

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
NOVEMBER 18, 2008

The special meeting of the City Council of the City of Benicia was called to order by Vice Mayor Tom Campbell at 6:00 p.m. on Tuesday, November 18, 2008, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Campbell, Hughes, Ioakimedes, and Schwartzman

Absent: Mayor Patterson (arrived at 6:03 p.m.)

PLEDGE OF ALLEGIANCE:

Vice Mayor Campbell 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:

WRITTEN:

PUBLIC COMMENT:

1. Rick Ernst – Mr. Ernst announced Benicia Ballet’s upcoming presentation of The Nutcracker.

INFORMATIONAL ITEMS:

Consideration of a Sustainability Commission:

Jim Erickson, City Manager, reviewed the staff report.

Public Comment:

1. Kathy Kerridge and Gene Doherty – Ms. Kerridge and Mr. Doherty reviewed a PowerPoint presentation (copy on file).

Council, Staff, Mr. Doherty, and Ms. Kerridge discussed the differences between having a commission as opposed to a task force, the biggest challenges in terms of the public and choices it has to make, transportation challenges, holding public forums, the education aspect, websites that were listed in the PowerPoint presentation, and the recommended composition of the commission.

2. James Lessenger – Dr. Lessenger spoke in support of the proposed commission. He recommended having a sunset clause for the commission. The proposed task of the commission needed to be pruned.
3. Alan Shore – Mr. Shore discussed his involvement in ‘The Shark Tank.’ He discussed the need for merchant representation on the commission, the green

- sticker idea proposed by some of the local merchants, and the proposed 'Benicia Tourism Center',
4. Constance Beutel – Dr. Beutel spoke in favor of the proposed commission.
 5. Jeanine Seeds – Ms. Seeds inquired about page 7 of the PowerPoint presentation. She asked who the commission would report to, and what their level of authority was (It was suggested in the report that the commission would report to Council.) She inquired how the commission's recommendations would be handled.
 6. Marilyn Bardet – Ms. Bardet discussed her excitement about the proposed commission. She would want the commission to come up with its own goals. She spoke in support of the proposed commission.
 7. Rick Ernst – Mr. Ernst discussed the need for a commission as opposed to a task force. He spoke in support of the proposed commission.
 8. Jon Van Landschoot – Mr. Van Landschoot spoke in favor of the proposed commission.

Mayor Patterson and Staff discussed how the commission would get its recommendations to Council.

Council and Staff discussed its desire for this to move forward, concerns about the makeup of the commission, the budgeting aspect of the commission, ways to add fun to the commission such as having neighborhood challenges, concerns about the resource requirements involved with the commission, the need for efficiency with the advisory body, the cost difference between having it be a task force and a commission (half time person for commission and quarter to a half person for task force, what the risks would be to start this off as a task force, where the City was with PURE Committee, possibly using the blueprint from PURE for the proposed commission, setting up a task force to come up with an ordinance for Staff, having Council look at the makeup of the task force, the need for a report from the task force by the time Council discusses the budget, Council's support for starting this out as a task force, and the possibility of using salaried Staff to support the task force.

Mayor Patterson summarized the general consensus for direction to Staff: to come up with the task force mission and to a time and task, which would be preparation of an ordinance and recommendation for membership, and some of the details Council would want in the ordinance. Mayor Patterson stated that she would like to see the makeup of the task force come back to Council possibly at the next meeting. She would like to get staff's deliberation on that. The task force would be charged with the task of the ordinance, identifying the duties and the advisory nature, and some of the advice from Staff. The staffing of that could be a variation on the existing Staff, part-time staff that is self-funded, or funded by examples previously discussed.

Mr. Erickson discussed the issue of Staff time. The City uses Staff time pretty well right now. Staff will do its best to set up the task force as requested by Council.

ADJOURNMENT:

Mayor Patterson adjourned the meeting at 7:10 p.m.

