

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
MAY 15, 2007

The special meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 6:30 p.m. on Tuesday, May 15, 2007, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Schwartzman, and Mayor Messina

Absent: Council Member Whitney (arrived at 6:31 p.m.)

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

ANNOUNCEMENT OF CLOSED SESSION:

Lisa Wolfe, City Clerk, read the announcement of Closed Session

CLOSED SESSION:

**A. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))**

Agency negotiators: City Manager, Human Resources Director, and Senior HR Analyst

Employee organization: Police Management Group

OPPORTUNITY FOR PUBLIC COMMENT:

None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 6:01 p.m.

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
MAY 15, 2007

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:03 p.m. on Tuesday, May 15, 2007, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

ANNOUNCEMENTS:

Action taken at Closed Session:

Mayor Messina stated that Council received information and provided direction to Staff.

Openings on Boards and Commissions:

- Economic Development Board
Two full terms to June 30, 2011
- Board of Library Trustees
One unexpired term to June 30, 2009

APPOINTMENTS:

None

PRESENTATIONS:

Ms. Terry Glubka and Ms. Janice Hoss, Sutter Solano Charitable Foundation, reviewed a PowerPoint presentation on the Sutter Solano Cancer Center (hard copy on file).

PROCLAMATIONS:

- 2007 Public Works Week – May 20-26, 2007
- Founders' Day Fiesta – May 19, 2007
- Safe Boating Week – May 19-25, 2007

ADOPTION OF AGENDA:

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

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

PUBLIC COMMENT:

1. Jeanine Seeds – Ms. Seeds expressed concern about the Seeno project. She also discussed concerns about the Rose Center project. She still wants the word ‘substantial’ defined. If that had been done, the applicant would not have been able to change the plans. She expressed concern about alcohol sales at the new Long’s Drug store. Council should listen to what the citizens want.
2. George Delacruz – Mr. Delacruz discussed Amports. He suggested that Amports use the \$659,000 to buy and staff the fireboat for the City. Regarding Seeno, this community is up in arms about the project. It is time to say the ‘R’ word. Whoever votes for the Seeno project could be recalled. It is bad politics for the City of Benicia.
3. Marilyn Bardet – Ms. Bardet thanked the City for its willingness to support the Benicia Community Gardens and extend the insurance and lease. The money mentioned by Mr. Delacruz would be put to good use for a fire rescue boat. She referenced an article on ‘Setting Higher Green Standards’ that was in the San Francisco Chronicle. Those are the standards that should be used in Benicia. She understands CEQA was in the news with regards to global warming issues tied to AB 32.
4. John Furtado – Mr. Furtado discussed the recent armed robberies and shooting. He hoped there would be added patrols in the community. He has owned two Seeno homes and was an unsatisfied customer. When he lived in the City of Clayton, there were problems with Seeno. Benicia should be careful and mindful of Seeno’s past practices. Regarding Council’s priorities, they look like they are latent in capital costs. The priorities listed on the City of Pittsburg’s website were much easier to follow. The City of Benicia should have bringing ferry service to town on its priorities.
5. Jon Van Landschoot – Mr. Van Landschoot expressed concern regarding the Seeno project. He was glad Council unanimously agreed that the draft EIR was defective. He thanked Council for being on top of the strip club issue. However, he was surprised at the time the special meeting was called to discuss the emergency moratorium. Why doesn’t Council do an emergency moratorium on building in the Historic District?

Council Member Patterson asked Ms. McLaughlin to explain why the special meeting was scheduled at such an early hour. Ms. McLaughlin stated that it was a busy week at City Hall; there were school board meetings, etc. Staff thought this was important enough of an issue to get right on it.

6. Kitty Griffin – Ms. Griffin stated that the voting records of the candidates were not addressed in the election campaign issues. The public needs information. She suggested having it be a policy to request the Clerk to compile the voting records on a broad basis. This could be published and available well in advance of the election. The public needs information that cannot be biased, and the voting records are just that.
7. Norma Fox – Ms. Fox discussed campaign finance issues that were not addressed in the ordinance. She wrote a letter to Council with some ideas (copy on file).

CONSENT CALENDAR:

Council pulled items VII-F and VII-G.

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

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

Council approved the Minutes of April 17, 2007 and May 1, 2007.

RESOLUTION 07-43 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE PRESBYTERY OF THE REDWOODS TO ALLOW A COMMUNITY GARDEN AT THE CORNER OF MILITARY AND EAST SECOND STREET

RESOLUTION 07-44 - A RESOLUTION AUTHORIZING THE EXPENDITURES OF THE SUPPLEMENTAL LAW ENFORCEMENT GRANT FUND FOR FISCAL YEAR 2006/2007 TOWARDS THE COSTS ASSOCIATED WITH 1 POLICE OFFICER AND THE PURCHASE OF ONE VEHICLE FOR THE INVESTIGATIONS DIVISION OF THE POLICE DEPARTMENT.

RESOLUTION 07-45 - A RESOLUTION AUTHORIZING THE EXPENDITURES OF REMAINING FUNDS FROM THE SUPPLEMENTAL LAW ENFORCEMENT GRANT FUND FOR FISCAL YEAR 2005/06 FOR THE PURCHASE OF ONE VEHICLE FOR THE INVESTIGATIONS DIVISION OF THE POLICE DEPARTMENT

Council approved the First 5 Solano Grant Contract for Fiscal Years 2007 – 2010.

