

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
OCTOBER 17, 2006

The special meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 6:00 p.m. on Tuesday, October 17, 2006, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Whitney, and Mayor Messina

Absent: Vice Mayor Schwartzman (arrived at 6:01 p.m.)

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

OPPORTUNITY FOR PUBLIC COMMENT:

None

INFORMATIONAL ITEMS:

Tour & Video of the Police Station:

Council, Staff, and several citizens toured the Police Station.

Following the tour, a video by Dr. Constance Beutel was played (copy on file).

PUBLIC COMMENT:

1. Fred Railsback – Mr. Railsback stated that what we are going to have is better than what we had. It is still a far cry from being adequate. He was afraid that even after all of the upgrades, it is no better than putting lipstick on a pig.

Council Member Patterson stated that she would like to have a follow-up tour after the improvements are completed. Chief Trimble stated that the Police Department would probably have an open house so that the community could view the improvements. Council Member Patterson stated that even though it may be ‘lipstick on a pig’, improvements always make people feel better. It is important for the morale of the Police Department to have these improvements while we work on getting a proper police facility. Chief Trimble stated that the improvements really helped the Police Department. The 911 Center upgrades were very important. However, it is still a 1942 schoolhouse. Even though it is now a very nice area, the Dispatch Supervisor now no longer has an office. It does create other issues, but she was right about people feeling better about that

particular piece. The 911 Center was a very important piece, along with the safety and security issues. These upgrades were able to accomplish that.

Mr. Erickson stated that what was done were safety and security improvements where we absolutely had to have them. There was also a new roof installed. There is still a long way to go. However, the City added value to the building. It makes for a more safe and secure community. Although the bond issue failed, we had to do something about that. The City should be proud it accomplished that. Having said that, he still thinks things are not done. However, the City made a very big achievement with regards to security and safety.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 6:59 p.m.

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
OCTOBER 17, 2006

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:00 p.m. on Tuesday, October 17, 2006, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Absent: None

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

FUNDAMENTAL RIGHTS:

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Council Chambers per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:

ANNOUNCEMENTS:

Openings on Boards and Commissions:

- People Using Resources Efficiently (PURE) Committee:
One immediate opening
- Planning Commission:
One unexpired term to October 7, 2007
- Civil Service Commission:
One full term to August 30, 2009
- Sky Valley Open Space Committee:
One full term to September 30, 2010
- Open Government Commission:
One full term to November 30, 2010
- Parks, Recreation & Cemetery Commission:
One full term to November 30, 2010

APPOINTMENTS:

RESOLUTION 06-161 - A RESOLUTION CONFIRMING THE MAYOR'S
APPOINTMENT OF ELLEN QUIGLEY AS YOUTH COMMISSION
REPRESENTATIVE TO THE PARKS, RECREATION AND CEMETERY
COMMISSION

The above Resolution was adopted, on roll call by the following vote:
Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

PRESENTATIONS:

People Using Resources Efficiently (PURE) Update:

Mayor Messina stated that he received a call from the Committee Chair requesting this item be continued to the next meeting.

Solano County Constructing Connections Program:

Kim Johnson & Gerry Raycraft - Children's Network reviewed a presentation titled 'Construction Connections' (hard copy on file).

Council Member Patterson asked if the Children's Network had received inquiries specifically about and for Benicia. Ms. Johnson stated that they had. They work with the Resource and Referral Program. They track the number of requests by City. She did not have the specific number, but could get it if Council wished. Council Member Patterson stated that she served on the BUSD 7-11 Committee. When the committee was discussing reuse for the Mills site, it was brought up that there had been closures in the City and childcare was harder to come by. It was discussed that the Mills campus would be appropriate for such a facility. Is that the type of assistance they are looking for? Ms. Johnson stated that was absolutely the type of support they were looking for. Council Member Patterson asked how they reached out to people who were interested in putting a child care facility in the City to let them know these types of technical programs are available. Ms. Johnson stated that one of the major groups of people that are interested are the 'family chapter providers' who want to expand. They have communications through other projects that targets that audience. They go out and talk to developers in the cities to see if they can incorporate childcare into the projects. Mr. Raycraft stated that there are many people who are interested in developing childcare centers, but the challenge is finding the right site, resources, funding, etc.

