

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
September 01, 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 6:30 p.m.

Council Member Strawbridge was absent.

All other Council Members were present.

**II. CLOSED SESSION:**

- A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Name of case: Willis**

**III. CONVENE OPEN SESSION (7:00 PM):**

**A. ROLL CALL**

Council Member Strawbridge was absent.

Council Member Campbell arrived at 7:19 p.m.

All other Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

John Ash led the Pledge of Allegiance.

**C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE 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 gave direction to Staff.

**2. Openings on Boards and Commissions:**

Community Sustainability Commission  
1 unexpired term  
1 full term (Student Commissioner)  
Open until filled

Civil Service Commission  
1 full term  
Open until filled

**3. Boards and Commissions - Council Subcommittee Recommendations:**

Subcommittee recommendation to Mayor of Lionel Largaespada to the Economic Development Board for a full term ending July 31, 2019

Subcommittee recommendation to Mayor of Martin Jones to the Economic Development Board for an unexpired term ending July 31, 2016

Subcommittee recommendation to Mayor of Steven Sillen to the Economic Development Board for a full term ending July 31, 2019

Subcommittee recommendation to Mayor of Penny Nichols Stell to the Economic Development Board for an unexpired term ending July 31, 2018

Subcommittee recommendation to Mayor of Joshua Wilson to the Finance Committee for an unexpired term ending January 31, 2019

Subcommittee recommendation to Mayor of Alan Nadritch to the Finance Committee for a full term ending July 31, 2019

**4. Mayor's Office Hours:**

**5. Benicia Arsenal Update**

Update from City Attorney

Heather McLaughlin, City Attorney, reported that Staff was working with property owners on trying to schedule a meeting with facilitators and the parties involved.

**B. PROCLAMATIONS**

- 1. IN RECOGNITION OF INTERNATIONAL LITERACY DAY - SEPTEMBER 8, 2015**
- 2. IN RECOGNITION OF NATIONAL SUICIDE PREVENTION WEEK - SEPTEMBER 7-13, 2015**

**C. APPOINTMENTS**

- 1. Appointment of Vicki Potts to the Human Services Board for an unexpired term ending July 31, 2018**

**RESOLUTION 15-87 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF VICKI POTTS TO THE HUMAN SERVICES BOARD TO FILL AN UNEXPIRED TERM ENDING JULY 31, 2018**

On motion of Mayor Patterson Council adopted Resolution 15-87, on roll call by the following vote:

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

- 2. Appointment of Brandon Greene to the Open Government Commission for an unexpired term ending July 31, 2017**

**RESOLUTION 15-88 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF BRANDON GREENE TO THE OPEN GOVERNMENT COMMISSION TO FILL AN UNEXPIRED TERM ENDING JULY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 15-88, on roll call by the following vote:

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

- 3. Appointment of Trevor Macenski to the SolTrans Public Advisory Committee for a three year term ending January 31, 2018**

**RESOLUTION 15-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF TREVOR MACENSKI TO THE SOLTRANS PUBLIC ADVISORY COMMITTEE FOR A THREE YEAR TERM ENDING JANUARY 31, 2018**

On motion of Mayor Patterson Council adopted Resolution 15-89, on roll call by the following vote:

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

**4. Appointment of Terry Scott to the Arts and Culture Commission for an unexpired term ending July 31, 2017**

**RESOLUTION 15-90 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF TERRY SCOTT TO THE ARTS AND CULTURE COMMISSION TO FILL AN UNEXPIRED TERM ENDING JULY 31, 2017**

On motion of Mayor Patterson Council adopted Resolution 15-90, on roll call by the following vote:

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

**D. PRESENTATIONS**

**1. STATE OF THE PAVEMENT PRESENTATION**

Vice Mayor Hughes asked how much of the sales tax measure funds would be used for streets/roads. Staff would bring more information on that at a future meeting.

Council Member Schwartzman and Staff discussed the issue of gas tax money and street/road repairs. They discussed how the City of Rio Vista was paying for and improving their paving index.

Mayor Patterson discussed cuts the local government has taken from the Federal Government. She encouraged citizens to contact their legislators and ask that they do something for local government.

**V. ADOPTION OF AGENDA:**

Anne Cardwell, Assistant City Manager, requested Council pull item VII.B for discussion.

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

Ayes: Patterson, Schwartzman, Campbell, Hughes

Noes: (None)

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Three items received (copies on file).

**B. PUBLIC COMMENT**

1. Celeste Smeland & Jeffrey Tover, Arts Benicia - Ms. Smeland and Mr. Tover invited Council and the public to Art Benicia's upcoming Art Auction and Gala.

**VII. CONSENT CALENDAR:**

Council pulled items VII.B and VII.F for discussion.

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

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

**A. APPROVAL OF THE MINUTES OF THE JULY 21, 2015 AND AUGUST 18, 2015 CITY COUNCIL MEETINGS**

**B. CONTRACT WITH STEVEN CARMICHAEL FOR PROJECT MANAGEMENT OF THE ENTERPRISE RESOURCE PLANNING (ERP) IMPLEMENTATION**

**RESOLUTION 15-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AWARDING A CONSULTANT AGREEMENT FOR ENTERPRISE RESOURCE PLANNING (ERP) PROJECT MANAGEMENT SERVICES TO STEVEN CARMICHAEL FOR A NOT-TO-EXCEED COST OF \$300,000 AND AUTHORIZING THE CITY MANAGER TO SIGN THE DOCUMENT ON BEHALF OF THE CITY**

Anne Cardwell, Assistant City Manager, reviewed the Mayor's requested changes (listen) scope of work amended.