RESOLUTION 07-46 - A RESOLUTION ESTABLISHING AN EXEMPTION PERTAINING TO THE UTILITY USERS TAX FOR VALERO REFINING COMPANY - CALIFORNIA

RESOLUTION 07-47 - A RESOLUTION ACCEPTING THE PARK ROAD AND INDUSTRIAL WAY BUS STOP PROJECT AS COMPLETE, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING

THE CITY CLERK TO FILE SAID NOTICE WITH THE SOLANO COUNTY RECORDER

RESOLUTION 07-48 - A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT FUNDS FOR FISCAL YEAR 2007-08

RESOLUTION 07-49 - A RESOLUTION APPROVING PAYING EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR SUPERVISORY EMPLOYEES COVERED BY LOCAL 1

RESOLUTION 07-50 - A RESOLUTION APPROVING THE JULY 1, 2006 TO JUNE 30, 2010 AMENDMENTS TO THE LABOR AGREEMENT WITH THE BENICIA POLICE MANAGEMENT GROUP

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

(END OF CONSENT CALENDAR)

Council took the following actions:

Acceptance of Lincoln Street Water Line Replacement Project including change orders: Council Member Hughes expressed concern regarding the number of change orders with the project. He did not want Council to micromanage Staff, but wanted to come up with a way to ensure Council avoided surprises on the consent calendar. It could simply be an update on ongoing projects.

Mr. Schiada stated that he had drafted an administrative policy to address this issue of dealing with change orders. For this particular project, he provided an update memo to the City Manager, who in turn shared it with Council.

Council Member Patterson concurred that there needed to be better more clear procedures, including the management of projects. However, with this project, there were problems that occurred that Staff responded to and dealt with quickly.

Council Member Whitney discussed the issue of cost overruns. He agreed there were some unusual circumstances with this project. With the spiraling costs, does Staff have a handle on the bidding process, estimates, etc? Mr. Schiada stated that he felt Staff had a good handle on the bid process. However, the challenges of any construction project are to provide enough contingencies to cover the project.

RESOLUTION 07-51 - A RESOLUTION ACCEPTING THE LINCOLN STREET WATER LINE REPLACEMENT PROJECT AS COMPLETE, INCLUDING CHANGE ORDER NOS. 1 THROUGH 5, AUTHORIZING THE CITY MANAGER TO SIGN

THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE SAME WITH THE SOLANO COUNTY RECORDER

On motion of Council Member Whitney, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

City of Benicia Landscaping and Lighting District Fiscal Year 2007-08:

Council Member Patterson addressed the paragraph on page VII-G-2 regarding using the General Fund to compensate for the imbalance of revenues and expenditures - when she was on the Audit and Finance Committee, one of the things the committee noted was the impending negative fund balance. The committee was aware that the public needed to be brought into the discussion on this. She was disappointed the City has not made very much process on this. She asked Staff to explain how it would allay her concerns about how the City would approach this issue and the issue of the residential assessment district that included Rose Drive.

Mr. Erickson stated that when this issue was reported on, Mr. Sousa had begun that process of meeting with the public. Staff never anticipated it would be able to move and meet with the community and solve all the problems by July of 2007. There was not time to do that. Staff has begun the process of meeting with the public.

Mr. Sousa stated that the five districts have been very challenged revenue-wise for the last decade. They had a fixed revenue stream. With rising costs, the City found itself relying on reserves that were left in the funds. The cost of electricity and water go up and down. Also, the lifespan of the shrubs goes up and down. The Fleetside District is a very challenging district. This year, Staff has forecasted a deficit in that fund. He did not think that part of the budget would be balanced this year. Staff planned on meeting with the property owners in the Fleetside District in December or January to discuss meeting the goals to balance the budget or reducing the service levels.

Council Member Patterson stated that she would move to adopt the Resolutions with the understanding it should not take three years, where we are at a situation where harm was caused. She would like to move forward with this, but speed things up for the other four districts.

RESOLUTION 07-52- A RESOLUTION DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF ENGINEER'S REPORT FOR THE CITY OF BENICIA LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2007-2008

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

RESOLUTION 07-53 - A RESOLUTION PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE CITY OF BENICIA LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2007-08.

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

RESOLUTION 07-54 - A RESOLUTION OF INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND THEREFORE SETTING A PUBLIC HEARING ON JUNE 19, 2007 FISCAL YEAR 2007-08 CITY OF BENICIA LANDSCAPING AND LIGHTING DISTRICT

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

PUBLIC HEARINGS:

Consideration of an ordinance to regulate big box businesses:

Charlie Knox, Community Development Director, reviewed the staff report.

Council Member Hughes asked Mr. Knox where the 20,000 sq. ft. figure came from. Mr. Knox stated that the City's definition of what a 'big box' is came from a 2004 study conducted by the Governors Office of Planning and Research. They split the big box businesses into several categories. The most obvious one would be the big box discount (Wal-Mart, Target, etc.). The study also looked at larger businesses such as warehouse clubs (Sam's Club, Costco, etc.). There were two other categories: outlet stores and single category stores (Barnes and Noble, Petco, etc.). Some of the local merchants were concerned about single-category businesses coming into town.

Council Member Hughes reviewed a list (copy on file) of different types of stores and the sq. footage they require. Council Member Hughes asked if this moved forward, would the ordinance apply to all of the areas referred to in the staff report, including the Seeno project. Mr. Knox discussed the vesting tentative map statute in the Subdivision Map Act. The purpose of the vesting tentative map is to seal in place the rules at the time that the application was certified complete. He was not sure if the Seeno fell under that statute. Council Member Hughes stated that in the future, he would like a more definitive answer on that.

Ms. McLaughlin stated that the other issue with the business park is that the environmental documentation where part of it specifically excluded big box from its analysis. If the City wanted to put big box in there, it would have to go back and review those studies. Staff will try and get a better answer for Council.

Mr. Knox stated that several uses listed in the traffic impact analysis were things within the 20,000-80,000 sq. ft. range, such as single category retail. What is missing is the 80,000 sq. ft. and larger big box retail.

Council Member Patterson stated that in a master plan, the plan actually describes the scope of commercial and other uses and stipulate the restrictions. As Council protected Downtown in limiting formula restaurants, it ought to be mindful in limiting the big box in the Downtown area. Putting in a store with bed and bath supplies downtown would likely destroy businesses that sell similar items. Council might want to be specific in what it defined as a formula business Downtown.

