

**BENICIA CITY COUNCIL  
REGULAR MEETING AGENDA**

**City Council Chambers  
December 16, 2014  
7:00 PM**

*Times set forth for the agenda items are estimates.  
Items may be heard before or after the times designated.*

*Please Note:  
Regardless of whether there is a Closed Session scheduled, the open session will begin  
at 7:00 PM*

**I. CALL TO ORDER (6:00 PM):**

**II. CLOSED SESSION (6:00 PM):**

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (b) of Section  
54956.9  
Number of potential cases: Three (3)

**III. CONVENE OPEN SESSION (7:00 PM):**

- A. ROLL CALL.**
- B. PLEDGE OF ALLEGIANCE.**
- C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC.**

A plaque stating the fundamental rights of each member of the public is posted at the entrance to this meeting room per section 4.04.030 of the City of Benicia's Open Government Ordinance.

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

**A. ANNOUNCEMENTS.**

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

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

Arts & Culture Commission  
1 unexpired term  
Application due date: January 9, 2015

Civil Service Commission  
1 full term  
Application due date: January 9, 2015

Community Sustainability Commission  
1 full term  
Application due date: January 9, 2015

Finance Committee  
2 full terms  
Application due date: January 9, 2015

Human Services Board  
1 unexpired term  
Application due date: January 9, 2015

Library Board of Trustees  
2 full terms  
Application due date: January 9, 2015

Parks, Recreation & Cemetery Commission  
3 full terms  
Application due date: January 9, 2015

Planning Commission  
2 full terms  
Application due date: January 9, 2015

**3. 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.**

**4. Benicia Arsenal Update**

Update from City Attorney

**B. PROCLAMATIONS.**

**C. APPOINTMENTS.**

- 1. Appointment of Margaret (Maggie) Kolk to the Human Services Board for an unexpired term ending January 31, 2017**
- 2. Mayor's Appointment of Members of the City Council to Standing, Ad Hoc and Outside Agency Committees**

**D. PRESENTATIONS.**

- 1. SoFlt City Presentation**

**V. ADOPTION OF AGENDA:**

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the City Council from responding to or acting upon matters not listed on the agenda. Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

**A. WRITTEN COMMENT.**

**B. PUBLIC COMMENT.**

**VII. CONSENT CALENDAR (7:30 PM):**

Items listed on the Consent Calendar are considered routine and will be enacted, approved or adopted by one motion unless a request for removal or explanation is received from a Council Member, staff or member of the public. Items removed from the Consent Calendar shall be considered immediately following the adoption of the Consent Calendar.

**A. APPROVAL OF THE MINUTES OF THE DECEMBER 2, 2014 CITY COUNCIL MEETINGS. (City Clerk)**

**B. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING SECTION 2.76.040 (MEETING TIME AND PLACE) OF CHAPTER 2.76 (PARKS, RECREATION AND CEMETERY COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF BENICIA MUNICIPAL CODE TO CHANGE THE TIME OF THE MEETING TO THE SECOND WEDNESDAY OF EVERY OTHER MONTH. (Parks and Community Services Director)**

Change the meeting time for the Parks, Recreation and Cemetery Commission from the second Wednesday of each month to the second Wednesday of every other month, commencing with the New Year.

**Recommendation: Adopt the ordinance amending Section 2.76.040 to change Park, Recreation and Cemetery Commission’s meeting to the second Wednesday of every other month.**

**C. AUTHORIZE THE PURCHASE OF ONE (1) ZOLL X-SERIES CARDIAC MONITOR, INCLUDING MONITOR SUPPLIES AND SERVICE CONTRACT. (Fire Chief)**

The Benicia Fire Department is requesting to purchase one (1) Zoll X-Series Cardiac Monitor. Three monitors were originally purchased in the last fiscal year. A grant has since been awarded for four monitors, including the three that were previously acquired. The receipt of this grant, and the purchase of this final monitor, will allow the Department to continuously maintain our ALS service delivery capabilities when one of the current monitors needs maintenance and a loaner (as provided by the service agreement) has not yet arrived. It will also allow the Department to have the additional resource available for special events or during periods when there may be a need to staff additional apparatus.

**Recommendation: Adopt the resolution authorizing the purchase of one (1) Zoll X-Series Cardiac Monitor, including monitor supplies and service contract, in the amount of \$32,941.47.**

**D. AUTHORIZE MEMBERSHIP IN THE WESTERN REGIONAL WATER COALITION. (Public Works Director)**

The Western Recycled Water Coalition (WRWC) is a collaboration among cities, water and wastewater districts, and investor-owned water utilities that lobbies for and facilitates Federal funding for recycled water projects. By joining WRWC as an Associate Participant, Benicia will gain access to expertise and assistance in planning and funding for future recycled water projects.

**Recommendation: Authorize the City of Benicia to join the Western Recycled Water Coalition as an Associate Participant and authorizing the City Manager to sign the Associate Participant Addendum to the Western Recycled Water Coalition Memorandum of Agreement.**

**E. REVIEW OF NOVEMBER WATER REPORT. (Public Works Director)**

Benicia customers are continuing to conserve water and their efforts are acknowledged and appreciated. Benicia has reduced its water use by 19.5% since January 2014 compared to the same time frame in 2013, or 22% since March 2014 (which is after City Council implemented a community wide goal of voluntarily reducing water consumption by 20%). A recent media release from the State Water Resources Control Board reported that statewide residential water savings for October 2014 was only 6.7% in year over year water use.

**Recommendation: Receive the City's water supply and usage update.**

**F. APPROVAL OF AMENDMENT TO AGREEMENT WITH V.W. HOUSEN & ASSOCIATES FOR CONTINUED ENGINEERING SUPPORT SERVICES AND CAPITAL IMPROVEMENT PLANNING FOR THE PUBLIC WORKS DEPARTMENT. (Public Works Director)**

City staff does not have the expertise or capacity to perform this work in-house. The consultant has the expertise necessary for the various water and wastewater enterprise related tasks. The Amendment to Agreement will allow for the completion of existing tasks as well as expanding the scope of work to meet the needs of the Public Works Department related to water and wastewater capital project planning and implementation through June 2015.

**Recommendation: Adopt a resolution approving an amendment to the agreement for continued engineering support services and capital improvement planning for the Public Works Department with V.W. Housen & Associates for a not-to-exceed cost of \$59,040 and authorizing the City Manager to sign the Amendment to Agreement on behalf of the City.**

**G. APPROVAL OF METEOROLOGICAL LICENSE AND ENVIRONMENTAL STUDY AGREEMENT FOR CITY OWNED PROPERTY. (Economic Development Manager)**

Exelon Energy Company has proposed a five year license agreement to access City owned property north of Lake Herman to conduct various meteorological and environmental tests to determine the feasibility of installing wind turbines.

**Recommendation: Approve the proposed meteorological license and environmental study agreement for City owned property North of Lake Herman Road.**

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

**VIII. BUSINESS ITEMS (7:45 PM):**

A public hearing should not exceed one hour in length. To maximize public participation, the council requests that speakers be concise and avoid repetition of the remarks of prior speakers. Instead, please simply state whether you agree with prior speakers.

- A. REVIEW OF PROPOSAL TO PREPARE A MANUAL TO GUIDE THE PURPOSE AND WORK OF THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES. (City Manager and Assistant City Manager)**

The City Council will receive a presentation regarding the preparation of a manual to guide the purpose and work of the City's boards, commissions and committees.

**Recommendation: Review proposal regarding preparation of a manual to guide the purpose and work of the City's boards, commissions and committees and provide input.**

- B. COMMUNITY SUSTAINABILITY COMMISSION FUNDING REQUEST. (Interim Community Development Director)**

On May 19, 2014, the Community Sustainability Commission (CSC) requested that funds raised through its direct efforts (without assistance from staff), including CSC initiated grant applications, fund-raisers and funds returned to the City from grants it may make in the future (e.g., revolving loan funds or profits), be allocated by the Council back to the Commission for disposition in furtherance of its mission.

**Recommendation: Review and consider the Community Sustainability Commission's request to have full authority over funds it may raise by applying for and receiving grants, through fund-raisers, and through profit-sharing or revolving loan funds in furtherance of the City's goal of implementing the Climate Action Plan.**

- C. Council Member Committee Reports: (Council Member serve on various internal and external committees on behalf of the City. Current agendas, minutes and meeting schedules, as available, from these various committees are included in the agenda**

packet. Oral reports by the Council Members are made only by exception.)

1. **Mayor's Committee Meeting.**  
(Mayor Patterson)  
Next Meeting Date: December 17, 2014
2. **Association of Bay Area Governments (ABAG)**  
<http://www.abag.ca.gov/>.  
(Mayor Patterson and Council Member Strawbridge)  
Next Meeting Date: TBD
3. **Finance Committee.**  
(Council Member Campbell and Council Member Strawbridge)  
Next Meeting Date: December 18, 2014
4. **League of California Cities.**  
(Mayor Patterson and Council Member Campbell)  
Next Meeting Date: January 21, 2015
5. **School Liaison Committee.**  
(Vice Mayor Hughes and Council Members Strawbridge)  
Next Meeting Date: March 5, 2015
6. **Sky Valley Open Space Committee.**  
(Council Member Campbell and Council Member Schwartzman)  
Next Meeting Date: TBD
7. **Solano EDC Board of Directors.**  
(Mayor Patterson and Council Member Strawbridge)  
Next Meeting Date: January 22, 2015
8. **Solano Transportation Authority (STA).**  
<http://www.sta.ca.gov/>  
(Mayor Patterson and Council Member Schwartzman)  
Next Meeting Date: January 14, 2015
9. **Solano Water Authority-Solano County Water Agency and Delta Committee.**  
<http://www.scwa2.com/>  
(Mayor Patterson and Vice Mayor Hughes)  
Next Meeting Date: January 8, 2015
10. **Traffic, Pedestrian and Bicycle Safety Committee.**  
(Council Member Campbell and Council Member Schwartzman)  
Next Meeting Date: January 15, 2015

11. **Tri-City and County Cooperative Planning Group.**  
**(Mayor Patterson and Council Member Strawbridge)**  
**Next Meeting Date: TBD**
  
12. **Valero Community Advisory Panel (CAP).**  
**(Mayor Patterson and Vice Mayor Hughes)**  
**Next Meeting Date: TBD**
  
13. **Youth Action Coalition.**  
**(Mayor Patterson, Vice Mayor Hughes and Council Member Strawbridge)**  
**Next Meeting Date: January 28, 2015**
  
14. **ABAG-CAL FED Task Force-Bay Area Water Forum.**  
**<http://www.baywaterforum.org/>**  
**(Mayor Patterson)**  
**Next Meeting Date: TBD**
  
15. **SOLTRANS Joint Powers Authority.**  
**(Mayor Patterson, Vice Mayor Hughes and Council Member Schwartzman)**  
**Next Meeting Date: January 15, 2015**

**IX. ADJOURNMENT (9:00 PM):**

<b>Public Participation</b>
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The Benicia City Council welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.

Should you have material you wish to enter into the record, please submit it to the City Manager.

## **Disabled Access or special Needs**

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Anne Cardwell, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

## **Meeting Procedures**

All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

## **Public Records**

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us) under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerk's Office.



**RESOLUTION NO. 14-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF MARGARET (MAGGIE) KOLK TO THE BENICIA HUMAN SERVICES BOARD TO FILL AN UNEXPIRED TERM ENDING JANUARY 31, 2017**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Benicia that the appointment of Margaret (Maggie) Kolk to the Benicia Human Services Board by Mayor Patterson is hereby confirmed.

\*\*\*\*\*

The above Resolution was approved by roll call by the City Council of the City of Benicia at a regular meeting of said Council held on the 16<sup>th</sup> day of December 2014 and adopted by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

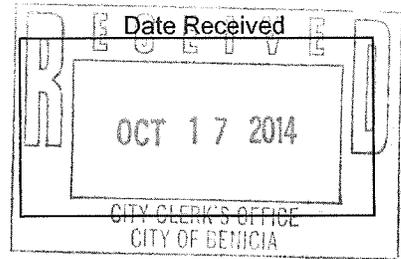
Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date



New!



### City of Benicia Board/Commission/Committee Application

It is the intent of the City Council to have Boards, Commissions or Committees composed of people from all geographical, social, environmental and economic sectors of the community and to avoid potential conflicts of interest.

Please check the board, commission, or committee you wish to apply for:

- Arts and Culture Commission
- Benicia Housing Authority Board of Commissioners
- Board of Library Trustees
- Civil Service Commission
- Economic Development Board
- Finance, Audit & Budget Committee
- Historic Preservation Review Commission
- Human Services Board
- Open Government Commission
- Parks, Recreation & Cemetery Commission
- Planning Commission
- Sustainability Commission
- Sky Valley Open Space Committee
- Uniform Code Board of Appeals

11/3/14

Name: MARGARET (MAGGIE) KOLIK KOLK

Address: [REDACTED] Benicia, CA 94510

Phone: (Work) [REDACTED] (Home) [REDACTED]

(Cell) [REDACTED] Fax: [REDACTED]

Email: [REDACTED] Years as Benicia resident: 6 mos.

Occupation/Employer: Food Scientist, Public Health NSF International

Please note your most recent community or civic volunteer experience: \_\_\_\_\_

Global Growers, Decatur, GA, Developed food SAFETY TRAINING for refugee farmers, City of Decatur - Wine/Fest, Beer Fest, Book Faire

Founding member of No. Gwinnett Education Fdn - Fund local schools

All applications are considered public records and will be retained in an active file for at least one year from date of receipt.

Signature: Margaret Kolk Date: 9/12/14

**Question 1. What interests you about this Board?** My past community volunteer efforts focused on schools, community health, nutrition and food security. I would like to be able to continue my involvement in these areas and expand my knowledge and experience in other areas.

Also, I believe my experience as a member of the North Gwinnett Education Foundation in Suwanee, GA (my previous home), where I participated on a team responsible for reviewing grant applications, making site visits to schools and working with the other foundation members to determine the grant recipients may have helped prepared me for the Benicia Human Services Board work.

I have not attended a Board meeting.

**Question 2. Time commitment?** I will have the time and will be committed to attending meetings and outreach events. I work for an international public health and safety company based in Ann Arbor, MI. I work out of my home office in Benicia and have control over my travel schedule.

**Question 3. Particular segment of human services?** Community health, nutrition and food security for underserved populations have been a life-long interest, starting with volunteering at the Berkeley Free Clinic while in college up to my most recent volunteer experience with Global Growers (a farm education/outreach program for recently arrived refugees in Clarkston, GA).

**Question 4. Why do you think human services needs to play a lead role in fortifying the quality of life in Benicia?**

Healthy, vital communities thrive by offering support and protection to their vulnerable and at risk populations. This support often must be delivered through the volunteer efforts of community members who can offer the time, commitment as well as the emotional and intellectual resources. Supporting community outreach programs benefits the entire city of Benicia and its residents enhancing the quality of all who live, work and play here.

Thanks for your consideration.

Submitted by,

Maggie Kolk  
September 30, 2014

██████████  
██████████

**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**APPOINTMENTS**

**DATE** : December 8, 2014  
**TO** : City Council  
**FROM** : Mayor  
**SUBJECT** : **APPOINTMENTS OF ALTERNATES TO COUNCIL COMMITTEES**

**RECOMMENDATION:**

Confirm the proposed appointments of Council Members to Standing, Ad Hoc and Outside Agency Committees and discuss if appropriate.

**EXECUTIVE SUMMARY:**

Following a City Council election, the Mayor proposes appointments to the various Council Committees.

**STRATEGIC PLAN:**

N/A

**BUDGET:**

N/A

**BACKGROUND:**

Thank you for your response to my email requesting your thoughts about committee assignments. I made an effort to recognize work schedules in order to have good attendance for the daytime meetings. I have met most of your requests with a few changes to meet my criteria.

The committee assignments are made with the goal of achieving fair share of the work load, providing more opportunities for council members who have not served on a committee, or for only a short time and to meet specific requests, and, in a couple of instances, to ensure continuity.

The following page includes the listing of all the committees – Outside Agency, Standing and Ad Hoc – by number of times they meet. In other words, listed first are monthly meetings. In many instances the alternate for monthly meetings may actually only attend once or twice a year. Following the monthly meetings are the

other meetings that meet less than once a month and the last listing are the Ad Hoc committees.

<b><u>Monthly Meetings</u></b>	<b><u>Primary</u></b>	<b><u>Alternate</u></b>
Solano Transportation Authority	Mayor	Tom Campbell
Solano County Water Agency Delta Subcommittee	Mayor Mayor	Tom Campbell Mark Hughes
Solano Open Space (Tri-City County Group)	Mark Hughes	Alan Schwartzman
SolTrans 2 full appointments	Mayor Tom Campbell	Mark Hughes
Finance Committee	Alan Schwartzman	Christina Strawbridge
Marin Clean Energy	Christina Strawbridge	Alan Schwartzman
<b><u>Less than Monthly Meetings</u></b>	<b><u>Primary</u></b>	<b><u>Alternate</u></b>
School District Liaison	Mark Hughes	Christina Strawbridge
Solano Economic Development	Mark Hughes	Mayor
Traffic, Pedestrian and Bicycle Safety Committee	Mark Hughes	Christina Strawbridge
Youth Action Coalition	Christina Strawbridge	Mark Hughes
ABAG	Mark Hughes	Alan Schwartzman
League of Cities	Mayor	Mark Hughes
<b><u>Ad Hoc</u></b>		
Arsenal	Mayor	Alan Schwartzman
Sky Valley	Tom Campbell	Mark Hughes
Valero Citizens Advisory (CAP)	Tom Campbell	Alan Schwartzman

Attachments:

- Resolution
- Resolution 13-1

## RESOLUTION 14-

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING MAYOR'S APPOINTMENTS OF MEMBERS OF THE CITY COUNCIL TO STANDING, AD HOC AND OUTSIDE AGENCY COMMITTEES

#### COMMITTEES

<u>OUTSIDE AGENCY COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
ABAG	Mark Hughes	Alan Schwartzman (Alternate)
LEAGUE OF CALIFORNIA CITIES	Elizabeth Patterson	Mark Hughes (Alternate)
SOLANO EDC BOARD OF DIRECTORS	Mark Hughes	Elizabeth Patterson (Alternate)
SOLANO TRANSPORTATION AUTHORITY	Elizabeth Patterson	Tom Campbell (Alternate)
SOLANO WATER AUTHORITY/SOLANO COUNTY WATER AGENCY DELTA SUBCOMMITTEE	Elizabeth Patterson	Tom Campbell (Alternate)
	Elizabeth Patterson	Mark Hughes (Alternate)
TRI-CITY & COUNTY COOPERATIVE PLANNING GROUP	Mark Hughes	Alan Schwartzman (Alternate)
SOLTRANS JOINT POWERS AUTHORITY	Elizabeth Patterson Tom Campbell	Mark Hughes (Alternate)
MARIN CLEAN ENERGY (MCE)	Christina Strawbridge	Alan Schwartzman (Alternate)
<u>STANDING COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
FINANCE COMMITTEE	Alan Schwartzman	Christina Strawbridge
SCHOOL DISTRICT LIAISON	Mark Hughes	Christina Strawbridge
TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY COMMITTEE	Mark Hughes	Christina Strawbridge
YOUTH ACTION COALITION	Christina Strawbridge	Mark Hughes
<u>AD HOC COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
ARSENAL INVESTIGATION & REMEDATION COMMITTEE	Elizabeth Patterson	Alan Schwartzman
SKY VALLEY AREA OPEN SPACE	Tom Campbell	Mark Hughes
VALERO CITIZENS ADVISORY COMMITTEE (CAP)	Tom Campbell	Alan Schwartzman (Alternate)

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia hereby confirms the above Committee appointments and any resolutions inconsistent with this resolution are superseded.

