

April 17, 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

April 17, 2001

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:34 p.m. Tuesday, April 17, 2001, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

ANNOUNCEMENTS:

OPENING OF 9TH SEASON OF FARMER'S MARKET THURSDAY, APRIL 26, 2001

Libbey McKendry, Executive Director, Benicia Main Street Program, made the announcement.

ORDINANCE AND EXPLOSIVE (OE) REMOVAL ACTIONS BY THE U.S. ARMY CORPS OF ENGINEERS

Mayor Messina read the announcement which included the schedule, location of activities and contact information.

"YOUTH MASTER PLAN"

Cecile Kazemi gave a status report; encouragement and support of young people; gathering of information from the community, especially the youth; requested volunteers to help with this effort.

APPOINTMENTS:

Mayor Messina announced the appointment of Vice Mayor Bidou to the San Francisco Bay Area Water Transit Authority.

The Mayor's appointment was confirmed on roll call by the following vote: Ayes:

Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina Noes: None

Mayor Messina announced the appointment of Martha Christopher to the Civil Service Commission to fill an unexpired term to September 3, 2003.

RESOLUTION NO. 01-33- A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MARTHA CHRISTOPHER TO THE CIVIL SERVICE COMMISSION TO FILL AN UNEXPIRED TERM TO SEPTEMBER 3, 2003

The above Resolution confirming the Mayor's appointment was adopted on roll call by the following vote:

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

Noes: None

Mayor Messina announced the reappointment of Ann Hansen to the Library Board of Trustees for a full term to June 1, 2004.

RESOLUTION NO. 01-34- A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF ANN HANSEN TO THE LIBRARY BOARD OF TRUSTEES FOR A FULL TERM TO JUNE 1, 2004

The above Resolution confirming the Mayor's reappointment was adopted on roll call by the following vote:

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

Noes: None

Mayor Messina announced the reappointment of Sandy Moriarty to the Parks, Recreation and Cemetery Commission for a full term to April 16, 2005.

RESOLUTION NO. 01-35- A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF SANDY MORIARTY TO THE PARKS, RECREATION AND CEMETERY COMMISSION FOR A FULL TERM EXPIRING APRIL 16, 2005

The above Resolution confirming the Mayor's appointment was adopted on roll call by the following vote:

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

Noes: None

Mayor Messina announced the appointment of members of the Historic Preservation Commission.

RESOLUTION NO. 01-36- A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF BONNIE SILVERIA TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2005

RESOLUTION NO. 01-37 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LUIS DELGADO TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2003

RESOLUTION NO. 01-38 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF SANDY MORIARTY TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2005

RESOLUTION NO. 01-39 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF TONI HAUGHEY TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2003

RESOLUTION NO. 01-40 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF RAY SHEHAN TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2005

RESOLUTION NO. 01-41 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF DAN CLARK TO THE HISTORIC PRESERVATION COMMISSION FOR A FULL TERM TO APRIL 18, 2005

The above Resolutions confirming the Mayor's appointments were adopted on roll call by the following vote:

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

Noes: None

Mayor Messina announced the appointment of J. B. Davis to the Bicycle Advisory Committee of the Solano Transportation Authority.

RESOLUTION NO. 01- 42- A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF J.B. DAVIS TO THE BICYCLE ADVISORY COMMITTEE OF THE SOLANO TRANSPORTATION AUTHORITY

The above Resolution confirming the Mayor's appointment was adopted on roll call by the following vote:

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

Noes: None

Bonnie Silveria, Ray Shehan, J.B. Davis, Toni Haughey and Dan Clark thanked the Mayor for their appointments.

PROCLAMATIONS:

PROJECT INDEPENDENT AND OTHER EARTHQUAKE MEASURES

Mayor Messina read the Proclamation.

Sam Barnett, EMS Specialist, representing Michael Fren, EMS Agency Administrator, accepted the Proclamation.

WELCOMING THE U.S.S. IOWA (BB-61) TO BENICIA

Mayor Messina read the Proclamation.