Vice Mayor Schwartzman asked Staff the size of Rite-Aid. Mr. Knox estimated it at 10,000 sq. ft. The Long's is approximately 16,000 sq. ft. Vice Mayor Schwartzman stated that he was thinking that Council needed to move forward. What is really being talked about is big box for the Seeno project. The City still has time to negotiate with Seeno on what it wants out there. The City needs a big box ordinance on the books that is citywide.

Mayor Messina stated that he was very supportive of the need to mind the types and sizes of businesses in certain circumstances. The term big box is a negative term. He suggested it be dealt with in terms of size, not terms. He suggested having three categories: 1) 20,000 sq. ft. and under – those should be permitted, 2) uses over that would have to go to the Planning Commission, and 3) uses 75,000 sq. ft. or over would have to go to Council.

Public Hearing Opened

Public Comment:

1. Norma Fox – Ms. Fox referenced a report she sent to Council (copy on file). She would like Council to take the time to go and look at the facts and data. Council's decision should weigh heavily on the goals listed in the General Plan. Independent local retailers are better for the economy than big box businesses. Council Member Patterson referenced a study on page 5 of the handout. She asked Ms. Fox to read the paragraph regarding spending \$100 in a locally owned business compared to spending \$100 in a national chain store.
2. Joe Kearns – Mr. Kearns stated that it was disturbing that we don't know what will be built in the Seeno project. Benicia is unique because it does not have anything like Wal-Mart, etc. He did not want to see a McDonalds in the Rose Drive project. He would rather see an In-N-Out Burger, as they pay better wages.
3. Gretchen Burgess – Ms. Burgess discussed Blockbuster Video – all the mom and pop video stores left when it came into town. The large stores don't have any sort of community loyalty. If this ordinance goes forward, it must include Seeno. Big box is an industry term. The reason it is negative is because of the negative public outcry in other communities. We have spent a lot of money on taking polls to see what the community wants. We need to do something to protect ourselves in the future.

4. Martha Christopher – Ms. Christopher read a prepared statement from the Benicia Chamber of Commerce, Board of Directors. The Benicia Chamber of Commerce asked Council to reconsider the definition of big box and recommend a realistic square footage number so that Benicia would remain competitive when businesses consider opening or relocating.
5. Jeanine Seeds – Ms. Seeds asked if the square footage being considered included one, two, or three-story buildings. When defining it, we have to be careful not to end up with another Long’s Drug store. The height should be considered.

Mr. Knox clarified that the maximum height in all commercial districts was 40 ft. Upon adoption of the Downtown Mixed Use Master Plan, it included the upper story if it was three stories of lesser aerial extent than the ones below.

6. Marilyn Bardet – Ms. Bardet wanted to remind everyone that public policy shapes our environment. We are not Vallejo, Concord, etc. We are a small town. We are tending to blur the boundaries with Vallejo. She feared we could almost become a suburb of Vallejo. She was concerned that the City needed to pay attention to the character of Benicia. We have to limit the scale of buildings. We should get a grip on what a 40,000 sq. ft. building looks like. Big box stores create an annual tax deficit \$468 per 1,000 sq. ft. The limit should have to do with scale and character.
7. Kitty Griffin – Ms. Griffin stated that she feared greatly for Bookshop Benicia, which is her favorite store. She is willing to have an inconvenient drive to keep shops like Bookshop Benicia open. Her concern was not so much big box, but formula type stores. She wants Council to think what it wants to keep for its citizens. We need to think about tourism. She did not like the comments made by the Chamber of Commerce.
8. Jon Van Landschoot – Mr. Van Landschoot thanked Council Members Patterson and Schwartzman for bringing this issue forward. Benicia has a reputation as an interesting town. He took exception to the comments made by the Chamber of Commerce. Most of the people in the Chamber are small business owners. How would they like to get run off by a big box business? The small businesses are the heart of the town.
9. Bob Craft – Mr. Craft stated that he basically supported the ordinance as it was written. He would not want to see it diluted in any way. He would like to see a greater emphasis on publicity of pending use permits. It is clear that if a headquarters of a business was outside of Benicia, most of the dollars will leave Benicia. Council’s choice is clear. Is it willing to give up character for sales tax revenue?

Public Hearing Closed

Vice Mayor Schwartzman stated that his biggest concern with this was the effect big box businesses would have on existing retailers in town, especially Downtown. We need to figure out how it will affect the Downtown. He reviewed the list of businesses (copy on file) and whether they would affect local businesses. There are some stores that would not contribute to the deterioration of the City’s economy. Getting the most sales tax was not his issue. He wants to protect Downtown, local retailers, and to try to provide a

means for businesses we don't have to come to town and enhance Benicia. If there was going to be a process as suggested by the Mayor, it should go to the Planning Commission, and not straight to Council, since there is an appeal process. He wondered if the City should put a limit of 75,000 sq. ft. and a use permit on anything over a limit Council agrees on, possibly 20,000 sq. ft.