\*\*\*\*\*

The above Resolution was approved by roll call by the City Council of the City of Benicia at a regular meeting of said Council held on the 16<sup>th</sup> day of December 2014 and adopted by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date

**RESOLUTION 13-1**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING  
MAYOR'S APPOINTMENTS OF MEMBERS OF THE CITY COUNCIL TO STANDING,  
AD HOC AND OUTSIDE AGENCY COMMITTEES**

**COMMITTEES**

<u>OUTSIDE AGENCY COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
ABAG	Elizabeth Patterson	Christina Strawbridge (Alternate)
LEAGUE OF CALIFORNIA CITIES	Elizabeth Patterson	Tom Campbell (Alternate)
SOLANO EDC BOARD OF DIRECTORS	Elizabeth Patterson	Christina Strawbridge (Alternate)
SOLANO TRANSPORTATION AUTHORITY	Elizabeth Patterson	Alan Schwartzman (Alternate)
<b>SOLANO WATER AUTHORITY/SOLANO COUNTY WATER AGENCY</b>	Elizabeth Patterson	<b>Mark Hughes (Alternate)</b>
TRI-CITY & COUNTY COOPERATIVE PLANNING GROUP	Elizabeth Patterson	Christina Strawbridge (Alternate)
SOLTRANS JOINT POWERS AUTHORITY	Elizabeth Patterson Mark Hughes	Alan Schwartzman (Alternate)
<u>STANDING COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
FINANCE COMMITTEE	Tom Campbell	Christina Strawbridge
SCHOOL DISTRICT LIAISON	Mark Hughes	Christina Strawbridge
TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY COMMITTEE	Alan Schwartzman	Tom Campbell
YOUTH ACTION COALITION	Christina Strawbridge	Mark Hughes
<u>AD HOC COMMITTEES</u>	<u>COUNCIL APPOINTEES</u>	
ARSENAL INVESTIGATION & REMEDATION COMMITTEE	Elizabeth Patterson	Alan Schwartzman
SKY VALLEY AREA OPEN SPACE	Tom Campbell	Alan Schwartzman
VALERO CITIZENS ADVISORY COMMITTEE (CAP)	Mark Hughes	Elizabeth Patterson (Alternate)

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia hereby confirms the above Committee appointments and any resolutions inconsistent with this resolution are superseded.

\*\*\*\*\*

The above Resolution was approved by roll call by the City Council of the City of Benicia at a regular meeting of said Council held on the 15<sup>th</sup> day of January 2013 and adopted by the following vote:

**Ayes: Council Members Campbell, Hughes, Schwartzman, Strawbridge and Mayor Patterson**

**Noes: None**

**Absent: None**



Elizabeth Patterson, Mayor

ATTEST:



Lisa Wolfe, City Clerk

MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
December 02, 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 Closed Session to order at 6:00 p.m.

All Council Members were present.

**II. CLOSED SESSION:**

**A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (b) of  
Section 54956.9  
Number of potential cases: One (1)

**B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Subdivision (b) of Government Code Section 54957)  
Title: City Attorney

**III. CONVENE OPEN SESSION:**

Mayor Patterson called the meeting to order at 7:02 p.m.

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

Supervisor Linda Siefert led the Pledge of Allegiance.

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

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

Mayor Patterson discussed the recent tragic death of Arlen Ingle. She encouraged citizens to support the family. She asked for a moment of silence.

**A. ANNOUNCEMENTS**

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

Heather McLaughlin, City Attorney, reported the following actions taken during Closed Session:

Item II.A - Council received information from Staff.

Item II.B - Council received information from Ms. McLaughlin.

**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. Boards & Commissions - Council Subcommittee  
Recommendations: Subcommittee recommendation to Mayor of Margaret (Maggie) Kolk to the Human Services Board for an unexpired term ending January 31, 2017**

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

**5. Benicia Arsenal Update**

Verbal update from City Attorney

Ms. McLaughlin reported that besides the Department of Toxic Substance Controls (DTSC) sending the City bills for work, it gave the City a 30-day extension on each of the projects for approaching deadlines.

**B. PROCLAMATIONS**

**C. APPOINTMENTS**

**D. PRESENTATIONS**

**V. ADOPTION OF AGENDA:**

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

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

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

Two items were received (copies on file).

**B. PUBLIC COMMENT**

None

**VII. CONSENT CALENDAR:**

Council pulled item VII.E for discussion.

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

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

**A. APPROVAL OF THE MINUTES OF THE NOVEMBER 18, 2014 CITY COUNCIL MEETING**

**B. SECOND READING AND ADOPTION OF AN ORDINANCE FOR REASONABLE ACCOMMODATION**

**ORDINANCE 14-10 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING TITLE 17 (ZONING) OF THE BENICIA MUNICIPAL CODE BY ADDING CHAPTER 17.132 (REASONABLE ACCOMMODATION) AND AMENDING THE DOWNTOWN MIXED USE MASTER PLAN TO REFERENCE CHAPTER 17.132 (REASONABLE ACCOMMODATION)**

**C. SECOND READING AND ADOPTION OF AN ORDINANCE FOR TRANSITIONAL HOUSING, SUPPORTIVE HOUSING AND EMERGENCY HOMELESS SHELTER**

**ORDINANCE 14-11 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING TITLE 17 (ZONING) BY ADDING A DEFINITION (TARGET POPULATIONS) TO SECTION 17.12.030 (DEFINITIONS) OF CHAPTER 17.12, ADDING NEW USE CLASSIFICATIONS TO SECTIONS 17.16.030 AND 17.16.040 (SUPPORTIVE HOUSING, TRANSITIONAL**

**HOUSING, AND EMERGENCY SHELTER, RESPECTIVELY) OF CHAPTER 17.16, AMENDING SECTION 17.24.020 (RS, RM, AND RH DISTRICTS-LAND USE REGULATIONS) OF CHAPTER 17.24 (RESIDENTIAL DISTRICTS) TO ADD THE NEW LAND USE CLASSIFICATIONS (EMERGENCY SHELTER, SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING), AMENDING SECTION 17.28.020 (CC, CO, CG, AND CW DISTRICTS – LAND USE REGULATIONS) OF CHAPTER 17.28 TO ADD A NEW LAND USE CLASSIFICATION (EMERGENCY SHELTER), AMENDING SECTION 17.36.030 (LAND USE REGULATIONS) OF CHAPTER 17.36 TO ADD NEW LAND USE CLASSIFICATIONS (SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING), AMENDING SECTION 17.40.030 (LAND USE REGULATIONS) OF CHAPTER 17.40 TO ADD NEW LAND USE CLASSIFICATION (EMERGENCY SHELTER), ADDING SECTION 17.70.390 (EMERGENCY SHELTER) TO CHAPTER 17.70 (SITE REGULATIONS), AMENDING SECTION 17.46.010 (SCHEDULE S-1, SUMMARY OF LAND USE REGULATIONS), AMENDING SECTION 17.74.030 (OFF-STREET PARKING AND LOADING REGULATIONS) TO ESTABLISH PARKING STANDARDS FOR SUPPORTIVE HOUSING, TRANSITIONAL HOUSING, AND EMERGENCY SHELTERS, AMENDING SECTION 17.108.020 REGARDING DESIGN REVIEW FOR EMERGENCY SHELTERS, AND AMENDING THE DOWNTOWN MIXED USE MASTER PLAN, CHAPTER 4: FORM BASED CODES, TO DEFINE AND ADD SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING AS PERMITTED USE CLASSIFICATIONS IN ALL DOWNTOWN DISTRICTS**

**D. ACCEPTANCE OF THE BENICIA SAFE ROUTES TO SCHOOL PROJECT**

**RESOLUTION 14-138 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA ACCEPTING THE BENICIA SAFE ROUTE TO SCHOOL PROJECT AS COMPLETE INCLUDING STAFF APPROVED CONTRACT CHANGE ORDER NOS. 1 - 3, AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION, AND AUTHORIZING THE CITY CLERK TO FILE THE SAME WITH THE SOLANO COUNTY RECORDER**

**E. REVIEW AND ACCEPTANCE OF THE INVESTMENT REPORT FOR THE QUARTERS ENDED JUNE 2014 AND SEPTEMBER 2014**

Vice Mayor Campbell discussed the need for the City to look at its investment policy. With the CPI, the City is going negative. The City is consistently not doing well. At best it is holding even and at times, going negative.

Mayor Patterson noted that that issue was addressed in the minutes, but she did not see them in the staff report. She asked that after discussion, Council could give direction to address that issue.

Council Member Schwartzman agreed it was a good thing to discuss. The City would have to be careful at what it looked at.

Public Comment:

None

Staff discussed the Finance Committee's work plan. Staff is happy to do what Council wants, but it may force them to shift some priorities.

Mayor Patterson clarified that not everyone was familiar with how Council developed the rules in 2004, so it may be helpful to clarify that. The rules adopted in 2004 were modeled after the City of Fairfield, but tighter. Staff could compare what the City of Benicia adopted against what Fairfield has, and report back to Council.

Staff asked that when Council gives direction on this item, they could allow Staff to evaluate the time required to do it. Staff has a heavy schedule for the next 6-7 months.

Council Member Strawbridge suggested having the City's investment manager come and make a presentation to the City.

Mayor Patterson suggested the presentation be made at the Finance Committee and then they can report to Council.

On motion of Council Member Hughes, seconded by Council Member Strawbridge, Council reviewed and accepted the Investment Report for the quarters ended June 2014 and September 2014, and gave direction to Staff, on roll call by the following vote:

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

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

**VIII. BUSINESS ITEMS:**

**A. PUBLIC NOTICING REQUIREMENTS**

Dan Marks, Interim Community Development Director, reviewed the staff report.

Vice Mayor Campbell and Staff discussed how public notices at shopping centers would be dealt with, specifically the separate businesses within the

centers.

Council Member Hughes and Staff discussed individual notifications for the shop owners in shopping centers, what the cost would be to do individual tenant notifications at shopping centers, and the previous issues brought up by Ace Hardware regarding notifications within the Raley's Shopping Center.

Mayor Patterson discussed the need to put the posters up in the shopping centers, as well as the individual tenant notifications. She and Staff discussed the telecommunication tower issues and concerns regarding height and traffic concerns are brought to the tenant's attention. Staff discussed the issue of story poles, cost of labels, etc. Mayor Patterson suggested putting optional elements in the ordinance regarding sensitivity issues such as height, view shed, etc. are affected.

Council Member Schwartzman suggested putting the large sign by a project such as one at an apartment complex facing outward so that everyone would see it coming and going - to ensure it would be very visible.

Public Comment:

None

Mayor Patterson summarized that the direction to Staff was to go forward as recommended in the staff report, to come up with a program and changes to the ordinance, and meet with the Benicia Chamber of Commerce, and the Merchants Association in Southamptton.

Council Member Hughes asked that Staff take the individual tenant notifications into consideration at the three shopping centers.

**B. APPROVING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 4, 2014**

**RESOLUTION 14-139 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 4, 2014**

Lisa Wolfe, City Clerk, reviewed the staff report.

Public Comment:

None

On motion of Council Member Strawbridge, seconded by Vice Mayor Campbell, Council adopted Resolution 14-139, on roll call by the following vote:

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

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting at 7:36 p.m.



MINUTES OF THE  
REGULAR MEETING – CITY COUNCIL  
December 02, 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 7:45 p.m.

**A. ADMINISTRATION OF OATH OF OFFICE TO ELECTED OFFICIALS**

Lisa Wolfe, City Clerk, administered the Oath of Office to Council Members Hughes and Schwartzman.

**II. CLOSED SESSION:**

**III. CONVENE OPEN SESSION:**

**A. ROLL CALL**

All Council Members were present.

**B. PLEDGE OF ALLEGIANCE**

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

**D. REMARKS BY ELECTED OFFICIALS**

Mayor Patterson congratulated Council Members Hughes and Schwartzman.

Council Member Schwartzman congratulated Council Member Hughes. He thanked the community for supporting him. He is honored to serve the City. He is looking forward to the next four years.

Council Member Hughes congratulated Council Member Schwartzman. He is honored to serve the City for four more years. He wished there would have been more candidates for the citizens to choose from, but was delighted to not have to run a full blown campaign. He is proud of the current Council and the work they have been able to do for the City. He thanked his colleagues, Staff, and the citizens for their support.

**E. NOMINATION AND ELECTION OF VICE MAYOR**

Council Member Schwartzman nominated Council Member Hughes to be Vice Mayor.

On motion of Mayor Patterson, seconded by Council Member Schwartzman, Council approved the nomination of Council Member Mark Hughes as Vice Mayor, on roll call by the following vote:

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

**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:**

**4. Benicia Arsenal Update**

Update from City Attorney

**B. PROCLAMATIONS**

**C. APPOINTMENTS**

**1. Appointment of Council Member Alan Schwartzman to the City Council Appointment Sub Committee for a one-year term ending September 30, 2015.**

**RESOLUTION 14-140 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF COUNCILMEMBER ALAN SCHWARTZMAN TO A CITY COUNCIL APPOINTMENT SUBCOMMITTEE FOR A ONE-YEAR TERM ENDING SEPTEMBER 30, 2015**

On motion of Mayor Patterson, Council adopted Resolution 14-140, on roll call by the following vote:

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

**D. PRESENTATIONS**

**1. COMMUNITY SUSTAINABILITY COMMISSION ANNUAL REPORT**

**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, Hughes  
Noes: (None)

**VI. OPPORTUNITY FOR PUBLIC COMMENT:**

**A. WRITTEN COMMENT**

None

**B. PUBLIC COMMENT**

None

**VII. CONSENT CALENDAR:**

Council pulled items VII.A and VII.D for discussion.

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

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

**A. NAMING OR MEMORIALIZING OF CITY FACILITIES, PARKS, OPEN SPACES AND TRAILS**

**RESOLUTION 14-141 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE FACILITY NAMING POLICY**

1. Public Comment:

Bonnie Silveria - Ms. Silveria discussed changing the time from 3 years down to 1.5 years after someone passes away to be able to name a park after them. She discussed the process for changing the name of a park.

Vice Mayor Hughes discussed shortening the wait to 2 years after someone passes away to be able to name a park after them.

Council Member Schwartzman discussed support for the suggested 3-year wait.

Staff discussed the renaming policy that was recommended. There is currently no timeframe set. Council suggested 10 or 20 years for renaming a park, and making reference to any 'special circumstances.'

Vice Mayor Hughes and Staff discussed the renaming issue. He would like the issue to go to the Parks, Recreation and Cemetery Commission.

Council Member Campbell and Staff discussed the renaming policy, and under what circumstances a park would be renamed. They discussed having a 10-year limit before a park could be renamed. Council Member Campbell discussed the need to wait on the renaming issue so emotions could be taken out of the equation.

Mayor Patterson suggested changing the park-naming policy to a 2-year wait after someone passes away, and then not again before 10 years, unless there were special circumstances.

Vice Mayor Hughes discussed concern regarding changing park names too often. Staff confirmed that a park had not been renamed in the past 18 years. He made a motion to approve the Resolution with the change regarding a 2-year wait rather than a 3-year wait after someone passes away.

On motion of Council Member Hughes, seconded by Council Member Strawbridge, Council adopted Resolution 14-141, as amended, on roll call by the following vote:

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

**B. BUDGET TO ACTUAL REPORTS FOR ALL FUNDS, THE FIRST QUARTER AND AMENDING THE FISCAL YEAR 2014-2015 BUDGET**

**RESOLUTION 14-142 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2014-15**

- C. **CHANGING THE MEETING TIME FOR THE PARKS, RECREATION AND CEMETERY COMMISSION FROM THE SECOND WEDNESDAY OF EACH MONTH TO THE SECOND WEDNESDAY OF EVERY OTHER MONTH**

**ORDINANCE 14- - AN ORDINANCE AMENDING SECTION 2.76.040 (MEETING TIME AND PLACE) OF CHAPTER 2.76 (PARKS, RECREATION AND CEMETERY COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE TO CHANGE THE MEETING TIME TO THE SECOND WEDNESDAY OF EVERY OTHER MONTH**

- D. **ADOPTION OF THE 2015 CITY COUNCIL REGULAR MEETING CALENDAR**

Mayor Patterson suggested eliminating the 1/27/15, 11/24/15, and 12/22/15 from the proposed calendar.

Public Comment:

None

Council Member Hughes discussed possibly eliminating the 5/26/15 meeting, as it was the day after Memorial Day. He decided to leave it on the calendar and wait and see if it needed to be cancelled.

On motion of Council Member Schwartzman, seconded by Council Member Hughes, Council adopted the 2015 City Council Regular Meeting Calendar, as amended, on roll call by the following vote:

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

- E. **APPROVE THE AMENDMENT TO THE CONTRACT SERVICES AGREEMENT BETWEEN THE CITY OF BENICIA AND MANAGEMENT PARTNERS**

**RESOLUTION 14-143 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING THE CONTRACT WITH MANAGEMENT PARTNERS FOR INTERIM COMMUNITY DEVELOPMENT MANAGEMENT SERVICES**

- F. **APPROVE THE AMENDMENT TO THE CONTRACT SERVICES AGREEMENT BETWEEN THE CITY OF BENICIA AND RENNE SLOAN HOLTZMAN SAKAI**

**RESOLUTION 14-144 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING THE CONTRACT WITH RENNE SLOAN HOLTZMAN SAKAI LLP**

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

**VIII. BUSINESS ITEMS:**

- A. **JOINT REPORT TO CITY COUNCIL ON THE VOTERS FORUM BY THE OPEN GOVERNMENT COMMISSION, THE LEAGUE OF WOMEN VOTERS BENICIA, AND THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN.**

Heather McLaughlin, City Attorney, introduced the staff report.

Gail Vaughn and Kathy Kerridge, League of Women Voters, reviewed how the forum went.

Vice Mayor Hughes and Staff discussed how beneficial the joint forum was. It would be worth having a discussion with the Open Government Commission and League of Women Voters to discuss the pros and cons of continuing with a joint forum.

Council Member Schwartzman discussed the benefits of consolidating the forums, but the Open Government Commission one does need to be later in order to address any hit pieces.

Council Member Campbell discussed the Open Government Commission's reasoning for having the later forum. He is inclined to move the Open Government Commission's forum closer to the absentee ballot timing.

Public Comment:

None

Mayor Patterson gave direction to Staff to consider changes to the Ordinance that provide for collaboration, yet still provide time for addressing any hit pieces, and take into consideration the earlier time for the forum matching the changes in the demographics.

