

June 5, 2001

The Benicia City Council meets the 1st and 3rd Tuesday of each month at 7:30 p.m. in the Council Chambers. Copies of Council Agendas are available in the City Clerk's office on the Friday afternoon before the Council meeting.

MINUTES OF THE  
SPECIAL MEETING - CITY COUNCIL  
JUNE 5, 2001

A special meeting of the City Council of the City of Benicia was called by Mayor Steve Messina at 7:00 p.m. Tuesday, June 5, 2001.

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)

Name of Case: City of Benicia v. Patterson  
Martin v. City of Benicia

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

MINUTES OF THE  
REGULAR MEETING - CITY COUNCIL  
JUNE 5, 2001

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:37 p.m. Tuesday, June 5, 2001, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Messina led the pledge to the flag.

ANNOUNCEMENTS:

Mayor Messina announced action taken in Closed Session, re: Martin v. City of Benicia - settlement - direction given to counsel; City of Benicia v. Patterson - settlement discussions - direction given to counsel.

Mayor Messina announced that there are openings on the Parks, Recreation and Cemetery Commission.

**APPOINTMENTS:**

Mayor Messina announced the appointment of Fred Deltorchio to the Civil Service Commission to fill an unexpired term to September 3, 2002.

**RESOLUTION NO. 01-69 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF FRED DELTORCHIO TO THE CIVIL SERVICE COMMISSION TO FILL AN UNEXPIRED TERM TO SEPTEMBER 3, 2002**

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

Ayes: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of John Blunt to the Civil Service Commission to fill an unexpired term to September 3, 2001.

**RESOLUTION NO. 01- 70 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOHN BLUNT TO THE CIVIL SERVICE COMMISSION TO FILL AN UNEXPIRED TERM TO SEPTEMBER 3, 2001**

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

Ayes: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Dale Harrington to the Housing Authority to fill a full term to June 30, 2005.

**RESOLUTION NO. 01 - 71 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF DALE HARRINGTON TO THE HOUSING AUTHORITY TO FILL A FULL TERM TO JUNE 30, 2005**

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

Ayes: Council Members Bidou, Corbaley, Whitney and Mayor Messina

Noes: None

Abstain: Council Member Gizzi

Mayor Messina announced the appointment of Janet Grothe to the Human Services Fund Board to fill an unexpired term to July 1, 2004.

**RESOLUTION NO. 01-72 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JANET GROTHE TO THE HUMAN SERVICES FUND BOARD TO FILL AN UNEXPIRED TERM TO JULY 1, 2004**

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

Ayes: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina Noes: None

Mayor Messina announced the reappointment of Mary Eichbauer to the Library Board of Trustees to fill a full term to July 1, 2004.

RESOLUTION NO. - 01-73 - A RESOLUTION CONFIRMING MAYOR'S REAPPOINTMENT OF MARY EICHBAUER TO THE LIBRARY BOARD OF TRUSTEES FOR A FULL TERM TO JUNE 1, 2004

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

Ayes: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

PRESENTATIONS:

John Silva, Solano County Supervisor, made a presentation of \$2500.00 to the "Youth Action Task Force" for start-up funding; additional funding may be provided.

PROCLAMATIONS:

BENICIA MAIN STREET DAY, THURSDAY, JUNE 7, 2001

Mayor Messina read the Proclamation. Libbey McKendry, Executive Director of the Main Street Program and members of the Board of Directors accepted the Proclamation.

VIETNAM VETERANS MEMORIAL DAY, WEDNESDAY, JUNE 13, 2001

Mayor Messina read the Proclamation. Vice Mayor Bidou will make the presentation at Travis Air Force Base.

ADOPTION OF AGENDA:

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

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

COMMUNICATIONS:

WRITTEN:

PUBLIC COMMENT:

Dan Smith, 365 Military East, expressed concerns about the message being sent to the youth of the community; money for a new Police Facility but not enough for Skateboard Park or Pool.

Kitty Griffin, 236 Baker Street, supports joint effort to build a firing range.

Mark Lobdell, 108 Incline Place, congratulated the Main Street Program; commended the Council for their actions on the Budget.

CONSENT CALENDAR:

Mayor Messina stated that he had a request from a member of the audience to pull Item VII -E; asked if there were any additional requests for items to be pulled.

