

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
April 29, 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 6:01 p.m.

II. CONVENE OPEN SESSION:

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Joel Fallon led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC:

III. ANNOUNCEMENTS/PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS:

A. ANNOUNCEMENTS

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

Ms. McLaughlin reported that during the last Closed Session, Council received information from Staff and provided direction to Staff.

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

3. Mayor's Office Hours:

B. PROCLAMATIONS

- 1. IN RECOGNITION OF LAW DAY - MAY 1, 2014.**
- 2. IN MEMORY OF THE DEDICATION AND SERVICE OF BONNIE WEIDEL**

Public Comment:

1. Lee Wilder-Snyder - Ms. Wilder-Snyder read a poem in memory of Ms. Weidel.
2. Peter Bray - Mr. Bray spoke in memory of Ms. Weidel.
3. Les OverLock - Mr. OverLock spoke in memory of Ms. Weidel.
4. Dan Smith - Mr. Smith spoke in memory of Ms. Weidel.

C. APPOINTMENTS

D. PRESENTATIONS

- 1. BENICIA UNIFIED SCHOOL DISTRICT MEASURE S PRESENTATION - JANICE ADAMS, SUPERINTENDENT**

Janice Adams, Superintendent, Benicia Unified School District, reviewed a PowerPoint presentation.

Council Member Schwartzman and BUSD Staff discussed the parcel taxes and bonds that were passed in previous years. The old bonds will begin to drop off in 2 years, and will continue to drop off in the next 15-20 years. He was in support of Measure S.

Council Member Hughes discussed the importance of keeping the schools updated.

Council Member Strawbridge discussed the importance of reinvesting in the schools. Council Member Strawbridge discussed the upgrades to the high school fields (going to turf will save water).

Vice Mayor Campbell discussed support for Measure S. Great schools help increase property values, as well as other benefits for the community.

Mayor Patterson and BUSD Staff discussed recent successes of general obligation bonds in other communities. They discussed the improvements that would be done to the Hailey Horn Auditorium.

IV. ADOPTION OF AGENDA:

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

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

V. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

Four items (copies on file).

B. PUBLIC COMMENT

1. Constance Beutel - Ms. Beutel invited the community to attend a presentation where the results of the Bicycle Benicia would be given. She discussed the upcoming Bicycle to Work Day events.
2. Jon Van Landschoot - Mr. Van Landschoot presented a pamphlet from the Benicia Capitol and reviewed some of Benicia's history.
3. Kathy Kerridge - Ms. Kerridge discussed this weekend's Open Studios. She encouraged people to attend.
4. Vice Mayor Campbell - Vice Mayor Campbell discussed an email correspondence he received regarding the Mayor's e-alerts that are sent out regarding his comments about the U.S. Constitution and the City's General Plan. He clarified that the cost of updating the General Plan would be approximately \$500,000 as opposed to \$5 million.

VI. BUSINESS ITEMS:

A. WATER USAGE AND SUPPLY UPDATE AND PUBLIC OUTREACH UPDATE

RESOLUTION 14-40 - A RESOLUTION URGING ALL WATER CUSTOMERS TO PARTICIPATE IN A VOLUNTARY EFFORT TO REDUCE WATER USE BY TWENTY PERCENT

Brad Kilger, City Manager, introduced the water update.

Scott Rovanpera, Superintendent, and Christina Kohen, reviewed the staff report.

Council Member Hughes and Staff discussed the suggestion to dial outdoor sprinklers by 2 minutes rather than 20%.

Vice Mayor Campbell and Staff discussed the settlement water and the current level of Lake Herman.

Council Member Strawbridge and Staff discussed how the restaurants and hotels would be addressed regarding water conservation. They discussed possibly getting testimonials from residents that have installed artificial lawns. They also discussed the recent change to the water pressure in the Waters End area.

Mayor Patterson and Staff discussed what support the City might be able to provide citizens with, such as help with programming sprinklers to lower times, etc. They discussed the issue of outreach and what effect it could have on water conservation.

Vice Mayor Campbell and Staff discussed the issue of Valero reducing water use.

Public Comment:

1. Constance Beutel - Ms. Beutel discussed the need to transition to drought tolerant planting.
2. Mary Frances Kelly Poh - Ms. Kelly Poh discussed the upcoming native plant sale, which will include drought tolerant plants.
3. Jasmine Powell - Ms. Powell discussed the need to emphasize to residents that the goal is to reduce water use by 20%.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 14-40, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

B. STUDY SESSION REGARDING THE ACCOUNTING, FINANCING, AND OPERATIONS OF THE ENERGY CONSERVATION MEASURE PROJECTS

Brenda Olwin, Interim Finance Manager, Greg Henry, Technician, and Tom Williard, SAGE Renewables, reviewed the staff report.

Council Member Schwartzman and Staff discussed the issue of wind turbines.

They discussed the issue of the bonds and collateral.

Mayor Patterson would like Staff to prepare a timeline on the issue of the collateral showing what conditions were offered to Council, the decisions Council made based on the information given to them, etc.

Council Member Hughes and Staff discussed whether Staff would have made different decisions if they knew then what they know now.

Vice Mayor Campbell discussed the issue of the replacement and maintenance reserve funds. He and Staff discussed the Energy Conservation Fund.

Mayor Patterson and Staff discussed the issue of 4.5% assumption.

Council member Strawbridge and Staff discussed the projects on the Energy Conservation Measure Project list, and whether there was anything that could be done to increase the kilowatts. She and Staff discussed the issue of lighting and whether the \$413,000 could be reinvested in lighting, since that is the area that appears to be profitable.

Council Member Schwartzman and Staff discussed the issue of maintenance and staffing costs.

Public Comment:

1. Dennis Lowry - Mr. Lowry discussed the projects. He discussed the issue of collateral and the need to get conditions in writing in the future. He discussed how funds are transferred between funds.
2. Kathy Kerridge - spoke in support of the projects.

Mayor Patterson discussed the issue of collateral. She would like an update on the issue of the collateral. She would like to memorialize the annual report on these projects from Staff. Staff suggested the annual reports be presented in May of each year.

Vice Mayor Campbell and staff discussed the issue of the bond payments coming out of the energy fund.

On motion of Mayor Patterson, Council gave direction to Staff to present an annual report on the Energy Conservation Measure projects, on roll call by the following vote:

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

**C. REQUEST BY MAYOR PATTERSON FOR CITY COUNCIL
CONSIDERATION OF A POSITION OF OPPOSITION ON AB 2145
(BRADFORD) ELECTRICITY: COMMUNITY CHOICE AGGREGATION**

Brad Kilger, City Manager, reviewed the staff report.

Public Comment:

1. Kathy Kerridge - Ms. Kerridge spoke in support of this item.
2. Constance Beutel - Ms. Beutel spoke in support of this item.
3. Marilyn Bardet - Ms. Bardet spoke in support of this item.

Council Member Hughes discussed the need to give individual citizens the option to make a change.

Mayor Patterson discussed AB 2145 and how it came about. She discussed various reasons for Council to take a position of opposition on AB 2145.

Council Member Schwartzman discussed support for opposing AB 2145.

Council Member Strawbridge discussed AB 2145. She discussed the costs involved. The community needs to be educated on the issue.

On motion of Council Member Schwartzman, seconded by Vice Mayor Campbell, Council approved sending a letter taking a position of opposition on AB 2145, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Strawbridge
Noes: Hughes

VII. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 9:16 p.m.