, 2016

On motion of Mayor Patterson, Council adopted Resolution 14-25, on roll call by the following vote:

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

9. **Reappointment of Atiba Murphy to the Benicia Housing Authority Board of Commissioners for a two-year term ending January 31, 2016.**

RESOLUTION 14-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF ATIBA MURPHY TO THE BENICIA HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR A TWO-YEAR TERM ENDING JANUARY 31, 2016

On motion of Mayor Patterson Council adopted Resolution 14-26, on roll call by the following vote:

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

10. **Appointment of Zoe Bartholomew to the Open Government Commission for a four-year term ending January 31, 2018.**

RESOLUTION 14-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF ZOE BARTHOLOMEW TO THE OPEN GOVERNMENT COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson Council adopted Resolution 14-27, on roll call by the following vote:

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

11. **Reappointment of Susan Lynn to the Open Government Commission for a four-year term ending January 31, 2018.**

RESOLUTION 14-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF SUSAN LYNN TO THE OPEN GOVERNMENT COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-28, on roll call by the following vote:

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

12. Reappointment of Larry Fullington to the Open Government Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF LARRY FULLINGTON TO THE OPEN GOVERNMENT COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-29, on roll call by the following vote:

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

13. Reappointment of Kimberly Funk to the Parks, Recreation & Cemetery Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S REAPPOINTMENT OF KIMBERLY FUNK TO THE PARKS, RECREATION & CEMETERY COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson Council adopted Resolution 14-30, on roll call by the following vote:

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

14. Appointment of Sharon Maher to the Community Sustainability Commission for a four-year term ending January 31, 2018.

On motion of Mayor Patterson, Council did not approve the above appointment, on roll call by the following vote:

Ayes: Patterson, Campbell
Noes: Strawbridge

The motion did not pass. Per the discussion prior to the appointments, this item would be continued to the next meeting.

15. Appointment of Ershely Raj to the Community Sustainability Commission for a four-year term ending January 31, 2018.

RESOLUTION 14-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF ERSHELY RAJ TO THE COMMUNITY SUSTAINABILITY COMMISSION FOR A FOUR-YEAR TERM ENDING JANUARY 31, 2018

On motion of Mayor Patterson, Council adopted Resolution 14-31, on roll call by the following vote:

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

16. Additional Board and Commission Applications.

D. PRESENTATIONS

V. ADOPTION OF AGENDA:

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

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

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

B. PUBLIC COMMENT

1. Sue Fischer Jones, Valero - Ms. Fischer Jones discussed the Crude by Rail Project. Valero has scheduled a Citizens Advisory Panel (CAP) meeting on 3/24/14, where the project would be discussed. She confirmed the meeting would be videotaped. She would provide Council and City staff with copies of the DVD.
2. Keith Washington, Safety Manager, Valero - Mr. Washington discussed Valero's extensive safety certification. He invited Council to the

awards presentation.

3. Donna Smith - Ms. Smith discussed concern regarding the traffic on Rose Drive. She discussed concerns regarding the speed of cars on Rose Drive. Her car was hit by a car going 40 m.p.h. down Rose Drive. She requested the City consider installing low-grade speed bumps.
4. Mayor Patterson - Mayor Patterson discussed a recent conference she attended.

Council Member Strawbridge discussed attending last year's Valero safety awards presentations.

Council and Staff discussed efforts that are being made to slow traffic down on Rose Drive. Staff confirmed they would advise Ms. Smith of the next Traffic, Pedestrian & Bicycle Safety Committee meeting date/time.

VII. CONSENT CALENDAR:

Council Member Strawbridge stated she would have to recuse herself from item VII.C, due to a conflict of interest.

Ms. McLaughlin confirmed Council Member Strawbridge could vote on the Consent Calendar as a whole, however if item VII.C were pulled, she would have to recuse herself.

Council agreed to pull the resolution from item VII.C, and it would be approved by motion under the Consent Calendar.