Council Member Patterson stated that she agreed that there should be a prohibition on some sq. footage. She was thinking of 70,000 sq. ft. In addressing the study submitted by Ms. Fox, the concept is that we have a single pie and people have discretionary funds. She discussed an instance she experienced in Sacramento where McDonald's was giving free salads to people who work for the State of California. She discussed the motives McDonald's would have for doing that such as benefits, tax advantages, policy advantages, etc. It is no longer an equal playing field. It is hard for the public to know the cost of everything, but the value of so little. In addition to supporting Vice Mayor Schwartzman's prohibition (which she would prefer to be 70,000 sq. ft.), she would like to tweak the ordinance to prohibit formula stores for Davies Square and Solano Square as it relates to Downtown. She would like to do it within the context of this ordinance so Council would not have to come back to this. She would like to ask the Community Development Director to come up with a way deal with that. Finally, on the issue of formula businesses, she would like to see if Council could look at alternatives dealing with the concentration of formula or big box businesses in the vicinity or Citywide. This would look at the remaining permitted use permits of 20,000 sq. ft. or more up to 70,000 sq. ft. The City could define concentration as big box was defined in section 1. The City could define concentration as being no more than one within a radius. It is a mistake for Council not to understand the facts are in front of them. It is the smart business thing to do. The Chamber did not do its homework. The idea is to promote business and have it work for the City. She would like Mr. Knox to look at something that would prohibit big box at 20,000 sq. ft for Solano Square and Davies Square, as well as look into defining concentration. She would move that Council could approve this ordinance with those considerations.

Council Member Hughes stated that there were a lot of formula businesses he would not want to see in Benicia, but this ordinance does not prevent those businesses from coming. It would just require them to obtain a use permit. The Planning Commission would look at the criteria and decide if they were compatible with the town. He discussed the City Survey that was previously discussed by Ms. Burgess. The survey did state that the community wanted to preserve the small town charm and atmosphere of the City. However, it also stated that people wanted to see more shopping options and opportunity. He thought he was hearing that the town did not want to see unfair business competition. He was not sure he could support the limit of 70,000 sq. ft. or 75,000 sq. ft. as suggested. The City has the use permit process and the Planning Commission criteria that address the issue. If the Planning Commission goes through the criteria, it would make sure it meets the six criteria, which include compatibility and maintaining small town charm concerns. He thought that issue was addressed in the prior ordinance.

Council Member Whitney stated that the main problem with formula based businesses has been Starbucks. The solution crafted to deal with that was very good solution. Another concern seems to be Wal-Mart. Some people might want to see a Wal Mart in Benicia. It is about crafting a balance and solution that takes in both sides and makes it work for the community. The conditional use permit is a good idea. He suggested under section 1, he would like to insert that big box means any retail establishment over 20,000 gross sq. ft. He likes the ordinance the way it is written. The use permit is an appropriate procedure.

Mayor Messina stated that one of the things he liked about the ordinance that has been drafted is that it relies on something that is not really written down in terms of being defined. That is the participation of the public and the elected and appointed officials. The elected officials were put in place for a purpose. The citizens elected the officials to make difficult decisions, take into account the tangible things, and do right by the community. The way the ordinance is crafted allows Council and the Planning Commission to do just that. If the citizens don't want a Wal Mart, the Council and Planning Commission will definitely hear about it. The citizens will come to the meetings and express their concerns. He favors a more simple approach to allow the elected bodies, appointed bodies, and the public to have their play in the process to help Council reach the appropriate decision. He would like to get rid of the word 'big box' and would like to add some steps. He proposed deleting big box, refer to the size in terms of gross square footage, and add the two steps of going to the Planning Commission and City Council.

Mr. Erickson discussed big box businesses in general. Staff was not sure if it could say it agreed with the comment that all large businesses were deleterious to the economy. Some may be, but not all. It is a balance of picking and choosing. Regarding the survey, one of the things identified by the community as an unmet need was more shopping opportunities. The community is telling the City that they are missing something and have to go out of town for those needs.

Council Member Whitney made a motion to adopt the ordinance, inserting the word 'retail' between 'any establishment', adding the Mayors idea to delete 'big box' and just have it say any retail business over 20,000 sq. ft.

Vice Mayor Schwartzman stated that he thought he agreed with Council Member Hughes regarding the existing ordinances for Downtown. He thought the City already had a use permit in place for the Downtown area. He asked what if Wal Mart decided to come to Benicia, and make it's building to 100,000 sq. ft. They could try to encourage Seeno to get a Wal Mart in that area. Granted right now, Staff thinks that if Seeno wanted to bring a big box business in that area, they would have to amend the EIR. If they did that, and the City does not have an upper limit, what would that tell the judge and everyone else out there? Maybe the City should have had an ordinance in place. That is why he would like to see an upper limit. He received nineteen emails regarding the citizens concerns about big box. There were sixteen against big box and three who were in favor of them. He had a feeling that was a fairly good cross section of what people wanted. Council would be making a mistake not to have a reasonable upper limit in place.

Council Member Patterson asked Mr. Knox about the significance of saying ‘big box’ in an ordinance. Mr. Knox stated that he was not sure if there was any significance. If you just say under retail sales ‘greater than 20,000 sq. ft’, you might not need the definition. The term ‘retail establishment’ would cover Wal-Mart, Target, etc. Regarding the issue of concentration, the general concept of some number within some specific area is exactly the way to do it. As far as how many and what area, that is a judgment call for Council. One is the simplest number to use. It was appropriate in the formula ordinance for Downtown, Solano Square, and Davies Square because it reflects the solution to the problem that was created as well as it reflects the public’s sentiment about what should exist Downtown. Regarding the issue of grocery, hardware, and drug stores in the list of uses in the commercial districts, there is no question that grocery was exempt. It was a separate category. Council may need to look at drug and hardware stores. Council Member Patterson discussed the negative effects the opening of a Restoration Hardware would have on the stores Downtown. Council needs to define concentration for the entire City, but with more definition for Downtown, Solano Square, and Davies Square. If that was done, she could go in the general direction that Council seems to be headed. She agreed that there needed to be an upper limit and imbed the notice process in the ordinance. Council should not be hasty with this. It should take its time and get it right.

Ms. McLaughlin stated it would be better not to spell out ‘retail sales establishment’ and just list the sq. footage in the chart. If there were an upper limit, it would need references to the General Plan. If Council makes too many changes to the proposed ordinance, it could not be introduced tonight.