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
NOVEMBER 18, 2008

The regular meeting of the City Council of the City of Benicia was called to order by Mayor Elizabeth Patterson at 7:17 p.m. on Tuesday, November 18, 2008, in the City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

ROLL CALL:

Present: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Absent: None

PLEDGE OF ALLEGIANCE:

Heather McLaughlin 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:

Openings on Boards and Commissions:

- Sky Valley Open Space Committee:
One unexpired term to September 30, 2010
- Civil Service Commission
One full term to January 31, 2012
- Sky Valley Open Space Committee
One full term to January 31, 2013
- Planning Commission
Two full terms to January 31, 2013
- Open Government Commission
One full term to January 31, 2013
- Library Board of Trustees
Two full terms to January 31, 2012

Vice Campbell stated that the subcommittee would be meeting on 11/19/08. The subcommittee has given the Mayor quite a few candidates to choose from. The rankings have been submitted as well. The Mayor should be able to make some appointments at the next Council meeting.

Mayor's Office Hours:

Mayor Patterson will maintain an open office every Monday (except holidays) in the Mayor's Office of City Hall from 6:00 p.m. to 7:00 p.m. No appointment is necessary. Other meeting times may be scheduled through the City Hall office at 746-4200.

APPOINTMENTS:

None

PRESENTATIONS:

None

PROCLAMATIONS:

- National Family Caregivers Month – November 2008
- Lung Cancer Awareness Month – November 2008

ADOPTION OF AGENDA:

On motion of Council Member Hughes, seconded by Vice Mayor Campbell, the Agenda was adopted as presented, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor
Patterson

Noes: None

OPPORTUNITY FOR PUBLIC COMMENT:

WRITTEN:

Various items submitted (copies on file).

PUBLIC COMMENT:

1. Marilyn Bardet – Ms. Bardet asked if the public would be allowed to discuss traffic related air pollution and other cumulative air impacts that they were not allowed to talk about on 10/21/08. She has spent a lot of time on the issue.

Staff confirmed the public could speak on the issue during the agenda item.
2. Annie Joseph – Ms. Joseph discussed an upcoming workshop in Vallejo for pest control operators on the issue of certification for integrated pest management titled 'Eco Wise Certified Program.' They will be advertising the workshop in the newspaper, and will be sending out invitations soon. They would like the public to ask their pest control services to participate in the orientation.
3. Mary Frances Kelly Poh – Ms. Kelly Poh invited everyone to come to the community Thanksgiving dinner at the Clocktower on Thursday 11/20/08 at 6:00 p.m.
4. Eldon Peterson – Mr. Peterson announced the second tourism meeting on 11/19/08 in Council Chambers. They are trying to form an executive committee. They were excited about the input from the various stakeholders.
5. Rick Ernst – Mr. Ernst discussed the concerns raised about the budget and the proposed sustainability commission. He stated that by having these commissions, there are people who volunteer with special expertise. We can tie into the huge

amounts of expertise in the community. He discussed his appreciation for the changes in format to the Benicia Herald. He announced Benicia Ballet's upcoming presentation of The Nutcracker.

6. Vice Mayor Campbell – Vice Mayor Campbell inquired about the status of the web streaming. Staff confirmed it was on the list of projects that Council could either fund or not fund. Staff would be coming to Council on 12/2/08 with some choices. The cost to move forward with the video streaming was approximately \$30,000. It is an approved project. The question is whether the City could afford to do all of the approved projects.

CONSENT CALENDAR:

Council pulled item VII-E.

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

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor
Patterson

Noes: None

Council approved the Minutes of November 4, 2008.

Council approved the denial of claim against the City by Gas City Fuels and referral to insurance carrier.

Council approved the denial of claim against the City by Jose Fraser and referral to insurance carrier.

Council approved the denial of claim against the City by Shari Totten-Walch and Referral to insurance carrier.

Council approved the amendment to the lease between the City of Benicia and Benicia Main Street.

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

(END OF CONSENT CALENDAR)

Council took the following actions:

Approve an increase in the solid waste fee to cover an increase in County Local Enforcement Agency (LEA) fees:

Council and Staff discussed concerns regarding pass through charges, provisions in the current agreement pertaining to the City's obligation to pay for the pass through costs, the contract renewal date (2/29/12), there being a potential merger which could possibly allow the City to revisit the franchise, the merger issue possibly coming back for discussion at the 12/2/08 Council meeting, Council Members preparing questions for Staff on the issue, starting the two-step process on a future franchise agreement at the

12/2/08 Council meeting, Council's limitations in its ability to deny the increase, the need for proof that the \$0.03 cents in LEA fees was needed, including the issue of a brief overview on all of the City's franchise agreements, including the terms and sunset dates in the future budget discussions, following the two-step process for placing the Allied Waste franchise agreement details and on a future agenda, the need for Allied Waste to provide justification for the increase, the need to see the details on the franchise agreement that verifies the fees could be passed through, and the need for more of a business case/justification for the pass through increase.