PROCLAMATIONS:

None

ADOPTION OF AGENDA:

On motion of Vice Mayor Schwartzman, seconded by Council Whitney, the Agenda was adopted as presented, on roll call by the following vote:

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

PUBLIC COMMENT:

1. Todd Matthews – Mr. Matthews read a prepared statement: “Mayor Messina, City Council, and Staff – Good evening and thank you for this opportunity. The

Benicia Firefighters Association is in attendance this evening to recognize one of our members. Recently, the City of Benicia had an employee who served the citizens for 25 ½ years, separate his employment with a service retirement. Engineer Arlan Williams started his career with the City of Benicia as a Firefighter in 1981. Arlan was promoted to Engineer in 1982 and served in this capacity until 1985 when he was promoted to Lieutenant. He served in this role until the department was restructured in 1991. Arlan retired at the rank of Engineer in July 2006. Arlan was a distinguished member of the Benicia Fire Department and the ambiance he brought to work will be sorely missed. He maintained an elevated level of professionalism, one desired by many. Arlan had an impeccable attendance record throughout his career and many strain to remember the last time he used a sick day. The BFA wants to take this time and acknowledge Arlan's dedication to the citizens of Benicia, his astonishing leadership role, ability to influence and mentor new firefighters, and hand down an overabundance of knowledge, which has made each of us better firefighters today. Arlan is arguably irreplaceable and we're deeply indebted to him for his dedication to our profession, tradition, and his leadership throughout our careers. His legacy will continue for a long time. The BFA wanted to acknowledge Arlan because neither the City of Benicia nor the Benicia Fire Department has recognized Arlan's retirement or achievements. The City Manager recently published a heartfelt email to all City employees, following the announcement from the Police Chief that he would retire in the near future. The Fire Department is built on leadership, knowledge, tradition, and experience. When a major player retires, it's extremely unfortunate that NOTHING has been done, not even congratulations. Arlan separated employment in a very unique way, but still the City of Benicia or the Fire Department failed to say thank you for 25 ½ years of unselfish service and dedication to the citizens of Benicia. Arlan (who is at home watching this tonight), the BFA Local 1186 thanks you for your dedication to the citizens of Benicia, your dedication to the fire service, and for the many memories. The BFA Local 1186 wishes you and Karen a long and healthy retirement. Mayor Messina, City Council, and Staff, the BFA thanks you for your time and professionalism tonight."

2. Mary Wika – Ms. Wika read the following prepared statement: "I'm not sure if any of you have looked into or thought much about the Longs Drug Store issue. I have. Longs Drugs in the past couple of years have been putting up many of these 15,000 + sq. ft. "big box" Drug Stores with a drive-through pharmacy. Every one of them has required use permits and in some cities, they required major use permits. I haven't seen any built on a 3-acre parcel or on a front corner lot like the developer has proposed at the Rose Center. Most cities design review committee required many changes before approval. In Clayton, a similar sized store as proposed here for Benicia was approved last year on a 22-acre shopping mall sight, replacing an old Longs store on the site. I took some pictures that show how enormous this building appears and how plain and big box it actually is. The original drawings of the proposed Longs Drugs at Rose Center only showed three sides of the building. Do we know what the fourth side is like? One Side of the Longs at Clayton is gray mortar brick. This would be the side left off the drawings