Council Member Hughes stated that the arguments were persuasive, but with this and the previous ordinance, the City could say no to businesses. He did not want to see a Wal Mart in Benicia. However, putting an absolute prohibition on businesses coming to town was short sided. There are businesses out there that could be a real value to the City that it might have to turn away if it has this ordinance.

ORDINANCE 07- - AN ORDINANCE AMENDING SECTION 17.12.030 (DEFINITIONS) OF CHAPTER 17.12 (DEFINITIONS), AMENDING SECTION 17.28.020 (LAND USE REGULATIONS) OF CHAPTER 17.28 (C COMMERCIAL DISTRICTS), AND ADDING SECTION 17.70.360 (BIG BOX) OF CHAPTER 17.70 (SITE REGULATIONS)

On motion of Council Member Whitney, seconded by Council Member Hughes, the above Introduction and First Reading of an Ordinance was approved as amended, on roll call by the following vote:

Ayes: Council Members Hughes, Whitney, and Mayor Messina

Noes: Council Members Patterson and Schwartzman

Mayor Messina called for a 5-minute break at 9:36 p.m.

The meeting resumed at 9:42 p.m.

Adoption of annual increases for the Capital Improvement License Tax, the Park Land Dedication Fee, and the Library Book Fee:

Rob Sousa, Finance Director, reviewed the staff report.

Public Hearing Opened

Public Hearing Closed

RESOLUTION 07-55 - A RESOLUTION ADOPTING INCREASES FOR THE CAPITAL IMPROVEMENT LICENSE TAX FOR CONSTRUCTION OR ALTERATION OF SINGLE-FAMILY RESIDENCES, MULTIPLE-DWELLING STRUCTURES, AND COMMERCIAL OR INDUSTRIAL FACILITIES

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

RESOLUTION 07-56 - A RESOLUTION ADOPTING AN EXTENSION AND INCREASE THE CURRENT LIBRARY BOOK FEE

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

RESOLUTION 07-57 - A RESOLUTION ADOPTING AN INCREASE IN THE PARK LAND DEDICATION FEE

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

ACTION ITEMS:

Introduction of an ordinance to regulate campaign financing of City candidate elections by adding Chapter 1.40 (Campaign Financing of Candidate Elections) to Title 1 (General Provisions) of the Benicia Municipal Code:

Heather McLaughlin, City Attorney, Steve Churchwell, Consultant, reviewed the staff report.

Mr. Churchwell briefly described in layman's terms what each of the thirteen proposed suggested changes meant. He made various suggestions: Item #1 – It would be okay to be added to the very beginning. #2 – The definition of independent expenditure has already been defined by the United States Supreme Court. If we try to broaden or narrow that definition, he could not imagine it would be workable. He did not recommend any amendment of the definition of an independent expenditure, #3 – The courts had given

communities wide latitude to pick this number. You could probably get away with \$1 if you could justify it. It would be up to Council to choose that particular number, #4 – This number would include monetary and non-monetary contributions. Council could adjust that number if it wanted, #5 – Council and Mr. Churchwell discussed defining the term ‘anonymous.’ No recommendations made regarding the suggestion, #6 – Council could make just about any changes it wanted to the number, #7 – He described what a ‘blackout period’ was. It is a good idea, but the courts detest blackout periods. If there was a way to show it was more corrupting than contributions given in any other period, you might be able to do it, but no one has been able to do that yet, #8 –The word ‘shall’ should be changed to ‘should’, #9 – No suggestions made, #10 – The only question would be whether people could file within 24 hours – it would just be a new provision added, #11 – This issue was struck down in Oregon. It would have to be made voluntary for the candidates. For independent groups, he would not know how it could be enforced. Many of the groups will not file with the City, but with the State, County, Federal Elections Commission, etc. All this would do is trip up those who actually file with the City and who already abide by the rules, #12 – Council Member Patterson stated that after further discussion with the City Attorney, this item probably belongs in another ordinance, #13 – This one sounds like the exact thing as 84308 – just stated in another way. He would not have a problem with this one since it is already the law.

Mr. Churchwell briefly described in laymen’s terms what each of the sixteen proposed changes meant in Ms. Fox’s letter meant: He made various suggestions: #1 – We have 84308 – with this proposed change, it is just choosing a number. It is not workable with independent expenditure groups, #2 – The voluntary spending limit would be reduced, #3 - Same thing, #4 – Same thing, #5 - it is just a suggestion that the cut off date would be earlier, which he did not have a problem with, #6 – that could be done, #7 – No suggestion, #8 – No suggestions, #9 – Council could set the limit, #10 – Council could set the number at any limit it wanted, #11 – This was probably fine, but you would need to work on how to implement it, #12 – One problem is that you could not get it on the disclaimer piece unless you put it in very small type, which you might run into some issues with, #13 – A lot of ink has been spilled about this. None of the challenges have survived in court. It is a problem, but the question is how you go about addressing it. This is a valid point that could be looked at, #14 – This is a big problem at the State and Federal level. You can’t tell people how much they spend on their own campaign, but you could set the triggers low enough to let them out from under the limits, #15 – This is very problematic. It is also known as the ‘bounty hunter provision’ in the Political Reform Act. It has been very much abused by people who make money off of those provisions, #16 – That would not be in either of tonight’s ordinances.

Vice Mayor Schwartzman clarified that the suggested changes by Council Member Patterson and Ms. Fox could be considered substantial, and would not be able to be voted on tonight. Ms. McLaughlin stated that some of the changes could be considered substantial.

Council Member Patterson stated that most of her proposed changes were changes that could be done tonight and still approve the Introduction and First Reading of the ordinance.

Ms. Langford stated that regarding the enforcement section; it states that ‘a person shall be liable.’ It does not state that a person ‘may be liable.’ You are making sure people will be liable, if that is truly what Council wanted to do. It has a four-year statute of limitations – does it have to be four years, or could it be shorter? Mr. Churchwell stated that it could be made shorter if Council wanted to change it.

