

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  
DECEMBER 2, 2003**

**CALL TO ORDER**

Mayor Messina called the regular meeting of the City Council to order at 8:26 p.m. Tuesday, December 02, 2003, in the Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

**ADMINISTRATION OF OATH OF OFFICE TO ELECTED OFFICIALS:**

Vice Mayor Campbell administered the Oath of Office to elected official City Clerk Lisa Wolfe. City Clerk Lisa Wolfe then administered the Oath of Office to Mayor Messina, City Council Member Patterson, City Councilman Bill Whitney, and City Treasurer Virginia Souza.

**ROLL CALL:**

Present: City Council Members Campbell, Patterson, Smith, Whitney and Mayor Messina.

Absent: None

**PLEDGE OF ALLEGIANCE:**

Mayor Messina let the pledge to the flag.

**REMARKS BY ELECTED OFFICIALS:**

All elected officials thanked family, friends and the community for putting their faith in them and supporting them.

**NOMINATION AND ELECTION OF THE OFFICE OF VICE MAYOR:**

Council Member Whitney motioned to nominate Council Member Patterson to the office of Vice Mayor. Council Member Smith seconded this motion.

**ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**

**ANNOUNCEMENTS:**

Mayor Messina announced the formation of the following Council Sub-Committees: City Employee Compensation Committee, Civic Center Restoration and Public Safety Committee, First Street Revitalization Committee, and the Sunshine Committee.

Mayor Messina gave a brief explanation of the purpose of each committee.

**APPOINTMENTS:**

The following council members were appointed to interview and recommend candidates for the following Boards and Commissions:

Tom Campbell:

- Finance and Audit Committee
- Human Services Fund Board

Elizabeth Patterson:

- Civil Service Commission
- Economic Development Board

- P.U.R.E

Dan Smith:

- Benicia Housing Authority Board of Commissioners
- Library Board of Trustees
- Parks, Recreation and Cemetery

Bill Whitney:

- Design Review Commission
- Historic Preservation Commission
- Planning Commission

Council had discussion on Appointment procedure. Council discussed substituting the Mayor and Vice Mayor interview and recommend candidates for the Boards and Commissions listed above. Mayor Messina asked if there needed to be a vote. Council Member Campbell suggested this issue be deferred and be discussed with the CHANGES TO RULES AND PROCEDURES. Please refer to page 5, NEW BUSINESS: DISCUSSION OF CHANGES TO RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS for further elaboration.

**PRESENTATIONS:**

None

**PROCLAMATIONS:**

None

**ADOPTION OF AGENDA:**

Mayor Messina asked if there were any changes to the Agenda. On motion of Council Member Smith, seconded by Council Member Whitney, and unanimously carried, the Agenda was adopted as presented.

**COMMUNICATIONS:**

**WRITTEN:** None

**PUBLIC COMMENT:**

1. Kitty Griffin - Organizer of Measure K - respectfully requested the Council put Sky Valley at the top of our Agenda of items to be addressed. She feels that the Benicia community wants Sky Valley preserved. Urged Council to begin to investigate avenues for permanent preservation of Sky Valley. She stated there needs to be a public plan. Would like Council to consider having staff research this in a practical way. She would like Council to adopt an open space preservation plan.
2. Donnell Rubay 175 West H Street: Stated that the Mayor did not announce the names of Commission Appointees until this past March. This was after she had several letters with the City Manager. She stated this was the second time she has corrected him on this. Discussed the Anderson Hotel issue. She feels that city involvement will trigger expectations of hope and anxiety among citizens. If this building has no historic culture of value, why use city tax dollars on the project? She feels the City of Benicia needs to explain why we have approved the demolition of the building.
3. John Van Landschoot 175 West H Street: Would like to see the City adopt a more open process for Commissions and Boards. He commented that there has been more participation in the Fairfield City Council since their adoption of a new appointment process. The appointment process could help our level of expertise on Commissions and Boards. He stated that he is a teacher, and feels we need to discuss long-term solutions to correct problems within the

school district. The fundraising efforts thus far have been short-term solutions to current problems.

4. Bob Mutch 695 Knight Drive: Discussed the First Street Revitalization. Feels Councilman Campbell's comments regarding the revitalization need to be taken seriously. He feels that historic preservation and tourism need to be discussed at the Economic Development Board Meetings. We need to make economic development a top priority. Regarding the appointment process - we should not cripple the process by having too many individuals involved. Feels we need to be careful about how we go about filling the open slots.

**CONSENT CALENDAR:**

Mayor Messina asked if there were any requests for items to be pulled from the Consent Calendar. All items on the consent calendar were accepted. On motion of Council Member Whitney, seconded by Council Member Smith, and unanimously carried, the following items were approved under the Consent Calendar.

Council took the following actions:

**RESOLUTION 03-172 - A RESOLUTION AUTHORIZING THE SIGNING AND ENDORSING OF CHECKS AND OTHER INSTRUMENTS**

**RESOLUTION 03-173 - A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR A "GOSERV" GRANT FROM THE GOVERNORS OFFICE ON SERVICE AND VOLUNTEERISM**

On motion of Council Member Whitney, seconded by Council Member Smith, the above Resolutions were adopted by roll call by the following vote:

Ayes: Council Members Campbell, Patterson, Smith, Whiney, and Mayor Messina.

