

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
April 15, 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 meeting to order at 7:00 p.m.

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL

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

B. PLEDGE OF ALLEGIANCE

Kathy Griffin 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.**
2. **Openings on Boards and Commissions:**

Arts and Culture Commission
1 full term
1 unexpired term
Open until filled

Historic Preservation Review Commission
1 unexpired term
Open until filled

Finance Committee
1 unexpired term
Application due date: April 21, 2014

3. Mayor's Office Hours:

4. Benicia Arsenal Update:

Update from City Attorney

Heather McLaughlin, City Attorney, reported that she spoke with the Department of Toxic Substance Control (DTSC), and they stated they were still working on it. The DTSC has sent the order to the Governor's office for approval, but they were still working on some internal DTSC things. She will keep Council updated on any changes.

B. PROCLAMATIONS

**1. IN RECOGNITION OF NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS' WEEK - APRIL 13-19, 2014**

C. APPOINTMENTS

D. PRESENTATIONS

V. ADOPTION OF AGENDA:

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

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

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

B. PUBLIC COMMENT

1. Council Member Strawbridge - Council Member Strawbridge invited the public to the upcoming fashion show that will benefit the Community Action Council. She also discussed the upcoming opening of Benicia's Farmer's Market on 4/24/14.
2. Mayor Patterson - Mayor Patterson discussed her recent trip to Washington, D.C. to attend meetings on transportation. She noted that she would adjourn the meeting in honor of Mr. Shepard Martin Jenks.

VII. CONSENT CALENDAR:

Council pulled Item VII.B for discussion.

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

Ayes: Patterson, Schwartzman, Strawbridge, Campbell

Noes: (None)

- A. **APPROVAL OF THE MINUTES OF THE MARCH 25, 2014 AND APRIL 1, 2014 CITY COUNCIL MEETINGS**
- B. **CONTRACT FOR VEGETATION MANAGEMENT WITHIN THE CITY OF BENICIA**

RESOLUTION 14-39 - A RESOLUTION ACCEPTING THE BIDS FOR THE VEGETATION MANAGEMENT CONTRACT, AWARDING THE CONTRACT TO A&L SERVICES, INC., IN THE AMOUNT OF \$74,090.75, AND AUTHROIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY

Council Member Strawbridge inquired about the contract with the goats for vegetation management.

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, Council adopted Resolution 14-39, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Strawbridge, Campbell

Noes: (None)

- C. **COASTAL CONSERVANCY CLIMATE READY GRANT**

RESOLUTION 14-37 - A RESOLUTION ACCEPTING A CLIMATE READY GRANT FROM THE COASTAL CONSERVANCY IN THE AMOUNT OF UP TO \$150,000 FOR COMPLETION OF A CLIMATE RISK VULNERABILITY ASSESSMENT AND DEVELOPMENT OF AN ADAPTATION PLAN FOR THE PROJECT AREA

- D. **DENIAL OF CLAIM AGAINST THE CITY BY CELIA MASSON AND REFERRAL TO INSURANCE CARRIER**
- E. **APPROVAL OF PURCHASE ORDER INCREASE FOR ROCK FOR FISCAL YEAR 2013-2014**

RESOLUTION 14-38 - A RESOLUTION APPROVING THE PURCHASE ORDER INCREASE FOR CRUSHED AGGREGATE ROCK FOR FISCAL

**YEAR 2013-2014 FROM SYAR INDUSTRIES INC. OF VALLEJO,
CALIFORNIA, IN THE AMOUNT OF \$16,000.00.**

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

VIII. BUSINESS ITEMS:

A. PRESENTATION AND ACCEPTANCE OF THE FINANCE COMMITTEE WORK PLAN FOR THE FISCAL YEARS 2013-15

Michael Clarke, Finance Committee Chairperson, reviewed the staff report and a PowerPoint presentation.

Council Member Strawbridge thanked Mr. Clarke for his efforts.

Council Member Schwartzman asked Mr. Clarke to discuss why he thought it was difficult for the City to run like a business. It is a question Council Member Schwartzman has heard from constituents.

Vice Mayor Campbell and Mr. Clarke discussed the City's assets, and why it did not make sense to sell them off.

Mayor Patterson discussed Mr. Clarke's grasp on the City's finances. She appreciated his knowledge and efforts. She asked Mr. Clarke to explain why it was not a good idea to spend all of the City's available cash (reserves). She asked about the long-range financial forecast, and to what extent they were helping to developing scenarios rather than a 10-yr. forecast. She and Mr. Clarke discussed the City's Capital Improvement Plan as it relates to infrastructure issues. They discussed PERS. Ms. Olwin stated they were working on projected rates for all six tiers.

