

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
May 19, 2015

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

I. CALL TO ORDER:

Mayor Patterson called the Closed Session to order at 6:00 p.m.

All Council Members were present.

II. CLOSED SESSION:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9
Number of potential cases: Two (2)

III. CONVENE OPEN SESSION:

A. ROLL CALL

All Council Members were present.

B. PLEDGE OF ALLEGIANCE

Benicia High School students led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC

IV. ANNOUNCEMENTS/PROCLAMATIONS/ APPOINTMENTS/PRESENTATIONS:

A. ANNOUNCEMENTS

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

Heather McLaughlin, City Attorney, reported that Council asked for more work from Staff.

- 2. Openings on Boards and Commissions:**

Arts & Culture Commission

1 unexpired term
open until filled

Finance Committee
1 full term
open until filled

Human Services Board
1 unexpired term
open until filled

SoITrans Public Advisory Committee
1 full term
open until filled

Open Government Commission
1 unexpired term
open until filled

3. Mayor's Office Hours:

4. Benicia Arsenal Update

Update from City Attorney

Heather McLaughlin, City Attorney, reported that the technical teams had been getting together, trying to work on a plan they can present to the Department of Toxic Substance Control (DTSC). The stakeholders will be updated once this phase is over.

B. PROCLAMATIONS

- 1. IN RECOGNITION OF PHILIPPINE CULTURAL WEEK - JUNE 1-7, 2015**
- 2. IN RECOGNITION OF NATIONAL PUBLIC WORKS WEEK - MAY 17-23, 2015**

C. APPOINTMENTS

- 1. Appointment of Gary Montgomery to the Civil Service Commission for a full term ending January 31, 2018**

D. PRESENTATIONS

1. PUBLIC WORKS WEEK PRESENTATION
2. UPDATE ON FEDERAL/STATE REGIONAL TRANSPORTATION FUNDING - DARYL HALLS, EXECUTIVE DIRECTOR, SOLANO TRANSPORTATION AUTHORITY
3. AWARDS PRESENTATION TO WINNERS OF THE LAW DAY MAGNA CARTA CONTEST

V. ADOPTION OF AGENDA:

Anne Cardwell, Assistant City Manager, clarified that item VII.C would be approved by motion, not by resolution.

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

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

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

Three items received (copies on file).

B. PUBLIC COMMENT

1. Gretchen Burgess - Ms. Burgess discussed an upcoming Voena event, and an upcoming Boy Scout event.
2. Bonnie Silveria - Ms. Silveria discussed upcoming Benicia Historical Society events on Memorial Day at the Benicia City Cemetery and the Veteran's Hall. She also invited everyone to come to the Benicia Farmer's Market on Thursdays.
3. Council Member Schwartzman - Council Member Schwartzman discussed recent events in the Police Blotter. He encouraged citizens to work together regarding crime and safety.
4. Mayor Patterson - Mayor Patterson discussed the issue of water conservation and encouraged all citizens to conserve water and do their part.

VII. CONSENT CALENDAR:

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the Consent Calendar, as presented, on roll call by

the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, Strawbridge

Noes: (None)

- A. **APPROVAL OF THE MINUTES OF THE MAY 5, 2015 CITY COUNCIL MEETING**
- B. **SECOND READING AND ADOPTION OF AN ORDINANCE FOR MINOR EDITS TO TITLE 17 (ZONING ORDINANCE) TO CLARIFY TEXT AND ELIMINATE DISCREPANCIES, AFTER A DETERMINATION THAT THE PROJECT IS EXEMPT FROM CEQA**

ORDINANCE 15-2 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING) FOR MINOR EDITS TO CHANGE THE TITLE OF THE DEPARTMENT DIRECTOR, CLARIFY TEXT AND ELIMINATE DISCREPANCIES, AND REPEALING CHAPTERS 17.46 (USE REGULATIONS SUMMARY) AND 17.48 (PROPERTY DEVELOPMENT REGULATIONS SUMMARY) IN THEIR ENTIRETY

- C. **BUDGET TO ACTUAL REPORTS FOR ALL FUNDS FOR THE QUARTER ENDING MARCH 31, 2015 AND AMENDING THE FISCAL YEAR 2014-15 BUDGET**
- D. **PURCHASE OF A NEW PLAYGROUND STRUCTURE AT BENICIA COMMUNITY PARK**

RESOLUTION 15-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE PURCHASE AND PLACEMENT OF A NEW PLAY STRUCTURE FOR BENICIA COMMUNITY PARK IN THE AMOUNT OF \$198,711.08 ALLOCATED FROM MEASURE C FUNDS

- E. **AUTHORIZE PURCHASE OF TWENTY EIGHT (28) TASERS, HOLSTERS AND TASER CAMS**

RESOLUTION 15-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE PURCHASE OF TWENTY EIGHT (28) TASERS, HOLSTERS, AND TASER CAMS UTILIZING COPS SUPPLEMENTAL LAW ENFORCEMENT FUNDS

- F. **AMENDMENT TO CITY OF BENICIA MILLS ACT PROGRAM INCREASING THE NUMBER OF ALLOWABLE CONTRACTS TO A TOTAL OF 40 AND POSTPONING THE APPLICATION DEADLINE FOR 2015 TO SEPTEMBER 30, 2015**

RESOLUTION 15-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY

OF BENICIA APPROVING AMENDMENTS TO THE MILLS ACT PROGRAM

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

VIII. BUSINESS ITEMS:

A. REVIEW OF FY 2015-2017 CITYWIDE FUNDS

Karin Schnaider, Finance Director, reviewed the staff report and a PowerPoint presentation (copy on file).