for Rose Center the side to face Rose Drive. There are no windows to this building, only the doors at entry, and the small drive through window. It is a very plain, big box. I do not believe for a minute that Design Review would approve this plain, bland building to be on that corner the gateway to Benicia and the Benicia State Park. Maybe in the back corner with the entrance facing a city Street and offset toward the back of the lot. You do not find this anywhere. I've looked. Clayton's design review required the Longs to add an 8 ft. wall extension to the loading dock in the back of the store that extends the length of the building because of noise. They said that loading area is very loud. They also required the entrance be changed because as proposed it protruded out too much and wasn't visibly acceptable. The City of Benicia has accepted the plans as is from Longs Drugs requiring no changes. I cannot believe this. If this was happening down on First Street, I know you'd sit up and take notice, but guess what Rose Drive and Columbus Parkway is a part of Benicia too! Just because the developer had them annexed to the city doesn't mean he should have free reins on the development. There are rules and regulations for general commercial too. There are many residents on that hill that are unaware of this huge, plain, big box proposed to be built at the bottom of their hill. And to be open 24 hours a day. It's within 300' of the State Park and the state law is that no alcohol be sold within 600' ft. of a park or school. You also have the daycare and kindergarten across the street. The Shell gas station at Parkway Plaza owned by the developer had its liquor license suspended for selling alcohol to many times to minors. In the article that was emailed to you awhile back, it noted that Longs is known for selling alcohol to minors. Would you like a drug store to be open 24 hours a day on First Street? I believe not. There is a use permit permitting the approved convenience market to be open 24 hours a day and no other businesses in that center. Parkway Plaza also has limits on its hours. Why is the city allowing this drug store to be open 24 hours a day? Who approved this? Are you aware of the break-ins that have occurred in the Parkway Plaza in the past year? Many! Now the city is going to allow a drug store that sells alcohol to be open 24 hours a day. Do you plan on adding police to patrol between the hours of midnight and 5 a.m. because I know now they drive by once during that time? I have no idea other than one why you would allow this project to go forward. I won't mention here tonight the one reason I believe you will issue permits for this project but it isn't right. I will mention however I don't believe that any other developer could get this mess passed through this city or any other city. I know you're tired of hearing me get up here and complain about this project, but I'm only trying to get you to open your eyes and minds and realize that it would be a huge mistake to allow the revised plans to proceed without further review. I do want to see a project in that area, but one that has gone through review with the city and with the public input. One that the design is appropriate for the gateway and one that is safe for the public. This revised plan is neither."

Mayor Messina told Ms. Wika that Council welcomed her comments and she was welcome to speak to Council any time. Mr. Erickson stated that Staff is currently

- reviewing plans. A permit will be issued if they conform to the conditions of approval. Staff is doing a thorough job of reviewing the plans.
3. Becky Billing – Ms. Billing discussed the issue of childcare. The Human Services Board recently did a forum where the issue of childcare was discussed. Although the City has childcare programs, she is sure even it has a waiting list. Childcare is a huge need.
 4. Jeanine Seeds – Ms. Seeds asked if the rumor that the former Blockbuster building was turning into a Starbucks was true. She asked who approves projects such as deciding whether or not the City needs another Starbucks. Mayor Messina informed Ms. Seeds she should start with the City Manager. Ms. Seeds stated that she was against the meetings starting earlier. Meetings should not start before 7:00 p.m. It is very difficult for citizens to get here before 7:00 p.m. The meetings should not start earlier unless it is truly necessary. Regarding Ms. Wika's comments about alcohol sales, it sounds like the proposed building should not be able to be put on that site because of the proximity to the existing childcare center. Mayor Messina suggested she speak with Mr. Knox regarding this issue.

CONSENT CALENDAR:

Council pulled items VII-B.

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, the Consent Calendar was adopted as amended, on roll call by the following vote:
Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

The Minutes of October 3, 2006 were approved.

RESOLUTION 06-162 - A RESOLUTION APPROVING A LIST OF FIVE BENICIA PRIORITY PROJECTS ELIGIBLE FOR FUTURE FEDERAL AND STATE FUNDING ADMINISTERED THROUGH THE SOLANO TRANSPORTATION AUTHORITY

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

(END OF CONSENT CALENDAR)

Council took the following actions:

Recommendation of the Parks, Recreation & Cemetery Commission to name the Bocce Ball Courts at Civic Center Park after Al Bertellotti:

Council Member Hughes stated that he pulled this item because he did not want it put through on the Consent Calendar. He thought it required some special recognition. He wanted to recognize Mr. Bertellotti for his efforts. He has worked tirelessly on this issue. If it were not for his energy, time, and passion, the bocce ball courts would not be in Benicia.