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

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

- A. APPROVAL OF THE MINUTES OF THE FEBRUARY 25, 2014, MARCH 4, 2014 SPECIAL, AND MARCH 4, 2014 REGULAR CITY COUNCIL MEETINGS**
- B. APPROVAL OF CONSTRUCTION CONTRACT FOR THE WATER TREATMENT PLANT FILTER SLIDE GATE REPLACEMENT PROJECT**

RESOLUTION 14-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA ACCEPTING THE BIDS FOR THE WATER TREATMENT PLANT FILTER SLIDE GATE REPLACEMENT PROJECT, AFFIRMING STAFF'S DECISION ON THE BID PROTEST, REJECTING THE LOWEST BIDDER,

**AWARDING THE CONSTRUCTION CONTRACT TO SPIESS
CONSTRUCTION COMPANY IN THE AMOUNT OF \$68,800, AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON
BEHALF OF THE CITY**

- C. **AMENDMENT OF CONTRACT FOR PROFESSIONAL SERVICES FOR THE BENICIA URBAN WATERFRONT ENHANCEMENT AND MASTER PLAN**
- D. **Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.**

VIII. BUSINESS ITEMS:

- A. **COMPREHENSIVE ANNUAL FINANCIAL REPORT AND MEMORANDUM ON INTERNAL CONTROL FOR THE FISCAL YEAR ENDED JUNE 30, 2013**

Mayor Patterson asked Staff if there was urgency on this item, or could it be continued to the next meeting when all Council Members were present. Staff recommended this item not be continued.

Katherine Yuen, Maze and Associates, reviewed the Comprehensive Annual Financial Report (CAFR).

Vice Mayor Campbell and Staff discussed the issue of pension obligation bonds.

Council Member Strawbridge and Staff discussed the City's overall credit rating.

Mayor Patterson and Staff discussed the City's liabilities with regards to Public Employees Retirement System.

Vice Mayor Campbell and Staff discussed the issue of bond ratings.

Public Comment:

None

On motion of Vice Mayor Campbell, seconded by Council Member Strawbridge, Council accepted the Comprehensive Annual Financial Report and Memorandum on Internal Control for the fiscal year ended June 30, 2013, on roll call by the following vote:

Ayes: Patterson, Campbell, Strawbridge

Noes: (None)

- B. **Council Member Committee Reports:**

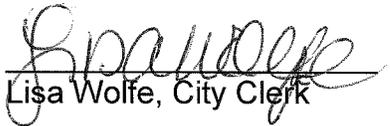
- 1. Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date: April 16, 2014**
- 2. Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (Mayor Patterson and Council Member Strawbridge)Next Meeting Date: TBD**
- 3. Finance Committee. (Vice Mayor Campbell and Council Member Strawbridge)Next Meeting Date: March 28, 2014**
- 4. League of California Cities. (Mayor Patterson and Vice Mayor Campbell) Next Meeting Date: April 30, 2014**
- 5. School Liaison Committee. (Council Members Strawbridge and Council Member Hughes) Next Meeting Date: June 12, 2014**
- 6. Sky Valley Open Space Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: TBD**
- 7. Solano EDC Board of Directors. (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: March 13, 2014**
- 8. Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: April 9, 2014**
- 9. Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/>(Mayor Patterson and Council Member Mark Hughes) Next Meeting Date: April 10, 2014**
- 10. Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Campbell and Council Member Schwartzman) Next Meeting Date: April 17, 2014**
- 11. Tri-City and County Cooperative Planning Group. (Mayor Patterson and Council Member Strawbridge) Next Meeting Date: June 9, 2014**
- 12. Valero Community Advisory Panel (CAP). (Mayor Patterson and Council Member Hughes) Next Meeting Date: March 24, 2014**
- 13. Youth Action Coalition. (Mayor Patterson, Council Member Strawbridge and Council Member Hughes) Next Meeting Date: March 26, 2014**
- 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, Council Member Hughes and Council Member Schwartzman) Next Meeting
Date: March 20, 2014

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:19 p.m.


Lisa Wolfe, City Clerk

