

November 6, 2001

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
REGULAR MEETING - CITY COUNCIL
NOVEMBER 6, 2001

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Messina at 7:35 p.m. Tuesday, November 6, 2001, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Bidou, Gizzi, Whitney and Mayor Messina

Absent: Council Member Corbaley

PLEDGE OF ALLEGIANCE:

Mayor Messina led the pledge to the flag.

Council Member Corbaley arrived at 7:37 p.m.

PRESENTATIONS:

REPORT ON STATUS OF CITY CEMETERY

Frances Preissner, Chairperson, gave a report on the current condition of the Cemetery and the restoration projects that have been completed; experts have been contacted to help restore some of the older grave markers; additional funding will be needed in the future.

Council Member Corbaley requested that those sites in the Cemetery that were not of an historical nature be given appropriate respect during any tours.

PRESENTATION TO TOURTELOT CAG MEMBERS

Council Member Corbaley gave a brief chronology of the CAG and the status to date of the project; thanked the citizens that volunteered and devoted many hours to this committee; Mayor Messina and Council Member Corbaley presented Certificates of Appreciation to the members of the CAG.

PROCLAMATIONS:

LUNG CANCER AWARENESS MONTH - NOVEMBER 2001

SELECTIVE SERVICE AWARENESS MONTH - NOVEMBER 2001

Mayor Messina read the Proclamation; accepted by Dr. Richard Lundin, Senior Senator, California Senior Legislature.

COURT ADOPTION AND PERMANENCY DAY - NOVEMBER 2001 AND ADOPTION DAY IN BENICIA - NOVEMBER 17, 2001

Mayor Messina read the Proclamation; accepted by Garry Ichikawa, Supervising Family Law Judge.

VETERAN'S DAY 2001 - NOVEMBER 10-12, 2001 - WEEKEND OF NATIONAL UNITY, HOPE AND HEALING IN NATIONAL, STATE AND LOCAL PARKS

Mayor Messina read the Proclamation; accepted by Dan Moitoza, Chairman, Parks, Recreation & Cemetery Commission.

ADOPTION OF AGENDA:

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

On motion of Council Member Whitney, seconded by Council Member Bidou, and unanimously carried, Agenda was adopted as presented.

COMMUNICATIONS:

WRITTEN:

PUBLIC COMMENT:

Larry Fullington, 833 Clifton Court, thanked Council Members Corbaley and Gizzi for their service to the City during their terms on the City Council.

John Woods, 355 West M, suggested that the City consider having a staff photographer.

Scott Goldie, Pacific Bay Homes, Senior Vice President, stated that due to the downturn in the economy, the application for the Jefferson Park Project was being withdrawn.

Rochelle Jansen and Tara Alam, 900 Southampton Road #165, expressed concerns about the traffic situation at Panorama and Southampton Road near the Middle School; requested that the City consider putting a stop sign at the intersection.

Mayor Messina stated that the request would be given to the appropriate department for further action.

CONSENT CALENDAR:

Mayor Messina asked if there were any requests for items to be pulled; requested that Item V-E be pulled.

Council Member Corbaley requested Item V-C be pulled. Council Member Whitney requested Item V-D be pulled.

On motion of Council Member Gizzi, seconded by Council Member Corbaley, and unanimously carried, the following items were approved under the Consent Calendar:

Approval of Minutes of October 16, 2001.

Approval of Check Registers for September 2001.

RESOLUTION NO. 01-171 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE REVISED JOB DESCRIPTION FOR THE CLASSIFICATION OF MAINTENANCE MECHANIC

ORDINANCE NO. 01-10 - AN ORDINANCE APPROVING A ZONE CHANGE FROM MEDIUM DENSITY RESIDENTIAL TO PLANNED DEVELOPMENT DISTRICT AT 601 EAST L STREET

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

(END OF CONSENT CALENDAR)

RESOLUTION APPOINTING COUNCIL MEMBER CORBALEY AS A CITIZEN MEMBER TO THE TOURTELOT CAG AND CONTINUING HER PARTICIPATION AFTER THE END OF HER TERM WITH THE CITY COUNCIL

Council Member Corbaley requested this item be pulled from the Agenda; stated that she would abstain from voting on this item.

