

June 1, 1999

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.

MINUTES OF THE
BUDGET HEARING
JUNE 5, 1999

A Budget Hearing of the City Council of the City of Benicia was called to order by Mayor Jerry Hayes at 9:10 a.m. Saturday, June 5, 1999, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Hayes led the pledge to the flag.

INTRODUCTION AND OVERVIEW

Otto Giuliani, City Manager, gave a report. There is approximately 2.6 million (15%) in reserves at the beginning of this budget cycle and by the end of the budget cycle, there will be approximately 1.5 million (8-9%) in reserves. He cited three major reasons for continued use of reserve funds, as follows:

Debt service on Storm Drain Repair.

Subsidizing Marina Enterprise Fund.

Upgrade to pool.

Councilmember Messina suggested a target reserve amount; monies should be set aside to take care of unforeseen expenditures; not go below 10% reserve.

Mayor Hayes suggested that when this item is brought back to Council for approval at next meeting, address this issue in more detail.

Councilmember Gizzi stated it appears we have general consensus of a 10% reserve and suggested that to waive that percentage, it should take a vote of four out of five Council members.

GENERAL BUDGET

The following items were reviewed and discussed:

City Manager

City Attorney

Economic Development

Administration

City Council, City Clerk,

City Manager, Personnel,

Non-Departmental

Three concerned citizens spoke in support of Arts Benicia.

One citizen spoke on an unbudgeted item - a request for funds from a group organizing a New Year's Eve celebration.

Councilmember Cox-Golovich suggested following up on TAG's Contract.

Councilmember Corbaley requested that Contract be reviewed and brought back to the Council.

Consensus of the Council was to bring this item back after reviewed.

Councilmember Gizzi stated he has some concerns with the New Year's Eve celebration and the impact on the City; is concerned with the resources of the City.

Mayor Hayes stated he is concerned about the New Year's celebration; would be supportive if a group would come back with a proposal.

Finance

City Treasurer

Insurance

Information Systems

Library

Councilmember Cox-Golovich stated she would like to see the Library stay open more hours during winter holidays to utilize Library; asked if Council would consider keeping Library open on Sundays when Mondays are holidays.

Planning

Police

Fire

Community Services

Parks & Cemetery

Building Maintenance

Community Service Admin.

BREAK

Mayor Hayes called for a break at 11:20 a.m.

Mayor Hayes reconvened the hearing at 11:25 a.m.

Public Works Administration

Public Works Building Inspection

Public Works Engineering

Public Works Equipment Services

Public Works Street Maintenance

Internal Services

Equipment Replacement

Human Services

Otto Giuliani, City Manager, spoke on the reduction of funds to Youth and Family Services; stated the justification provided by the Human Services Fund Board for this reduction; recommended Council consider finding additional funds.

Consensus of the Council was to put money back that was taken out.

Six concerned citizens expressed their views.

Cultural & Historical Foundation

Alan Nadritch, Finance Director, stated this is a new item for Camel Barn Museum.

General Obligation Debt Service

Capital Improvements

Public Safety Building Construction

Street Projects

Capital License Program

Councilmember Messina suggested taking category of items that we think we are not going to accomplish and put them at the end.

Councilmember Cox-Golovich suggested include in the budget which ones are funded and ones that are not funded.

Otto Giuliani, City Manager, stated he could come back with priorities.

Councilmembers Gizzi and Cox-Golovich and Mayor Hayes like the way it is in the budget.

Councilmember Corbaley stated she would like to keep this in the budget with itemization, even though we cannot meet it all; suggested putting in introductory page - "This is in here for informational purposes".

Park Dedication Program

Renovation of the 15 meter pool and wading pool.

Councilmember Gizzi supports fixing the pool; obligation to look at alternatives, possibly another parcel.

Enterprise Funds

Water Utility

Wastewater Utility

Marina

Transit

Special Revenue

Landscaping & Lighting

CDBG (Housing) Program

Cable TV

Councilmember Messina questioned carrying the money forward.

Alan Nadritch, Finance Director, and Otto Giuliani, City Manager, justified; it is in case something breaks down.

Mayor Hayes encouraged them to try and make some improvements.

Public Safety Grants

Library Grants

Storm Drain

Virgil Mustain, Public Works Director, spoke on problems at Marina and West 7th Street.