Vice Mayor Campbell made a motion to deny the request. The motion died for lack of a second.

On motion of Vice Mayor Campbell, seconded by Council Member Hughes, Council denied the request until further information becomes available from Allied Waste, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, Schwartzman, and Mayor Patterson

Noes: None

PUBLIC HEARINGS:

None

ACTION ITEMS:

Acceptance of the Housing Expo Report and preliminary strategies for the Housing Element Update:

Lisa Porras, Senior Planner, reviewed the staff report and a portion of the PowerPoint presentation (copy on file).

Council and staff discussed the City's current population (approximately 28,000) and projected growth, the methodologies used for projections, Marin County's strategies for sharing allocations, the possibility of the City using allocation sharing, confirmation that the City was getting credit for the increase in housing in 2007, the City's lack of eligibility for the funds Congress was providing to jurisdictions to allow them to buy up foreclosed housing, Staff's struggle with ABAG over the projections, consequences of not getting the housing element certified, meeting the requirements, and making sure the zoning and programs are in place to ensure certification.

Lisa Wise, Lisa Wise Consultant, reviewed the remaining portion of the PowerPoint presentation.

Public Comment:

1. Dana Dean – Ms. Dean discussed concerns regarding the opportunity sites that were identified for the Housing expo, concerns about including the Yuba site, criteria for determining the sites that would be included in the discussion, the need to take more time at the beginning of the land use projects to consider everything we know, the need to learn from previous encounters and conversations, and the

- need to have an integrated consideration of all of the various land use things that are going on. She asked that we know the criteria by which the sites are being proposed. She requested the Yuba site be removed from the list.
2. Robert Moore, President, Local Housing Affiliation – Mr. Moore discussed how they came to agree on these sites. Excluding Yuba without discussion does not make sense.
 3. Mary Frances Kelly Poh – Ms. Kelly Poh discussed her participation in the Housing Expo. She was impressed with what was done to solicit information from the community. She discussed the importance of how low income is classified.
 4. Julie Chiodo – Ms. Chiodo inquired how the Robert Semple site was chosen.

Staff explained why the Robert Semple site was chosen. It was considered to a long-term site. The site's proximity to the freeway and issues with pollution and noise, as well as moving the site were part of the discussion for including it on the list.

5. Mark Hajjar – Mr. Hajjar discussed the quality of Benicia and the nature of the community. The City needs to look at the idea of accessory buildings.
6. Kathy Kerridge – Ms. Kerridge seconded what Mr. Hajjar said. There are too many restrictions on that issue. The city should look at the ability of turning some large houses into duplexes to make housing more affordable. Whenever any project is built in the community there should be components of low income housing.

Mayor Patterson and Staff discussed the following issues: the listing of the strategic plan was confusing, the need to see reference to planning goals in the planning section, putting a face on affordable housing and residents as was done in the 1990's during the General Plan update, the need for smaller workshops in the neighborhoods, the quality of life for the City for any and all kinds of development, the lack of an effective state program, the need for a little bit of fine tuning, positive reaction to the idea of infill sites being selected in proximity to transit, goods, and services to address the needs of seniors and disabled persons, opportunities with foreclosed houses, public outreach, taking a look at what Marin has done, looking at the illogic of the funding situation, looking at more opportunities in Southampton.

Council Member Ioakimedes disclosed ex parte communications.

Council and Staff discussed the need for criteria, concerns regarding the Yuba site being included, not focusing this just as an affordable housing issue, accessory units, the urban limit line, the need to make a good faith effort with affordable housing, and concerns over ABAG's equation.

Mayor Patterson called for a 5-minute break at 8:59 p.m.
The meeting resumed at 9:04 p.m.

Benicia Business Park rezoning, master plan overlay, vesting tentative map and addendum - Continued from October 21, 2008 City Council Meeting:

Jim Erickson, City Manager, reviewed Staff's recommendation to continue this until a facilitated workshop could be held. Scheduling difficulties with Council precluded that from happening. The proposed workshop could be on 12/1/08. Perhaps the developer could issue an extension on time for this matter to be discussed.