On motion of Council Member Strawbridge, seconded by Council Member Schwartzman, Council reviewed and accepted (by motion) the Finance Committee Work Plan for the fiscal years 2013-15, on roll call by the following vote:

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

B. GENERAL PLAN ANNUAL PROGRESS REPORT TO THE STATE OF CALIFORNIA

Amy Million, Principal Planner, reviewed the staff report.

Council Member Schwartzman and Staff discussed open positions in the Public

Works Department. They discussed the draft ordinance regarding home sewer lateral line inspections. They discussed the issue of homes in the Downtown Historic District. They also discussed the issues of pot hunters (digging for treasures). Council Member Schwartzman asked for clarification on what a library book fee was, and when the sign ordinance might be finished.

Mayor Patterson discussed the value of the annual report. She discussed the parts of the General Plan relating to healthy communities and traffic calming. She discussed the gaps between state policy and the General Plan. She asked how Staff was conveying to the public that there are plans that have been adopted, but are not incorporated in the City's General Plan. Mayor Patterson suggested Staff provide guidance to the public that there are other adopted plans, and where the public can go to access those 'other plans.' To do the technical amendments, that might be something that could come back for the 2015 update/annual report to the Governor's Office of Planning and Research. She and Staff discussed the issue of Pine Lake. She would like an update from Staff on the permits for the pipe storage and condition of the trees in Pine Lake.

Brad Kilger, City Manager, asked for clarification on the Mayor's direction. Staff would work on posting the information on where the public could access the additional information for the General Plan. Regarding the technical amendments in 2015, she meant there would be direction to Staff to take a look at what technical amendments would help clarify things and make sure the City is in better alignment with existing State law and planning policies. Mr. Kilger was looking for direction on exactly what was being requested for Pine Lake. Mayor Patterson suggested Staff look at what the land use permit is, when it was issued, what the conditions are, etc.

Vice Mayor Campbell discussed the U.S. Constitution and the City's General Plan. He and Mayor Patterson discussed whether the City needed to make technical amendments or notes to the General Plan.

Council Member Strawbridge asked Staff what it would take to do a technical update to the General Plan. Mayor Patterson asked if it would be okay to let Staff consider that while she took public comment. Council Member Strawbridge also asked Staff about hooking the Industrial Park to the Downtown area through the Benicia Rocket Service. She wondered if Staff thought there would be more activity once the new bus hub is installed. Mayor Patterson stated there would be more activity with the installation of the new bus hub.

Public Comment:

1. Dana Dean, Amports - Ms. Dean discussed the status of the program (work with the port), language with regards to the Lower Arsenal Mixed Use Masterplan - she had suggested language changes last year. A comprehensive review of the General Plan is in the not-too- distant future. She suggested rolling the technical update into the comprehensive review.

Council and Staff discussed the issue of doing a technical amendment to the General Plan. Staff will work on a list of things that need to be adjusted.

Council Member Strawbridge and Staff discussed how the 10-year forecast feeds into updating the General Plan.

Council Member Schwartzman, Mayor Patterson, and Staff discussed the issue of updating the zoning code and land use tools.

Vice Mayor Campbell asked if the goal was to amend the General Plan, or to notice the public about what other documents exist. The question is whether this is about noticing or something else.

Mr. Kilger confirmed it was about both issues. He would like to take the time to develop a master work program. As mentioned by Council Member Strawbridge, the City needs to think ahead to some of the large expenditures as part of the 10-year forecast.

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, accepted, by motion, the 2013 General Plan Annual Progress Report and directed the Planning Department to submit the report to the Governor's Office of Planning and Research, and to the Department of Housing and Community Development, on roll call by the following vote:

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

C. 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: April 17, 2014**
- 3. Finance Committee. (Vice Mayor Campbell and Council Member Strawbridge) Next Meeting Date: April 25, 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: May 8, 2014**
8. **Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Schwartzman) Next Meeting Date: May 14, 2014**
9. **Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/> (Mayor Patterson and Council Member Hughes) Next Meeting Date: May 8, 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: TBD**
12. **Valero Community Advisory Panel (CAP). (Mayor Patterson and Council Member Hughes) Next Meeting Date: TBD**
13. **Youth Action Coalition. (Mayor Patterson, Council Member Strawbridge and Council Member Hughes) Next Meeting Date: April 23, 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: April 17, 2014**

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 8:38 p.m. in honor of Mr. Shepard Martin Jenks.

Lisa Wolfe, City Clerk