Ms. McLaughlin confirmed she would bring Council's direction to the Open Government Commission so they could make a recommendation to Council.

## **B. MEASURE C IMPLEMENTATION PLAN**

Mario Giuliani, Economic Development Manager, reviewed the staff report.

Council Member Campbell and Staff discussed the issue of tracking the incoming increase in sales tax funds, and the possibility of setting up a separate fund within the General Fund for the Measure C funds.

Brad Kilger, City Manager, discussed the rules of Measure C being a general tax. Staff could monitor it and track it, but it could not be in a separate fund.

Mayor Patterson discussed having a resolution to signify and memorialize that the Finance Committee would be the Oversight Committee for the Measure C funds. There is no reason Council can't charge them with the audit responsibilities, as it would just be tracking money. It allows the Finance Committee to develop performance measures.

Heather McLaughlin clarified that Council had already given the Finance Committee the aforementioned responsibilities. Mayor Patterson stated that it was eluded to, but not made clear.

Brad Kilger, City Manager, discussed the overall goal of Measure C. He did not see the need for another resolution. The Finance Committee understands their charge and duties. Mayor Patterson would prefer to have a resolution to memorialize the Finance Committee's task and responsibilities, as the current Council will not always be in place.

Council Member Schwartzman and Staff discussed the need to account for the funds, when the revenues would begin coming in, and the issue of consolidating emergency services dispatch.

Council Member Strawbridge and Staff discussed the list of Measure C projects and how they were prioritized.

Vice Mayor Hughes and Staff discussed the importance of how the City will communicate the accomplishments to the citizens and community. They discussed the signage that would be used.

Mayor Patterson and Staff discussed the Storm Water Management and Flood Mitigation Plan, and the connection to the Urban Water Management Plan and the Integrated Water Management Plan.

Council Member Campbell discussed the need to prevent any future council 'going rogue' with this. He would like to make that difficult by resolution, separate fund, etc.

Mayor Patterson stated that would be the direction to Staff; it could be by resolution, use of a separate fund, or whatever, but Staff should come back with a recommendation and clarification on some of the issues raised tonight.

Public Comment:

None

**C. COUNCIL MEMBER CAMPBELL'S REQUEST TO AGENDIZE DISCUSSION OF VOTING PRIVILEGES FOR CITY TREASURER AT FINANCE COMMITTEE MEETINGS**

Council Member Campbell reviewed the request to agendize this issue.

Public Comment:

None

On motion of Council Member Hughes, seconded by Council Member Schwartzman, Council approved placing this issue on a future agenda for discussion, on roll call by the following vote:

Ayes: Patterson, Strawbridge, Schwartzman, Campbell, Hughes

Noes: (None)

**IX. ADJOURNMENT:**

Mayor Patterson adjourned the meeting in memory of Arlen Ingle at 9:48 p.m.

**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : November 24, 2014

**TO** : City Manager

**FROM** : Parks and Community Services Director

**SUBJECT** : **SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING SECTION 2.76.040 (MEETING TIME AND PLACE) OF CHAPTER 2.76 (PARKS, RECREATION AND CEMETERY COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF BENICIA MUNICIPAL CODE TO CHANGE THE TIME OF THE MEETING TO THE SECOND WEDNESDAY OF EVERY OTHER MONTH**

**RECOMMENDATION:**

Adopt the ordinance amending Section 2.76.040 to change Park, Recreation and Cemetery Commission's meeting to the second Wednesday of every other month.

**EXECUTIVE SUMMARY:**

Change the meeting time for the Parks, Recreation and Cemetery Commission from the second Wednesday of each month to the second Wednesday of every other month, commencing with the New Year.

**BUDGET INFORMATION:**

There is no budget impact from this change.

**STRATEGIC PLAN:**

N/A

**BACKGROUND:**

The Parks, Recreation and Cemetery Commission has been meeting on the second Wednesday of each month per Benicia Municipal Code Section 2.76.040. As the Parks and Community Services Department has evolved over the years, the need to meet every month has become less necessary. During the past several years, there have been a significant number of monthly agendas with just one or two items. It would be much more productive and a better use of the Commission and staff's time if the Commission met every other month, allowing for more agenda items at each meeting. Consolidating agenda items to fewer meetings might also facilitate improved public participation. If there is

a need for a meeting during a month with no scheduled meeting, staff would work with the Commission to schedule a special meeting to address the item. This ordinance changes the time to the second Wednesday of every other month, commencing with the New Year.

Attachment:

- Proposed Ordinance

**CITY OF BENICIA**

**ORDINANCE NO. 14-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING SECTION 2.76.040 (MEETING TIME AND PLACE) OF CHAPTER 2.76 (PARKS, RECREATION AND CEMETERY COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE TO CHANGE THE MEETING TIME TO THE SECOND WEDNESDAY OF EVERY OTHER MONTH**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BENICIA DOES ORDAIN as follows:**

**Section 1**

Section 2.76.040 (Meeting time and place) of Chapter 2.76 (Parks, Recreation and Cemetery Commission) of Title 2 (Administration and Personnel) of the Benicia Municipal Code is amended to read as follows:

2.76.040 Meeting time and place. The commission shall meet on the second Wednesday of every other month at 6:30 p.m. at program room 2 of the Benicia Community Center, 370 East L Street, Benicia, California.

**Section 2.**

Severability. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

**Section 3.**

Effective date. This ordinance shall become effective thirty (30) days after the date of adoption.

\* \* \* \* \*

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing Ordinance was introduced at a regular meeting of the City Council on the 2<sup>nd</sup> day of December, 2014, and adopted at a regular meeting of the Council held on the 16<sup>th</sup> day of December, 2014, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date

**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : November 24, 2014

**TO** : City Manager

**FROM** : Fire Chief

**SUBJECT** : **AUTHORIZE THE PURCHASE OF ONE (1) ZOLL X-SERIES CARDIAC MONITOR, INCLUDING MONITOR SUPPLIES AND SERVICE CONTRACT**

**RECOMMENDATION:**

Adopt the resolution authorizing the purchase of one (1) Zoll X-Series Cardiac Monitor, including monitor supplies and service contract, in the amount of \$32,941.47.

**EXECUTIVE SUMMARY:**

The Benicia Fire Department is requesting to purchase one (1) Zoll X-Series Cardiac Monitor. Three monitors were originally purchased in the last fiscal year. A grant has since been awarded for four monitors, including the three that were previously acquired. The receipt of this grant, and the purchase of this final monitor, will allow the Department to continuously maintain our ALS service delivery capabilities when one of the current monitors needs maintenance and a loaner (as provided by the service agreement) has not yet arrived. It will also allow the Department to have the additional resource available for special events or during periods when there may be a need to staff additional apparatus.

**BUDGET INFORMATION:**

The purchase price for one (1) Zoll X-Series Monitor, including monitor supplies and service contract, is \$32,941.47. This purchase will enable the Department to complete the requirements of the grant and receive \$100,148.00 in funding. These funds will be returned to the Equipment Replacement Fund leaving it with an anticipated cash balance in the fund of \$140,883.00 for future years. As a result, the City will have acquired four monitors, monitor supplies and service agreements valued at \$125,716 for a total cost to the City of \$25,568 net of the grant.

**GENERAL PLAN:**

Relevant General Plan Goals:

- General Plan Goal 2.28: Improve and Maintain Public Facilities and Services.

**STRATEGIC PLAN:**

Relevant Strategic Plan Issues:

- Strategic Issue #1: Protect Community Health and Safety.
  - Strategy #2: Maintain Adequate Staffing for Public Safety and a Strong EMS Program.

The purchase of one (1) Zoll X-series Monitor is consistent with the above goals and strategies. This purchase will enhance the ability of the City's Paramedics to provide continuous state-of-the-art medical diagnosis and treatment that meets current regulatory standards in our pre-hospital care system. This tool is a vital component that will enable our pre-hospital care providers to deliver quality patient care to our valued citizens.

**BACKGROUND:**

The Benicia Fire Department is an advanced life support agency responding to in excess of 1,400 emergency medical calls per year. Our goal is to give our citizens the best care possible while enabling our Paramedics the ability to quickly recognize and treat patients suffering from conditions such as heart attacks and cardiac arrest.

A key recommendation of the 2010 American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiovascular Care is to minimize interruptions in CPR. One of the most common reasons for interruptions is stopping CPR to determine whether an organized, shockable rhythm has developed. With ZOLL's patented See-Thru CPR technology, responders do not have to repeatedly stop CPR for a rhythm check—a filtered signal can be displayed on the screen. This exclusive ZOLL defibrillator technology allows the professional rescuer to analyze a patient's heart rhythm while continuous CPR is in progress and monitor the heart rhythm to determine the appropriate time to analyze or stop cardiopulmonary resuscitation to check the EKG. These features are two of the main components in the "chain of survival." As cited in the 2010 AHA Update, resuscitation survival rates can approach 50% following witnessed out-of-hospital cardiac arrests when the heart is in a shockable rhythm and the key components to the "chain of survival" are implemented in an effective way.

In 2011, Solano County EMS implemented a county-wide ST-Segment Elevation Myocardial Infarction (STEMI) protocol and established specific STEMI receiving centers within the County. While in transport, the Zoll X-Series Monitor has the ability to stream patient care by allowing the paramedic to send real-time 12

lead EKGs to awaiting physicians at STEMI receiving centers via Wi-Fi or Bluetooth technologies. With this new technology, patients are triaged in a more effective manner to ensure quicker definitive care. In some cases, this is accomplished by bypassing the emergency department and going straight to the cardiac catheter lab for diagnostics and/or treatments based on information provided by field personnel.

The acquisition of the fourth monitor completes the requirements of the grant, and provides us with the necessary depth of equipment to ensure an unbroken, high quality of service. Zoll's preventative maintenance program, which is included in the contract amount for all of the monitors, also supplies an identical loaner when a monitor is being serviced or repaired. This final acquisition will eliminate the need for the Fire Department to use an outdated as a backup while awaiting delivery of the loaner, thereby ensuring the highest level of care for the citizens.

Attachments:

- Resolution
- Price Quote



**RESOLUTION NO. 14-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA  
AUTHORIZING THE PURCHASE OF ONE ZOLL X-SERIES CARDIAC  
MONITOR**

**WHEREAS**, the purchase of one Zoll X-Series Cardiac Monitor, including monitor supplies and service contract, was authorized by the City Council on December 16, 2014; and

**WHEREAS**, the cardiac monitor will be purchased from Zoll Medical Corporation; and

**WHEREAS**, the justification for the sole source purchase of Zoll Medical Corporation's X-Series Cardiac Monitor is due to product standardization within the Benicia Fire Department and with surrounding agencies, improved patient care, reduced risk of injury to Firefighters, and maintenance of operating costs as Medic Ambulance will continue to provide replacement accessories; and

**WHEREAS**, there are sufficient funds available from the FY 2014/2015 Equipment Replacement Fund, account number 155-6105-9118, to cover the cost of the new cardiac monitor; and

**WHEREAS**, the purchase price for one (1) Zoll X-Series Monitor, including monitor supplies and service contract, is \$32,941.47; and

**WHEREAS**, this purchase will enable the City to complete the requirements of the grant and receive \$100,148.00 in funding; and

**WHEREAS**, these funds will be returned to the Equipment Replacement Fund leaving an anticipated cash balance in the fund of \$140,883.00 for future years; and

**WHEREAS**, the City will have acquired four monitors, monitor supplies and service agreements valued at \$125,716 for a total cost to the City of \$25,568 net of the grant.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia approves the expenditure of \$32,941.47 for the purchase of one Zoll X-Series Cardiac Monitor.

\*\*\*\*\*

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 16th day of December, 2014, and adopted by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date



**ZOLL Medical Corporation**

Worldwide HeadQuarters  
 269 Mill Rd  
 Chelmsford, Massachusetts 01824-4105  
 (978) 421-9655 Main  
 (800) 348-9011  
 (978) 421-0015 Customer Support  
 FEDERAL ID#: 04-2711626

**TO: Benicia Fire Department**

150 Military Way West  
 Benicia, CA 94510

Attn: **KC Smith, Division Chief**

email: [KSmith@ci.benicia.ca.us](mailto:KSmith@ci.benicia.ca.us)

Tel: 707-486-4617

**QUOTATION 175198 V:3**

DATE: October 08, 2014

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	601-2221001-01	<p><b>X Series © Manual Monitor/Defibrillator \$14,995</b>            with 4 trace tri-mode display monitor/ defibrillator/ printer, comes with Real CPR Help®, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5"( 16.5cm) diagonal screen, full 12 ECG lead view with both dynamic and static 12-lead mode display.</p> <p><b>Accessories Included:</b></p> <ul style="list-style-type: none"> <li>• Six (6) foot 3- Lead ECG cable</li> <li>• MFC cable</li> <li>• MFC CPR connector</li> <li>• A/C power adapter/ battery charger</li> <li>• A/C power cord</li> <li>• One (1) roll printer paper</li> <li>• 6.6 Ah Li-ion battery</li> <li>• Carry case</li> <li>• Declaration of Conformity</li> <li>• Operator's Manual</li> <li>• Quick Reference Guide</li> <li>• <b>One (1)-year EMS warranty</b></li> </ul> <p><b>Advanced Options:</b></p> <p><b>Real CPR Help Expansion Pack \$ 995</b>            CPR Dashboard quantitative depth and rate in real time, release indicator, interruption timer, perfusion performance indicator (PPI)            • See - Thru CPR artifact filtering</p> <p><b>ZOLL Noninvasive Pacing Technology: \$2,550</b></p> <p><b>Masimo Pulse Oximetry</b></p>	1	\$33,780.00	\$26,010.60	\$26,010.60 **

This quote is made subject to ZOLL's standard commercial terms and conditions (ZOLL T's + C's) which accompany this quote. Any purchase order (P.O.) issued in response to this quotation will be deemed to incorporate ZOLL T's + C's. Any modification of the ZOLL T's + C's must be set forth or referenced in the customer's P.O. No commercial terms or conditions shall apply to the sale of goods or services governed by this quote and the customer's P.O unless set forth in or referenced by either document.

Page 1 Subtotal **\$26,010.60**

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID FOR 60 DAYS.
3. APPLICABLE TAX WILL BE ADDED AT THE TIME OF INVOICING.
4. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTABLE BY ZOLL.
5. FAX PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT 978-421-0015 OR EMAIL TO [ESALES@ZOLL.COM](mailto:ESALES@ZOLL.COM).
6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING [www.zollwebstore.com](http://www.zollwebstore.com).

Kimberly Tanner  
 Sr. EMS Territory Manager  
 916-798-7644



**ZOLL Medical Corporation**

Worldwide HeadQuarters  
 269 Mill Rd  
 Chelmsford, Massachusetts 01824-4105  
 (978) 421-9655 Main  
 (800) 348-9011  
 (978) 421-0015 Customer Support  
 FEDERAL ID#: 04-2711626

**TO: Benicia Fire Department**

150 Military Way West  
 Benicia, CA 94510

Attn: **KC Smith, Division Chief**

email: [KSmith@ci.benicia.ca.us](mailto:KSmith@ci.benicia.ca.us)  
 Tel: 707-486-4617

**QUOTATION 175198 V:3**

DATE: October 08, 2014

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		<b>SP02 \$1,795</b> • Signal Extraction Technology (SET) • Rainbow SET  <b>End Tidal Carbon Dioxide monitoring (ETCO2)</b> <b>Oridion Microstream Technology: \$4,995</b> Order required Microstream tubing sets separately  <b>Interpretative 12- Lead ECG: \$8,450</b> • 12-Lead one step ECG cable- includes 4- Lead limb lead cable and removable precordial 6- Lead set				
2	8 0 0 0 - 0 3 3 0	SpO2 Rainbow Reusable Patient Cable: Connects to LNCS Single Use and Reusable Sensors (4 ft)	1	\$295.00	\$221.25	\$221.25 *
3	8 0 0 0 - 0 2 9 4	SpO2 LNCS Adult Reusable Sensor (1 each)	1	\$295.00	\$221.25	\$221.25 *
4	8 7 7 8 - 0 1 0 7	4 Year Extended Warranty At Time of Equipment Sale ( Depot).	1	\$3,550.00	\$3,550.00	\$3,550.00
5	8 7 7 8 - 0 1 1 7	4 Year, 1 Preventative Maintenance (at time of equipment sale)	1	\$920.00	\$920.00	\$920.00
		Estimated Sales Tax 7.63%				\$2,018.37

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**Page 2 Subtotal**

**\$32,941.47**

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ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		<p><b>*Reflects National Purchasing Partners (NPP) Contract Pricing and **discount pricing.</b></p> <p><b>**Trade-In Value valid if all units purchased are in good operational and cosmetic condition, and include all standard accessories such as paddles, cables, etc. Customer assumes responsibility for shipping trade-in equipment to ZOLL Chelmsford within 60 days of receipt of new equipment. Customer agrees to pay cash value for trade-in equipment not shipped to ZOLL on a timely basis.</b></p>				
<b>TOTAL</b>						<b>\$32,941.47</b>

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Kimberly Tanner  
 Sr. EMS Territory Manager  
 916-798-7644

## ZOLL QUOTATION GENERAL TERMS & CONDITIONS

**1. ACCEPTANCE.** This Quotation constitutes an offer by ZOLL Medical Corporation to sell to the Customer the equipment (including a license to use certain software) listed in this Quotation and described in the specifications either attached to or referred to in this Quotation (hereinafter referred to as Equipment). Any acceptance of such offer is expressly limited to the terms of this Quotation, including these General Terms and Conditions. Acceptance shall be so limited to this Quotation notwithstanding (i) any conflicting written or oral representations made by ZOLL Medical Corporation or any agent or employee of ZOLL Medical Corporation or (ii) receipt or acknowledgement by ZOLL Medical Corporation of any purchase order, specification, or other document issued by the Customer. Any such document shall be wholly inapplicable to any sale made pursuant to this Quotation, and shall not be binding in any way on ZOLL Medical Corporation.

Acceptance of this Quotation by the Customer shall create an agreement between ZOLL Medical Corporation and the Customer (hereinafter referred to as the "Contract") the terms and conditions of which are expressly limited to the provisions of this Quotation including these Terms and Conditions. No waiver change or modification of any of the provisions of this Quotation or the Contract shall be binding on ZOLL Medical Corporation unless such waiver, change or modification (i) is made in writing (ii) expressly states that it is a waiver, change or modification of this Quotation or the Contract and (iii) is signed by an authorized representative of ZOLL Medical Corporation.

**2. DELIVERY AND RISK OF LOSS.** Unless otherwise stated, all deliveries shall be F.O.B. ZOLL Medical Corporation's facility. Risk of loss or damage to the Equipment shall pass to the Customer upon delivery of the Equipment to the carrier.

**3. TERMS OF PAYMENT.** Unless otherwise stated in its Quotation payment by Customer is due thirty (30) days after the ship date appearing on ZOLL Medical Corporation invoice. Any amounts payable hereunder which remain unpaid after the date shall be subject to a late charge equal to 1.5% per month from the due date until such amount is paid.