RESOLUTION 06-163 - A RESOLUTION NAMING THE BOCCE BALL COURTS
AT CIVIC CENTER PARK AFTER AL BERTELLOTTI

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

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

PUBLIC HEARINGS:

Submittal of an application for 2006-07 Community Development Block Grant Funding:
Charlie Knox, Community Development Director, reviewed the Staff report.

Mayor Messina asked if it would be impractical for the City to put together some form of a proposal for a grant and present it to the State with any chance of success. Mr. Knox stated that Staff had been working hard on this. If it were the Council's wish to sponsor the application, Staff would meet the deadline. Mayor Messina clarified that he meant anything other than the AHA project. Mr. Knox stated that it would not be possible to put together a proposal for another project. Mayor Messina stated that he understood that Council would be presented with a concept tonight. Regarding approval of design, uses, conditions, etc, that would all go through the normal process. Council was just 'blessing' the concept. There would not be any shortcuts taken with the processes.

Council Member Whitney asked about Staff's recommendations on this issue. Mr. Knox stated that Staff's recommendation was that if Council wished for this application to go forward, it be conditioned so that Council could consider a deferral for up to five years, but not to go any longer than that. Council Member Whitney clarified that Council was not making any formal decisions tonight.

Mayor Messina asked if the concept were approved tonight, Council would be allocating his department's staff time to help them process the application.

Mr. Erickson stated that regarding the fee waiver; the General Fund was not in a good position to entertain a fee waiver. The 20% reserve requirement is very close to the edge. The City is close to going below the 20% reserve amount, which is something Council should consider when making its decision. Also, there is still the uncertainty of the property tax settlement with Valero.

Vice Mayor Schwartzman asked Mr. Knox about the timing of the application. When would it happen? Mr. Knox estimated it would take place in the spring. He assumes AHA would hold off financial decisions until then. If there were going to be any fee waivers, it would be in the 07-08 year, so it would not affect the current budget year. Vice Mayor Schwartzman asked how committed the City was to holding AHA (and only AHA) to that particular site? Mr. Knox stated that if Council were willing to move forward with this, it would send a signal that Council was interested in using the site for something like the project that has been proposed. Vice Mayor Schwartzman asked if Council did not approve this, would the application process open up next June? So, if this was not

approved, someone else could submit something. Mr. Knox confirmed that was correct. There would be future opportunities at that time.

Mr. Erickson stated that Council Member Patterson had reminded him that if Proposition 1c passes in the upcoming election, it might be of some help to this process.

David Brigode, Executive Director, AHA, stated that AHA apologized for the rushed nature of this application. It is due on November 3, 2006. He briefly described the lot in question. It is in a mixed commercial and residential neighborhood. The lot has always been vacant. The lot is appealing to AHA because it is right next to the Community Action Council (CAC). AHA has site control of the property, which is under very generous terms with the property owner, but that only extends until the end of next June. They are proposing a partnership between AHA and CAC. The money they are looking for is mostly for land acquisition, but some is for site improvement, pre-development planning, and grant writing. This is only the first part of the process. AHA would be going to the State under the Prop 46 Bond issue, EHAPCD, they would be going to the State Mental Health Department, and possibly the Governor's Homeless Initiative. AHA has a tentative commitment for some of the finances from Bank of the West. The City's offer for deferring fees was generous. AHA would like to revisit that issue in the future. He would like to clarify that the five-year deferral begins at the time of the beginning of occupancy. This project would be developed and owned by AHA. It would be managed with service provisions by CAC. He has managed this type of facility in other communities such as Santa Rosa. AHA is proposing transitional housing. The occupants would sign a lease. There would be house rules developed. Lease violations would lead to eviction. AHA has done some initial outreach on this project. They walked the neighborhood, placed an article in the Benicia Herald, and had a community meeting that only one citizen attended. He stated that AHA acknowledges that approval of the resolution tonight is not in any way an endorsement of the site plan. After the application is submitted, AHA would put a full detailed proposal into the planning process. Regarding a timetable for the project, they would not even start construction on the project until the spring of 2008, and hopefully have occupancy some time before the winter rains kick in 2008. He thanked City Staff and Council for their efforts.