Nays: None

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

**(END OF CONSENT CALENDAR)**

**PUBLIC HEARINGS:**

None

**REPORTS FROM THE CITY MANAGER:**

**VLF:**

City Manager Jim Erickson gave an overview of the current status of the VLF (Vehicle Licensing Fee). This is a big source of revenue for the community. It contributes to public safety, police, fire, etc. The good news is that the Governor has directed legislature to find a way to provide backfill for the moneys that will be lost if this passes. The loss of these funds would impact our ability to pay for expenses in the General Fund. It would affect our bottom line. We currently have 5.5 million dollars in the General Fund Reserve. We would lose approximately one million dollars per year. Our balanced budget would be at risk. Mr. Erickson stated that we need to hold legislature to the promise of replacing the lost funds with the backfill. He stated that we need to bring the importance of this issue to the public's attention. He urged the community to write letters to our elected officials stating our concerns. This issue will be discussed again at the December 16th, 2003 City Council Meeting.

Council Members Campbell, Patterson and Smith voiced concern regarding the impact VLF could have on the budget.

Mayor Messina challenged the City Manager to come up with alternate ways to balance the budget in the event that VLF money is not backfilled to cities.

**ANDERSON HOTEL:**

City Manager Jim Erickson reported that the building is scheduled to be demolished between February

1st and February 15th, 2003. Eleven homes are scheduled to be built on the property. He asked for guidance from the Council regarding whether or not the building should be moved rather than demolished. He questioned whether or not the building had significant community value. Could it be economically restored? Is there a suitable location to move it to? Bottom line, is the structure worth investing time and money in?

**PUBLIC COMMENT:**

1. Jane Lauder 176 West H. Street - She presented Council Members with two handouts; One containing comments from citizens obtained during a meeting on November 24th, 2003. The second contained a bio on her and her interest in preserving the Anderson Hotel. Feels strongly that we should come up with a way to save the building. Does not think the City should subsidize the project. She just wants the City's support in trying to find an alternative to demolishing the building.
2. Bonnie Silviera 641 West I Street - Member of the Benicia Historical Society, which has been active for 30 years. Bonnie reported that the Board of Directors met on December 1st, 2003. The Board does not support the project of moving the Anderson hotel to the bottom of First Street. She does feel that the City needs to have a comprehensive preservation plan in place.
3. Bill Thomason 153 West E. Street - Stated that he has been interested in renovating the buildings for the past two years. There needs to be an 'anchor' or a 'draw' at the end of First Street. States that it would cost as much to build a new hotel as it would to renovate the Anderson hotel. Mr. Thompson does not believe moving the building to the end of First Street would work.
4. Kitty Griffin - States that the most important thing she has heard thus far was the description Ms. Lauder gave of what was inside of the Anderson hotel (Arts and Crafts style) She suggested postponing our decision until more people see the building's interior.
5. Bob Mutch 695 Knight Drive - Stated we need to consider four things: necessity, funding, timeline and desire. He does not think moving the Anderson Hotel would be a good investment for the City.
6. Jane Lauder 176 West H. Street - Reiterated that moving the Anderson Hotel to the end of First Street was just one idea. She is very open to entertaining other options. She just wants the building saved.

Council Member Smith commented that we are compelled by the General Plan to see if we can reuse the building. Council Member Patterson agreed. Council Member Whitney stated that we need feedback from staff by the next Council Meeting (12/16), as time is slipping away. Feels that it would be best to move the building to private property. However, he would like to hear more details and answers on this issue.

Mayor Messina stated he was glad to hear the developers involved do not want this project paid out of City funds. Asked Ms. Lauder if she had an actual developer in mind for the project. She said she had contacted a few, but did not have anything definitive. Mayor Messina urged her to have the developers come forward to assist the city in deciding how to proceed. It was the general agreement of the Council to have staff look further in to this issue. However, he does not want staff to fully take this project on. This is the responsibility of the developers. He needs to see concrete proposals and ideas before we can proceed. Mayor Messina gave direction to City Manager Jim Erickson to come back on 12/16 to report on progress. City Manager Jim Erickson commented that we might need to spend some money to get the answers we are looking for. Council Member Campbell commented he couldn't see spending City dollars on this. We should put time in, but not dollars. Mayor Messina fully agreed this should be the case. Council Member Smith commented that he would be open to spending a small dollar amount on this issue. Council Member Patterson stated it was the proponent's responsibility to develop a feasibility plan. This issue will be revisited at the next City Council Meeting on December 16, 2003.

**REPORTS FROM THE CITY COUNCIL COMMITTEES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**RESOLUTION 03-174 - A RESOLUTION CONFIRMING THE MAYORS APPOINTMENTS OF MEMBERS OF THE CITY COUNCIL TO COUNCIL COMMITTEES.**

On motion of Council Member Whitney, seconded by Mayor Messina, the above Resolution was adopted by roll call by the following vote:

Ayes: Council Members Campbell, Patterson, Smith, Whitney, and Mayor Messina.

Nays: None

**DISCUSSION OF CHANGES TO RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS:** This item will come back to the Council on December 16, 2003. There were many changes, all of which City Attorney Heather McLaughlin will bring back for review on December 16, 2003.

There was discussion regarding the Boards and Commissions appointment process. Council discussed making changes to the Council Rules and Procedures, appointing the Vice Mayor as the Council Member to interview candidates and make recommendations to the Mayor. The City Attorney was instructed to incorporate the discussed changes and bring the resolution back for review. The Council did not approve the Mayor's prior list of Appointments of Council Members to interview and recommend candidates for Boards and Commissions.

**COUNCIL REQUEST FOR NEW AGENDA ITEMS:**

None

**ADJOURNMENT:**

Mayor Messina adjourned the meeting at 11:55 p.m.

Lisa M. Wolfe, City Clerk