**4. CREDIT APPROVAL.** All shipments and deliveries shall at all times be subject to the approval of credit by ZOLL Medical Corporation. ZOLL Medical Corporation may at any time decline to make any shipment or delivery except upon receipt of payment or security or upon terms regarding credit or security satisfactory to ZOLL Medical Corporation.

**5. TAXES & FEES.** The pricing quoted in its Quotation do not include sales use, excise, or other similar taxes or any duties or customs charges, or any order processing fees. The Customer shall pay in addition for the prices quoted the amount of any present or future sales, excise or other similar tax or customs duty or charge applicable to the sale or use of the Equipment sold hereunder (except any tax based on the net income of ZOLL Medical Corporation), and any order processing fees that ZOLL may apply from time to time. In lieu thereof the Customer may provide ZOLL Medical Corporation with a tax exemption certificate acceptable to the taxing authorities.

**6. WARRANTY.** (a) ZOLL Medical Corporation warrants to the Customer that from the earlier of the date of installation or thirty (30) days after the date of shipment from ZOLL Medical Corporation's facility, the Equipment (other than accessories and electrodes) will be free from defects in material and workmanship under normal use and service for the period noted on the reverse side. Accessories and electrodes shall be warranted for ninety (90) days from the date of shipment. During such period ZOLL Medical Corporation will at no charge to the Customer either repair or replace (at ZOLL Medical Corporation's sole option) any part of the Equipment found by ZOLL Medical Corporation to be defective in material or workmanship. If ZOLL Medical Corporation's inspection detects no defects in material or workmanship, ZOLL Medical Corporation's regular service charges shall apply. (b) ZOLL Medical Corporation shall not be responsible for any Equipment defect failure of the Equipment to perform any specified function, or any other nonconformance of the Equipment caused by or attributable to (i) any modification of the Equipment by the Customer, unless such modification is made with the prior written approval of ZOLL Medical Corporation; (ii) the use of the Equipment with any associated or complementary equipment accessory or software not specified by ZOLL Medical Corporation, or (iii) any misuse or abuse of the Equipment; (iv) exposure of the Equipment to conditions beyond the environmental, power or operating constraints specified by ZOLL Medical Corporation, or (v) installation or wiring of the Equipment other than in accordance with ZOLL Medical Corporation's instructions. (c) Warranty does not cover items subject to normal wear and burnout during use, including but not limited to lamps, fuses, batteries, cables and accessories. (d) The foregoing warranty does not apply to software included as part of the Equipment (including software embodied in read-only memory known as "firmware"). (e) The foregoing warranty constitutes the exclusive remedy of the Customer and the exclusive liability of ZOLL Medical Corporation for any breach of any warranty related to the Equipment supplied hereunder. THE WARRANTY SET FORTH HEREIN IS EXCLUSIVE AND ZOLL MEDICAL CORPORATION EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES WHETHER WRITTEN, ORAL, IMPLIED, OR STATUTORY, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

**7. SOFTWARE LICENSE.** (a) All software (the "Software" which term shall include firmware) included as part of the Equipment is licensed to Customer pursuant to a nonexclusive limited license on the terms hereinafter set forth, (b) Customer may not copy, distribute, modify, translate or adapt the Software, and may not disassemble or reverse compile the Software, or seek in any manner to discover, disclose or use any proprietary algorithms, techniques or other confidential information contained therein, (c) All rights in the Software remain the product of ZOLL Medical Corporation, and Customer shall have no right or interest therein except as expressly provided herein, (d) Customer's right to use the Software may be terminated by ZOLL Medical Corporation in the event of any failure to comply with terms of this quotation, (e) Customer may transfer the license conferred hereby only in connection with a transfer of the Equipment and may not retain any copies of the Software following such transfer. (f) ZOLL Medical Corporation warrants that the read-only memory or other media on which the Software is recorded will be free from defects in materials and workmanship for the period and on terms set forth in section 6. (g) Customer understands that the Software is a complex and sophisticated software product and no assurance can be given that operation of the Software will be uninterrupted or error-free, or that the Software will meet Customer's requirements. Except as set forth in section 7(f), ZOLL MEDICAL CORPORATION MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE SOFTWARE AND IN PARTICULAR DISCLAIMS ANY IMPLIED WARRANTIES OR MERCHANTABILITY OR FITNESS OF A PARTICULAR PURPOSE WITH RESPECT THERETO. Customer's exclusive remedy for any breach of warranty or defect relating to the Software shall be the repair or replacement of any defective read-only memory or other media so that it correctly reproduces the Software. This License applies only to ZOLL Medical Corporation Software.

**8. DELAYS IN DELIVERY.** ZOLL Medical Corporation shall not be liable for any delay in the delivery of any part of the Equipment if such delay is due to any cause beyond the control of the ZOLL Medical Corporation including, but not limited to acts of God, fires, epidemics, floods, riots, wars, sabotage, labor disputes, governmental actions, inability to obtain materials, components, manufacturing facilities or transportation or any other cause beyond the control of ZOLL Medical Corporation. In addition ZOLL Medical Corporation shall not be liable for any delay in delivery caused by failure of the Customer to provide any necessary information in a timely manner. In the event of any such delay, the date of shipment or performance hereunder shall be extended to the period equal to the time lost by reason of such delay. In the event of such delay ZOLL Medical Corporation may allocate available Equipment among its Customers on any reasonable and equitable basis. The delivery dates set forth in this Quotation are approximate only and ZOLL Medical Corporation shall not be liable for or shall the Contract be breached by, any delivery by ZOLL Medical Corporation within a reasonable time after such dates.

**9. LIMITATIONS OF LIABILITY.** IN NO EVENT SHALL ZOLL MEDICAL CORPORATION BE LIABLE FOR INDIRECT SPECIAL OR CONSEQUENTIAL DAMAGES RESULTING FROM ZOLL MEDICAL CORPORATIONS PERFORMANCE OR FAILURE TO PERFORM PURSUANT TO THIS QUOTATION OR THE CONTRACT OR THE FURNISHING, PERFORMANCE, OR USE OF ANY EQUIPMENT OR SOFTWARE SOLD HERETO, WHETHER DUE TO A BREACH OF CONTRACT, BREACH OF WARRANTY, THE NEGLIGENCE OF ZOLL MEDICAL CORPORATION OR OTHERWISE.

**10. PATENT INDEMNITY.** ZOLL Medical Corporation shall at its own expense defend any suit that may be instituted against the Customer for alleged infringement of any United States patents or copyrights related to the parts of the Equipment or the Software manufactured by ZOLL Medical Corporation, provided that (i) such alleged infringement consists only in the use of such Equipment or the Software by itself and not as a part of or in combination with any other devices or parts, (ii) the Customer gives ZOLL Medical Corporation immediate notice in writing of any such suit and permits ZOLL Medical Corporation through counsel of its choice, to answer the charge of infringement and defend such suit, and (iii) the Customer gives ZOLL Medical Corporation all requested information, assistance and authority at ZOLL Medical Corporation's expense, to enable ZOLL Medical Corporation to defend such suit.

In the case of a final award of damages for infringement in any such suit, ZOLL Medical Corporation will pay such award, but it shall not be responsible for any settlement made without its written consent.

Section 10 states ZOLL Medical Corporation's total responsibility and liability's, and the Customer's sole remedy for any actual or alleged infringement of any patent by the Equipment or the Software or any part thereof provided hereunder. In no event shall ZOLL Medical Corporation be liable for any indirect, special, or consequential damages resulting from any such infringement.

**11. CLAIMS FOR SHORTAGE.** Each shipment of Equipment shall be promptly examined by the Customer upon receipt thereof. The Customer shall inform ZOLL Medical Corporation of any shortage in any shipment within ten (10) days of receipt of Equipment. If no such shortage is reported within ten (10) day period, the shipment shall be conclusively deemed to have been complete.

**12. RETURNS AND CANCELLATION.** (a) The Customer shall obtain authorization from ZOLL Medical Corporation prior to returning any of the Equipment. (b) The Customer receives authorization from ZOLL Medical Corporation to return a product for credit, the Customer shall be subject to a restocking charge of twenty percent (20%) of the original list purchase price, but not less than \$50.00 per product. (c) Any such change in delivery caused by the Customer that causes a delivery date greater than six (6) months from the Customer's original order date shall constitute a new order for the affected Equipment in determining the appropriate list price.

**13. APPLICABLE LAW.** This Quotation and the Contract shall be governed by the substantive laws of the Commonwealth of Massachusetts without regard to any choice of law provisions thereof.

**14. COMPLIANCE WITH LAWS.** (a) ZOLL Medical Corporation represents that all goods and services delivered pursuant to the Contract will be produced and supplied in compliance with all applicable state and federal laws and regulations, including the requirements of the Fair Labor Standards Act of 1938, as amended. (b) The Customer shall be responsible for compliance with any federal, state and local laws and regulations applicable to the installation or use of the Equipment furnished hereunder, and will obtain any permits required for such installation and use.

**15. NON-WAIVER OF DEFAULT.** In the event of any default by the Customer, ZOLL Medical Corporation may decline to make further shipments or render any further warranty or other services without in any way affecting its right under such order. If despite any default by Customer, ZOLL Medical Corporation elects to continue to make shipments its action shall not constitute a waiver of any default by the Customer or in any way affect ZOLL Medical Corporation's legal remedies regarding any such default. No claim or right arising out of a breach of the Agreement by the Customer can be discharged in whole or in part by waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by ZOLL Medical Corporation.

**16. ASSIGNMENT.** This Quotation, and the Contract, may not be assigned by the Customer without the prior written consent of ZOLL Medical Corporation, and any assignment without such consent shall be null and void.

**17. TITLE TO PRODUCTS.** Title to right of possession of the products sold hereunder shall remain with ZOLL Medical Corporation until ZOLL Medical Corporation delivers the Equipment to the carrier and agrees to do all acts necessary to perfect and maintain such right and title in ZOLL Medical Corporation. Failure of the Customer to pay the purchase price for any product when due shall give ZOLL Medical Corporation the right, without liability to repossess the Equipment, with or without notice, and to avail itself of any remedy provided by law.

**18. EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION.**

**VETERAN'S EMPLOYMENT** - If this order is subject to Executive Order 11710 and the rules, regulations, or orders of the Secretary of Labor issued thereunder the contract clause as set forth at 41 CFR 60-250.4 is hereby included as part of this order.

**EMPLOYMENT OF HANDICAPPED** - if this order is subject to Section 503 of the Rehabilitation Act of 1973, as amended and the rules, regulations or orders of the Secretary of Labor as issued thereunder, the contract clause at 41 CFR 60-7417 is hereby included as part of this order.

**EQUAL OPPORTUNITY EMPLOYMENT** - if this order is subject to the provisions of Executive Order 11246, as amended, and the rules, regulations or orders of the Secretary of Labor issued thereunder, the contract clause set forth at 41 CFR 60-1.4 (a) and 60-1.4 (b) are hereby included as a part of this order and Seller agrees to comply with the reporting requirements set forth at 41 CFR 60-1.7 and the affirmative action compliance program requirements set forth at 41 CFR 60-1.40.

**19. VALIDITY OF QUOTATION.** This Quotation shall be valid and subject to acceptance by the Customer, in accordance with the terms of Section 1 hereof for the period set forth on the face hereof. After such period, the acceptance of this Quotation shall not be binding upon ZOLL Medical Corporation and shall not create a contract, unless such acceptance is acknowledged and accepted by ZOLL Medical Corporation by a writing signed by an authorized representative of ZOLL Medical Corporation.

**20. GENERAL.** Any Contract resulting from this Quotation shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts. This constitutes the entire agreement between Buyer and Supplier with respect to the purchase and sale of the Products described in the face hereof, and only representations or statements contained herein shall be binding upon Supplier as a warranty or otherwise. Acceptance or acquiescence in the course of performance rendered pursuant hereto shall not be relevant to determine the meaning of this writing even though the accepting or acquiescing party has knowledge of the nature of the performance and opportunity for objection. No addition to or modification of any of the terms and conditions specified herein shall be binding upon Supplier unless made in writing and signed by a duly authorized representative of Supplier. The terms and conditions specified shall prevail notwithstanding any variance from the terms and conditions of any order or other form submitted by Buyer for the Products set forth on the face of this Agreement. To the extent that this writing may be treated as an acceptance of Buyer's prior offer, such acceptance is expressly made conditional on assent by Buyer to the terms hereof, and, without limitation, acceptance of the goods by Buyer to the terms hereof, and, without limitation, acceptance of the goods by Buyer shall constitute such assent. All cancellations and reschedules require a minimum of thirty (30) days notice.

**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : December 4, 2014

**TO** : City Manager

**FROM** : Public Works Director

**SUBJECT** : **AUTHORIZE MEMBERSHIP IN THE WESTERN REGIONAL WATER COALITION**

**RECOMMENDATION:**

Authorize the City of Benicia to join the Western Recycled Water Coalition as an Associate Participant and authorizing the City Manager to sign the Associate Participant Addendum to the Western Recycled Water Coalition Memorandum of Agreement.

**EXECUTIVE SUMMARY:**

The Western Recycled Water Coalition (WRWC) is a collaboration among cities, water and wastewater districts, and investor-owned water utilities that lobbies for and facilitates Federal funding for recycled water projects. By joining WRWC as an Associate Participant, Benicia will gain access to expertise and assistance in planning and funding for future recycled water projects.

**BUDGET INFORMATION:**

The annual membership cost is \$2,400 per year. Sufficient funds are available in Account Nos. 014-8305-8116 (wastewater operations – memberships) and 090-8205-8116 (water memberships).

**GENERAL PLAN:**

Relevant General Plan Goals:

- Overarching Goal of the General Plan: Sustainability
- Goal 2.36: Ensure an adequate water supply for current and future residents and businesses.

**STRATEGIC PLAN:**

Relevant Strategic Plan Issue:

- Strategic Issue #2: Protecting and Enhancing the Environment
- Strategy #2: Implement new water conservation projects/programs

**BACKGROUND:**

The Valero Refinery uses approximately four million gallons of water daily and half of the water purchased annually by the City. The Wastewater Treatment Plant treats an average of two million gallons of sewage per day and discharges it into the Carquinez Strait. The City is mandated to reduce water use by 20% by 2020. If treated wastewater could be reused at the Valero Refinery, the City could reduce water purchases by 25% and significantly increase water supply reliability during droughts. Of the 10 best water conservation measures the City could complete, constructing a recycled water project with Valero is one of the most cost effective and would produce the most significant water savings.

In 2008, Camp, Dresser & McKee, Inc. (CDM) prepared a "Water Reuse Preliminary Design Report" for a project to pump treated wastewater from the Wastewater Treatment Plant to the Valero Water Treatment Plant. The total estimated project cost was \$31.5 million in 2007 dollars. While there are significant costs, there are also significant benefits. City staff recently met with Valero staff to discuss options for reducing project costs and promising opportunities to reduce total project costs exist. If 75% of the cost could be paid for by grants and 25% of the costs could be paid for by Valero and sewer rate payers, then the project is both feasible and cost effective.

As part of its effort to ensure an adequate and sustainable water supply, City staff is exploring the availability of state and federal funding for possible recycled water projects. State funding of up to 50% of a project cost may be available through the recently-passed Proposition 1, as well as other grant programs. Federal funding of up to 25% of construction costs can be provided through US Bureau of Reclamation Title XVI funding. Federal funding requires long lead times and substantial effort in submitting project materials, as well as Congressional lobbying.

Title XVI of Public Law 102-575, also known as the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 ("Title XVI") authorized a feasibility study of the potential for development of demonstration and permanent facilities to reclaim water in the San Francisco Bay Area, bringing Bay Area agencies together to study opportunities to use recycled treated wastewater for beneficial uses.

Bay Area agencies have invested nearly \$300 million of local funds in water recycling projects, with additional projects ready to be built. Federal funding is essential to support these highly leveraged, locally managed projects in order to ensure the security of water supplies in future years. Title XVI provides a program for Federal participation through cost sharing in specific water reuse projects up to certain amounts specified in the Act.

The Western Recycled Water Coalition (WRWC) is a regional partnership of agencies who have come together to collaborate regionally, rather than competing individually, for Title XVI funding, which will benefit the Bay-Delta by reducing water withdrawals and discharges.

Since 2009, the WRWC has facilitated \$34.7 million in funding for eight recycled water projects for participating agencies. Recently, WRWC secured \$3.4 million in federal planning funds for 14 new projects for WRWC member agencies. WRWC has an innovative regional water management approach:

- Protecting the Sacramento – San Joaquin Delta System
- Developing reliable and drought tolerant supplies
- Collaborating with a regional partnership approach
- Offering a federal partnership

City staff recommends joining the WRWC as an Associate Participant. Participation in WRWC as an Associate Participant allows the City access to information about how to best pursue Federal funding opportunities, including funding for planning efforts, which is essential in assessing feasibility of proposed recycled water projects in the City.

If a Recycled Water Project is defined and City Council elects to pursue construction grant funding, the City would at such time change from an Associate Participant to a Member, as a result sharing WRWC costs based on a ratio of all the WRWC Members' project costs. Staff recommends joining the WRWC, pursuing grant funding and studying the feasibility of a Recycled Water Project.

Attachments:

- Proposed Resolution
- WRWC Brochure
- WRWC Memorandum of Agreement
- Associate Participant Addendum



**RESOLUTION NO. 14-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE CITY OF BENICIA TO JOIN THE WESTERN RECYCLED WATER COALITION AS AN ASSOCIATE PARTICIPANT AND AUTHORIZING THE CITY MANAGER TO SIGN THE ASSOCIATE PARTICIPANT ADDENDUM TO THE WESTERN RECYCLED WATER COALITION MEMORANDUM OF AGREEMENT**

**WHEREAS**, Title XVI of Public Law 102-575, also known as the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 (“Title XVI”) authorized a feasibility study of the potential for development of demonstration and permanent facilities to reclaim water in the San Francisco Bay Area, bringing Bay Area agencies together to study opportunities to use recycled treated wastewater for beneficial uses; and

**WHEREAS**, Bay Area agencies have invested nearly \$300 million of local funds in water recycling projects, and many more projects are ready to be built; and

**WHEREAS**, Federal funding is essential to support these highly leveraged, locally managed projects to help ensure the security of water supplies for years to come; and

**WHEREAS**, Title XVI provides a program for Federal participation through cost sharing in specific water reuse projects up to certain amounts specified in the Act; and

**WHEREAS**, the Western Recycled Water Coalition (WRWC) is a regional partnership of agencies that have come together to collaborate regionally, rather than to compete individually, for Title XVI funding that will benefit the Bay-Delta by reducing water withdrawals and discharges; and

**WHEREAS**, the City would like to join the WRWC as an Associate Participant.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Benicia does hereby authorize the City of Benicia to join the Western Recycled Water Coalition as an Associate Participant and authorizes the City Manager to sign the Associate Participant Addendum, subject to approval by the City Attorney.

\* \* \* \* \*

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 16<sup>th</sup> day of December, 2014, and adopted by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date

# With Your Support, We Can Deliver Vital Water Resources

Water recycling is a wise investment that will only increase in value in years to come. These projects offer the federal and state governments an opportunity to leverage funds for significant benefit. Projects help the Bureau of Reclamation achieve its mission and help California progress toward its water recycling goal to add 1 million acre-feet by 2020. More funding is needed, and partnership provides incentive to build a truly sustainable water future.



