

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
October 04, 2011

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 meeting to order at 7:00 p.m.

**II. CLOSED SESSION:**

**III. CONVENE OPEN SESSION:**

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Stan Golovich led the Pledge of Allegiance.

**C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC.**

**IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**

**A. ANNOUNCEMENTS**

Chief Vucurevich briefed Council and the public on the gas leak that occurred on 10/3/11.

Mayor Patterson and Staff discussed what caused the gas leak, how the evacuation perimeter was determined, and the notification process for surrounding neighborhoods. She commended Staff on their efforts.

Vice Mayor Schwartzman inquired about who would be responsible for the cost of the repair (Staff would be looking in to the issue.)

Public Comment:

None

Chief Bidou commended the Dispatchers (Sandy Ayala and Kelly Botello) for their quick response.

**1. Announcement of action taken at Closed Session, if any.**

Ms. McLaughlin reported that Council received information from Staff.

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

Council discussed the need to publicize the job descriptions for the open positions, in an effort to entice or encourage citizens to participate.

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

**4. Benicia Arsenal Update:**

No update at this time. Staff continues to meet with DTSC.

**B. APPOINTMENTS**

**C. PRESENTATIONS**

**D. PROCLAMATIONS**

**1. PROCLAMATION IN RECOGNITION OF BENICIA'S ARBOR DAY**

**V. ADOPTION OF AGENDA:**

On motion of Vice Mayor Schwartzman, seconded by Council Member Hughes, Council adopted the Agenda, as presented, on roll call by the following vote:  
Ayes: Patterson, Schwartzman, Campbell, Hughes, Ioakimedes  
Noes: (None)

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

None

**B. PUBLIC COMMENT**

1. Ehren Herguth- Mr. Herguth discussed the need for the community and school system to recognize and support the educational needs of autistic children.
2. Carl Lunstead - Mr. Lunstead discussed concerns regarding the action that was taken at the 9/28/11 City Council meeting regarding the BFA contract.
3. Gretchen Burgess - Ms. Burgess discussed the current Boy Scout and Cub Scout fundraiser (popcorn sale).

4. Bob Surrat - Mr. Surrat discussed recent traffic calming meetings he attended. He was pleased with the progress that has been made.

**VII. CONSENT CALENDAR:**

**A. APPROVAL OF MINUTES FOR THE SPECIAL AND REGULAR MEETINGS OF SEPTEMBER 20, 2011**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council approved the minutes of the Special and Regular City Council meetings of September 20, 2011, on roll call by the following vote:  
Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes  
Noes: (None)

**B. CHANGING THE MEETING LOCATION FOR THE PARKS, RECREATION AND CEMETERY COMMISSION FROM CITY HALL TO THE BENICIA COMMUNITY CENTER**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council approved changing the meeting location for the Parks, Recreation and Cemetery Commission from City Hall to the Benicia Community Center, on roll call by the following vote:  
Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes  
Noes: (None)

**C. SECOND READING OF AMENDMENTS TO THE ARTS AND CULTURE COMMISSION ORDINANCE NO. 09-15 TO ADD SECTION 2.104.070 (E) AND AMEND SECTION 2.104.080 (E) TO PROVIDE AUTHORIZATION FOR FUNDRAISING**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council adopted the Ordinance, on roll call by the following vote:  
Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes  
Noes: (None)

**ORDINANCE 11-10 - AN ORDINANCE AMENDING CHAPTER 2.104 (ARTS AND CULTURE COMMISSION) OF DIVISION 2 (BOARD AND COMMISSIONS) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE BY ADDING A NEW SUBSECTION (E) OF SECTION 2.104.070 (POWERS) AND AMENDING SUBSECTION (E) OF SECTION 2.104.080 (DUTIES)**

**D. DENY THE CLAIM AGAINST THE CITY BY RICHARD MOALE**

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council approved the Denial of Claim, on roll call by the following vote:

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

**E. ACCEPT THE QUIT CLAIM DEED FROM THE COUNTY FOR LAND ADJACENT TO THE CITY CEMETERY**

**RESOLUTION 11-122 - A RESOLUTION ACCEPTING A QUIT CLAIM DEED FROM THE COUNTY FOR ASSESSORS PARCEL NUMBER 0087-021-170 ADJACENT TO THE BENICIA CITY CEMETERY AND AUTHORIZING THE CITY CLERK TO RECORD THE QUITCLAIM DEED**

Council Member Campbell and Staff discussed the location of the land.