Mark Appel accepted the Proclamation and announced that the U.S.S. IOWA (BB-61) would be arriving on Saturday between 9:00 a.m. to 12:00 p.m.

ADOPTION OF AGENDA:

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

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

WRITTEN COMMUNICATIONS:

PUBLIC COMMENT:

Daniel Smith, 365 Military East, reported that \$4000 had been raised at the most recent X-Park Fund raiser; made corrections to a previous statement on the number of cases of child abuse reported last year in Benicia.

James O. Milburn, 280 East J Street, spoke on the possibility of the Redevelopment issue returning to Benicia.

Michael Lionel, 1757 Audrey Court, representing the Mills Parent Teachers Group, opposed to the site chosen at 4th and L Streets proposed for high density housing; requested a traffic study of the area.

Jason Diavatis, 517 Gloria Way, Mardi Gras Benicia Committee, announced the dates for the upcoming activities.

CONSENT CALENDAR:

Mayor Messina asked if there any requests for items to be pulled.

On motion of Councilmember Corbaley, seconded by Councilmember Whitney, the following items were approved under the Consent Calendar:

Minutes of April 3, 2001.

Check Registers for March 2001.

Denial of Claim and referral to insurance carrier (MATHEWS).

RESOLUTION NO. 01-43 - A RESOLUTION AUTHORIZING THE BENICIA PUBLIC LIBRARY TO APPLY FOR A FAMILIES FOR LITERACY GRANT FOR FISCAL YEAR 2001-2002 FROM THE CALIFORNIA STATE LIBRARY SERVICES BOARD

RESOLUTION NO. 01-44- A RESOLUTION ESTABLISHING A VOLUNTARY CONTRIBUTION CHECK-OFF PROGRAM REQUESTED BY "ACTION FOR BETTER CITIES"

RESOLUTION NO. 01-45- A RESOLUTION APPROVING A TIME EXTENSION FOR THE (REVISED) CLOS DUVAL SUBDIVISION IMPROVEMENT AGREEMENT TO SEPTEMBER 22, 2001

(END OF CONSENT CALENDAR)

PUBLIC HEARINGS:

APPLICATION FOR FUNDING AND EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENT THERETO FROM THE PLANNING/TECHNICAL ASSISTANCE ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Brenda Gillarde, Principal Planner, gave a report; grant will fund a housing needs assessment and a public housing conversion analysis.

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

The following persons spoke:

Steven Goetz, 347 Goldenslopes, suggested that some of the older apartments on the east side of town could be renovated.

Mary Frances Poh, 643 Windsor Drive, questioned the notification process for the grant; asked for an explanation of the conversion proposal.

Brenda Gillarde, Principal Planner, stated that the grant was to look at the feasibility not the conversion; all proper notices were given.

Mayor Messina closed the Public Hearing.

Council took the following action:

RESOLUTION NO. 01- 46 - A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENT THERETO FROM THE PLANNING/TECHNICAL ASSISTANCE ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

On motion of Councilmember Gizzi, 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

REPORTS FROM CITY MANAGER:

CORRECTION REGARDING REPORTED CHILD ABUSE CASES IN BENICIA

Otto Giuliani, City Manager, made the correction. There were 92 CAD calls, 60 reports were made, 50 of which were sent to investigation and only 5 were determined to be cases of child abuse.

SECOND EDITION OF BENICIA "JUST THE FACTS"

Otto Giuliani, City Manager, stated the dates and times that the second video will air on Channel 27; this is a video concerning the proposed Train Station; third video has been finished and contains information on the water situation and conservation measures.

UPDATE ON THE ARRIVAL OF THE U.S.S. IOWA (BB-61)

Otto Giuliani, City Manager, gave an update report; the end of First Street will be closed and bleachers provided for those who want to watch the arrival.

REPORTS FROM CITY COUNCIL COMMITTEES:

BI-MONTHLY COMMITTEE REPORTS:

TOURTELOT COMMUNITY ADVISORY GROUP (CAG)

Councilmember Corbaley reported that the April meeting had been canceled.

Heather McLaughlin, City Attorney, stated that there still were some issues between the Army Corp of Engineers and DTSC that need to be resolved.

