

October 3, 2000

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
OCTOBER 3, 2000

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 - Initiation Of Litigation (pursuant to Subdivision C of Government Code Section 54956.9)

Number Of Cases: One

Conference With Legal Counsel - Anticipated Litigation (pursuant to Subdivision B of Government Code Section 54956.9)

Name Of Case: Anderson

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

MINUTES OF THE
REGULAR MEETING - CITY COUNCIL
OCTOBER 3, 2000

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Steve Messina at 7:51 p.m. Tuesday, October 3, 2000, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL

Present: Councilmembers 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: Conference With Legal Counsel - Initiation Of Litigation - authorized hiring special legal counsel to assist in insuring compliance with the maintenance standards and other conditions of the Marina Lease.

Mayor Messina announced action taken in Closed Session re: Conference With Legal Counsel - Anticipated Litigation re: Cynthia and Richard Anderson - gave direction to staff.

Mayor Messina announced openings on the following Boards and Commissions - Library Board, Civil Service Commission, Planning Commission and Human Services Board.

APPOINTMENTS:

Mayor Messina announced the reappointment of James Mellen to the Civil Service Commission for a full term.

RESOLUTION NO. 00-141 - A RESOLUTION CONFIRMING MAYOR'S REAPPOINTMENT OF JAMES MELLEN TO THE CIVIL SERVICE COMMISSION FOR A FULL TERM TO SEPTEMBER 3, 2003

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Gary Cady to the Civil Service Commission for a full term.

RESOLUTION NO. 00-142 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF GARY CADY TO THE CIVIL SERVICE COMMISSION FOR A FULL TERM TO SEPTEMBER 3, 2003

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Mark Lobdell to the Planning Commission for a full term.

RESOLUTION NO. 00-143 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF MARK LOBDELL TO THE PLANNING COMMISSION FOR A FULL TERM TO OCTOBER 7, 2004

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Fred Railsback to the Planning Commission for a full term.

RESOLUTION NO. 00-144 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF FRED RAILSBACK TO THE PLANNING COMMISSION FOR A FULL TERM TO OCTOBER 7, 2004

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Mike Marcus to the Parks, Recreation and Cemetery Commission as the student voting member.

RESOLUTION NO. 00-145 - A RESOLUTION CONFIRMING MAYOR'S APPOINTMENT OF MIKE MARCUS TO THE PARKS, RECREATION AND CEMETERY COMMISSION AS THE STUDENT VOTING MEMBER, RECOMMENDED BY THE YOUTH COMMISSION

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

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

Mayor Messina announced the appointment of Councilmember Whitney as the Council representative to the Valero Community Advisory Panel (CAP); the appointment was approved on roll call by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

PRESENTATION - SOLANO TRANSPORTATION AUTHORITY RE: TWENTY (20) YEAR TRANSPORTATION PLAN

Daryl Halls and Janice Sells made a presentation; gave a brief history; reviewed current and future projects; announced a Community In-put Meeting to be held on November 1, 2000 at 6:30 p.m. in the Council Chambers.

PROCLAMATION:

"SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH" - OCTOBER 2000
Mayor Messina read the Proclamation; accepted by Gayla Reiter.

ADOPTION OF AGENDA:

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

On motion of Councilmember Whitney, seconded by Councilmember Corbaley, and unanimously carried, Agenda was adopted as presented.

COMMUNICATIONS

PUBLIC COMMENT

Devin Hassett, 870 Rose Drive, City Cemetery Restoration Committee, thanked local businesses and City staff for help with the ongoing restoration at the Cemetery; extended an invitation to the annual tour on October 14, 2000 from 10:00 a.m. to 2:00 p.m.

Peggy Martin, 146 West E Street, thanked the City for help with the historic preservation of the Cemetery; explained a project taken on by a local student about the Cemetery.

Ashley Moriarty, 584 Hastings Drive, age 13, shared her book project with Mayor and Council; supports historical preservation of City Cemetery.

James O. Milburn, 280 East J Street, spoke on City Hall renovations; Senior Center deterioration and various city projects; read his verse.

Cathy Ann Hewitt, 266 East B Street, #68, spoke on the open house to be held at the Police Department; help for small business; working more cooperatively with Marina; permit problems at the Yuba property.

CONSENT CALENDAR:

Mayor Messina asked if there were any items to be pulled.

Councilmember Corbaley requested Item B be pulled.

On motion of Councilmember Gizzi, seconded by Councilmember Whitney, and unanimously carried, the following items were approved under the Consent Calendar:

Minutes of September 5, 2000.

Check Registers for August 2000.

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

(END OF CONSENT CALENDAR)

MINUTES OF SEPTEMBER 19, 2000

Councilmember Corbaley requested this item be pulled from the Consent Calendar; correction on Page 6 in reference to her report re: Community Advisory Group for Tourtelot; should read that the issue of the minimum safe distance has not been resolved; requested the City Clerk to review.

Item will be brought back at next meeting.

REPORT FROM CITY MANAGER:

SUPPORT PROPOSITION 35, THE "FAIR COMPETITION AND TAXPAYER SAVINGS ACT" AMENDMENT TO THE STATE CONSTITUTION

Otto Giuliani, City Manager, gave a report; the initiative ensures the ability of local agencies to design projects with existing staff or the use of private consultants; the Proposition has the support of more than 100 other cities.

Council took the following action:

RESOLUTION NO. 00-146 - A RESOLUTION SUPPORTING PROPOSITION 35, THE "FAIR COMPETITION AND TAXPAYER SAVINGS ACT" AMENDMENT TO THE STATE CONSTITUTION

On motion of Councilmember Corbaley, seconded by Councilmember Bidou, the above Resolution was adopted on roll call by the following vote:

Ayes: Councilmembers Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:50 p.m.

Linda S. Purdy, City Clerk