Council took the following action:

RESOLUTION NO. 01-172 - A RESOLUTION TO APPOINT CAREY CORBALEY TO THE TOURTELOT COMMUNITY ADVISORY GROUP (CAG) AS A COMMUNITY MEMBER REPRESENTING THE CITY OF BENICIA

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

Ayes: Council Members Bidou, Gizzi, Whitney and Mayor Messina

Noes: None

Abstain: Council Member Corbaley

RESOLUTION AWARDING THE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$77,000 TO MIANN BUILDERS, INC. OF NOVATO, LOW BIDDER FOR THE INTERIOR RENOVATION OF THE HISTORIC S.P. DEPOT MINUTE ACTION DIRECTING STAFF TO ENTER INTO NEGOTIATIONS WITH A LICENSED FIRE SPRINKLER CONTRACTOR TO INSTALL A FIRE SPRINKLER PROTECTION SYSTEM IN THE HISTORIC S.P. DEPOT

Council Member Whitney requested that this item be pulled from the Agenda; recognized and commended Benicia Plumbing for their donation of work at the Depot.

Mayor Messina requested clarification as to whether or not he and Council Member Bidou had a conflict of interest on this item.

Heather McLaughlin, City Attorney, stated that there was no conflict of interest.

Council took the following action:

RESOLUTION NO. 01-173 - A RESOLUTION ACCEPTING THE BIDS, AWARDING THE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$77,000 TO MIANN BUILDERS, INC. OF NOVATO FOR THE INTERIOR RENOVATION OF THE HISTORIC S.P. DEPOT AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONSTRUCTION CONTRACT ON BEHALF OF THE CITY, SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY

MINUTE ACTION DIRECTING STAFF TO ENTER INTO NEGOTIATIONS WITH A LICENSED FIRE SPRINKLER CONTRACTOR TO INSTALL A FIRE SPRINKLER PROTECTION SYSTEM IN THE HISTORIC S.P. DEPOT

On motion of Council Member Gizzi, seconded by Council Member Whitney, the above Resolution and Minute Action were adopted on roll call by the following vote:

Ayes: Council Members Bidou, Corbaley, Gizzi, Whitney and Mayor Messina

Noes: None

RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE THE \$10,000 OFFSITE MITIGATION PAYMENT RECEIVED FROM SPRINT SPECTRUM L.P. INTO THE MARINA AREA STREET LIGHT ACCOUNT

This item was pulled from the Agenda due to the conflict of interest of Council Member Bidou and Mayor Messina.

Council took the following action:

RESOLUTION NO. 01-174 - A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO DESIGNATE THE \$10,000 OFF SITE MITIGATION PAYMENT RECEIVED FROM SPRINT SPECTRUM L.P. TO THE MARINA AREA STREET LIGHT ACCOUNT AND FURTHER APPROPRIATE SAID FUNDS FOR THE REPLACEMENT OF OLD STREET LIGHTS IN THE MARINA AREA

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

Ayes: Council Members Corbaley, Gizzi, and Whitney

Noes: None

Abstain: Council Member Bidou and Mayor Messina

REPORTS FROM CITY MANAGER: ORAL REPORT REGARDING RESIGNATION OF PLANNING DIRECTOR

Otto Giuliani, City Manager, announced the resignation of John Bunch, Planning Director; explained that this was an opportunity to reorganize and pull some of the City's services together; direction has been given to staff for a recruitment of a Community Development Director to oversee Planning, Economic Development, and Engineering services of Fire and Building Inspection; in the interim Karen Majors, Assistant City Manager, will oversee the Planning Department.

REPORTS FROM ASSISTANT CITY MANAGER: UPDATE ON MARINA DREDGING

Karen Majors, Assistant City Manager, reported that the City had finished their portion of the dredging on October 19, 2001; Benicia Harbor Corporation started dredging on October 26, 2001 and had worked only 8 days out of a possible 18, dredging approximately 300 cubic yards per day; stated the order in which the docks would be dredged; anticipated that the Benicia Harbor Corporation would not complete their portion of the dredging by the November 30, 2001 deadline.

Council Member Whitney asked what percentage of the dredging would be completed.

Karen Majors, Assistant City Manager, stated that the City had completed 86% of their portion and it was anticipated that the Benicia Harbor Corporation would complete 25%; dredging will be a yearly occurrence; an application to dredge next year will be applied for; if an extension of this year's permit was needed, the application would have to be submitted by the City.

One concerned citizen spoke on this item.

ADJOURNMENT:

Mayor Messina adjourned the meeting at 8:56 p.m.

Linda S. Purdy, City Clerk