Council Member Whitney asked what areas of the neighborhood AHA walked. Mr. Brigode stated they walked all the way down to Third Street on Military East, one block south, north, and halfway down towards Sixth Street. He stated that the response and issues raised by neighbors included parking and speed bumps in the alley. Overall, neighbors were accepting of the project. There was not a great deal of negative feedback. They left the informative packet on the doors of the homes where no one was home. He stated that there are still a lot more processes to go through.

Public Hearing Opened

Public Comment:

1. Mary Francis Kelly Poe – Ms. Poe stated that today was International Day to End Poverty. She discussed what type of people would be occupying the facility. She

does the homeless case management for the CAC. Benicia people would be targeted for this facility. Parking would be addressed. They are not proposing to tear down the house next to the CAC building. They have to raise money to pay for the services (case management, etc.). People would have leases with them, must follow rules and regulations, etc. The CAC is very interested in this project. She pleaded with Council to support this item.

Vice Mayor Schwartzman asked about the eviction process for people who violate the rules. Ms. Kelly Poe stated that she was not sure about the eviction process. Mr. Brigode stated that an 'expedited eviction' process would be followed. There are special rules for transitional housing.

Council Member Whitney clarified that all leases would be on a month-to-month basis.

2. Joe Watson – Mr. Watson is on the AHA Board. AHA is proud to be working with CAC. This is a much-needed project for the City.

Public Hearing Closed.

Council Member Patterson stated that she was very supportive of taking advantage of this grant and to provide this type of living accommodations for folks. Proposition 1c is polling well over 50% and it is for affordable housing, including transitional housing. She had concerns about the process and the specific site. The site is extremely physically constrained. It has mature trees, is adjacent to a sidewalk, and has an alley. Because of the slope, drainage, and trees, a careful site plan needs to be done. Regarding CEQA, what happens if there is a need for an EIR and the need to look at an alternative site - does the funding go with the project or the site? Mr. Knox stated that we would have to go back to the state for confirmation of funding. Council Member Patterson asked if the difficult site's location in the neighborhood was a burden to the project and the developer. There is a liquor store near by. She asked what studies were done, if any, on the proximity of liquor stores, bars, etc. and the close proximity of a transitional housing unit. Mr. Knox stated that he did not know. There are other facilities in the neighborhood that may be weighed against that potential. The benefit and amenities of services nearby are a plus. Council Member Patterson noted that the constraints of the site could be an opportunity for creative solutions that could address walkability, drainage, etc. Those issues are important to the community.

Council Member Whitney stated that in real estate, determined people could make issues work. Regarding the issue of alcohol, if someone wants it, they will go wherever to get it. For his own personal concerns, the quick out, such as the month-to-month lease is a solution to people that make the wrong choices. He supports this project. It has become clear to him that it is important that the City does not lose connectivity in the community. It is important that the City offer this type of housing.

Vice Mayor Schwartzman stated that he too shared concerns about the site. If it was not for the fact that affordable housing is an issue, or that transitional housing an important

asset to the City, or that the fact that we have homeless issues in town, he might be persuaded to wait to see if there were other interested parties. However, AHA had their act together to bring this forward at this time. Tonight Council is basically moving the concept forward.

RESOLUTION 06-164 - A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE GENERAL/NATIVE AMERICAN ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT

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

Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina

Noes: None

ACTION ITEMS:

Review of Economic Development Board's Top Priorities for new Economic Development Strategy:

JB Davis, Economic Development Board, Chair, and Amalia Lorentz, Economic Development Manager, reviewed a PowerPoint presentation (hard copy on file).