Public Comment:

1. Norma Fox – Ms. Fox questioned why changes and deletions were made to the original ordinance that was proposed at the workshop in February.

Mayor Messina told her that if Council got into that, they would be here all night. He asked her to take her five minutes and share comments on tonight’s item. She did not need to repeat any of the information already reviewed by Mr. Churchwell tonight.

Vice Mayor Schwartzman clarified that some of the changes were made because of comments that were made by a variety of individuals (public, Council, etc.).

Mr. Churchwell stated that there were comments made by individuals at the workshop meeting that they took into consideration, and changes were made.

Ms. Fox discussed the issue of voluntary provisions. There is no reason to not put voluntary provisions in the ordinance. Voluntary provisions have a lot of teeth in this town. There could be a voluntary provision for candidates and independent groups in which they agree to not take any out of district contributions. It could be on record and put on the City’s website. That needs to be included. She wanted to add something about a voluntary provision for the candidates to recuse themselves if a big PAC dumps \$35,000 to support them. The \$500 contribution limit was ridiculous.

2. Kitty Griffin – Ms. Griffin stated that her League of Women Voters background tells her that the voters need the information possible to make the decision on whom to vote for. She discussed the issue of anonymous contributions. As a voter, she needs to know who contributed what. That tells her what kinds of people are supporting a particular candidate. On the issue of contribution limits, the issue seems to be how that amount of money could affect decisions that are made. The information needs to be posted on the City’s website. She discussed a contribution that Vice Mayor Schwartzman received. You should have control over what candidates do and whether or not they accept the contributions.

Vice Mayor Schwartzman stated that Ms. Griffin said something that was an innuendo and an assertion that was totally untrue. He did not receive a contribution that he did not know about or approve. The contribution in question

- went directly to an independent expenditure group who spent their own money their own way. It did not go to him. How could he return it?
3. Marilyn Bardet – Ms. Bardet thanked Ms. Fox for all the research she has done. She appreciates the comments made by Ms. Griffin as well. The voters need the information to make decisions. She liked the idea of the City of publishing the voting records, as well as the contributions made during the last week campaigns. The notion of voluntary limits works. There is a certain kind of accountability in a small town. The issue of outside contributions is disturbing and is distorting politics throughout the nation. It is important to maintain the integrity of local campaigns.
 4. Joe Kearns – Mr. Kearns stated various concerns with the issue of campaign financing. He read a poem about politicians.
 5. Richard Bortolazzo – Mr. Bortolazzo stated that the candidates needed to disclose the amounts and sources of funds so the electorate could process the information. However, to have the rules and misdemeanors would chill the intention of people to support their candidates. People who contribute to candidates are not criminals. They are people who believe in the welfare of the community. The public speakers do speak for the whole community. They should speak for themselves. Full disclosure is adequate – you do not need to have all of these limits.
 6. Gretchen Burgess – Ms. Burgess discussed the issue of campaign contributions. If a person does not want the public to know they support a candidate with their name, then the public officials should not accept their money. She supports her local politicians, but she was deeply confused and disturbed about the current trends.
 7. Jon Van Landschoot – Mr. Van Landschoot encouraged Council to limit the amount of money that a person could get from an individual, as well as limit the amount of money that a person could spend. They should make it mandatory (if it is legal), or make it a matter of honor. A person who takes money from an individual or entity should recuse themselves on every issue that person or entity is involved in. Everything should be reported.
 8. Sabina Yates – Ms. Yates stated that she supported Council Member Patterson proposed changes. She personally believes that \$.65 per registered voter should be sufficient to run a competitive campaign in Benicia. She believes that the contributions made and money spent during the last 10 days prior to an election are items that require the closest scrutiny. Individual contribution limits should be reduced to \$250. Voters want their candidates to raise money from individual voters, not from business entities and special interests. The voters of Benicia are entitled to feel that Council has enacted campaign finance reform ordinances that will guarantee that the corrupted activities witnessed in the November 2005 election do not occur again. Does the proposed ordinances satisfy that requirement?
 9. Ramon Castellblanc – Mr. Castellblanc stated that one of the biggest problems seems to be the last minute expenditures by independent expenditure committees, as far as impacting the election and giving an unfair advantage to people who are backed by a lot of money. What would deal with that best is the disclosure of the contributions and also the recusal provisions. The City should be concerned about

Seeno. With what occurred earlier tonight, we might have left the door open for Wal Mart to come into town. He urged Council to pay particular attention to provisions proposed that would counteract the last minute expenditures that appear to be tipping the balance in town.

10. Mike Ioakimedes – Mr. Ioakimedes was concerned about comments made tonight. He does not want to live in a community that tells an entity that they don't have a right to participate in the political process, yet they are at the top of every list of every non-profit he has ever been in when people are asking for contributions. If you don't like the money Valero or other entities spend, then don't enjoy the Fourth of July fireworks, don't check out a book at the Library, don't go to Christmas Open House, etc. because they also contribute to things like that. That does not seem right. He was all for campaign finance. At the end of the day, it is not the dollars that are spent, but it is the votes that are cast. At the last election, two honorable and committed individuals were defeated, but two equally honorable and committed individuals were elected. He is tired of talking about the last election. He wants to talk about the next election.

Mayor Messina stated that he agreed with what Ms. Griffin said in terms of what Council needed to focus on. He was concerned that there will be unintended consequences. It is important that the public know who is contributing money. There are already very strict rules imposed by the Fair Political Practices Commission (FPPC). He agreed with the clerk scanning and putting documents on website. Reporting is important. Where Council has gone with document is not going to do the City any good. More frequent reporting is a good idea. Regarding recusal – he has seen that on many boards he sits on. If you accept a campaign contribution of more than \$250, you have to recuse yourself on a related item for six months. However, the candidate has to accept the money. If an independent expenditure committee gets the money that is different. Regarding reporting – maybe the \$99 dollar rule is okay. Maybe more frequent reporting is the answer.

