

**August 5, 2004**

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  
AUGUST 5, 2004**

The special meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 8:05 p.m. on Thursday, August 5, 2004, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

**ROLL CALL:**

**Present:** Council Members Campbell, Patterson, Smith, and Mayor Messina

**Absent:** Council Member Whitney

**ANNOUNCEMENT:**

Council Member Smith announced that he was wearing a t-shirt in honor of Don Hutchinson, a good and honest man who died. He served the community by being a youth baseball umpire. He was a good a ball player, and also a good teammate. Council Member Smith expressed the City's solemn remorse to Sue, his wife. Council had a moment of silence in his memory.

**PLEDGE OF ALLEGIANCE:**

Mayor Messina led the pledge to the flag.

**COMMUNICATIONS:**

**WRITTEN:**

Mayor Messina excused himself from this portion of the meeting due to conflict of interest. Vice Mayor Patterson chaired this portion of the meeting.

**UNFINISHED BUSINESS:**

Resolutions submitting advisory ballot measures to the voters at the November 2, 2004 Special Municipal Election pertaining to the use of the City owned land at First Street and East B Street:  
**Recommendation:** Consider revising the map or maps for the following Resolutions:

City Attorney Heather McLaughlin reviewed the Staff report on this item.

**Public Comment:**

1. Susan Street - Ms. Street asked Council to verify that: map A-59 is the correct map for the POW initiative. A-POW line map is the correct map is the correct map for the Council advisory measure. The B option does not exist anymore. Council verified that the above statements

were correct. Ms. Street asked what the white part mean on A-POW line? Council verified that it was commercial land. Council agreed to label the maps to make it easier for the public to read. (Hilly things and stripy things need to match on both maps)

2. Jeanine Seeds - Ms. Seeds asked how the Historic Triangle was designated. Council Member Campbell stated that is where the Lido and the Jorgensen Saloon were. It is historic because it is where Jack London used to sell his beer. Back in 1991, they started calling it the Historic Triangle. The land is not registered as historic.
3. Kitty Griffin - Ms. Griffin stated that in the interest of public understanding, she thinks POW leaves the Spit and the area behind the train station as commercial. What was learned Tuesday night is that there are so many restrictions against the possibility of the Spit being developed. There may be restrictions on the patch behind the depot being developed. She is wondering if it will be misleading to the public. Vice Mayor Patterson stated that it was exactly her thought that the City needs to clarify that this is different. That the land is not easily developed as commercial. She asked Staff to assist in not using the same hash marks for commercial, but use something else, and possibly use the term 'constrained' commercial.
4. Jeanine Seeds - Ms. Seeds stated that she thinks it is more confusing if it is stated that it is 'sort of commercial'. Vice Mayor Patterson clarified that Council has already disregarded the 'B' option, and are only dealing with a technical change to the 'A' option.

Vice Mayor Patterson stated that the only question before Council is whether or not to label the Spit in front of the depot as commercial with environmental constraints, leave it as is, or put the hash marks to designate it as commercial.

Council Member Smith stated that it is too confusing if we don't indicate that the Spit is encumbered, environmentally and financially. We need to distinguish it from the Historic Triangle.

Council Member Campbell suggested running the hash marks from the waterfront for the .25 acres and leave it at that. (leave the spit alone). There should just be two markings, park and commercial. Vice Mayor Patterson said she was comfortable with this solution. Council agreed to leave the street easement area white on the map. The maps for both advisory measures will be uniform in markings.

Vice Mayor Patterson stressed that all changes being made were technical. There were no discretionary changes being made about what was done at the Council meeting on 8/3/04.

**RESOLUTION 04-117 - A RESOLUTION REVISING RESOLUTION 04-111 AND SUBMITTING AN ADVISORY MEASURE TO THE VOTERS AT THE SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2004 PERTAINING TO LIMITING THE DEVELOPMENT OF THE CITY-OWNED PROPERTY AT EAST B STREET TO A WATERFRONT PARK AND COMMERCIAL DEVELOPMENT**

On motion of Council Member Smith, seconded by Council Member Campbell, and unanimously approved, the above Resolution was adopted as amended on roll call by the following vote:

**Ayes: Council Members Campbell, Patterson, and Smith**

**Noes: None**

**Absent: Council Member Whitney**

**Abstain: Mayor Messina**

**RESOLUTION 04-118 - A RESOLUTION REVISING RESOLUTION 04-112 AND SUBMITTING AN ADVISORY MEASURE TO THE VOTERS AT THE SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2004 PERTAINING TO LIMITING THE USE OF THE CITY-OWNED PROPERTY AT EAST B AND FIRST STREET TO A PARK INCLUDING LOW IMPACT RECREATIONAL ACTIVITIES, COMMUNITY EVENTS AND FESTIVALS**

**On motion of Council Member Smith, seconded by Council Member Campbell, and unanimously approved, the above Resolution was adopted as amended on roll call by the following vote:**

**Ayes: Council Members Campbell, Patterson, and Smith**

**Noes: None**

**Absent: Council Member Whitney**

**Abstain: Mayor Messina**

**Council Member Smith asked Staff to create the land use markings in a key, gathered in one place on the maps.**

**ADJOURNMENT:**

**Mayor Messina adjourned the meeting at 8:42 p.m.**

**Lisa Wolfe, City Clerk**