Councilmember Cox-Golovich asked when staff will know how much this project will cost and if City is doing ongoing water testing in the Marina.

Virgil Mustain, Public Works Director, stated staff will be reporting back to Council at end of summer or beginning of fall. City will do testing again later in the summer and has put some catch basins there.

SP Depot

Virgil Mustain, Public Works Director, stated they have gone out to bid.

Mayor and Council members provided a recap of those items discussed and clarification of direction given to staff.

Otto Giuliani, City Manager, stated staff will come back with information as requested. New Year's Eve celebration will come back to Council. They will have to provide a viable plan.

ADJOURNMENT:

Mayor Hayes adjourned the meeting at 1:25 p.m.

Linda S. Purdy, City Clerk

MINUTES OF THE
SPECIAL MEETING - CITY COUNCIL
JUNE 1, 1999

A special meeting of the City Council of the City of Benicia was called by Mayor Jerry Hayes at 6:07 p.m. Tuesday, June 1, 1999, for the following purpose:

Continued Public Hearing
re: BENICIA GENERAL PLAN

Notice was duly given twenty-four hours prior to the meeting by the City Clerk.

ROLL CALL

Present: Councilmembers Cox-Golovich, Gizzi, Messina and Mayor Hayes

Absent: Councilmember Corbaley

PLEDGE OF ALLEGIANCE

Mayor Hayes led the pledge to the flag.

UNFINISHED BUSINESS:

CONTINUED PUBLIC HEARING RE: BENICIA GENERAL PLAN

CONTINUED DISCUSSION OF EDITED DRAFT GENERAL PLAN; REVIEW AND DISCUSSION OF REMAINING ISSUES ASSOCIATED WITH ANY CHAPTER OF THE EDITED DRAFT GENERAL PLAN

Mayor Hayes opened the continued Public Hearing. Written comments were received.

Councilmember Messina stated he will abstain on any discussion and voting on land use, Change No. 15 - properties are located nearby.

Councilmember Gizzi stated he will abstain on any discussion and voting on land use, Change No. 3, West Channel Road and California Court - has interest in property located nearby.

Councilmember Cox-Golovich stated she has no abstentions from any discussions.

Mayor Hayes stated he will abstain on any discussion and voting on land use, Change No. 15 - properties and business are located in area.

Mayor Hayes stated that the next meeting, which will be held on June 15th, will be to take any final public testimony on any section of the General Plan, and the final EIR. The City Attorney will give an explanation of abstention process and a final vote will then be taken on the General Plan.

John Bunch, Planning Director, gave an overview report and summary of items that had been discussed at the previous meeting; is starting to work on draft Resolution. Because of the number of editorial changes they will not be contained in the draft resolution.

(Councilmember Corbaley arrived at 6:14 p.m.)

Councilmember Gizzi requested that in reference to the ad hoc environmental task force the language using the word "contaminated" be changed to "environmentally sensitive".

The following persons spoke:

Gary Kalian, 633 Belvedere Drive, as representative of Planning Commission; appreciates review that the Council did and agrees with most of the changes; spoke on UGB - Area 9; would like the Council to adopt the boundary at Lake Herman Road.

(Councilmember Corbaley left the Council Chambers.)

John Bunch, Planning Director, clarified the boundary limits.

Councilmember Corbaley explained why she left the Council Chambers - the discussion on Area 9 might fall under the guidelines of her conflict of interest.

Mayor Hayes stated that there has been no indication that the feelings of the Council have changed on future development in the area.

James O. Milburn, 280 East J Street, spoke on Lake Herman; perfect for a recreation vehicle park; lack of permanent source of water; problem for golf course.

Amending the General Plan

Councilmember Corbaley suggested that the staff provide two options for incorporating language into the General Plan regarding amendments made to the document in the future; possible utilization of suggestions provided in a letter written to the council by Kitty Griffin.

Fire Hazards in Southampton

Councilmember Cox-Golovich would like to add a policy encouraging the use of native plants and the reduction or removal of funnel in the open space areas.

Mayor Hayes requested staff prepare language to be brought back to Council prior to next meeting; suggested that the response to I.T. letter be considered at June 15 meeting when final Public Hearing will be held.

Mayor Hayes continued the Public Hearing until June 15, 1999 and adjourned the meeting at 7:29 p.m. to a CLOSED SESSION.