MAYOR'S COMMITTEE MEETING

Mayor Messina gave a report; the cities are looking for ways that they can share services.

BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)

No report given on this item.

SOLANO WATER AUTHORITY

Mayor Messina gave a report.

SEDCORP BOARD OF DIRECTORS

No report given on this item.

AUDIT & FINANCE COMMITTEE

Councilmember Whitney gave the report and announced date and time of meeting.

ARSENAL RESTORATION ADVISORY BOARD

Councilmember Whitney gave a report; next meeting will be held on April 18, 2001.

VALERO COMMUNITY ADVISORY PANEL (CAP)

Councilmember Whitney gave a report; reviewed NOX Court decision, acquisition of Huntway Refinery.

YOUTH ACTION TASK FORCE

Councilmember Bidou stated that this Task Force continues to meet weekly; Solano County has donated \$5000.00.

SOLANO TRANSPORTATION AUTHORITY

Councilmember Bidou recommended watching the video made concerning the proposed train station; positive meeting held with consultants.

NEW BUSINESS:

ORDINANCE APPROVING EQUITY ADJUSTMENTS FOR THE MAYOR AND CITY COUNCIL

Otto Giuliani, City Manager, gave a report; salary survey done to look at stipend of elected officials; ordinance gives equity adjustments for the Mayor and Council that would take effect after the next election; no proposed salary adjustment for City Clerk and City Treasurer was proposed; this will also help to encourage citizens to consider running for office.

Councilmember Bidou stated that he will not support the increase; regards the position as a public service.

Linda S. Purdy, City Clerk, read into the record a prepared statement regarding omissions and misconceptions concerning the City Clerk portion of the salary survey.

Two concerned citizens spoke.

Councilmember Bidou requested a legal opinion on whether or not there was a conflict of interest issue for the City Clerk.

Councilmember Corbaley spoke about a survey she had participated in and the difficulty to find comparable job descriptions for the position of City Clerk; supported an equity adjustment for the Mayor and Council Members; felt that adjustment should not take place until 2003.

Councilmember Gizzi opposed the equity adjustment; against use of salary surveys; City Clerk's position requires a full time effort.

Councilmember Whitney supported the premise of an equity increase, but felt it was not appropriate at this time.

Otto Giuliani, City Manager, stated that there was no intention of casting negative statements concerning the current City Clerk; difficult to create a position around a person.

Mayor Messina stated opposition to an increase in the stipend for the Mayor and Council; take further look at City Clerk issue; stated that a council sub-committee would be formed.

No action taken on this item.

CONTRACT WITH SOLANO AFFORDABLE HOUSING FOUNDATION AND PACIFIC BAY HOMES FOR THE CONSTRUCTION OF HOUSING UNITS ON CITY-OWNED PROPERTY

Councilmember Gizzi stated he would be abstaining from this discussion on advice from City Attorney.

Otto Giuliani, City Manager, gave a report; proposal is to accommodate the Legal Services Settlement Agreement to develop affordable housing; six city-owned sites will be used in conformance to the General Plan.

Three concerned citizens commented.

Councilmember Corbaley questioned whether it was feasible to switch the site that was proposed for higher density on 4th and L Street; expressed concern over safety and traffic issues at that site; requested that the project be brought back after design review so the council and public may have the opportunity to comment.

Otto Giuliani, City Manager, stated that the other lots were zoned single-family and that switching the site would not be consistent with the neighborhood.

Councilmember Whitney suggested that to the extent possible the Parent Group from Mills School be included in the process.

Council took the following action:

RESOLUTION NO. 01- 47 - A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH SOLANO AFFORDABLE HOUSING FOUNDATION AND PACIFIC BAY HOMES FOR THE CONSTRUCTION OF HOUSING UNITS ON CITY-OWNED PROPERTY

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

Ayes: Councilmembers Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

Abstain: Councilmember Gizzi

ADJOURNMENT:

Mayor Messina adjourned the meeting at 10:24 p.m.

Linda S. Purdy, City Clerk