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

Minutes of May 15, 2001

Approval of Check Registers for April 2001

CITY OF BENICA LANDSCAPE AND LIGHTNING DISTRICT FISCAL YEAR 2001-2002

RESOLUTION NO. 01- 74 - A RESOLUTION PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2001-2002

RESOLUTION NO. 01- 75 - A RESOLUTION OF INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND SETTING A PUBLIC HEARING ON JUNE 19, 2001 FISCAL YEAR 2001-2002

ADOPTION OF ORDINANCE NO. 01-5- AN ORDINANCE AMENDING CHAPTER 8.24 (REFUSE MATTER DISPOSAL) OF TITLE 8 (HEALTH AND SAFETY) OF THE BENICIA MUNICIPAL CODE

RESOLUTION NO. 01- 76 - A RESOLUTION ACCEPTING CITY HALL REROOFING AND RELATED STRUCTURAL UPGRADES PROJECT, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE NOTICE WITH THE SOLANO COUNTY RECORDER

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

(END OF CONSENT CALENDAR)

SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE BENICIA MUNICIPAL CODE

Kitty Griffin, 236 Baker Street, requested that this item be pulled from the Consent Calendar; read into the record a list of six points of concern regarding various policies in the General Plan and proposed changes to this ordinance.

John Bunch, Planning Director, stated that he would look into those issues and questions raised by Ms. Griffin; some are policy issues; others might require a zoning text amendment.

On motion of Council Member Corbaley, seconded by Council Member Gizzi and unanimously carried, to continue this item until the next meeting.

NEW BUSINESS:

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE MARINA AREA STORM DRAIN INTERIM DRY WEATHER FLOW DIVERSION FACILITY

Mayor Messina, Vice Mayor Bidou and Otto Giuliani, City Manager did not participate in this discussion. Council Member Corbaley chaired this discussion.

Virgil Mustain, Public Works Director, explained that a clean-up and abatement order had been received from the Regional Water Quality Board; a mandate requires that this diversion facility be in operation by August 30, 2001; this Resolution will allow the City to purchase items that require some additional lead time; could be one of the possible solutions presented to Council in future.

RESOLUTION NO. 01- 77 - A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE MARINA AREA STORM DRAIN INTERIM DRY WEATHER FLOW DIVERSION FACILITY

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

Ayes: Council Members Corbaley, Gizzi, and Whitney Noes: None Abstain: Council Member Bidou and Mayor Messina

CONSIDERATION OF ADDITIONAL TRAFFIC CONTROLS AT MILITARY WEST AND WEST 2ND STREET AND A RESOLUTION APPROVING INSTALLATION OF CURB EXTENSION ON MILITARY WEST AND WEST 2ND STREET AND THE AUTHORIZATION OF THE EXPENDITURE OF \$20,000 FROM THE GAS TAX FUND RESERVES

Virgil Mustain, Public Works Director, stated that it had been previously requested to review the traffic studies done regarding this intersection; after review, does not warrant a four-way stop; Traffic Committee has concurred with this recommendation.

A letter was read into the record from one concerned citizen.

Council Member Gizzi stated that he had requested that this item be reviewed; felt that there were a lot of inaccuracies; crossing this intersection is impossible; visibility is poor; would like to try a four-way stop on a trial basis.

Dan Schiada, Assistant Public Works Director, explained the options being proposed for this intersection.

Vice Mayor Bidou questioned whether or not the traffic study that had been done was still valid today; stated that stop signs tend to give a false sense of security to pedestrians.

Mayor Messina asked what other options were available for this intersection; not comfortable with a four-way stop sign.

Council Member Whitney stated that he felt that a four-way stop would not resolve this situation; signal would be a better solution.

Council Member Corbaley suggested that a report on this item be brought back to the Council; requested another look at the pedestrian issue.

No vote was taken on this item.

RESOLUTION AUTHORIZING THE JOINT POWERS AGREEMENT (JPA) BETWEEN THE CITIES OF BENICIA, FAIRFIELD, VALLEJO AND THE COUNTY OF NAPA FOR THE CREATION OF THE SOLANO-NAPA REGIONAL PEACE OFFICERS' TRAINING ASSOCIATION

Otto Giuliani, City Manager, stated that it had been his intent to pull this item from the Agenda this evening, as modifications to the agreement were still being made; presented a report; current range is substandard; legal and moral obligation to train officers; this site would be closest to Benicia; agreement would make the City an equal partner although our force is smaller.

Council Member Whitney stated that it was critical to provide this facility to Law Enforcement Officers

Council Member Whitney leaves at 8:57 p.m.

Council Members Corbaley and Gizzi expressed concerns over the make-up of the Board of Directors.

One concerned citizen spoke on this issue.

No vote was taken on this item.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 9:20 p.m.

Linda S. Purdy, City Clerk