THE WEST NEEDS WATER...  
**WE ARE READY TO DELIVER**



## Coalition Members as of August 2013

The Western Recycled Water Coalition is a collaboration among cities, water and wastewater districts, and investor-owned water utilities. We are pursuing highly leveraged, locally managed projects to develop reliable and sustainable water supplies.



Water is critical to the economy, and yet it is an increasingly limited resource due to the anticipated climate change impacts, over-allocation, and flow restrictions on Delta water withdrawals. With a growing population, the need for drought-tolerant water supplies for agricultural, municipal, industrial and environmental uses has never been greater.

We are the **Western Recycled Water Coalition**. We are creating reliable and sustainable solutions to address this water crisis. *But we need your help.*

# W.R.W.C. 8

## OUR CURRENT PROJECTS: Water, Conservation, Jobs

Collecting  
On projects  
vide multiple  
benefits:

- developing over 118,000 acre-feet per year (AFY) dry year yield;
- reducing diversions from natural waterways and aquifers;
- providing drought-tolerant, sustainable water supplies for industry, agriculture, landscape, and wetlands enhancement;
- improving surface water quality;
- saving energy;
- attracting green projects and increasing economic development; and,
- supporting more than 14,000 jobs.

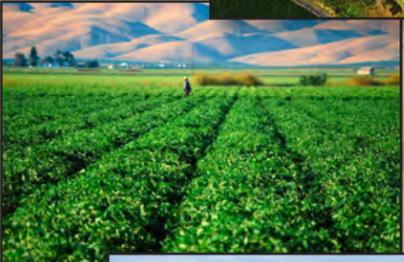
### DELIVERING RELIABILITY

Recycled water supplies do not depend on rainfall, and instead depend on wastewater flows that do not fluctuate greatly in a drought and are not subject to evaporation. Current Coalition projects will provide over 118,000 AFY of reliable, sustainable, drought-tolerant water supply. This is enough water to provide 354,000 households with their annual water needs.

### A SUPERIOR INVESTMENT

If you compare developing recycled water projects with developing a dry year water supply from a new or expanded reservoir, recycled water projects are a superior investment. For example, expanding Shasta Lake reservoir by 634,000 acre-feet at \$1.1 billion will produce an additional 76,000 acre-feet of dry year deliveries (Dr. Jay R. Lund, Feb. 22, 2012, California WaterBlog). The WRWC projects will develop over 118,000 acre-feet of dry year deliveries, or 1.5 times the dry year deliveries from expanding Shasta Lake, at a total cost of \$814 M or only 74% of the reservoir expansion cost. With a 25% Title XVI federal cost share, this would amount to only 18% of the federal cost of expanding Shasta Lake.

U



Sacramento

San Francisco

Fresno

Monterey

## A Future for All of California AND BEYOND

The current set of recycled water projects will contribute a significant new, fish friendly, non-controversial, dry year water supply for all of CA. However, the WRWC philosophy is that recycled water development should be a national priority. The coalition is actively seeking partnerships across the United States where new water supplies are needed. We would like to join with others developing recycled water or desalination projects to speak as one voice to our leaders at the state and federal level when asking for help. See [www.westernrwc.org](http://www.westernrwc.org) for more details.

### California Federal and State Water Storage and Conveyance Systems

- Rivers and Reservoirs
- Federal Canals
- Shared Federal/State Canal
- State Canals

### Western Recycled Water Projects

#### Seeking Authorization

- A** Brentwood Recycled Water Project; City of Brentwood
- B** Central Contra Costa Sanitary Dist. (CCCSD)—Concord Recycled Water Project; CCCSD; City of Concord
- C** Central Dublin Recycled Water Distribution & Retrofit Project; Dublin San Ramon Services Dist. (DSRSD)
- D** Central Redwood City Recycled Water Project; City of Redwood City
- E** Contra Costa County Refinery Recycled Water Project; CCCSD; Shell Refinery, Tesoro Refinery
- F** Delta Diablo Sanitation Dist. (DDSD) Recycled Water Project; DDSD
- G** DDSD High Purity Water Treatment Facility; DDSD
- H** Dublin Recycled Water Expansion Project; DSRSD
- I** Fresno Tertiary Treatment; City of Fresno
- J** Fresno Downtown Recycled Water System; City of Fresno
- K** Fresno Southwest Recycled Water Distribution; City of Fresno
- L** Hayward Recycled Water Project; City of Hayward, Calpine
- M** Ironhouse Sanitary Dist. (ISD) Recycled Water Project; ISD
- N** Monterey Peninsula Groundwater Replenishment Project; Monterey Regional Water Pollution Control Agency

- O** Mountain View Recycled Water Project; City of Mountain View
- P** North Valley Regional Recycled Water Project; City of Modesto, City of Turlock, City of Ceres, Del Puerto Water Dist., Stanislaus County
- Q** Palo Alto Recycled Water Pipeline Project; City of Palo Alto
- R** Pleasanton Recycled Water Project; City of Pleasanton
- S** San Jose Water Company Recycled Water Project; City of San Jose
- T** Wolfe Road Main Extension/San Lucar Pump Station Modifications; City of Sunnyvale, City of San Jose, Santa Clara Valley Water Dist. (SCVWD), California Water Service Co.
- U** Yountville Recycled Water Project; Town of Yountville, Veterans Home of California

#### Authorized in Public Law 110-229 & Seeking Amendment

- V** Antioch Recycled Water Project; DDSD, City of Antioch
- W** South Bay Advanced Recycled Water Treatment Facility; SCVWD, Cities of San Jose, Los Gatos, Cupertino, Santa Clara, Campbell, Saratoga, Milpitas, Monte Sereno

#### Authorized in Public Law 110-229 & 102-575

- X** South Bay Water Recycling; San Jose area
- Y** South Santa Clara County Recycled Water Project; SCVWD, South County Regional

**SECOND AMENDED AND RESTATED  
MEMORANDUM OF AGREEMENT  
WESTERN RECYCLED WATER COALITION  
FEDERAL LEGISLATIVE EFFORTS**

A Memorandum of Agreement was originally made and executed on August 25<sup>th</sup>, 2008, by and between the City of Mountain View; City of Palo Alto; City of Redwood City; City of San Jose; the Delta Diablo Sanitation District (“DDSD”); North Coast County Water District; Santa Clara Valley Water District (“Participating Agencies”), and the Bay Area Clean Water Agencies (“BACWA”). This Memorandum of Agreement provides for the addition of new parties to the agreement upon the approval of a majority of the Participating Agencies and execution of the membership addendum.

The Participating Agencies and BACWA executed the first Amended and Restated Memorandum of Agreement, effective June 30, 2011, which created a new category of parties to this Restated Agreement called Associate Participants; allowed investor owned water utilities regulated by the California Public Utilities Commission to become Participating Agencies and/or Associate Participants; shared costs for the Lead Agency’s administrative expenses incurred to provide services for BARWC; and revised the cost sharing formula for Participating Agency costs for federal advocacy.

The Participating Agencies now desire to amend and restate the June 30, 2011 First Amended and Restated Memorandum of Agreement by entering into this Second Amended and Restated Memorandum of Agreement effective December 30, 2012 (“Restated Agreement”), which expands eligibility to public agencies and Investor-Owned Water Utilities located in the western United States; and changes the coalition name from Bay Area Recycled Water Coalition (BARWC) to Western Recycled Water Coalition (WRWC).

It is the intent of the Parties that this Restated Agreement replace the First Amended and Restated Memorandum of Agreement that became effective on June 30, 2011.

**RECITALS**

1. WHEREAS, Title XVI of Public Law 102-575, also known as the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 (“Title XVI”) authorized a feasibility study of the potential for development of demonstration and permanent facilities to reclaim water in the San Francisco Bay Area, bringing Bay Area agencies together to study opportunities to use recycled treated wastewater for beneficial uses; and authorized the planning, design and construction for the San Jose Water Reclamation and Reuse Program; and
2. WHEREAS, the Bay Area Recycled Water Master Plan, completed in 1999, identified opportunities to use 125,000 acre-feet per year (AF/yr) by 2010, and 240,000 AF/yr by 2025; and
3. WHEREAS, Bay Area agencies have invested nearly \$300 million of local funds in water recycling projects, and many more projects are ready to be built; and
4. WHEREAS, federal funding is essential to support these highly leveraged, locally managed, projects to help ensure the security of water supplies for years to come; and

5. WHEREAS, Title XVI also provides a program for Federal participation (through cost sharing) in specific water reuse projects up to certain amounts specified in the Act; and
6. WHEREAS, Participating Agencies have identified 8 projects for which they wish to seek near-term federal funding; and
7. WHEREAS, Participating Agencies anticipate identifying future projects for which they may wish to secure federal funding; and
8. WHEREAS, federal funding monies will not be available for any authorized project until such funds have been specifically appropriated by Congress; and
9. WHEREAS, Title XVI requires that projects complete a feasibility determination process administered through the United States Bureau of Reclamation (“USBR”) and that specific authority for funding be legislatively granted; and
10. WHEREAS, Participating Agencies have collaborated in efforts to promote legislation authorizing federal funding for Bay Area recycled water projects; and
11. WHEREAS, Senate Bill 2739, The Consolidated Natural Resources Act of 2008, was signed into Public Law 110-229 on May 8, 2008; and
12. WHEREAS, Participating Agencies desire to continue efforts to obtain necessary legislation authorizing federal funding for Bay Area recycled water projects; and
13. WHEREAS, Participating Agencies desire to collaborate in efforts to promote legislation to appropriate federal funding for authorized projects and for other WRWC projects that may be authorized in the future.
14. WHEREAS, Participating Agencies desire to expand membership eligibility beyond the nine-county Bay Area and change the coalition name to reflect this expansion.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL BENEFITS, COVENANTS AND PROMISES CONTAINED HEREIN, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

## **I. DEFINITIONS**

1. Associate Participant: A public agency or an Investor Owned Water Utility regulated by the California Public Utilities Commission or comparable State regulatory agency if outside California that both: (i) does not have a recycled water project for which they are seeking congressional authorization and/or appropriation, but which wishes to monitor WRWC’s efforts to promote legislation to appropriate federal funding for recycled water projects authorized through Title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992; and (ii) is approved as an Associate Participant pursuant to Section II(2) of this Restated Agreement. Associate Participants may participate in WRWC discussions regarding federal funding efforts to be pursued under this Restated Agreement, but may not vote, or otherwise participate in any

decision-making, including the efforts to be undertaken under this Restated Agreement or any other matter.

2. Authorized Project: A project that has been enacted into federal law.
3. Federal Share: The dollar amount of Federal Title XVI funding that a Participating Agency is seeking for their project(s). In general, the Federal Share is 25% of the estimated total cost of a project for which a Participating Agency is seeking authorization and/or appropriation. However, an Authorized Project may have a remaining Federal Share that is less than 25% of the total project cost if it has previously received Federal appropriations.
4. Lead Agency: The Participating Agency selected by majority vote of the Participating Agencies to provide federal advocacy outside consulting services, including consultant contract management, facilitation and management of meetings, and accounting services.
6. Participating Agency: Each of the agencies that is a Participating Agency as of the effective date of this Restated Agreement. A Participating Agency also includes a public agency or Investor-Owned Water Utility regulated by the California Public Utilities Commission, or comparable State regulatory agency if outside California, that both: (i) has a recycled water project(s) authorized through Title XVI or that will seek congressional authorization and appropriation for such projects; and (ii) is approved as a Participating Agency pursuant to Section II(1) of this Restated Agreement.
7. Parties: All current and future Participating Agencies and Associate Participants.
8. Western United States: Refers to the seventeen western states covered by the Title XVI Water Reclamation and Reuse Program.

## **II. ELIGIBILITY TO BECOME A PARTY TO THIS RESTATED AGREEMENT**

1. Any public agency or Investor Owned Water Utility in the western United States that is developing a recycled water project and has an interest in securing federal participation through Title XVI can become a Participating Agency upon approval of such status by a majority of the Participating Agencies and execution of the Participating Agency Addendum attached hereto as Attachment 1. Any Addendum should be approved on or before November 30 in order to be effective for the forthcoming calendar year; however, an agency or investor owned water utility may become a Participating Agency after November 30 or during the effective calendar year if approved by the majority of Participating Agencies.
2. Any public agency or Investor Owned Water Utility in the western United States that has the ability to develop a recycled water project can become an Associate Participant upon approval of such status by a majority of the Participating Agencies and execution of the Associate Participant Addendum, attached hereto as Attachment 2. Any Addendum should be approved on or before November 30 in order to be effective for the forthcoming calendar year.

3. A Participating Agency or an Associate Participant may convert to a different party status for the forthcoming calendar year upon approval of such change in status by a majority of the Participating Agencies and execution of a Change of Party Status Addendum, attached hereto as Attachment 3. Any Addendum must be approved on or before December 15 in order to be effective for the forthcoming calendar year. Per Section VI(4), a Participating Agency that desires to change its party status to an Associate Participant during the effective calendar year shall not be entitled to any refund of their Advocacy Cost Share for that calendar year.

### **III. PARTICIPATION AND ROLES IN FEDERAL LEGISLATIVE EFFORTS**

1. The Participating Agencies hereby agree that the Lead Agency may be the legal authority to represent Participating Agencies in pursuit of the Title XVI appropriations under the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 (Public Law 102-575), and may act as the regional entity on behalf of Participating Agencies.
2. The Participating Agencies agree that the Lead Agency may be listed as the entity submitting the authorization and appropriation requests to members of Congress and that Lead Agency support of Participating Agency legislative efforts may include review of and signature on letters of support drafted by Participating Agencies, and attending hearings and/or meetings with congressional representatives and their staff. Any documents the Lead Agency requests from a Participating Agency to support its legislative role will be prepared by the respective Participating Agency at its own expense.
3. The Participating Agencies agree that all appropriations requests pursuant to this Restated Agreement shall include language directing USBR to enter into funding agreements with the Participating Agencies for reimbursement of all eligible costs of the projects designated in the Appropriation Request List developed by the Participating Agencies pursuant to Section V of this Restated Agreement, in accordance with the distribution formula set forth in Section VII below. Any agreement required by USBR shall be subject to Participating Agency accepting the terms thereof.
4. Participating Agencies agree to provide for their own projects all necessary services including providing background information, project or program descriptions, planning, environmental review, federal feasibility documentation and determination, design, construction and coordination, project or program status reports, meeting attendance, review of documents, Board or Council resolutions (if needed), and any other staff support required to support federal advocacy efforts. The Lead Agency shall not have responsibility for provision of any of these services.
5. All recycled water projects for which federal participation is sought by the Participating Agencies through Title XVI that meet the terms of this Restated Agreement shall enjoy the same legislative priority for funding and authorization regardless of project size or congressional district in which the project is located.

6. Each Participating Agency is committed to securing or assisting in securing the support of its House of Representatives member(s) to actively advocate on behalf of the Recycled Water Coalition approach. Each Participating Agency will request its House of Representative member(s) to place the WRWC recycled water Title XVI requests as a very high priority in order to support and reward the regional approach, even if the list of projects for any given year does not have a project in his/her district.
7. By September 1 of each calendar year, the Participating Agencies will select from among themselves one Lead Agency to provide federal advocacy outside consulting service for the forthcoming calendar year, including consultant contract management, facilitation and management of meetings and accounting services. The Lead Agency will bill the Parties for the costs it incurs for these activities ("Lead Agency Administrative Costs"). Each Participating Agency and each Associate Participant agrees to be individually liable for its pro rata share of the Lead Agency's Administrative Costs as provided in Section VI below. All Participating Agencies shall be considered third party beneficiaries of the outside consultant contract and shall be entitled to receive all copies of consultant's correspondence and reports. The outside consultant shall provide all required lobbying disclosure documentation for each of the Participating Agencies. Each Participating Agency agrees to be individually liable for its share of such consultant costs ("Advocacy Costs") as provided in Section VI, below.

#### **IV. DETERMINATION OF PROJECTS FOR AUTHORIZATION REQUESTS**

By December 30 of each calendar year, Participating Agencies will determine which projects will be included in the authorization requests for the following calendar year and will create a list of those projects. The list may include any recycled water project located within the west where the project sponsor is a Participating Agency. It is the Coalition's intent that this list be created a few months prior to the start of a new calendar year, as it cannot be assured that projects can be added or revisions made following authorization bill introduction. However, project additions or revisions to a draft or introduced authorization bill may be sought during the legislative session if approved by a majority of the Participating agencies.

#### **V. DETERMINATION OF PROJECTS FOR APPROPRIATION REQUESTS**

1. By December 30 of each calendar year, Participating Agencies will review the status of all Authorized Projects to determine those projects that will meet both the following criteria: (1) Project has completed or is in the process of completing the Title XVI Feasibility Determination process administered by the United States Bureau of Reclamation; and (2) the funded phase of the project will be completed no later than the end of the federal fiscal year of the appropriation request (i.e. 2011 appropriation requests must be for work that will be completed by September 30, 2011); and project otherwise meets all eligibility requirements for funding under Title XVI, as amended. Projects meeting these criteria will be eligible for inclusion in the list of projects for which a federal funding allocation will be sought.

2. By December 30 of each calendar year, Participating Agencies will determine the final list of projects; the associated project cost for which a federal funding allocation will be sought through the Congressional budget process for the subsequent federal fiscal year; and the percentage share each agency would receive of the total requested appropriation. This list shall be called the "Appropriation Request List".

## **VI. COST SHARING**

1. Participating Agencies will pay their pro rata share of Lead Agency Administrative Costs and their share of Advocacy Costs, as defined in Section III (7). Associate Participants will pay their pro-rata share of Lead Agency Administrative Costs only. The Lead Agency will invoice the costs to the Participating Agencies and Associate Participants on an annual basis, around the beginning of the calendar year. Payment is due within thirty days of the date of the invoice.
2. On or around September 30 of each calendar year, the Lead Agency will submit a budget for Lead Agency Administrative Costs for the next calendar year. On or around October 30 of each calendar year, Participating Agencies will approve the final budget amount for these administrative costs. Participating Agencies will then determine the pro rata Lead Agency Administrative cost share for each Participating Agency and each Associate Participant for the next calendar year. The pro rata cost share will be determined by equally dividing the annual budgeted Lead Agency Administrative Costs by the number of Participating Agencies plus one-half of the total number of Associate Participants. Each Participating Agency will pay a full pro rata share, and each Associate Participant will pay one-half of a full pro rata share.
3. On or around November 30 of each year, Participating Agencies will identify each agency's Federal Share for the next calendar year and determine the monetary sum of the Federal Shares for all Participating Agencies for that year.
4. On or around November 30 of each year, Participating Agencies will approve the total amounts to be spent on Advocacy Costs for the next calendar year. Participating Agencies will then determine the Advocacy Cost share attributable to a Participating Agency for that calendar year. The Advocacy Cost share will be determined by multiplying the total approved Advocacy Cost amount by a Participating Agency's Federal Share and then dividing by the sum of the Federal Share for all Participating Agencies. This calculates a percent of the Advocacy cost share for a project, such that projects seeking a higher Federal share pay proportionally more of the Federal Advocacy Cost. Once the Advocacy Cost share for each Participating Agency for the next calendar year has been determined, a Participating Agency's Advocacy Cost share will not be changed for that calendar year, even if the agency otherwise adjusts its Federal Share.
5. On or around December 30 of each year, each Participating Agency will obtain the necessary Board/City Council approval for funding of the next calendar year's Advocacy Costs and Lead Agency Administrative Costs. On or around December 30 of each year, each Associate Participant will obtain the necessary Board/City Council approval for funding of the next year's Lead Agency Administrative Costs.