Tourism:

Mayor Messina asked if there was a measure of what tourism brings to the community. Ms. Lorentz stated that in most communities, transient occupancy tax would be the most obvious benchmark. In Benicia, so much of the hotel stays are business-related; it would be hard to separate that out. We do not have a good measure. It would be important to the ongoing success of this to be able to quantify that in order to measure the improvement.

Council Member Hughes asked about the issue of historical tourism. Did the representative for the State have a feel for the City of Benicia and what some of the opportunities were? Ms. Lorentz stated that the City of Monterey was mentioned as a role model for Benicia. It has done a lot of preservation, become a Preservation America community, etc. With Benicia's existing resources, it should look to the kind of city that has a lot of California history and try to go with that heritage tourism route.

Council Member Patterson stated that she attended the breakfast conference on tourism with Staff and members of the EDB. All other communities in the County are doing something about tourism and Benicia is not even on their regional tourism maps. Benicia could play off of what has already been created in the region.

Council Member Whitney asked about methods for enhancement. Did the EDB have those types of discussion (ferries, how to bring tourists in, etc.)? Ms. Lorentz stated that the ferry had not yet been discussed at the EDB. There are occasional busloads that come through. The Benicia Chamber of Commerce does liaison with other agencies that do

regional tourism. The EDB does not have a position or strategy on the ferry issue. Mr. Erickson stated that the City has had discussions with the City of Vallejo on the issue of the ferry. Staff will continue to have further discussions when Vallejo staff is ready. He suggested having a study session on this item.

Mayor Messina stated that there seemed to be general support from Council on tourism. He would appreciate the EDB taking this a level deeper; look into the types of policies the City should adopt with regards to tourism and come forward with some policy recommendations.

Council Member Patterson stated that was a nice idea, but the General Plan already addressed a lot of that. There are goals, policies, and programs for guidance in the General Plan with regards to tourism. She hopes the EDB would be able to iterate the types of tourism that should be brought forward. What the City needs are the programs that will implement the policies on tourism that are in the General Plan.

Council Member Whitney stated that he envisioned a walking tour that includes the museum, Clocktower, etc.

Council Member Hughes stated that he supported this as the number one priority. If we can make it real to the average citizen so that when we are talking to the average citizen, we can cite some examples.

Mr. Davis stated that in discussing tourism, the EDB found there was a need to put together a group of affected communities (internal communities) to develop a strategy.

Downtown:

Council Member Whitney asked if the EDB had discussed how the City could entice people to get to the Downtown area (walkability, benches, potted plants, artwork on the streets, etc.). Ms. Lorentz stated that it had been discussed to some extent. The issue of public restrooms had been discussed. Those types of improvements are what the EDB was referring to when it discussed 'Downtown Improvements.'

Council Member Patterson asked how the recommendations from the charrettes would come into play. At the charrette workshop, the idea of having a Downtown self-help program to help generate some revenues was discussed. Is the EDB waiting for a report back from the charrette process? Ms. Lorentz stated that the EDB has been sensitive to not contradict anything that might come out of the larger community process, which the charrette was a part of. Council Member Patterson asked if the EDB thought about how it would work with the Downtown groups to get a sense that there would be support for that before it comes to Council. Ms. Lorentz stated that the EDB had not discussed that in detail yet. There are best practices for forming those types of self-help programs.

Council Member Hughes about the issue of the EDB bringing the groups together and being all-inclusive. Mr. Davis stated that the EDB had not gotten that far yet.

Vice Mayor Schwartzman stated that the direction of the charrettes and the outcome of that would have a lot to do with the possibilities. This is an interesting process and he supports it. The charrettes will have a big impact on the things that we can do in the Downtown area.

Mayor Messina stated that the charrettes would address the issue of the look and feel of Downtown, in terms of structures. He hopes the EDB will help Council with the types of policies that it should adopt; look at uses, fees, types of uses the City would like to see in the area, etc. He wants the EDB to look deeper at the policies, parking, transportation, infrastructure, walkability, etc. There seems to be broad support for this.