MINUTES OF THE
SPECIAL MEETING - CITY COUNCIL
JUNE 1, 1999

A special meeting of the City Council of the City of Benicia was called by Mayor Jerry Hayes for 7:30 p.m. Tuesday, June 1, 1999.

CITY CLERK ANNOUNCEMENT OF CLOSED SESSION

Linda S. Purdy, City Clerk, stated the Benicia City Council meeting is called to order and announced that the Council will immediately convene in Closed Session to discuss the following:

CLOSED SESSION

Conference With Legal Counsel - Existing Litigation
(pursuant to Subdivision (a) of Government Code Section 54956.9)
Number of Cases: BENICIA INDUSTRIES v. City

Notice was duly given twenty-four hours prior to the meeting by the City Clerk.

ADJOURN TO REGULAR MEETING

Mayor Hayes adjourned the Closed Session at 8:01 p.m. to the regular meeting.

MINUTES OF THE
REGULAR MEETING - CITY COUNCIL
JUNE 1, 1999

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Jerry Hayes at 8:01 p.m. Tuesday, June 1, 1999, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ANNOUNCEMENTS:

Mayor Hayes announced action taken in Closed Session, as follows - gave direction to staff.

APPOINTMENTS - MAYOR'S HISTORIC PRESERVATION ADVISORY COMMITTEE

Mayor Hayes announced the appointments of Bonnie Silveria and Ray Shehan to the Mayor's Historic Preservation Advisory Committee.

PRESENTATIONS:

PLAQUE TO PATTI BARON, FORMER DIRECTOR OF MAIN STREET PROGRAM

On behalf of the City Council, Councilmember Gizzi presented a plaque to Police Officer Patti Baron for her service as former Director, Main Street Program.

HEALTHY BENICIA TASK FORCE'S GRANT FROM SOLANO COALITION FOR BETTER HEALTH

Jack Hanstein, representing Healthy Benicia Task Force, made a presentation; this Grant proposal could not have been achieved without the help of the entire community.

The following members of the Benicia Healthy Community Project Steering Committee made presentations:

Patrick Hughes, representing Solano Coalition for Better Health.

Mary Frances Kelly-Poh, 643 Windsor Drive, Chair of Cultural Diversity Fair.

Beverly Sherman, 456 Turner Drive, representing senior population.

Councilmember Cox-Golovich, Youth Forum, introduced Bryan Baeta, Youth Commission.

Jack Hanstein, Community Project; Chair will be Becky Billing.

Patrick Hughes, representing Solano Coalition, presented check to City Manager in the amount of \$22,000 payable to the City of Benicia to do these proposed projects.

ADOPTION OF AGENDA:

Mayor Hayes asked if there were any additions or deletions to the Agenda.

(Councilmember Gizzi requested adjourning the meeting in honor of Benicia High School student, Rebecca McKay.)

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

CONSENT CALENDAR:

Mayor Hayes asked if there were any items to be pulled from the Consent Calendar.

On motion of Councilmember Gizzi, seconded by Councilmember Corbaley, and unanimously carried, the following items were approved under the Consent Calendar:

Minutes of May 18 and May 24, 1999.

Denial of Claim and referral to insurance carrier (BERRY)

RESOLUTION NO. 99-54 - A RESOLUTION ENDORSING THE "ACTION FOR BETTER CITIES (ABC)" NON-PROFIT CORPORATION

RESOLUTION NO. 99-55 - A RESOLUTION AUTHORIZING CITY STAFF TO PROCEED WITH BID ADVERTISEMENT FOR THE 1999 STREET OVERLAY PROJECT

RESOLUTION NO. 99-56 - A RESOLUTION APPROVING THE REVISED JOB DESCRIPTION FOR SENIOR ADMINISTRATIVE CLERK AND AUTHORIZING PLACEMENT OF CLASSIFICATION IN THE MISCELLANEOUS BARGAINING UNIT

RESOLUTION NO. 99-57 - A RESOLUTION ACCEPTING THE BIDS AND AUTHORIZING CITY MANAGER TO SIGN CONSTRUCTION CONTRACT FOR COMMUNITY ALERT AND NOTIFICATION SYSTEM WITH UNION ELECTRIC

Waive the reading of all ordinances introduced and adopted pursuant to this Agenda.