6. A Party that terminates its participation in this Restated Agreement will not receive any refund of its payments for either Lead Agency Administrative Costs or Advocacy Costs. A Participating Agency that is not eligible for federal funding under Title XVI will not receive any refund of its payments for either Lead Agency Administrative Costs or Advocacy Costs.

## **VII. DISTRIBUTION OF FEDERAL FUNDING**

1. Participating Agencies may designate the Lead Agency to serve as the legal entity to request amendments to Title XVI for the authorized projects.
2. When a federal appropriation is made, in accordance with the Appropriation Request List, the Lead Agency shall inform the USBR of the percentage share that each Participating Agency should receive for its project(s) from the appropriation pursuant to an individual project agreement(s) between the Participating Agency and USBR. Should the total amount of the federal appropriation be less than the total amount sought for all authorized projects in any given year, each Participating Agency will receive its percentage share of the lower appropriation, and the Lead Agency shall inform USBR of the percentage shares.
3. Neither the Lead Agency nor any Participating Agency shall have any responsibility or liability for any other Participating Agency's performance of its obligations pursuant to its individual project agreement with the USBR. Each Participating Agency that receives a federal appropriation agrees to hold harmless the Lead Agency from any and all claims, causes of action or liabilities arising from or connected to (1) the Participating Agency's acceptance and use of the federal appropriation and/or (2) the project for which the appropriation was received.
4. The Participating Agencies are not required to accept the USBR proposed agreement terms. If the affected Participating Agencies do not enter into the USBR agreement, the affected Parties' obligations under this Restated Agreement shall terminate.

## **VIII. DISPUTES**

The Parties agree to follow this dispute resolution procedure:

1. Informal Conferral. If a dispute related to the interpretation, enforcement, or compliance with the terms and provisions of this Restated Agreement arises, the affected Parties will first attempt to resolve it through informal discussions, which will include the persons identified as Entity Contacts in Section IX below for the affected Parties. If such a dispute cannot be resolved in this matter within thirty (30) days, the affected Parties will endeavor to settle the dispute through negotiation.
2. Negotiation. Not more than fifteen (15) business days after the conclusion of the informal conferral, the aggrieved Party shall serve on the other affected Parties (a) written notice of the nature and basis of the dispute, including any amount of money claimed, the provisions of this Restated Agreement at issue, and the facts in support of its position; and (b) a copy of all supporting

documents. Within ten (10) business days after service of the notice, the responding Parties shall serve on the aggrieved Party (a) a written response setting out their position, including the provisions of the Restated Agreement relied on and the facts in support thereof; and (b) a copy of all supporting documents. Within ten (10) business days after service of the response, the affected Parties shall meet to negotiate resolution of the dispute. Each Party's negotiator shall be its general manager or city manager, executive director, or their designee.

3. After negotiation, any affected Party may pursue any available legal remedy. The written notice of the dispute and the written response and all documents produced, but not the subsequent discussion, shall be admissible in any subsequent proceeding.
4. Pending resolution of the dispute, each Party must fulfill its payment obligations and other responsibilities under this Restated Agreement.

## **IX. PARTY CONTACTS**

For each Participating Agency and each Associate Participant, a contact person is identified. All communications regarding activities covered by this Restated Agreement will be made to those contact persons. All notices pertaining to this Restated Agreement will be in writing and may be delivered by deposit in the U.S. mail, postage prepaid, addressed in the case of each Party to the contact person. Upon written notice of the change of a Party's contact person, the Lead Agency may update the list of party contacts and circulate a copy of the list to all Parties. Contact persons of the Parties as of December 30, 2012 are provided in Attachment 4.

## **X. AMENDMENTS**

This Restated Agreement may be amended by a written document executed by all of the Parties hereto.

## **XI. ENTIRE AGREEMENT**

This Restated Agreement contains all the terms and conditions agreed upon by the Parties. Except as expressly provided herein, no other understanding, oral or otherwise, regarding the subject matter of this Restated Agreement shall be deemed to exist or to bind all of the Parties hereto.

## **XII. TERMINATION**

This Restated Agreement may be terminated immediately at any time by written mutual consent of all the Parties. Upon provision of written notice of termination to all other Parties no later than October 15, and full payment of any amounts it owes under this Restated Agreement, a Participating Agency or an Associate Participant may terminate its participation in this Restated Agreement effective December 31 of the then-current calendar year. Termination does not entitle a Party to a refund of its cost share.

### **XIII. COUNTERPARTS**

This Restated Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same agreement.

### **XIV. EFFECTIVENESS**

Upon execution by the existing Parties, this Restated Agreement shall be deemed effective as of the date first set forth above, except that execution by an existing Party that terminates membership is not required in order for this Restated Agreement to become effective as to the other Parties.

EXECUTED AND APPROVED ON BEHALF OF EACH PARTY AS SIGNIFIED BY THE SIGNATURES BELOW:

PARTIES:

**City of Mountain View:**

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Daniel H. Rich, City Manager

**City of Palo Alto:**

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James Keene, City Manager

**City of Redwood City:**

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Robert Bell, City Manager

ATTY/AGR/2013.002/BACWA MOA 2<sup>ND</sup> AMENDED RESTATED 12-12-12  
REV: 01-14-13 MLG

**City of San Jose:**

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Debra Figone, City Manager

**Delta Diablo Sanitation District (DDSD):**

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Gary W. Darling, General Manager

**Santa Clara Valley Water District:**

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Beau Goldie, Chief Executive Officer

**Central Contra Costa Sanitary District:**

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Curtis W. Swanson, Provisional General Manager

**Dublin San Ramon Services District:**

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Bert Michalczyk, General Manager

**Ironhouse Sanitary District:**

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Thomas Williams, General Manager

**City of Hayward:**

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Frances David, City Manager

**City Pleasanton:**

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Nelson Fialho, City Manager

**Town of Yountville**

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Steven Rogers , Town Manager

City of Sunnyvale

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Gary Luebbers, City Manager

**San Jose Water Company**

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**Craig S. Giordano, Chief Engineer**

**Zone 7 Water Agency:**

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G.F. (Jill) Duerig, General Manager

- Attachment 1 - Participating Agency Addendum
- Attachment 2 - Associate Participant Addendum
- Attachment 3 - Change of Party Status Addendum
- Attachment 4 – Entity Contacts
- Attachment 5 – New Participating Agencies Approved by Vote for 2013

**ATTACHMENT 1**  
**PARTICIPATING AGENCY ADDENDUM**

This Addendum to the Second Amended and Restated Memorandum of Agreement for the Western Recycled Water Coalition (WRWC) Federal Legislative Efforts (the "Restated Agreement") is made on (date) \_\_\_\_\_, by the (name of entity) \_\_\_\_\_, (the "Agency") a (state legal capacity, i.e. a municipal corporation) \_\_\_\_\_ for the purpose of becoming a Participating Agency as that term is defined in the Restated Agreement. The Restated Agreement is incorporated by reference in and made a part of this Addendum.

In consideration for the mutual promises set forth in the Restated Agreement, the governing body of the Agency hereby agrees to accept and perform all duties, responsibilities and obligations required of a Participating Agency as set forth in the Restated Agreement. Further, the governing body authorizes its \_\_\_\_\_ or his/her designee to sign all documents necessary to implement the Restated Agreement.

The Agency acknowledges that it has received a copy of the Restated Agreement and after thorough review of the Restated Agreement desires to become a Participating Agency under the Restated Agreement. The Restated Agreement contemplates the inclusion of Participating Agencies by a process of voluntary execution of this Addendum and a majority vote of the Participating Agencies to approve inclusion of the signatory as a Participating Agency.

The governing body of the Agency certifies that the Agency has a recycled water project authorized through Title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 or intends to actively seek congressional authorization and appropriation, for projects covered under Title XVI.

The contact person and notice address for the Agency are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name of Agency)

Date \_\_\_\_\_

By: \_\_\_\_\_  
(title)

The Restated Agreement and the Addendum are approved as to form:

By: \_\_\_\_\_, Attorney for PARTICIPATING AGENCY

**ATTACHMENT 2**

**ASSOCIATE PARTICIPANT ADDENDUM**

This Addendum to the Second Amended and Restated Memorandum of Agreement for the Western Recycled Water Coalition (WRWC) Federal Legislative Efforts (the "Restated Agreement") is made on (date) \_\_\_\_\_, by the (name of entity) \_\_\_\_\_, (the "Agency") a (state legal capacity, i.e. a municipal corporation) \_\_\_\_\_ for the purpose of becoming an Associate Participant as that term is defined in the Restated Agreement. The Restated Agreement is incorporated by reference in and made a part of this Addendum.

The Agency acknowledges that it has received a copy of the Restated Agreement and after thorough review of the Restated Agreement desires to become an Associate Participant under the Restated Agreement. The Restated Agreement contemplates the inclusion of Associate Participant by a process of voluntary execution of this Addendum and a majority vote of the Participating Agencies to approve inclusion of the signatory as an Associate Participant.

The governing body of the Agency certifies that the Agency does not intend to actively seek congressional authorization and appropriation for projects covered under Title XVI. However, the Agency would like to participate in WRWC.

In consideration for the mutual promises set forth in the Restated Agreement, the governing body of the Agency hereby agrees to accept and perform all duties, responsibilities and obligations required of a Associate Participants set forth in the Restated Agreement. Further, the governing body authorizes its \_\_\_\_\_ or his/her designee to sign all documents necessary to implement the Restated Agreement.

The contact person and notice address for the Agency are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

(Name of Agency)

By: \_\_\_\_\_

Chairperson

The Restated Agreement and the Addendum are approved as to form:

By: \_\_\_\_\_, Attorney for Associate Participant

**ATTACHMENT 3  
CHANGE OF PARTY STATUS ADDENDUM**

This Second Amended and Restated Addendum to the Memorandum of Agreement for the Western Recycled Water Coalition (WRWC) Federal Legislative Efforts (the "Restated Agreement") is made on (date) \_\_\_\_\_, by the (name of entity) \_\_\_\_\_, (the "Agency") a (state legal capacity, i.e. a municipal corporation) \_\_\_\_\_ for the purpose of becoming a (specify new status e.g., Participating Agency or Associate Participant) as that term is defined in the Restated Agreement. The Restated Agreement is incorporated by reference in and made a part of this Addendum.

The Agency acknowledges that it has received a copy of the Restated Agreement and after thorough review of the Restated Agreement desires to change its party status from (specify current status, e.g., Participating Agency or Associate Participant) to (specify new status, e.g., Participating Agency or Associate Participant) under the Restated Agreement. The Restated Agreement contemplates the modification of party status by a process of voluntary execution of this Addendum and a majority vote of the Participating Agencies to approve modification of the signatory's party status.

[If new status is Participating Agency, include the following paragraph] The governing body of the Agency certifies that the Agency has a recycled water project authorized through Title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 or intends to actively seek congressional authorization and appropriation, for projects covered under Title XVI.

[If new status is Associate Participant, include the following paragraph] The governing body of the Agency certifies that the Agency does not intend to actively seek congressional authorization and appropriation, for projects covered under Title XVI. However, the Agency would like to participate in WRWC.

In consideration for the mutual promises set forth in the Restated Agreement, the governing body of the Agency hereby agrees to accept and perform all duties, responsibilities and obligations required of a (specify new status, e.g., Participating Agency or Associate Participant) as set forth in the Restated Agreement. Further, the governing body authorizes its \_\_\_\_\_ or his/her designee to sign all documents necessary to implement the Restated Agreement.

The contact person and notice address for the Agency are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name of Agency)

Date \_\_\_\_\_

By: \_\_\_\_\_  
(title)

The Restated Agreement and the Addendum are approved as to form:

By: \_\_\_\_\_, Attorney for PARTICIPATING AGENCY

**ATTACHMENT 4**  
**ENTITY CONTACTS**

City of Hayward  
Alex Ameri, Director of Public Works-Utilities and Environmental Services  
777 B Street  
Hayward, CA 94541

City of Mountain View  
Gregg Hosfeldt, Assistant Public Works Director  
500 Castro Street/ P.O. Box 7540  
Mountain View, CA 94039-7540

City of Palo Alto  
Nicolas Procos  
250 Hamilton Avenue  
Palo Alto, CA 94301

City of Pleasanton  
Daniel Smith  
P.O. Box 520  
Pleasanton, CA 94566

City of Redwood City  
Roanne Ross, Whitley Burchett & Associates  
1777 Oakland Blvd. Suite 200  
Walnut Creek, CA 94596

City of San Jose, South Bay Water Recycling  
David Tucker  
c/o City of San Jose Municipal Water System  
3025 Tuers Road  
San Jose CA 95121

Delta Diablo Sanitation District  
Caroline Quinn, District Engineer  
2500 Pittsburg-Antioch Highway  
Antioch, CA 94509-1373

Dublin San Ramon Services District  
Rhodora Biagtan, Principal Engineer  
7051 Dublin Boulevard  
Dublin, CA 94568

Ironhouse Sanitary District  
Tom Williams, General Manager  
450 Walnut Meadows Dr.

Oakley, CA 94561

San Jose Water Company  
Craig S. Giordano  
1265 South Bascom Avenue  
San Jose, CA 95128

Santa Clara Valley Water District  
Joan Maher, Deputy Operating Officer  
5750 Almaden Expressway  
San Jose, CA 95118

Town of Yountville  
Graham Wadsworth, Public Works Director  
6550 Yount Street  
Yountville, CA 94599

Zone 7 Water Agency  
Amparo Flores  
100 North Canyons Parkway  
Livermore, CA 94551-9486

## ATTACHMENT 5

### NEW PARTICIPATING AGENCIES APPROVED BY VOTE IN 2012 FOR CALENDAR YEAR 2013

During the drafting of this Restated Agreement in late 2012, the existing Participating Agencies approved by vote the addition of the following three new Participating Agencies for 2013:

1. City of Brentwood
2. City of Fresno
3. North Valley Regional Recycled Water Program, consisting of the City of Modesto, City of Turlock, City of Ceres, and Del Puerto Water District.

These new WRWC members will become Participating Agencies and Parties to this Restated Agreement following their execution of the Participating Agency Addendum provided as Attachment 1.



**ATTACHMENT 1**  
**PARTICIPATING AGENCY ADDENDUM**

This Addendum to the Second Amended and Restated Memorandum of Agreement for the Western Recycled Water Coalition (WRWC) Federal Legislative Efforts (the "Restated Agreement") is made on December 16, 2014, by the City of Benicia, (the "Agency") a (state legal capacity, i.e. a municipal corporation) municipal corporation for the purpose of becoming a Participating Agency as that term is defined in the Restated Agreement. The Restated Agreement is incorporated by reference in and made a part of this Addendum.

In consideration for the mutual promises set forth in the Restated Agreement, the governing body of the Agency hereby agrees to accept and perform all duties, responsibilities and obligations required of a Participating Agency as set forth in the Restated Agreement. Further, the governing body authorizes its Public Works Director or his/her designee to sign all documents necessary to implement the Restated Agreement.

The Agency acknowledges that it has received a copy of the Restated Agreement and after thorough review of the Restated Agreement desires to become a Participating Agency under the Restated Agreement. The Restated Agreement contemplates the inclusion of Participating Agencies by a process of voluntary execution of this Addendum and a majority vote of the Participating Agencies to approve inclusion of the signatory as a Participating Agency.

The governing body of the Agency certifies that the Agency has a recycled water project authorized through Title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992 or intends to actively seek congressional authorization and appropriation, for projects covered under Title XVI.

The contact person and notice address for the Agency are:

Graham Wadsworth, Public Works Director/City Engineer

250 East L Street

Benicia, CA 94510

City of Benicia

Date \_\_\_\_\_

By: \_\_\_\_\_

Brad Kilger  
City Manager

The Restated Agreement and the Addendum are approved as to form:

By: \_\_\_\_\_, Attorney for PARTICIPATING AGENCY



**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : December 3, 2014  
**TO** : City Manager  
**FROM** : Public Works Director  
**SUBJECT** : **REVIEW OF NOVEMBER WATER REPORT**

**RECOMMENDATION:**

Receive the City's water supply and usage update.

**EXECUTIVE SUMMARY:**

Benicia customers are continuing to conserve water and their efforts are acknowledged and appreciated. Benicia has reduced its water use by 19.5% since January 2014 compared to the same time frame in 2013, or 22% since March 2014 (which is after City Council implemented a community wide goal of voluntarily reducing water consumption by 20%). A recent media release from the State Water Resources Control Board reported that statewide residential water savings for October 2014 was only 6.7% in year over year water use.

**BUDGET INFORMATION:**

No budget impacts are associated with this update.

**GENERAL PLAN:**

Relevant General Plan Goals:

- Overarching Goal of the General Plan: Sustainability
- Goal 2.36: Ensure an adequate water supply for current and future residents and businesses.

**STRATEGIC PLAN:**

Relevant Strategic Plan Issue and Strategy:

- Strategic Issue #1: Protecting Community Health and Safety
- Strategy #5: Promote community and personal health

**BACKGROUND:**

The drought conditions remain very serious. The California Department of Water Resources recently reported that Lake Oroville is only 25% full. On average, the City purchases 85% of its water from the North Bay Aqueduct (NBA), Lake Oroville is the main source of water to the NBA. The City has

taken a variety of actions in the short term to deal with the challenge. The Council implemented a citywide 20% voluntary reduction in water consumption, authorized water purchases to secure an adequate water supply, and adopted emergency outdoor watering restrictions. In addition, the City is managing its water supply to maximize the use of the allocated State Water Project water, conserve Solano Project water that can be stored/banked in Lake Berryessa, maximize Lake Herman water storage and delivery, and make improvements to components of the water infrastructure to ensure reliability and redundancy. All of these efforts are intended to ensure, to the extent feasible, an adequate water supply through December 2016 if the drought continues.

In July 2014 the City entered into an agreement with the City of Vacaville to purchase up to 4,000 acre-feet of Vacaville's Solano Project Carryover water during the 2014 calendar year. The City already purchased 2,000 acre-feet in July 2014. Before December 31, 2014 the City will purchase the remaining 2,000 acre-feet of water, which will increase the City's water supply shown in Table 4.

The winter water restrictions, which began on October 16 2014, limit watering by automatic sprinkler systems to either Saturday or Sunday (customer choice) before 8 a.m. or after 7 p.m. until March 31, 2015. There are exceptions for hoses with a shut-off nozzle, drip irrigation, watering container plants and for watering turf at recreational areas.

