

MINUTES OF THE  
SPECIAL MEETING – CITY COUNCIL  
OCTOBER 2, 2007

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 2, 2007, 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).

OPPORTUNITY FOR PUBLIC COMMENT:

None

ANNOUNCEMENT OF CLOSED SESSION:

Lisa Wolfe, City Clerk, read the announcement of Closed Session

CLOSED SESSION:

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**(Government Code Section 54957)**

**Titles: City Manager  
City Attorney**

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

**(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9)**

**One Claim: Barco**

ADJOURN TO CLOSED SESSION:

Mayor Messina adjourned the meeting to Closed Session at 6:01 p.m.

RECONVENE OPEN SESSION:

Mayor Messina reconvened the Open Session at 6:39 p.m.

INFORMATIONAL ITEM:

Top 12 Priority Projects Quarterly Review:

Jim Erickson, City Manager, and various department Directors reviewed a PowerPoint presentation (hard copy on file).

Community Center:

Council discussed the windows, opening day (Fall as opposed to May), phasing the work, using the multipurpose room sooner, providing the community with an update on the project, master planning, outreach efforts with respect to the neighbors, neighbors' concerns with the issues of parking and noise, and the status of mold, termite, and asbestos.

Council Member Whitney requested copies of the reports certifying the mold, termite, and asbestos are no longer problems.

X-Park:

No questions.

Commandant's Residence:

Council discussed the estimate for the date the building would be ready for use, and the re-use study.

Council majority agreed that due to a time constraint, the remainder of the staff report would be continued until after the regular Council meeting.

ADJOURNMENT:

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

RECONVENE SPECIAL MEETING:

Top 12 Priority Projects Quarterly Review (continued from the October 2, 2007 Special Meeting):

Mayor Messina reconvened the Special Meeting at 8:18 p.m.

Top 12 Priority Projects Quarterly Review (continued earlier in the evening):

Benicia Business Park:

Council discussed the timing that this unit will be brought back for discussion (holiday – December). Council would like the issue be brought back for discussion sooner than later. Council Member Patterson would like Staff to try and have this issue brought back in November. If it cannot be brought back in November, she would like it continued until January 2008.

Arsenal Specific Plan & Downtown Corridor Plan:

Council discussed a letter from the Department of Toxic Substance Control and LSA's ability to perform the physical preliminary assessment.

State Park Road Bike/Pedestrian Bridge:

Council and Staff discussed the issues of funding sources, Bordonni Project, cost of project, and rising construction costs.

Library Basement:

No questions.

Police Building Remodel:

No questions.

Fire Rescue Boat:

No questions.

Mayor Messina adjourned the meeting at 8:45 p.m.

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
OCTOBER 2, 2007

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 2, 2007, 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:

Action taken at Closed Session:

Mayor Messina reported that Council made minor clarifications and technical changes to the contracts for the City Manager and City Attorney.

Heather McLaughlin, City Attorney reported that Council provided direction to Staff.

Openings on Boards and Commissions:

- Benicia Housing Authority Board of Commissioners:  
Two terms to December 31, 2009 (Tenant Openings)
- Sky Valley Open Space Committee:  
One unexpired term to September 30, 2010
- Library Board of Trustees  
One full term to November 30, 2009 (Poet Laureate)
- Open Government Commission  
One full term to November 30, 2011

APPOINTMENTS:

None

PRESENTATIONS:

None

PROCLAMATIONS:

- Celebrating the 50<sup>th</sup> Anniversary of Monticello Dam.

ADOPTION OF AGENDA:

On motion of Council Member Patterson, seconded by Vice Mayor Schwartzman, 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. Mike Kaplan – Mr. Kaplan discussed the 40<sup>th</sup> Anniversary Event for the Community Action Council on 10/12/07 at the Clocktower.
2. Curtis Hunt, Solano County – Mr. Hunt discussed the alcohol and drug rates in Solano County, spending issues, and invited citizens to ‘Solano County – Citizens Standing Together.’
3. Council Member Patterson – Council Member Patterson asked Staff when the Seeno Business Park EIR would be discussed, inquired about a schedule for the Arsenal EIR, and she discussed a letter from the Department of Toxic Substance Control.