Council Member Hughes addressed comments by Mr. Kearns regarding real estate and mortgage agents. Mr. Churchwell previously stated that this ordinance should be kept simple. The issue with the last election was not so much the personal contributions, but the independent expenditure donations. It goes back to reporting and disclosure. The ordinance is somewhat of a knee-jerk reaction and it is being made very complex for everyone involved. Council needs to take a step towards addressing some of the issues. As suggested by Mr. Churchwell, maybe Council should just pull one lever and see what it could do about reporting and disclosure. That would solve a lot of issues.

Council Member Whitney stated that he believed the problem is based on the citizens needing to have enough information to be able to vote. It goes back to accurate, aggressive, and timely reporting. The business community contributes 50% of the City's General Fund. To say that they don't have a vested interest in the community and they don't have a right to be involved in the political process is absurd. The voters can choose not to vote for a candidate if they accepted support from the business community. That is their right. Clearly, voters have questions on the issue of integrity. There has been a lot of talk about the last election. Two people lost and two people with integrity won. Frankly,

to say anything else is bologna. He is tired of the accusations. Let's move on. If you don't like those individuals, you can choose not to vote for them at the next election. The idea that the voters are not intelligent shows that there is kind of a 'nanny government' feel. We have to provide the voters with information so they could make informed decisions. To get into this really convoluted and complicated ordinance is barking up the wrong tree. He would like to throw this ordinance out and get back to some honest reporting that will be very clear about who is supporting the candidates in any election. There are some very aggressive State laws. Why Council keeps trying to reinvent the wheel and then have consequences come back, as experienced with the CEQA changes, makes him question why Council has to get away from the FPPC rules.

Council Member Patterson thanked the public for expressing concern on this issue. The concerns came from an election that included over \$200,000 in the little City of Benicia. Council has the advantage of addressing the problem by taking a few simple steps. It would be taking the California Reform Act and fine-tuning it to convey to the public that it heard its concerns and is trying to address those concerns. The changes made from the original ordinance in February were to address the State Law. Council was trying to add some layers of protection. Council Member Patterson went through her list of 13 suggested changes (hard copy on file). She discussed #1 - (purpose of ordinance) – if she were to make a motion, she would include the suggested addition of the purpose, #2 - (Independent Expenditure) – strike this item and revisit later, #3 - (Change contribution limit to \$250) – this is Council's choice, she would like to have Council on record saying whether it wants \$500 or \$250, #4 - (Change candidate's acceptance amount to \$2,500) – She would like this included in the ordinance, #5 - ('Anonymous contributions to an aggregate \$250) – Strike this item and revisit later, #6 - (Change 'Disclaimers on Campaign Communications' to \$1,000) – She would like this included in the ordinance, #7 - (Add new section 'Campaign Contribution Restricted')– Strike this item and possibly revisit later, #8 - (Embrace and add section 1.40.210 – Access to Records') – She would like this item included, however, the language 'shall' should be changed to 'should', #9 - (Reject 2012 sunset clause) – She would like this included in the ordinance, #10 - (add 'Last-minute independent political committees' language) – Strike this item and revisit later, #11 - (add 'out of district contribution restriction – voluntary') – Strike this item and revisit later, #12 – (add City-sponsored candidate forums) – This item will be revisited in the fair campaign ordinance, and #13 – (add recusal provisions) – Strike this item. This is restating what is already in State Law 84308.

Council Member Patterson made a motion to introduce the ordinance, including proposed changes (from her list – hard copy on file) #1, #3, #4, #6, #8, and #9. The motion died for lack of a second.

Vice Mayor Schwartzman stated that there is no one, with maybe the exception of Council Member Hughes, who was more tired of hearing comments about the last election than him. He thanked Ms. Fox for all of the effort she put into this issue. What is on the books is at one extreme and what Ms. Fox wants is at the other end of the extreme. There are a lot of corporations in town who have a right to participate in local elections. There are also businesses in town that may not 'live' here, but employ local people. They

may also have a place here. He was okay with some of the proposed changes. The amount going into elections on a national level was abominable. However, he did not feel it was out of control in Benicia anywhere near it is on a national level. There are some issues that the City should deal with. The issue of independent expenditure groups should be addressed. Reporting should be addressed. Brining voluntary things into an ordinance that is not voluntary does no belong. There should not be voluntary aspects of a mandatory ordinance. He is okay with some kind of campaign finance reform, more reporting, to an extent, and have some influence on the independent expenditure groups. However to ask he or Council Member Hughes to recuse themselves for money they did not know was spent is out of line. He and Council Member Hughes have integrity.

Mayor Messina proposed re-crafting the ordinance. Stay away from anything that does not deal with reporting. Make it a simple change, look at requiring the Form 460 be required to be submitted four times (one report per week for the last month of the election), and leave the contribution at \$99, and have the City Clerk scan the Form 460's and put them on the City's website.

Council Member Patterson stated that her light had been on. There had been two outbursts. She stated that the changes she suggested to the ordinance before Council were only dealing with number amounts. This all started with the problems with Seeno. The main thing that Council could accomplish with this ordinance is the increased reporting and to look at the contributions. The public has been asking for this. She has never seen such an outright rejection and it is rather insulting to the people who have been following this, doing the research, etc. Council Member Hughes even made the commitment to have community dialogue. The community dialogue was telling Council what a good deal of the community wanted to see. This would be a good first, modest step. It is a good start, but it was not enough.

Vice Mayor Schwartzman asked Council Member Patterson was comment of his she was surprised at. Council Member Patterson stated that she was surprised at what he said regarding the voluntary aspect of the ordinance.