Council Member Campbell and Staff discussed issue of the water operations deficit.

Mayor Patterson and Staff briefly discussed the issue of budget water pricing, fixed water costs, the upcoming 10-year forecast, and concerns regarding deferred maintenance. Staff confirmed they would have more detail on the above issues in July.

Vice Mayor Hughes and Staff discussed the rates for water and wastewater and how it translates to an average customer's bill, the City's water supply strategy and the money needed for future water purchases, concern regarding waiting until 2017 to purchase water (as the costs will rise), and the rationale for how water and wastewater rates are charged.

Mayor Patterson and Staff discussed the issue of water purchases, the integrated regional water management strategy, and the need to consider purchasing water before the prices increase (Lake Berryessa).

Council Member Schwartzman and Staff discussed concern regarding the negative funds, the need to look at all possibilities to boost revenues and decrease spending, and possibly looking into contracting out the City's services for water treatment.

Council Member Campbell and Staff discussed the amount of water coming out of the wastewater treatment plant, water leaks and leak detection, and the status of the City getting new meters.

Council Member Strawbridge and Staff discussed the importance of economic development in the City, increasing revenue, and whether the Tourtelot mitigation funds could be used for the Arsenal clean-up.

Mayor Patterson and Staff discussed the issue of economic development, concern that the City is not making investments now that will benefit us in the future, and the need for a document that shows all the pots of money that are for

economic development.

Council Member Schwartzman and Staff discussed the savings generated by the Business Resources Incentive Program (BRIP).

Mayor Patterson and Staff discussed looking at other communities to see what they are doing to modernize their industrial parks, the issue of constant dollars (landscaping & lighting), grant dollars decreasing for streets and transportation (bus hub), and the gas tax.

Public Comment:

1. Samantha Ross – Ms. Ross discussed concerns regarding the fairness of the water surcharge.

Mayor Patterson stated there was concurrence of the Council to accept the report. Staff would bring a resolution for adoption at the June 2, 2015 meeting.

B. CONSIDER REQUESTS FROM THE LEAGUE OF CALIFORNIA CITIES FOR LETTERS OF SUPPORT FOR SB 16 AND ACA 4 REGARDING TRANSPORTATION FUNDING

Brad Kilger, City Manager, reviewed the staff report.

Mayor Patterson recommended Council continue to watch the bill to see what happens. She discussed the ACA 4 and that the Governor's budget and recommendations are that self-help counties will have a boost and the counties that don't have it won't benefit from it.

Council Member Campbell discussed concern regarding SB16 (gas tax).

Vice Mayor Hughes stated that he was okay with ACA 4, but had similar issues with SB16.

Mayor Patterson discussed SB16. She hoped there was something that could be brought back through the usual process that doesn't have to be brought back to Council so we can be on record for supporting a 'better idea.' She agreed the proposed approach was not a good one, but the goal is worthy, and that is to get more money into our transportation system.

Council Member Schwartzman discussed support for ACA 4, but he would prefer to watch SB16.

Mayor Patterson stated there was consensus for support of ACA 4, and to watch SB16 (Bell Bill) to see what emerges from legislature.

C. Council Member Committee Reports:

- 1. Mayor's Committee Meeting.(Mayor Patterson) Next Meeting Date: June 17, 2015**
- 2. Association of Bay Area Governments (ABAG)<http://www.abag.ca.gov/>. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: TBD**
- 3. Finance Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: May 28, 2015**
- 4. League of California Cities. (Mayor Patterson and Vice Mayor Hughes) Next Meeting Date: June 29, 2015**
- 5. School Liaison Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: TBD**
- 6. Sky Valley Open Space Committee. (Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: TBD**
- 7. Solano EDC Board of Directors. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: July 9, 2015**
- 8. Solano Transportation Authority (STA). <http://www.sta.ca.gov/> (Mayor Patterson and Council Member Campbell) Next Meeting Date: June 10, 2015**
- 9. Solano Water Authority-Solano County Water Agency and Delta Committee. <http://www.scwa2.com/>(Mayor Patterson, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: June 11, 2015**
- 10. Traffic, Pedestrian and Bicycle Safety Committee. (Vice Mayor Hughes and Council Member Strawbridge) Next Meeting Date: July 16, 2015**
- 11. Tri-City and County Cooperative Planning Group. (Vice Mayor Hughes and Council Member Schwartzman) Next Meeting Date: June 8, 2015**
- 12. Valero Community Advisory Panel (CAP). (Council Member Campbell and Council Member Schwartzman) Next Meeting Date: TBD**
- 13. Youth Action Coalition. (Mayor Patterson, Vice Mayor Hughes and**

Council Member Strawbridge) Next Meeting Date: May 27, 2015

- 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, Vice Mayor Hughes and Council Member Campbell) Next Meeting Date: May 21, 2015**
- 16. Marin Clean Energy (MCE). (Council Member Schwartzman and Council Member Strawbridge) Next Meeting Date: May 21, 2015**

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting in honor of James Wallace at 9:25