Council Member Schwartzman asked Staff for confirmation that there was agreement on having the workshop on 12/1/08 with a facilitator. Staff confirmed that was correct.

Public Comment:

1. Dan Healy, Planning Commissioner – Mr. Healy discussed Planning Commission's past discussions regarding the issue of a development agreement. He discussed the 3- hour meeting he had with the applicant. They agreed on the wisdom of sitting down and discussing an agreement and talking the issues through. They agreed that the smart way to negotiate is to get a workable team to represent the City. He encouraged Council to go in a different way than the proposed facilitated workshop. The City has nothing to lose by sitting down with developer to discuss the issues.

Council and Mr. Healy discussed the following issues: the intriguing proposal from Mr. Healy, possible conflict with open government rules, and having an open process.

2. Elaine Estrada – Ms. Estrada read a prepared statement regarding concerns with the process and procedure involving this item.
3. Jerry Page – Mr. Page read a prepared statement regarding concerns with due process for this item.
4. Marilyn Bardet – Ms. Bardet discussed concerns involving information in the agenda packet at the last meeting. She read a letter she sent to Council on 11/17 (copy on file) in which she discussed concerns with the Health Risk Analysis (HRA) that was done.
5. Julie Chiodo – Ms. Chiodo was proud of the process when Council came to a decision on this. However, her concern is that the City did not address the future of the Semple students.
6. Nikki Davis – Ms. Davis read a prepared statement regarding concerns with the proposed project.
7. Don Dean – Mr. Dean discussed past comments about the project being necessary for the City's economic stability. He would like to see information about the City's financial status now and down the road. He would like to see projections of what money the City would see from this project.
8. Jerry Cotton – Mr. Cotton discussed concerns regarding traffic, revisiting impact studies to reflect the current traffic situations around the schools.
9. Dan Smith – Mr. Smith discussed concerns regarding Staff ignoring the wishes of Council and the public, and the need for Council to stick to its guns.
10. Sal Evola, Discovery Builders – Mr. Evola thanked Mr. Healy for reaching out. They made a lot of headway. Regarding his letter sent to the City on Re: his letter

on 10/30/08, he did not received a response. Discovery Builders, Inc. is open to deliberating in any fashion Council sees fit. The letter was purposely kept very vague. Future meetings could entail weighing out conditions of approval vs. development agreements, looking at addendums vs. supplemental EIR's, and whatever else Council sees in its purview and discretion to be discussed in those meetings. He urged that last chance. Let's focus on what has to be done to make it right. They are willing to extend the timeline to make that happen.

Council and Mr. Evola discussed the applicant's willingness to talk about a development agreement and supplemental EIR, or supplemental CEQA analysis. The format and content of that discussion is up to the Council's discretion.

11. Bob Craft – Mr. Craft discussed concerns regarding the process with this item, the need to go back to the drawing board, the fatally flawed process, the need for a new application and EIR, and the proposed workshop.
12. Joe Kearns – Mr. Kearns made personal comments regarding staff and council.
13. Jon Van Landschoot – Mr. Van Landschoot discussed concerns regarding the process for the proposed project. He urged Council to end this tonight with a motion to deny the project. Let's deal with a fresh stack.

Vice Mayor Campbell thanked Staff for providing lots of options. He likes our Staff. He previously voted not to approve the project. The project was not working for him.

Council and Staff discussed the resolutions available for Council to vote on.

Council Member Schwartzman discussed the recommendation to deny the addendum, the previous 4-0 vote in favor of continuing this to go to a facilitated workshop, continuing action on this item until the facilitated meeting could be held, the need to see specific information on a development agreement, supplemental EIR, and the inadequate Health Risk Assessment at the facilitated meeting. Council Member Schwartzman was inclined to continue this item. He was not comfortable with having a subcommittee as proposed by Mr. Healy.

Council Member Hughes discussed his appreciation for Staff, the previous vote to continue this item to have a facilitated discussion, violation of the process, and Council's commitment to move forward with a workshop. He was intrigued by Mr. Healy's proposal; however he still wanted to have a facilitated workshop.

Mayor Patterson clarified what the vote at the last meeting meant. The discussion was that Vice Mayor Campbell was not present and they wanted him to be present to vote. Council encouraged staff to set up a facilitated workshop.

