

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
November 04, 2014

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 8:03 p.m.

II. CLOSED SESSION:

III. CONVENE OPEN SESSION:

A. ROLL CALL

Council Member Hughes was absent, in part due to recusing himself from the MCE membership item.

All other Council Members were present.

B. PLEDGE OF ALLEGIANCE

Stephanie Christansen 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.

2. Openings on Boards and Commissions:

Arts and Culture Commission
1 unexpired term
open until filled

Human Services Board
1 unexpired term
open until filled

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

B. PROCLAMATIONS

1. **In Recognition of Lifetime Achievement Award in the Arts for Manuel Neri**
2. **In Recognition of Lifetime Achievement Award in the Arts for Robert Arneson**

C. APPOINTMENTS

1. **Reappointment of John McGuire to the Parks, Recreation and Cemetery Commission for a full term ending July 31, 2018**

RESOLUTION 14-126 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF JOHN MCGUIRE TO THE BENICIA PARKS, RECREATION AND CEMETERY COMMISSION FOR A FOUR-YEAR TERM ENDING JULY 31, 2018

On motion of Mayor Patterson Council adopted Resolution 14-126, on roll call by the following vote:

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

2. **Reappointment of Kari Birdseye to the Human Services Board for a full term ending July 31, 2018**

RESOLUTION 14-127 - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF KARI BIRDSEYE TO THE BENICIA HUMAN SERVICES BOARD FOR A FOUR-YEAR TERM ENDING JULY 31, 2018

On motion of Mayor Patterson Council adopted Resolution 14-127, on roll call by the following vote:

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

D. PRESENTATIONS

V. ADOPTION OF AGENDA:

On motion of Council Member Schwartzman, seconded by Council Member Strawbridge, Council adopted the Agenda, as presented, on roll call by the following vote:

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

VI. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

2 items (copies on file).

B. PUBLIC COMMENT

1. Constance Beutel - Ms. Beutel spoke in support of United States Veterans and United States Military Personnel.
2. Leanne Cawley - Ms. Cawley discussed a program the Benicia Soroptimists started to help the women of Benicia.
3. Council Member Schwartzman - Council Member Schwartzman discussed the upcoming celebration for Veteran's Day at the local cemetery.

VII. CONSENT CALENDAR:

Vice Mayor Campbell disclosed ex parte communications.

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

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

A. APPROVAL OF THE MINUTES OF THE OCTOBER 21, 2014 CITY COUNCIL MEETING

B. ACCEPTANCE OF THE GRANT DEED FOR THE BENICIA BUS HUB PROPERTY

RESOLUTION 14-128 - A RESOLUTION ACCEPTING A GRANT DEED FROM THE BARRAGAN'S FOR THE BENICIA BUS HUB PROJECT AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT DEED ON BEHALF OF THE CITY AND TO EXECUTE ALL NECESSARY DOCUMENTS TO RECORD THE DEED AND COMPLETE THE ACQUISITION OF THE PROPERTY

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

VIII. BUSINESS ITEMS:

- A. **MCE MEMBERSHIP - INDEPENDENT ANALYSIS AND OPPORTUNITY TO JOIN**

ORDINANCE 14- - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE MARIN CLEAN ENERGY JOINT POWERS AGREEMENT AND AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM

RESOLUTION 14-129 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA REQUESTING MEMBERSHIP IN MARIN CLEAN ENERGY

Alex Porteshawver, Climate Action Plan Coordinator, introduced the staff report.

Constance Beutel, Chair, Community Sustainability Commission, spoke in support of the proposed Marin Clean Energy (MCE) membership. She discussed the benefits of joining MCE.

Mayor Patterson disclosed expartè communications she had on this item.

Council Member Schwartzman and Dawn Weisz, MCE, discussed the possibility of MCE's rates increasing and the effects that would have on people opting out.

Vice Mayor Campbell and Ms. Weisz discussed how MCE would disclose their rates compared to other entities rates.

Council Member Schwartzman, Staff, and Ms. Weisz discussed the City's solar sites and how that would be dealt with (net energy costs and credits). They also discussed the issue of PG&E's A6 tariff, procurement risks, rates for CARE users and low-income users, MCE's evaluation of its members, MCE's 'net open' position, and what would happen if MCE were to go out of business (re-entry fees to PG&E).

Vice Mayor Campbell and Ms. Weisz discussed what Benicia's weighted vote would be at MCE (roughly 8%), what Valero might do with regards to MCE, PG&E's green program, what would happen if the City were to withdrawal as a Joint Powers Agreement (JPA) member, Power Charge Indifference Adjustment (PCIA) rates, wait times for customers who opt out and rejoin PG&E and the issue of fluctuating rates.

Public Comment:

1. Kathy Kerridge - Ms. Kerridge spoke in support of joining MCE.
2. Kathy Kerridge, on behalf of Dana Dean - Ms. Kerridge read Ms. Dean's letter (copy on file) in support of joining MCE.
3. Claire McFadden, Benicia Chamber of Commerce - Ms. McFadden read a letter from the Chamber of Commerce (copy on file) in opposition to joining MCE.
4. Jack Russell - Mr. Russell discussed the letter submitted by the Benicia Chamber of Commerce. He spoke in support of joining MCE.
5. Mary Frances Kelly Poh - Ms. Kelly Poh had questions on net energy metering, but spoke in support of joining MCE.
6. Rebecca Ramos - Ms. Ramos spoke in support of joining MCE.
7. Tony Shannon - Mr. Shannon spoke in support of joining MCE.
8. Marilyn Bardet - Ms. Bardet spoke in support of joining MCE.
9. Jim Stevens - Mr. Stevens spoke in support of joining MCE.
10. Ms. Morris - Ms. Morris spoke in support of joining MCE.
11. Ben Parsons - Mr. Parsons spoke in support of joining MCE.
12. Jon Van Landschoot - Mr. Van Landschoot spoke in support of joining MCE.
13. Sharon Maher - Ms. Maher spoke in support of joining MCE.

Mayor Patterson discussed the importance of reducing greenhouse gasses, the effects on structures, health, etc. She discussed the fact that the high school students were in tonight's audience, and the importance this issue has for them and their future. She discussed her support for approving this item.

Council Member Strawbridge discussed conversations she had with other cities that chose to go with and not to go with MCE. Tonight's comments were compelling. She discussed the importance of reducing the City's carbon footprint. She and Ms. Weisz discussed MCE's involvement in overall counties. She assured the community that Council was being cautious and looking very hard at the issue.

Vice Mayor Campbell echoed Council Member Strawbridge's comments. He discussed his reasons for supporting joining MCE.

Council Member Schwartzman discussed his earlier questions regarding risks. He discussed his reasons for supporting joining MCE.

Mayor Patterson thanked everyone involved, including the citizens, for their efforts and participation regarding this issue.

On motion of Vice Mayor Campbell, seconded by Council Member Schwartzman, Council approved the above Introduction and First Reading of the MCE Ordinance, on roll call by the following vote:

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

On motion of Vice Mayor Campbell, seconded by Council Member Schwartzman, Council adopted Resolution 14-129, on roll call by the following vote:

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

IX. ADJOURNMENT:

Mayor Patterson adjourned the meeting at 10:24 p.m.

Lisa Wolfe, City Clerk