Council Member Campbell requested a copy of the actual contract. He would like it to have a specific set of goals they have to meet. If they don't meet them they would have to come back to Council.

Mayor Patterson pointed out that the amended scope of work allowed for updates to the Council.

Public Comment:

None

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council adopted Resolution 15-93, as amended (scope of work), on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes

Noes: (None)

**C. AWARD OF CONTRACT TO INNOVATIVE CLAIM SOLUTIONS FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES**

**RESOLUTION 15-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AWARDING AN AGREEMENT FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES TO INNOVATIVE CLAIM SOLUTIONS FOR A NOT-TO-EXCEED COST OF \$67,120 PER FISCAL YEAR AND AUTHORIZING THE CITY MANAGER TO SIGN THE DOCUMENT ON BEHALF OF THE CITY**

**D. UPDATE ON EMERGENCY CONTRACTS FOR CLOCK TOWER ELEVATOR REPLACEMENT**

**E. APPROVAL OF AMENDMENT TO AGREEMENT FOR CONTINUED STAFF AUGMENTATION FOR THE PUBLIC WORKS DEPARTMENT**

**RESOLUTION 15-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING AN AMENDMENT TO AGREEMENT FOR CONTINUED STAFF AUGMENTATION SERVICES FOR THE PUBLIC WORKS DEPARTMENT WITH PAKPOUR CONSULTING GROUP, INC. FOR A NOT-TO-EXCEED COST OF \$66,960 AND AUTHORIZING THE CITY MANAGER TO SIGN THE AMENDMENT TO AGREEMENT ON BEHALF OF THE CITY**

**F. APPROVAL OF THE 2014 UPDATE OF THE BENICIA SEWER SYSTEM MANAGEMENT PLAN**

**RESOLUTION 15-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE 2014 UPDATE OF THE CITY'S SEWER SYSTEM MANAGEMENT PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE AND REGIONAL WATER QUALITY**

## **CONTROL BOARDS**

Graham Wadsworth, Public Works Director, reviewed the costly problems the City experiences with its wastewater system (grease down drain, leaves and debris in sewer drains, roots, etc.) Staff reviewed the various costs involved with the wastewater system. Staff would come back to Council at a later date with a rate consultant who would provide rate options for the City. Staff and Council discussed the issue of volumetric meters for wastewater.

Vice Mayor Hughes and Staff discussed the issue of taking a volumetric approach to wastewater.

Mayor Patterson and Staff discussed the sanitary sewer overflows.

### **Public Comment:**

None

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted Resolution 15-94, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes

Noes: (None)

- G. RESPONSE TO 2014-2015 GRAND JURY REPORT "FIRE PROTECTION: COMMUNICATION CONSOLIDATION"**
- H. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING THE CITY OF BENICIA MUNICIPAL CODE TO PROVIDE AN EXPEDITED STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS**

### **ORDINANCE 15-6 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS**

- I. ALL-WAY STOP SIGN WARRANT UPDATE TO INCLUDE ASSESSMENT OF GREENHOUSE GAS (GHG) EMISSIONS**

### **RESOLUTION 15-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA UPDATING THE ALL-WAY STOP SIGN WARRANT TO INCLUDE ASSESSMENT OF GREENHOUSE GAS (GHG) EMISSIONS**

- J. MONTHLY WATER UPDATE**
- K. Approval to waive the reading of all ordinances introduced and**

adopted pursuant to this agenda.

**VIII. BUSINESS ITEMS:**

**A. WORK PLAN TO EVALUATE BENICIA MILLS ACT PROGRAM**

Christina Ratcliffe, Community Development Director, reviewed the staff report.

Council Member Schwartzman and Staff discussed the staff time involved, and the hourly rate calculation in the staff report.

Vice Mayor Hughes and Staff discussed Staff's capacity to take on additional work and whether this is the best use of Staff's time.

Mayor Patterson discussed Staff's innovation and adaptive management. She was pleased with Staff's work.

Public Comment:

None

Mayor Patterson asked for a motion for Staff to proceed with the work plan.

Council Member Campbell questioned whether Council wanted to have Staff address all nine bullet points, or whittle it down a little, as he was worried about the staff time involved.

Christina Ratcliff, Community Development Director, discussed the public process that would take place. Staff welcomed Council's input.

Mayor Patterson was interested in what the historic folks (citizens) have to say about this. After they provide input, it could be sent to the Historical Preservation Review Commission for review. Through Staff reporting and a workshop, the level of priority of things will shake out. She would like that process to work.

Council discussed whether to withdraw the motion, but ultimately decided not to.

Vice Mayor Hughes clarified that his motion was to give direction for Staff to move forward and go through the process, including stakeholder workshops, and let that process show what items come up on the list. It will come to Council anyway. If Council is too descriptive now, it interferes with the process.

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council gave direction to Staff to proceed with the Work Plan to evaluate Benicia's Mills Act Program, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes

Noes: (None)

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting at 8:40 p.m.