City of Benicia customers are continuing to reduce their water use. The tables on the following pages show that Benicia has reduced its water use by 19.5% since January 2014 compared to the same timeframe in 2013, or 22% since March 2014 (which is after City Council implemented a community wide goal of voluntarily reducing water consumption by 20%). The statewide average in October 2014 was a 6.7% reduction. Table 3 shows that City-owned facilities have reduced water use by 36% since March 2014.

Staff was previously using 2012 as a base year to monitor and measure water conservation effort and year 2013 was also shown as a comparison. Year 2012 was a typical water use year versus 2013 which was a more extreme dry year resulting in higher than average water consumption. The State has selected 2013 as a base year for measuring statewide progress. Staff will benchmark water use to 2013 in order to remain consistent with required reporting to the State, but will also show 2012 as a comparison.

Monthly reports are submitted to the State Water Resources Control Board on an ongoing basis. In October 2014, water use in Benicia was 101.1 gallons per

## **VII.E.2**

person per day, which was 160<sup>th</sup> out of 400 communities reporting. The statewide average for October 2014 was 109 gallons per person per day.

## MONTHLY WATER UPDATE

Table 1 and Graph 1 show the water used since January 1, 2014.

**Table 1**  
**2014 Source Water Usage AF (acre-feet) through November 30.**

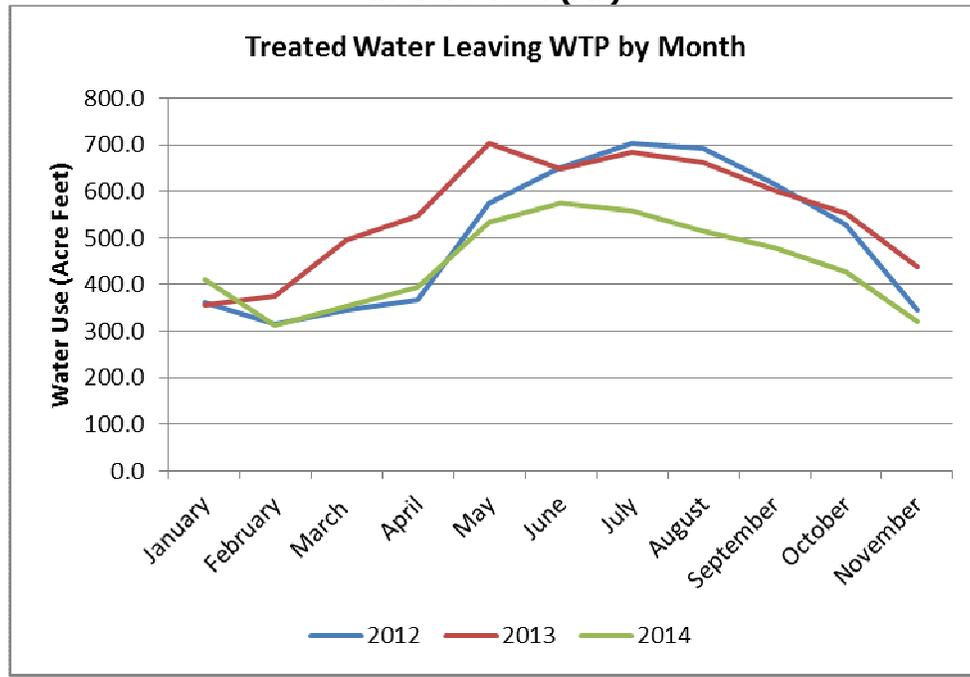
Month	State Water Project	Solano Project	Lake Herman	Total Used
January	779	0	14 (V)	<b>793</b>
February	320	229	79	<b>628</b>
March	0	454	294	<b>748</b>
April	737	310	280 (V)	<b>1,327</b>
May	765	78	167	<b>1,010</b>
June	788	172	99	<b>1,059</b>
July	794	396	63 (V)	<b>1,253</b>
August	743	106	147 (V)	<b>996</b>
September	726	0	212 (V)	<b>938</b>
October	801	0	135 (V)	<b>936</b>
November	106	367	305 (V)	<b>778</b>
<i>Sub-Total</i>	<i>6,559</i>	<i>2,112</i>	<i>1,795</i>	<b><i>10,466</i></b>

Lake Herman usage: "V" = water drawn down by Valero Refinery

Table 1 above illustrates the amount of water purchased or used from the City's three source water supplies. The Lake Herman column shows when Valero is drawing water out of Lake Herman (V) and when the City is filling the lake, the volume shows a positive value. The 1,795-AF identified in Table 2 represents all water passing through Lake Herman (fill and draw). Lake Herman will provide approximately 1,284- AF of water storage (V) by the end of the year to the Valero Oil Refinery.

Graph 1 on the following page shows the Treated Water Demand through October 2014.

**Graph 1**  
**2014 Treated Water Demand Leaving the Water Treatment Plant (WTP)**  
**in acre-feet (AF)**



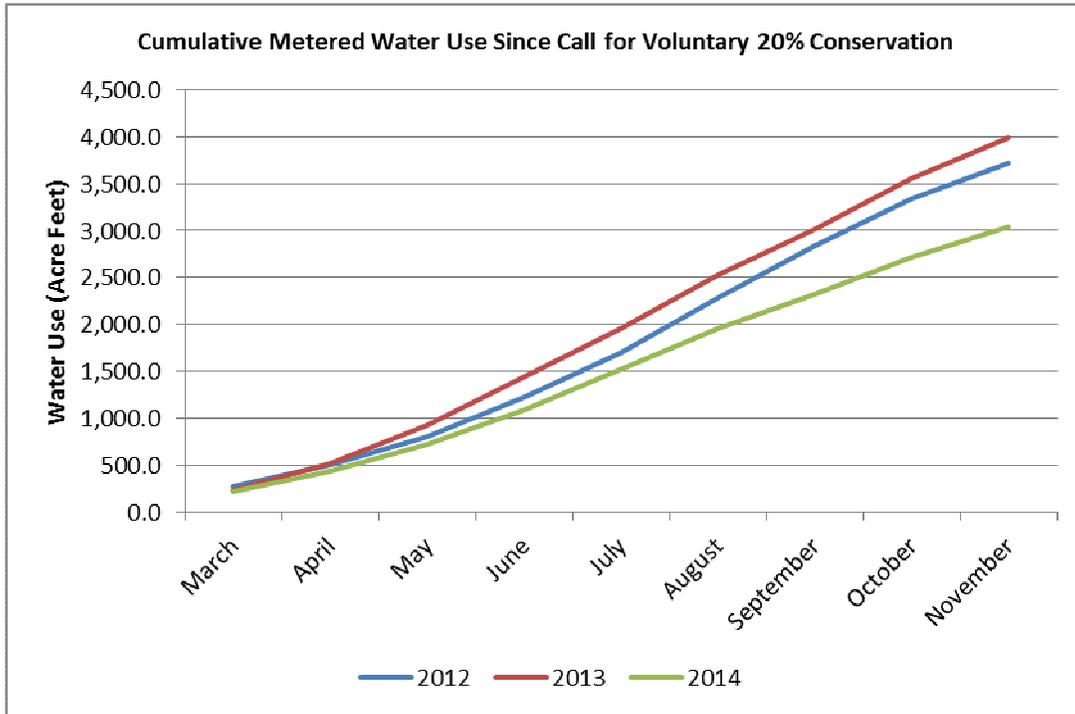
**Table 2**  
**Metered Water Use Since Call for Voluntary 20% Conservation**  
**(in acre-feet)**

Year	March	April	May	June	July	Aug	Sept	Oct	Nov	Sub-Total for 9 months	Total for year	20% Reduction
2012	273	228	303	423	475	584	554	503	374	3,717	4,481	896
2013	239	277	408	517	515	570	483	546	434	3,989	4,854	971
2014	217	224	285	357	435	445	356	403	315	3,037		

680 acre feet or 18% less was used in 2014 than 2012

952 acre feet or 24% less was used in 2014 than 2013

**Graph 2**  
**Cumulative Metered Water Use Since Call for Voluntary 20% Conservation**



**Table 3**  
**City Facilities Metered Water Use**  
**Since Call for Voluntary 20% Conservation**  
**(in acre-feet)**

Year	March through November Total City Facilities Water Use
2012	248
2013	281
2014	181

2014 Water Reduction Compared to 2012=27%  
 2014 Water Reduction Compared to 2013=36%

**Table 4**  
**Water Demand and Supply for 2014 and 2015**

<b>Source Supply</b>	<b>2014 Working Water Supply (AF)</b>	<b>2015 Working Water Supply (AF)</b>
State Water Project	10,320	7,413
Solano Project Water	10,800	14,345
Lake Herman	1,300	1,000
<i>Total Supply</i>	<i>22,420</i>	<i>22,758</i>
City Treated Water Demand	5,180	5,000
Valero Raw Water Demand	4,740	4,700
<i>Total Demand</i>	<i>9,920</i>	<i>9,700</i>

Table 4 illustrates the City will have approximately 22,420-AF of supply available between its three sources in 2014. This includes 2,000-AF of Solano Project water purchased in July 2014 from the City of Vacaville, which can be stored in Lake Berryessa until needed. The City also traded 1,000-AF of State Water Project in October 2014 to the City of Vallejo for 1,000-AF of their Solano Project water so that Vallejo would have a SWP water supply during the Putah South Canal cleaning in October 2014. The treated water demand within the City (residential, commercial, industrial, institutional) is projected to be 5,180-AF, due largely to conservation efforts. As of November 2014, Benicia citizens are conserving 22% more water than this same period in 2013. Valero raw water demand is projected to be 4,740-AF by the end of the year. The total demand by the City and Valero is projected to use 9,920-AF of water.

The State Water Resources Control Board, Delta Watermaster Office, lifted the curtailment of diversions under water right permit and license term 91 on November 26, 2014. Standard term 91 prohibits diversion of water under specified conditions. These conditions occur when stored water from the Central Valley Project (US Bureau of Reclamation) or State Water Project is being released to meet water quality standards and other in-basin entitlements in the Sacramento-San Joaquin Delta Watershed. This means that Benicia can start using Settlement Water it secured in 2003 and any Article 21 water available through the North Bay Aqueduct, possibly up to 1,000-AF in January 2015.

## **VII.E.6**

The Department of Water Resources has suggested a 10% allocation of the City's Table A SWP supply for January, increasing our Table A water supply to 1,720-AF.

If the winter forecast provides for a normal precipitation year, the City should be able to secure the final 1,000-AF of water banked with the Mojave Water Agency. The City will carry over approximately 3,700-AF of State Water Project and 11,345-AF of Solano Project water into 2015. With the projected availability of 1,000-AF of Lake Herman water due to early winter rains, the City should have approximately 22,758-AF of supply available in 2015. If the City continues to conserve at 20%, the total treated water demand will drop to 5,000-AF in 2015. If Valero can continue to conserve their raw water demand, they are projected to only use 4,700-AF in 2015. The projected demand in 2015 may drop to 9,700-AF, thus allowing the City to start 2016 with nearly 17,700-AF of water supply – enough water to provide both municipal and industrial demands for the City.

These projections are predicated on a committed 20% water conservation by the citizens and a 5% water conservation effort by the Valero Oil Refinery.

### **Solano County Turf Replacement Program Update**

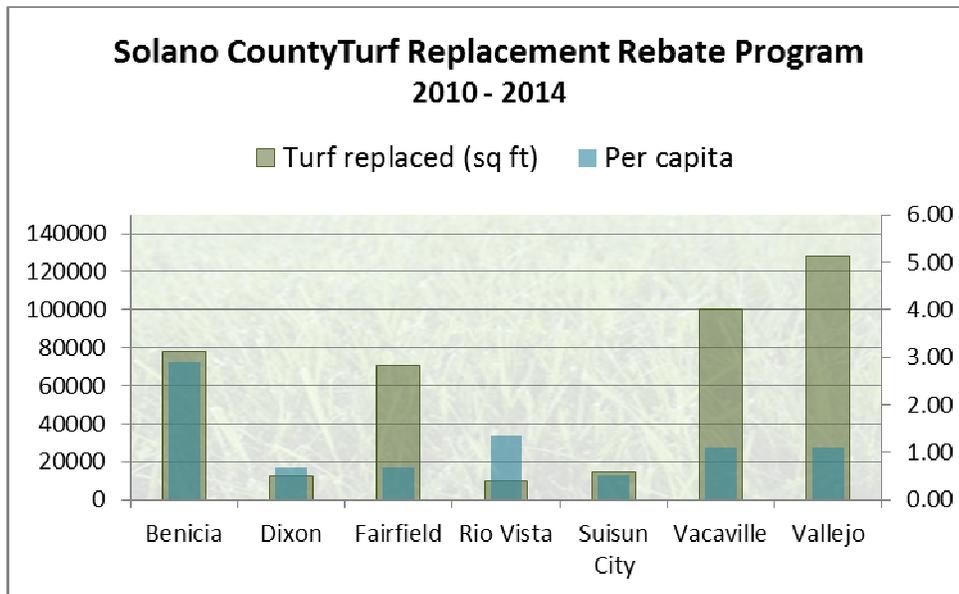
Landscape irrigation typically accounts for about 50% of residential water use. Encouraging the replacement of lawn with drip-irrigated low-water use plants or permeable hardscape is an effective, long-term strategy for water conservation.

The Solano County Water Agency (SCWA) administers a turf replacement program using state grant funding that provides rebates to residents who replace their water thirsty lawn with drought-tolerant landscaping. This program will reimburse a property owner \$1.00 per square foot, up to \$1,000 per project. The Benicia Community Sustainability Commission provided \$100,000 grant funding for an additional \$1.00/ sq. ft. rebate for Benicia residents for an enhanced rebate of \$2.00 per sq. ft., up to \$2,000, until the grant funds are exhausted.

In the November 18, 2014 staff report, it was reported that the SCWA Turf Replacement program has stopped accepting new applications because all available funds have been committed. However, SCWA recently acquired an additional source of funds for the \$1.00 rebate so the program is continuing as originally planned.

Of the \$100,000 grant allocation from the Community Sustainability Commission, \$35,500 has been paid out to Benicia projects, and an estimated \$82,000 in rebates have projects which have received a Notice to Proceed. Although these amounts exceed the \$100,000 grant, it is unlikely that all projects will be completed.

The graph below reflects Benicia has the highest per capita participation of the turf replacement rebate program.



### Benicia Partnership with WaterSmart

The drought could continue for another year or more, so a new water conservation tool is being rolled out. The first Home Water Use Reports will be mailed out to many Benicia residents around December 6, kicking off the partnership between the City and WaterSmart/WaterInsight. These reports will provide individualized water use information to increase residents' awareness of their household water use as compared to similar households.

WaterSmart Software is a company that helps water utilities make it easier for their customers to conserve water. Benicia was selected as the site for a pilot project funded by the Solano County Water Agency, which involves a random selection of 5,000 Benicia homes.

In addition to customer water use, the Home Water Use Reports also incorporate publicly available real estate information such as lot size and number of bedrooms to craft targeted information for each customer and to create peer groups for comparison. The pilot project will provide customers access to an online portal with more information about their water use history, as well as water conservation methods and programs available to them. It also provides City staff with tools for hotline call management and analyzing customer data.

Staff has coordinated with WattzOn who manages the Benicia Home Efficiency Program. Funded by a grant with the Valero Good Neighbor Steering Committee Funds, this program provides free home water and energy audits for Benicia residents. The Home Water Use Reports will contain information about the WattzOn program in an effort to combine forces and improve water efficiency and customer service. Anyone interested in receiving free home water and energy audits should contact WattzOn at 800-314-5997 or [info@wattzon.com](mailto:info@wattzon.com).



**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : December 3, 2014

**TO** : City Manager

**FROM** : Public Works Director

**SUBJECT** : **APPROVAL OF AMENDMENT TO AGREEMENT WITH V.W. HOUSEN & ASSOCIATES FOR CONTINUED ENGINEERING SUPPORT SERVICES AND CAPITAL IMPROVEMENT PLANNING FOR THE PUBLIC WORKS DEPARTMENT**

**RECOMMENDATION:**

Adopt a resolution approving an amendment to the agreement for continued engineering support services and capital improvement planning for the Public Works Department with V.W. Housen & Associates for a not-to-exceed cost of \$59,040 and authorizing the City Manager to sign the Amendment to Agreement on behalf of the City.

**EXECUTIVE SUMMARY:**

City staff does not have the expertise or capacity to perform this work in-house. The consultant has the expertise necessary for the various water and wastewater enterprise related tasks. The Amendment to Agreement will allow for the completion of existing tasks as well as expanding the scope of work to meet the needs of the Public Works Department related to water and wastewater capital project planning and implementation through June 2015.

**BUDGET INFORMATION:**

The total not-to-exceed cost of the continued engineering support services is \$59,040. The cost will be split \$39,247 from Account No. 014-8305-8106 (wastewater professional/technical services) and \$19,793 from Account No. 090-8205-8106 (water professional/technical services). Sufficient funds are available in these accounts.

**GENERAL PLAN:**

Relevant General Plan Goals:

- Overarching Goal of the General Plan: Sustainability
- Goal 2.36: Ensure an adequate water supply for current and future residents and businesses.

**STRATEGIC PLAN:**

Relevant Strategic Plan Issue:

- Strategic Issue #2: Protecting and enhancing the environment
- Strategy #2: Implement new water conservation projects/programs
- Strategic Issue #4: Preserving and enhancing infrastructure

**BACKGROUND:**

The City and V.W. Housen & Associates (VWHA) entered into a Consultant Agreement on September 7, 2014 for engineering services for various water and wastewater enterprise related items at a cost of \$49,900. The work items consisted of the following:

1. Review of Water and Wastewater Capital Improvement Project (CIP) data sources.
2. Assist in developing recycled water options for the wastewater treatment plant, and in securing necessary consulting/contractor support.
3. Assist in implementing a water meter replacement program.
4. Review and assist staff in meeting commitments established in the River Watch Settlement Agreement.

V.W. Housen & Associates has over 25 years of experience in the planning, design and management of water and wastewater infrastructure projects. The firm has supported numerous agencies in various capacities such as interim General Manager, District Manager, and District Engineer, and has specific expertise in hydraulic modeling, master planning, asset management, regulatory compliance, and project management. The strategies and solutions proposed by V. W. Housen & Associates to date have been practical cost effective, and aligned with City objectives.

The consultant has worked on all of these items and proven to be an asset to the City, especially in light of reduced staffing in the Public Works Department. Staff proposes to continue the services of V.W. Housen & Associates to see the above items through completion as well as expand the scope of work as follows.

1. CIP–Finalize the CIP as required for the upcoming water and wastewater rate studies. The scope will also be expanded to include additional Public Works needs such as project planning for several critical near-term projects including the Electrical Reliability Study, Cathodic Protection Assessment, Effluent Pipeline Assessment Planning, Sewer System Manhole Rehabilitation, Pipeline Assessments and Wastewater Peak Flow and Capacity Review.
2. Recycled Water Pilot Project – V.W. Housen & Associates has completed evaluating pilot options. Although City staff will manage the pilot project

in 2015, V.W. Housen & Associates will be available to provide technical assistance as needed.