Council Member Hughes stated that he disagreed with Council Member Patterson. Council was not ignoring the public. The comments were very disingenuous. What he heard tonight and at the workshops was that reporting was the big issue. Let's fix the reporting disclosure. His comments were not ignoring the public. There are probably some of the public who would like to go the way the ordinance is written, and also some who were interested in focusing on disclosure and reporting. He thought he did a good job in listening to the public and also recognizing there are differences of opinion.

Council Member Whitney stated that he did not think that any of the Council Members were opposed to trying to get their arms around campaign financing and what is in the best interest of the community. One of the most aggressive campaign laws in the country is administered by the FPPC. He was open to taking a look at what the City does and add or subtract to it as it goes along. People have said repeatedly that the issue was reporting. The State has done its job and defined the law. He is not inclined to reinvent the wheel.

There are areas that are troubling in the community, but he was not convinced the system was absolutely broken. The contribution limit of \$99 is fine. He did not think anyone could be bought for \$99.

Council Member Patterson asked for a point of order. She asked if the listing on the agenda tonight allowed Council to vote on the proposed changes. Mayor Messina stated that to address Council Member Patterson's point of order question, Council could not introduce the ordinance. Council would take the vote on the motion, and then it would decide on how to go about introducing it. Council Member Patterson stated that Mayor Messina always had a problem when she asked the City Attorney a question. She was asking the City Attorney for a clarification. Mayor Messina stated that he was following the rules. Council's rules are very specific. The presiding officer will rule on points of order. If she was making a point of order, it was his job to rule on it. He had to follow the rules too. Council Member Patterson stated that she was asking for the City Attorney's advice. Mayor Messina asked the City Clerk to call the roll.

On motion of Mayor Messina, seconded by Council Member Whitney, Council voted to send the ordinance back, re-craft it, staying away from anything that is not reporting, make simple changes, requiring the Form 460 to be submitted weekly for the last month of election (plus the other required times), leave the contribution limit at \$99, and have the City Clerk scan and post the Form 460's on the City's website. The motion was adopted, on roll call by the following vote:

Ayes: Council Members Hughes, Whitney, and Mayor Messina

Noes: Council Members Patterson and Schwartzman

At 11:55 p.m., Mayor Messina asked if there was Council consensus to continue the meeting and discuss the remaining agenda items.

Council Member Whitney stated that this was not 'sunshine' and Council would be voting on items when the public was asleep.

Vice Mayor Schwartzman asked Ms. McLaughlin, with regards to the Utility Users Tax item, how much time Staff needed to get a ballot measure on the November ballot? Ms. McLaughlin stated that if it were going to be on a mailed ballot, it would need to be done at the end of August. If it were going on the actual November ballot, it would need as much lead time as possible.

Mayor Messina stated that since there was not a motion to hear the remaining agenda items, all remaining agenda items would be continued to the next meeting. However, Council would hear public comment on the continued items.

Public Comment:

1. Norma Fox – Ms. Fox asked if Council would be ruling on the next ordinance.

Mayor Messina stated that the item would be addressed at a subsequent Council meeting.

Ms. Fox stated that the ordinance needed incentives. She stated there was a death clause in the ordinance. None of the other city's ordinance had such an exit clause. That was unreasonable and would be a waste of everyone's time.

2. Kitty Griffin – Ms. Griffin stated that she appreciated the fact that Council reinforced the point she made about increased reporting. The voluntary spending limit might be the bag in which some of the things that did not get decided on tonight could be placed. Don't abandon that bag. In that category, Council might be able to resolve some of the unresolved things that came up tonight. She apologized to Vice Mayor Schwartzman for not getting the scenario right.

At 12:03 a.m., Mayor Messina continued all remaining items to a future agenda.

Introduction and first reading of an ordinance to establish a voluntary expenditure ceiling for candidate elections by adding Chapter 1.28 (Voluntary Expenditure Limits for all Municipal Candidate Elections) to Title 1 (General Provisions) of the Benicia Municipal Code:

Continued

Direction regarding a ballot measure to amend the utility user's tax:

Continued

INFORMATIONAL ITEMS:

Reports from the City Manager:

Continued

Council Member Committee Reports:

1. Mayors' Committee Meeting (Mayor Messina) - Next Meeting Date: June 20, 2007
2. Association of Bay Area Governments (ABAG) (Mayor Messina) - Next Meeting Date: October 26, 2007 – Fall General Assembly
3. Audit & Finance Committee (Vice Mayor Schwartzman and Council Member Hughes) Next Meeting Date: June 8, 2007
4. League of California Cities (Mayor Messina) - Next Meeting Date: Legislative Action Days – May 16-17, 2007
5. School District Liaison (Council Members Whitney and Hughes) - Next Meeting Date: May 24, 2007
6. Sky Valley Area Open Space (Council Members Patterson and Whitney) - Next Meeting Date: June 6, 2007
7. Solano EDC Board of Directors (Mayor Messina) - Next Meeting Date: May 24, 2007
8. Solano Transportation Authority (STA) (Mayor Messina) - Next Meeting Date: June 13, 2007
9. Solano Water Authority/Solano County Water Agency (Mayor Messina) - Next Meeting Date: June 14, 2007
10. Traffic, Pedestrian and Bicycle Safety Committee (Council Members Patterson and Hughes) - Next Meeting Date: July 19, 2007

11. Tri-City and County Regional Parks and Open Space (Council Member Whitney) -
Next Meeting Date: June 11, 2007.
12. Valero Community Advisory Panel (CAP) (Council Member Hughes) - Next Meeting
Date: July 26, 2007
13. Youth Action Task Force (Vice Mayor Schwartzman and Council Member Whitney)
- Next Meeting Date: May 23, 2007
14. ABAG/CAL FED Task Force/Bay Area Water Forum (Council Member Patterson) -
Next Meeting Date: May 21, 2007

COMMENTS FROM COUNCIL MEMBERS:

None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 12:03 a.m.

Lisa Wolfe, City Clerk