Mr. Erickson stated that the Seeno EIR would not be discussed on 10/16 (as previously planned) – it would most likely be discussed in November or December. Council Member Patterson stated that Christmas time was not a good time for the discussion for the public. Mr. Erickson stated that the Planning Commission would tentatively discuss the Arsenal EIR on 12/13/07.

CONSENT CALENDAR:

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

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

Noes: None

The minutes of September 18, 2007 were approved.

Council approved Benicia’s Priority Transit Projects for Solano Transportation Authority’s 10-Year Transit Capital Plan.

RESOLUTION 07-114 - A RESOLUTION EXTENDING THE EMPLOYMENT AGREEMENT WITH JAMES R. ERICKSON UNTIL JUNE 30, 2009

RESOLUTION 07-115 - A RESOLUTION AMENDING THE EMPLOYMENT AGREEMENT WITH HEATHER MCLAUGHLIN

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

(END OF CONSENT CALENDAR)

PUBLIC HEARINGS:

None

ACTION ITEMS:

Approval of a contract with the Placemaking Group for tourism branding:

Amalia Lorentz, Economic Development Manager, reviewed the staff report.

Council discussed the issues of a comprehensive plan, the work history of Mr. Erokan and Mr. Hamilton of The Placemaking Group, scope of services, times and days for interviewing people (per the scope of services), amenities, and public art.

Mr. Dennis Erokan, President, The Placemaking Group and Mr. Irvin Hamilton, Senior Vice President, The Placemaking Group, discussed the issues of the proposed plan being able to be implemented, the planning process, and the process for conducting interviews.

Public Comment:

1. Bob Serrat – Mr. Serrat discussed the issue of branding, strengths and weaknesses of Benicia, trashy entrances and exits to Benicia, lack of suitable parking in the Downtown Area, East E Street lot, and the need to improve on those areas.

On motion of Council Member Whitney, seconded by Council Member Hughes, Council approved the contract with The Placemaking Group for tourism branding, on roll call by the following vote:

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

Energy Efficiency Status and Options:

Amalia Lorentz, Economic Development Manager, reviewed the staff report.

Council discussed the issues of building and buying 'green', global warming, signing on to the U.S. Mayors' Agreement, the need for a baseline (so improvement could be measured), budgeting for the needed funds, making the City itself energy efficient, solarizing the City buildings, wind generators, incentives for homeowners to solarize or use wind generators, low-interest loan programs, the rising sea level, shrinking snow pack, looking at the heating and cooling of City buildings, using energy efficiency in the branding process, and possibly using some of the violation notice money (paid by Valero) towards the City's energy efficient fleet.

Mayor Messina directed Staff to take the initiatives proposed by Staff and bring this issue back to Council for an update in six months.

Public Comment:

1. Kathy Kerridge – Ms. Kerridge discussed the issue of wind power.
2. Joseph Furnish – Mr. Furnish applauded the initiative by Staff on this issue. He currently has a photovoltaic system installed at his residence that works very well.

Council approved, by consensus, moving forward on a new lighting retrofit project at an estimated cost of \$71,000 funded through the California Energy Commission's low interest loan program, and directed Staff to pursue larger policy initiatives based on the options discussed.

INFORMATIONAL ITEMS:

Reports by City Manager:

Mr. Erickson discussed issues with ripples in the pavement caused by a broken water main on Casa Grande Street, and the need to quickly proceed with the repairs

Council and Staff discussed the age of the waterline, the age and condition of the sewer line in the same area, what funds would be used for the repair, possible financing sources for similar repairs that might happen in the future, and 'purple pipes.'

Council Member Patterson requested Staff bring the issue of installing 'purple pipes' a future meeting.

Policy Calendar Review:

Jim Erickson, City Manager, reviewed the policy calendar.

Council discussed the issue of ferry service.

COMMENTS FROM COUNCIL MEMBERS:

None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:18 p.m.

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Lisa Wolfe, City Clerk