Public Comment:

None

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

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

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

**VIII. BUSINESS ITEMS:**

**A. CLIMATE ACTION PLAN COORDINATOR REQUEST FOR PROPOSALS**

**RESOLUTION 11-123 - A RESOLUTION APPROVING THE REQUEST FOR PROPOSAL (RFP) FOR A CLIMATE ACTION PLAN COORDINATOR**

Council discussed the additional information provided tonight, and concluded it was not substantial enough to continue the item.

Charlie Knox, Public Works & Community Development Director, reviewed the staff report, and the proposed changes (per the handout).

Mayor Patterson and Staff discussed changing the language to reflect measurable deliverables, and/or accomplishments.

Council Member loakimedes and Staff discussed the issue of the consultant looking for grant money to extend their contract while they are working under contract.

Vice Mayor Schwartzman and Staff discussed the issue of administrative support

for the Community Sustainability Commission, inserting language regarding experience.

Council Member Campbell and Staff discussed the issue of a job description, and the issue of freeing up staff time.

Mayor Patterson stressed the need for the person to have demonstrable experience working with federal and state governmental organizations.

Vice Mayor Schwartzman and Staff discussed the issue of the position's salary.

Council Member Hughes and Staff discussed the issues of the selection factors, and the need for some assurance that the money is being well spent (need quantifiable reporting).

Council Member Campbell and Staff discussed the issue of the interviewing committee (he would like an ex officio Council Member on the committee).

Vice Mayor Schwartzman and Staff discussed the issue of tracking the amount of staff time that has been used so far, and how much staff time diminishes after the contract begins. They also discussed the issue of travel/distance for the contractor.

Public Comment:

1. Dennis Lowry - Mr. Lowry spoke in opposition to the proposed Resolution.
2. Kathy Kerridge - Ms. Kerridge discussed the issue of the scope of the contract (it needs to be more clear).
3. Mr. Kilger discussed language that should be added to make the scope more clear. It should state that the City wants the coordinator to work on a refined scope of work, by developing something more general in terms of how they might approach the task, vs. a detailed description of all project tasks.
4. Constance Beutel - Dr. Beutel spoke in support of the proposed resolution.

Mayor Patterson suggested moving forward with the amended version (submitted as handout), as well as the language change suggested by Mr. Kilger, as well as the addition of a council member on the interview panel.

Council Member Ioakimedes discussed the issue of the money being spent by the commission on this item, when employees are being asked to take pay cuts (recognizing that the money the commission has must be spent on very specific items).

Mayor Patterson discussed the positive impact this would have on economic growth.

Vice Mayor Schwartzman discussed the general fund savings that this could provide.

Council Member Hughes discussed the need to address energy conservation through education and awareness, as opposed to legislative mandates.

Mayor Patterson clarified the motion was to approve the amended Resolution, including additional staff-recommended resolution changes, based on Council direction, with the addition of a council member added to the interview panel.

On motion of Council Member Hughes, seconded by Council Member loakimedes, Council adopted the Resolution, as amended, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

**B. REQUEST FOR ITEM ON COUNCIL AGENDA:**

Request to agendize discussion of providing enhanced public information relative to employee compensation, for example, developing a “glossary” and general cost information, by MOU, that would be available on the City’s website.

Mayor Patterson read the agenda item.

Public Comment:

1. Dan Smith - Mr. Smith spoke in support of agendizing the proposed item.

On motion of Council Member Campbell, seconded by Council Member Hughes, Council approved placing the item on a future agenda, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell, Hughes, loakimedes

Noes: (None)

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting at 9:04 p.m.

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Lisa Wolfe, City Clerk