Council Member Ioakimedes discussed the lack of the appropriate level of dialogue for this project. There has been a lot of discussion, but to cut it off at the pass now is frustrating. We need to have dialogue. Staff knows not to advocate for a project, but they know there are certain financial parameters the City has to work around. He discussed

how BUSD has felt vulnerable in this process, the need to better to represent them (and the public) on the Council, denial of the project tonight would prevent a lot of positive things from being accomplished (getting cars off of the street, adding buses, improve the air quality for children), his opposition to the current proposed project, the fact that Council has fought for two years for a development agreement and supplemental EIR, being in the position Council has wanted to be for quite some time, not continuing dialogue on this would not be productive, identifying issues that needed to be worked out in the facilitated workshop, and the fact that he never thought the workshop would produce an approved project. He suggested denying the addendum, being smart, and letting the process play itself out.

Vice Mayor Campbell discussed the previous 4-0 vote to continue this item. He discussed the bifurcated EIR that was discussed at the 6/3/08 Council meeting.

Mayor Patterson discussed her frustration with the process, the merits of a specific plan and a development agreement. She discussed the importance of an EIR, her respect for Staff, and the need for Staff to have direction. She would like to deny the addendum and give staff direction to begin the planning process.

RESOLUTION 08-115 – A RESOLUTION REJECTING THE ADDENDUM TO THE BENICIA BUSINESS PARK FINAL ENVIRONMENTAL IMPACT REPORT (EIR), PROPOSED FINDINGS RELATED TO THE PROJECT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM

On motion of Vice Mayor Campbell, seconded by Mayor Patterson, the above Resolution was adopted, on roll call by the following vote:

Ayes: Council Members Campbell, Ioakimedes, and Mayor Patterson

Noes: Council Members Hughes and Schwartzman

Vice Mayor Campbell stated that he wanted to make a motion to deny the project. A Resolution denying the vesting tentative map, master plan overlay, and rezoning of the Benicia Business Park Project. He wanted to start over and get it right.

Ms. McLaughlin suggested deleting the ‘be it resolved’ on page IX-B-15, relating to taking action on the addendum (since action was just taken in the previous vote).

Mayor Patterson seconded the motion.

Mayor Patterson and Staff discussed upon adoption of the above resolution, Council’s ability to have the public workshop, prepare the specific plan (somewhat based upon the outcomes of the workshop) and the development agreement, and recognition that there would have to do a supplemental EIR.

Vice Mayor Campbell stated that he would be okay with Mayor Patterson’s suggestion.

Mayor Patterson clarified the motion: The motion is a resolution of the City Council of the City of Benicia denying the vesting tentative map, master plan overlay, and rezoning for the Benicia Business Park Project, which includes an additional paragraph added to the 'now therefore be it resolved' #12 that would include conducting a facilitated stakeholder workshop as described, preparing a subsequent specific plan and supplemental EIR, and future development agreement.

Council and Staff discussed what the possible next steps would be if Council did not take any action other than denying the addendum. They discussed the issues of: the need to act on the project, the need for further environmental review, specifying what environmental review was desired, subsequent EIR vs. supplemental EIR, using the language 'subsequent pursuant to requirements CEQA', Staff's concerns regarding the specific plan portion of the motion, retaining options for the Council, regaining community trust, development agreement, wording the language in such a way that it gives Council a choice, the need to retain flexibility with regards to the workshop, the need for more clarity, and what would happen if the motion failed (the City would need to ask the applicant for an extension).

Vice Mayor Campbell stated that this kept getting messier and messier as Council talked. He wanted to go back to the original motion that he made. Council could have all the facilitated meetings it wants and bring up everything it wants. He was going back to: A resolution of the City Council of the City of Benicia denying the vesting tentative map, master plan overlay and rezoning for the Benicia Business Park, with the addition the City Attorney made (deleting the 'be it resolved' on page IX-B-15).

Mayor Patterson asked Vice Mayor Campbell if he was not including the additional 'resolved.' Vice Mayor Campbell stated that he was leaving it - it was just the straight 'reject the project.' And then at that point, if there is a facilitated workshop and it brings up her issues and she gets the support, fine and dandy.

Mayor Patterson accepted that and stated that her second remained.