Vice Mayor Schwartzman asked if there has been an analysis on the rents. We hear now that the rents Downtown are too high. Ms. Lorentz stated that the EDB had not yet gathered any quantitative data on that issue.

Council Member Patterson is looking forward to the charrette report. Council should be more patient and wait for the report. There were a lot of ideas surrounding the issues that were brought up tonight.

Mayor Messina discussed the issue of promoting revitalization, fixing properties up so they look nicer, etc. Let's look at how the City addresses this and promotes revitalization.

R&D:

Vice Mayor Schwartzman stated that it was a wonderful idea, but where else would it be other than the Industrial Park and the potential Benicia Business Park? Ms. Lorentz stated that the City was thinking about a 10 + year plan. There could be quite a few buildings in the existing Industrial Park that would be functionally obsolete within that time frame. The EDB is anticipating new ground-up development as well as redevelopment.

Council Member Whitney liked the idea of increasing the development of R&D style offices. Has the EDB looked at the issue of water use and toxic substances with those types of businesses? Ms. Lorentz stated that the EDB had not yet gotten to that point. One example would be software development. That is something that our existing zoning code was not written for. The EDB is trying to think 'big picture.'

Council Member Patterson discussed the passage of AB132 – the greenhouse gas reduction bill. Some of it is not related to manufacturing as much as it is putting packages together for industries to buy credits for greenhouse gas reduction. There are R&D firms that would locate in Benicia and work with the refinery, which is a targeted industry in the legislation for reduction. This is a very exciting direction for the City. She asked Ms. Lorentz to expand on the presentation by Brooks Pedder regarding the City's ideal location, being the first stop, etc. Ms. Lorentz stated that he discussed the issue of Benicia being in the Bay Area, but not having Bay Area rents. Benicia could capitalize on the types of creative community people who want to be in the Bay Area, but also want a family life.

Mayor Messina stated that the EDB meets monthly. He asked that it work on each item on a quarterly or 6-month basis so the Board does not get overwhelmed.

Council Member Patterson stated she was concerned about the Downtown and the timing of the charrette. She would like the EDB to continue working on that topic. In terms of tourism, linking up with the activities going on in the County is a crucial first step so the City could take advantage of what is going on right now. Regarding R&D, with the Seeno project, we may want to consider some policies or mitigation measures for campus development. Putting this in sequential order may cause us to miss some opportunities in the next few months. We should do both.

Vice Mayor Schwartzman discussed prioritizing items within the categories.

Mayor Messina stated that the EDB should come back to Council and produce a work plan. Ms. Lorentz stated that the EDB had discussed an aggressive schedule, which is a tribute to the EDB's willingness to grapple with these issues. The next step is to bring Council's comments to the EDB so it could flush out a schedule.

Award of construction contract for the Military West Sidewalk and Slope Repair Project: Dan Schiada reviewed the Staff report. He stated that there are sufficient funds in the Gas Tax Fund Reserves and Staff would not need to use funds from the General Fund Reserves. The resolution would need to be amended to reflect that.

Council Member Patterson asked Staff to consider looking at the possibility of some tree planting when they do the layback on the slope and the sidewalk repair. If that works out, then please go forth. If it does not work out, then she would understand.

RESOLUTION 06-165 - A RESOLUTION ACCEPTING THE BIDS FOR THE MILITARY WEST SIDEWALK AND SLOP REPAIR PROJECT, AWARDING THE CONSTRUCTION CONTRACT TO W.R. FORDE ASSOCIATES OF RICHMOND, CALIFORNIA, IN THE AMOUNT OF \$128,425, APPROPRIATING \$78,770 FROM THE GENERAL FUND RESERVES FOR THE CONSTRUCTION, AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY

On motion of Council Member Patterson, seconded by Council Member Hughes, the above Resolution was adopted as amended, on roll call by the following vote:
Ayes: Council Members Hughes, Patterson, Schwartzman, Whitney, and Mayor Messina
Noes: None

INFORMATIONAL ITEMS:

Reports from the City Manager:

Mr. Erickson stated that he and Vice Mayor Schwartzman attended an ABAG workshop on emergency preparedness. One major focus of the workshop was on the networking and process of the Office of Emergency Services. The other part of the program was on the topic of monies available to high terrorist threat areas. The Bay Area is one of those

areas. They talked a lot about that process. ABAG will be following up to try and create some sort of organization for the planning of the funds that are available.