(END OF CONSENT CALENDAR)

PUBLIC HEARINGS:

REVISION OF THE PERSONNEL RULES

Mayor Hayes opened the Public Hearing. No written protests received.

Councilmember Cox-Golovich asked if there were any pending negotiations that would be impacted by these changes.

Linda Johnson, Assistant City Manager/Personnel Services Manager, stated there were none.

Mayor Hayes closed the Public Hearing.

Council took the following action:

RESOLUTION NO. 99-58 - A RESOLUTION APPROVING THE REVISION OF THE PERSONNEL RULES

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

Ayes: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Noes: None

ZONING ORDINANCE AMENDMENTS

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR ORDINANCE REVISING PROVISIONS OF MUNICIPAL CODE CONCERNING APPLICATION OF ZONING AND OTHER REQUIREMENTS TO AFFORDABLE HOUSING PROJECTS

ADD SECTION 17.08.020(M) NON-DISCRIMINATION AND AMEND SUBSECTION 17.70.060(C.4) PARKING STANDARD FOR ACCESSORY UNITS OF TITLE 17 (ZONING OF MUNICIPAL CODE

Otto Giuliani, City Manager, gave a report; continued compliance with the SSA.

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

The following person spoke:

James O. Milburn, 280 East J Street, on housing imbalance; do not focus on East side.

Mayor Hayes closed the Public Hearing.

Council took the following actions:

RESOLUTION NO. 99-59 - A RESOLUTION ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR AN ORDINANCE REVISING PROVISIONS OF THE MUNICIPAL CODE CONCERNING THE APPLICATION OF ZONING AND OTHER REQUIREMENTS TO AFFORDABLE HOUSING PROJECTS

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

Ayes: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Noes: None

INTRODUCTION OF ORDINANCE NO. 99- - AN ORDINANCE ADDING SECTION 17.08.020(M) NON-DISCRIMINATION AND AMENDING SUBSECTION 17.70.060(C.4) PARKING STANDARD FOR ACCESSORY UNITS OF TITLE 17 (ZONING) OF MUNICIPAL CODE

On motion of Councilmember Corbaley, seconded by Councilmember Cox-Golovich, the above Ordinance was introduced by title only by the following vote:

Ayes: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Noes: None

(Further consideration of the above Ordinance will be held at the next meeting.)

ORDINANCE AMENDING PORTIONS OF CHAPTER 13.52, RATES AND CHARGES OF DIVISION II SEWER SYSTEM OF TITLE 13, PUBLIC SERVICES OF THE MUNICIPAL CODE
Otto Giuliani, City Manager, and Virgil Mustain, Public Works Director, gave reports; the goal of this 2 ½ year project was to accomplish this in the least costly manner for the public; staff presented this item to Chamber of Commerce and Benicia Industrial Park Association and they are in favor.

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

Mayor Hayes closed the Public Hearing.

Councilmember Cox-Golovich questioned if all the rates are the same; possible discounts for seniors and low income residents.

Otto Giuliani, City Manager clarified that the state mandates the rate structure in order to comply with the conditions of their loan.

Council took the following action:

INTRODUCTION OF ORDINANCE NO. 99- - AN ORDINANCE AMENDING PORTIONS OF CHAPTER 13.52, RATES AND CHARGES OF DIVISION II SEWER SYSTEM OF TITLE 13, PUBLIC SERVICES OF THE MUNICIPAL CODE

On motion of Councilmember Corbaley, seconded by Councilmember Cox-Golovich, the above Ordinance was introduced by title only by the following vote:

Ayes: Councilmembers Corbaley, Cox-Golovich, Gizzi, Messina and Mayor Hayes

Noes: None

(Further consideration of the above Ordinance will be held at the next meeting.)

PUBLIC COMMENT:

Cathy Hewitt, 266 East B Street, spoke on upgrading quality of life; teenagers being bored; inter-generation programs being good.

Bryan Baeta stated there is lots to do in this community; kids don't know where to get information; City is safe; Boy Scouts do whatever it takes; likes trail near Lake Herman.

James O. Milburn, 280 East J Street, spoke on abandoning swimming pool and build a parking lot; build new pool at Community Park using golf course money.
Mayor Hayes extended congratulations to all graduates from the City and the Council.

ADJOURNMENT:

Mayor Hayes adjourned the meeting at 9:13 p.m. in honor of Rebecca McKay.

Linda S. Purdy, City Clerk