Council and Staff discussed what would happen if the motion failed, the City's legal options, the letter from the developer regarding the facilitated discussions, timeline for taking action if the motion did not pass, the options available to Council if the motion did not pass, the degree progress the City has made with the conditions, the length of time it has taken to make progress, the need to be efficient, the need to be clear that if Council approves the denial there needs to be a supplemental or subsequent document – not an addendum, the risks associated with denying the project, and mitigating the City's risk by asking the applicant for an extension in writing if the motion fails.

RESOLUTION 08-116 – A RESOLUTION DENYING THE VESTING TENTATIVE MAP, MASTER PLAN OVERLAY, AND REZONING FOR THE BENICIA BUSINESS PARK

On motion of Vice Mayor Campbell, seconded by Mayor Patterson, the above Resolution was adopted, as amended, on roll call by the following vote:

Ayes: Council Members Campbell, Ioakimedes, Schwartzman, and Mayor Patterson

Noes: Council Member Hughes

INFORMATIONAL ITEMS:

Council Member Committee Reports:

1. Mayor's Committee Meeting - (Mayor Patterson) - Next Meeting Date: November 19, 2008
2. Association of Bay Area Governments (ABAG) - (Mayor Patterson & Vice Mayor Campbell) - Next Meeting Date: April 23, 2009
3. Audit & Finance Committee - (Vice Mayor Campbell & Council Member Schwartzman) - Next Meeting Date: December 5, 2008
4. League of California Cities - (Mayor Patterson & Council Member Schwartzman) - Next Meeting Date: November 19, 2008 – Legislative Briefings
5. School Liaison Committee -(Council Members Ioakimedes & Hughes) - Next Meeting Date: March 12, 2009
6. Sky Valley Open Space Committee - (Vice Mayor Campbell & Council Member Ioakimedes) - Next Meeting Date: February 4, 2009
7. Solano EDC Board of Directors - (Mayor Patterson & Council Member Ioakimedes) - Next Meeting Date: December 11, 2008
8. Solano Transportation Authority (STA) - (Mayor Patterson & Council Member Schwartzman) - Next Meeting Date: December 10, 2008
9. Solano Water Authority/Solano County Water Agency and Delta Committee - (Mayor Patterson & Vice Mayor Campbell) - Next Meeting Date: December 11, 2008
10. Traffic, Pedestrian and Bicycle Safety Committee - (Vice Mayor Campbell & Council Member Hughes) - Next Meeting Date: To be determined
11. Tri-City and County Regional Parks and Open Space - (Vice Mayor Campbell & Council Member Hughes) - Next Meeting Date: December 8, 2008
12. Valero Community Advisory Panel (CAP) – (Council Member Hughes) - Next Meeting Date: To be determined
13. Youth Action Coalition - (Council Members Ioakimedes & Schwartzman) - Next Meeting Date: December 3, 2008
14. ABAG/CAL FED Task Force/Bay Area Water Forum - (Mayor Patterson) - Next Meeting Date: November 24, 2008

COMMENTS FROM COUNCIL MEMBERS:

Request to agendize the discussion of the need for an ordinance regarding amending development agreement ordinance:

Mayor Patterson reviewed the Council Report.

Council and Staff discussed the issue of development agreements.

On motion of Vice Mayor Campbell, seconded by Council Member Hughes, Council approved bringing this item back for discussion at a future Council meeting, on roll call by the following vote:

Ayes: Council Members Campbell, Hughes, Ioakimedes, and Mayor Patterson

Noes: Council Member Schwartzman

Request to agendaize the discussion of vesting tentative map application amendment:

Mayor Patterson reviewed the Council report. She indicated that this had no reflection on Staff; she was just frustrated with State law and case law. This would give the City an added element of protection.

Council and Staff discussed whether the City could do something beyond State law, making the time frames mesh, and the issue of micromanaging Staff.

On motion of Council Member Campbell, seconded by Mayor Patterson, Council approved bringing this item back for discussion at a future Council meeting, on roll call by the following vote:

Ayes: Council Members Campbell, Ioakimedes, and Mayor Patterson

Noes: Council Members Hughes and Schwartzman

ADJOURNMENT:

Mayor Patterson adjourned the meeting at 10:52 p.m.

Lisa Wolfe, City Clerk