Vice Mayor Schwartzman discussed the categories of how cities were plotted in the likelihood of terrorism. The Port of Oakland is fourth in the nation for cargo, yet they are fourth (least likely) to be targeted for terrorism. The issue of the pandemic was discussed. That is something the City may want to discuss in the future.

Council Member Hughes stated that regarding the pandemic; it is not a matter of if, but when. It would be worth it for the City to address the issue in its emergency plan.

Council Member Patterson requested a copy of the packet from the ABAG workshop if it was available. She discussed the Delta Risk Management assessment. When she was at the BERT quarterly review, seismic events and structural damage was highlighted, and yet on a value basis, floods damaged more property than earthquakes. The City does not have immediate threats due to the Delta, but it would be asked to participate in emergency response on a regional level if a flood occurred. The City should think about that.

Council Member Whitney stated that it seems that the message to the community is that it should join BERT, neighborhood watch groups, etc. so it could receive training. The Benicia Core Council (BCC) is a very informative group of people who are doing some great work in town. It may be worth having the BCC come to Council and provide a presentation.

Vice Mayor Schwartzman stated that encouraging support of such programs (BERT, BCC, etc.) was discussed at the ABAG workshop meeting. Benicia is ahead of many jurisdictions in terms of emergency response.

Mr. Erickson stated that he was meeting with the County and the OES regarding issues such as the pandemic. Ongoing meetings with City officials in the County would continue.

Council Member Committee Reports.

1. Mayors' Committee Meeting (Mayor Messina): Next Meeting Date: October 18, 2006
2. Association of Bay Area Governments (ABAG) (Mayor Messina): Next Meeting Date: October 26, 2006 (Fall General Assembly)
3. Audit & Finance Committee (Vice Mayor Schwartzman and Council Member Hughes): Next Meeting Date: November 3, 2006
4. League of California Cities (Mayor Messina): Next Meeting Date: November 15 & 16, 2006 (Legislative Briefings)
5. School District Liaison (Council Members Whitney and Hughes): Next Meeting Date: December 14, 2006
6. Sky Valley Area Open Space (Council Members Patterson and Whitney): Next Meeting Date: November 1, 2006

7. Solano EDC Board of Directors (Mayor Messina): Next Meeting Date: October 26, 2006
8. Solano Transportation Authority (STA) (Mayor Messina): Next Meeting Date: November 8, 2006 (Annual STA Awards Ceremony)
9. Solano Water Authority/Solano County Water Agency (Mayor Messina): Next Meeting Date: November 9, 2006
10. Traffic, Pedestrian and Bicycle Safety Committee (Council Members Patterson and Hughes): Next Meeting Date: October 19, 2006
11. Tri-City and County Regional Parks and Open Space (Council Member Whitney): Next Meeting Date: November 15, 2006
12. Valero Community Advisory Panel (CAP) (Council Member Hughes): Next Meeting Date: January 25, 2007
13. Youth Action Task Force (Vice Mayor Schwartzman and Council Member Whitney) Next Meeting Date: October 25, 2006
14. ABAG/CAL FED Task Force/Bay Area Water Forum (Council Member Patterson) Next Meeting Date: October 30, 2006

Council Member Patterson reported on attending the Solano Economic Development Corporation breakfast meeting. It was a briefing on the bond measures and how they are polling. The polling is strong for Prop 1c; polling is strong on 1e; polling is not so strong on the transportation measure; Prop 84 is marginal; Prop 1a is polling high; Prop 90 was discussed, but they don't have strong figures on that yet. She encouraged citizens to vote.

COMMENTS FROM COUNCIL MEMBERS:

None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 9:02 p.m.

Lisa Wolfe, City Clerk