3. Water Meter Replacement – V.W. Housen & Associates is completing advanced planning for implementation of a water meter replacement program using automated meter reading technology. In 2015, VWHA will develop a Request For Information to obtain a water audit and business case analysis, and subsequent Request For Quotation for the water meter implementation program. VWHA will be available for support related to funding, contractor selection and project management as needed.
4. River Watch Support – V.W. Housen & Associates has completed development of the Closed Circuit Television (CCTV) specifications, a Request For Proposal for the CCTV inspection program, and a final draft of the City's Sewer Lateral Program Ordinance. In 2015, VWHA will assist in the selection of a contractor and review inspection data and documentation. VWHA will be available to support the City in finalizing the sewer lateral ordinance and other tasks related to River Water compliance.

V.W. Housen & Associates has demonstrated the expertise necessary for these specialized water and wastewater projects. The quality of work has proven to be professional and the consultant has shown responsiveness throughout previous work for the Public Works Department. City staff does not have the expertise or capacity to perform this work in-house. Additionally, V.W. Housen & Associates' hourly rates are approximately 10 percent below other comparable firms.

Staff, therefore, recommends Council approve the amendment to agreement for continued engineering support services with V.W. Housen & Associates for a total cost not-to-exceed \$59,040.

Attachments:

- Proposed Resolution
- Amendment to Agreement
- Letter from V.W. Housen & Associates



**RESOLUTION NO. 14-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING AN AMENDMENT TO AGREEMENT FOR CONTINUED ENGINEERING SUPPORT SERVICES FOR THE PUBLIC WORKS DEPARTMENT WITH V.W. HOUSEN AND ASSOCIATES FOR A NOT-TO-EXCEED COST OF \$59,040 AND AUTHORIZING THE CITY MANAGER TO SIGN THE AMENDMENT TO AGREEMENT ON BEHALF OF THE CITY**

**WHEREAS**, the City entered into a consulting agreement with V.W. Housen & Associates in September 2014 for engineering services for various water and wastewater enterprise related items at a cost of \$49,900; and

**WHEREAS**, V.W. Housen & Associates has over 25 years of experience in planning, design and management of water and wastewater infrastructure projects and has proven to propose strategies and solutions to date that have been practical, cost effective and aligned with City objectives; and

**WHEREAS**, City staff does not have the expertise or capacity to perform this work in-house; and

**WHEREAS**, V.W. Housen and Associates is the most capable in all material aspects to perform the contract requirements and is highly qualified to perform the engineering support services for water and wastewater capital project planning and implementation through June 2015; and

**WHEREAS**, staff recommends an amendment to the agreement for continued engineering support services with V.W. Housen & Associates for a total not-to-exceed cost of \$59,040.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia hereby approves an Amendment to Agreement for continued engineering support services for the Public Works Department with V.W. Housen & Associates for a not-to-exceed cost of \$59,040 (funded \$39,247 from Acct No. 014-8305-8106 and \$19,793 from Acct No. 090-8205-8106) and authorizes the City Manager to sign the Amendment to Agreement on behalf of the City, subject to approval by the City Attorney.

\*\*\*\*\*

On motion of Council Member \_\_\_\_\_, and seconded by Council Member \_\_\_\_\_, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 16<sup>th</sup> day of December, 2014, and adopted by the following vote.

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Elizabeth Patterson, Mayor

Attest:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date

**AMENDMENT TO AGREEMENT**

This Amendment of the Agreement, entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Benicia, a municipal corporation (“CITY”) and V.W. Housen & Associates, a California Corporation, with its primary office located at 185 Front Street, Suite 207, Danville, CA 94526 (“CONSULTANT”), is made with reference to the following:

RECITALS:

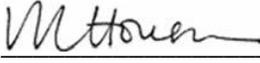
A. On September 7, 2014, an agreement was entered into by and between CITY and V.W. Housen & Associates, (“Agreement”).

B. CITY and CONSULTANT desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. Paragraph 2 (Scope of Service) of the Agreement is modified to add as per the attached Proposal dated November 26, 2014.
2. Paragraph 3 (Compensation) of the Agreement is modified to add as per Attachment 1 to the attached Proposal dated November 26, 2014.
3. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

V.W. Housen & Asso.  
By   
Vivian W. Housen, P.E.

City of Benicia, A Municipal Corporation  
By \_\_\_\_\_  
Brad Kilger, City Manager

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
Department Head

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



November 26, 2014

Mr. Graham Wadsworth  
Public Works Director and City Engineer  
City of Benicia  
250 East L Street  
Benicia, California 94510

Subject: Proposal for FY2014/15 Engineering Support Services

Dear Mr. Wadsworth:

We are pleased to provide this proposal for continued engineering support services through June 30, 2015. During this time, we propose to continue the work that was initiated in late 2014, which includes the following:

- **Capital Improvement Planning**. Various discussions and coordination meetings were held in 2014 to define and prioritize water and wastewater infrastructure needs. Work included assistance in resolving budgets and priorities for the remainder of FY2014/15. VWHA will continue the work in progress and complete the development of capital improvement plans as required for the upcoming water and wastewater rate studies. This scope will also be expanded to include broader Public Works needs.

Specific to FY2014/15 needs, VWHA will support staff in project planning for several critical near-term projects: 1) Electrical Reliability Study; 2) Cathodic Protection Assessment; 3) Effluent Pipeline Assessment Planning; 3) Sewer System Manhole Rehabilitation and Pipeline Assessments; and 4) Wastewater Peak Flow and Capacity Review.

- **Recycled Water Pilot**. VWHA has assisted staff in evaluating recycled water pilot plant options. Although the pilot project will be managed by City staff, in 2015, VWHA will be available to provide technical assistance as needed.
- **Water Meter Replacement**. VWHA is completing advanced planning for implementation of a water meter replacement program using automated meter reading technology. In early 2015, we will develop a Request for Information to obtain a water audit and business case analysis for the water meter replacement program, and subsequent Request for Quotation for the water meter implementation program. We will also support the City in decisions related to funding and contractor selection for the program, and are available to provide continued project management as requested by the City.
- **Riverwatch Support**. Development of CCTV specifications, a request for proposal for the FY2014/15 CCTV inspection program, and a final draft of the City's lateral replacement ordinance were completed as required to meet requirements of the Riverwatch Consent Decree. In early 2015, VWHA will assist in selection of the City's CCTV inspection contractor, and will review received inspection data and documentation. We will also

Mr. Graham Wadsworth

November 26, 2014

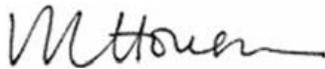
Page 2

continue to support the City in finalizing and implementing the lateral replacement ordinance, and with other tasks that are requested related to Riverwatch compliance.

Estimated hours and budget for the described tasks are shown in Attachment 1. We are excited to have the opportunity to continue to support the City with these critical needs. Please feel free to contact me at (925) 518-3487 or [vhousen@housenassociates.com](mailto:vhousen@housenassociates.com) if you have questions or would like additional information.

Sincerely,

V. W. Housen & Associates

A handwritten signature in black ink, appearing to read "V. Housen", written in a cursive style.

Vivian Housen, P.E.

Attachment 1. Proposed Hours and Budget for FY2014/15 Engineering Support Services

Cost Estimate for V. W. Housen & Associates										
City of Benicia 2014/15 Engineering Support Services										
Task	1.0	Capital Improvement Planning	Housen	Proj Eng	Hours	Fee	Mileage	Total Costs	Breakdown	
			\$222	\$122					Water	WW
	1.1	Complete CIP and Provide CIP Support for Rate Study	16	0	16	\$ 3,552	\$ 100	\$ 3,652	\$ 1,217	\$ 2,435
	1.2	Project Management for FY14/15 Projects	80	40	120	\$ 22,640	\$ 300	\$ 22,940		\$22,940
		<b>Subtotal Task 1</b>	<b>96</b>	<b>40</b>	<b>136</b>	<b>\$ 26,192</b>	<b>\$ 400</b>	<b>\$ 26,592</b>	<b>\$ 1,217</b>	<b>\$25,375</b>
<b>Task</b>	<b>2.0</b>	<b>Recycled Water Pilot Assistance</b>								
	2.1	As-Needed Assistance	4	4	8	\$ 1,376	\$ 100	\$ 1,476		\$ 1,476
		<b>Subtotal Task 2</b>	<b>4</b>	<b>4</b>	<b>8</b>	<b>\$ 1,376</b>	<b>\$ 100</b>	<b>\$ 1,476</b>	<b>\$ -</b>	<b>\$ 1,476</b>
<b>Task</b>	<b>3.0</b>	<b>Water Meter Replacement</b>								
	3.1	Develop and Evaluate RFI / Qualifications	8	16	24	\$ 3,728	\$ 100	\$ 3,828	\$ 3,445	\$ 383
	3.2	Develop and Evaluation RFQ for Meter Implementation	16	24	40	\$ 6,480	\$ 100	\$ 6,580	\$ 5,922	\$ 658
	3.3	Provide Assistance During Meter Implementation	32	24	56	\$ 10,032	\$ 200	\$ 10,232	\$ 9,209	\$ 1,023
		<b>Subtotal Task 3</b>	<b>56</b>	<b>64</b>	<b>120</b>	<b>\$ 20,240</b>	<b>\$ 400</b>	<b>\$ 20,640</b>	<b>\$ 18,576</b>	<b>\$ 2,064</b>
<b>Task</b>	<b>4.0</b>	<b>Riverwatch Support</b>								
	4.1	Finalize RFP and Provide CCTV Inspection Project Support	16	16	32	\$ 5,504	\$ 200	\$ 5,704		\$ 5,704
	4.2	Assist with Lateral Ordinance Implementation	8		8	\$ 1,776	\$ 100	\$ 1,876		\$ 1,876
	4.3	Assist with FY14/15 Reporting Activities	8	8	16	\$ 2,752		\$ 2,752		\$ 2,752
		<b>Subtotal Task 4</b>	<b>32</b>	<b>24</b>	<b>56</b>	<b>\$ 10,032</b>	<b>\$ 300</b>	<b>\$ 10,332</b>	<b>\$ -</b>	<b>\$ 10,332</b>
		<b>Total Hours</b>	<b>188</b>	<b>132</b>	<b>320</b>					
		<b>Total Cost</b>	<b>\$ 41,736</b>	<b>\$ 16,104</b>		<b>\$ 57,840</b>	<b>\$ 1,200</b>	<b>\$ 59,040</b>	<b>\$ 19,793</b>	<b>\$ 39,247</b>



**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**CONSENT CALENDAR**

**DATE** : December 3, 2014

**TO** : City Manager

**FROM** : Economic Development Manager

**SUBJECT** : **APPROVAL OF METEOROLOGICAL LICENSE AND ENVIRONMENTAL STUDY AGREEMENT FOR CITY OWNED PROPERTY**

**RECOMMENDATION:**

Approve the proposed meteorological license and environmental study agreement for City owned property North of Lake Herman Road.

**EXECUTIVE SUMMARY:**

Exelon Energy Company has proposed a five year license agreement to access City owned property north of Lake Herman to conduct various meteorological and environmental tests to determine the feasibility of installing wind turbines.

**BUDGET INFORMATION:**

Exelon Generation has proposed a license fee payment of \$5,000/year.

**STRATEGIC PLAN:**

Relevant Strategic Plan Goal:

- Strategic Issue 3: Strengthening Economic and Fiscal Conditions  
Keeping City-owned property in productive use economically strengthens the City.

**GENERAL PLAN:**

Relevant General Plan Goals:

- Goal 2.2: Maintain lands near Lake Herman and north of Lake Herman Road in permanent agriculture/open space use.
- Goal 2.5: Facilitate and encourage new uses and development, which provide substantial and sustainable fiscal and economic benefits to the City and community while maintaining health, safety and quality of life.
- Goal 3.18: Protect agricultural use.
  - Policy 3.18.1: Preserve rangeland north of Lake Herman Road.

**ENVIRONMENTAL ANALYSIS:**

Staff has determined that the proposed project is a project pursuant to Section 1578 of the California Environmental Quality Act (CEQA) Guidelines as it requires the execution of a lease agreement between Exelon Energy and the City of Benicia for the placement of the trailer on City property to collect meteorological and environmental data.

The proposed project is exempt from the CEQA Guidelines per Section 15061(b)(3), the “general rule” exemption, which states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA. The proposed project is also Categorically Exempt per Section 15306 Information Collection.

The proposed project would allow Exelon Energy access to City owned property to collect meteorological and environmental data to determine the feasibility of constructing wind turbines. The study equipment is the equivalent size of a trailer towed by a pick-up truck. The project would temporary locate the proposed trailer on three different locations (SODAR 1, SODAR 2 and SODAR3) as provided in the proposed license agreement. The proposed locations are on three parcels with the open space north of Lake Herman Road. SODAR 1 and SODAR 3 would be located outside of the City limits within Solano County and SODAR 2 would be located within the City limits. All parcels are owned by the City of Benicia. The pick-up truck and trailer would access the City-owned parcels via existing access roads originating from Lake Herman Road. See Proposed Sodar Unit Locations map attached. As shown on map, access to the proposed locations would be on existing roads/trails through the open space. Once in place, no modification of the ground is required. The trailer would be secured with rubber tire stops to prevent it from moving.

The placement of the trailers is temporary (maximum of five years total) and does not require significant disturbance of the ground. Therefore, the City has determined that the proposed project will not have a significant effect on the environment.

**BACKGROUND:**

The proposed license agreement is designed to allow Exelon Energy access to City owned property for them to collect meteorological and environmental data to determine the feasibility of constructing wind turbines. The study equipment is the equivalent size of a trailer towed by a pick-up truck. A picture of the equipment is shown in Exhibit B of the proposed agreement.

Additionally, the study time would allow Exelon Energy to address if and how such a project could proceed in light of certain land use restrictions, primarily

the City's urban growth boundary and the concern of Travis Air Force Base (TAFB) and Solano County that wind turbines interfere with TAFB radar installations.

The term of the License Agreement is no more than five years. It may be terminated sooner by the City if Exelon Energy fails to make timely payment or ceases development progress for 120 consecutive days. Exelon Energy is also required to provide the City written progress reports on a quarterly basis.

Attachments:

- Proposed License Agreement
- Proposed Sodar Unit Locations Map



## METEOROLOGICAL LICENSE AND ENVIRONMENTAL STUDY AGREEMENT

THIS METEOROLOGICAL LICENSE AND ENVIRONMENTAL STUDY AGREEMENT (this "Agreement") is made as of the \_\_\_\_ of \_\_\_\_\_, 2014 (the "Effective Date") by and between the City of Benicia ("Benicia") and Exelon Wind, LLC, a Delaware limited liability company, with an address of 4601 Westown Pkwy, Ste 300, West Des Moines, Iowa 50266 ("Developer").

### RECITAL

WHEREAS, Benicia owns certain real property within the city limits or its Sphere of Influence, as more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "Property"). Benicia is willing to grant Developer a license and right-of-way on, over, and across the Property for the purpose of measuring, monitoring, and collecting wind resource data, undertaking soil and geotechnical studies and performing land surveys and environmental studies on the Property upon the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the above premises, and the mutual promises and consideration set forth below, the receipt and adequacy of which are acknowledged by both parties, the parties agree as follows:

### AGREEMENT

1. GRANT OF LICENSE. Benicia hereby grants and conveys to Developer a license and right-of-way on, over, and across the Property to come upon the Property and to install, operate, maintain, and collect data from Sonic Detection and Ranging (SODAR) equipment and meteorological towers as shown in Exhibit B (including measurement devices, controls, and instrumentation), (the "License"). The location(s) of said tower(s) shall be located on the parcels identified in Exhibit A attached hereto. The License includes the right to construct, use, repair, replace, relocate, transport and remove said equipment and appropriate vehicles. The License also includes the right to undertake soil and geotechnical studies, undertake electrical transmission studies, and perform land surveys and environmental studies, as may be required. Prior to entry Developer shall provide Benicia with a list of existing species known to habitat on the property. Developer shall use reasonable care when traversing the property, paying particular attention to soil erosion. The License may be exercised by Developer and by Developer's employees, agents, contractors, permittees and invitees.
2. EXCLUSIVITY. The License granted herein shall be exclusive for the term of this Agreement. Developer shall have the sole and exclusive right to monitor the wind resource of

the Property, undertake soil and geotechnical studies, undertake electrical transmission studies, perform land surveys and environmental studies, as may be required and related to the development of a wind project.

3. TERM. The rights granted in this Agreement begin on the Effective Date and shall continue until the fifth anniversary of this Agreement unless sooner terminated as provided herein.

4. PAYMENT. Developer shall pay Benicia the sum of five thousand dollars (\$5,000) within 45 days of the Effective Date and five thousand dollars (\$5,000) each anniversary of the Effective Date until the Agreement is replaced with a Wind Easement or similar agreement, or terminated, as full and complete compensation for the License.

5. TERMINATION. This agreement may be terminated upon 30 days written notice by Developer. This agreement may be terminated by Benicia for failure of Developer to make any payments due under this agreement, if the Developer has ceased development activities for a period of 120 consecutive days, or in an event of default by the Developer after 30 days written notice of default to Developer by Benicia. In the event of termination by Developer, Benicia will not be required to refund any portion of the payment already received.

6. PROGRESS REPORTS. The Developer shall during the term of this Agreement make quarterly (every 90 days) written progress reports to Benicia describing work performed and data collected.

7. CONFIDENTIALITY. Unless otherwise required by law, Benicia will maintain in confidence, for the sole benefit of Developer, , Developer's methods of measurement of wind conversion potential, methods of operation, methods of construction, methods of power production, and the like, whether disclosed by Developer or discovered by Benicia, unless such information either (i) is in the public domain by reason of prior publication through no act or omission of Benicia or their employees or agents, or (ii) was already known to Benicia at the time of disclosure and which Benicia is free to use or disclose without breach of any obligation to any person or entity or is required to be disclosed as part of a permit application. Benicia may use such information for its own benefit, but may not publish or otherwise disclose it to others, or permit its use by others for their benefit or to the detriment of Developer.

8. REMOVAL. No later than sixty (60) days after termination of this Agreement, Developer shall remove all of its equipment, machines and vehicles from the Property. Upon removal of meteorological equipment Developer will have the responsibility to restore the property to its previous condition.

9. SHARING STUDIES. Benicia agrees to share any existing environmental, soil or geotechnical studies on the Property or nearby contiguous properties. Benicia is not required to conduct any new investigation or study. Developer agrees to share information gathered as a result of this agreement.

10. Measure K. Developer will conduct only those activities described above and will not knowingly conduct any Urban Development activities as defined in Measure K.

11. MISCELLANEOUS PROVISIONS.

11.1 Notices. All notices, payments, and other communications to the parties under this Agreement must be in writing and be delivered by (a) certified or registered mail (return receipt requested), or (b) personal delivery, or (c) telecopier to the addresses below, or to such other addresses as the parties may, by such notice, specify from time to time:

Developer:

Exelon Wind, LLC  
4601 Westown Pkwy, Ste 300  
West Des Moines, Iowa 50266  
Ph (515) 221-5708  
Email: [Brian.Conrad@exeloncorp.com](mailto:Brian.Conrad@exeloncorp.com)

Benicia:

City of Benicia  
Office of Economic Development  
Attn: Mario Giuliani  
Phone: 707.746.4289  
Email: [mgiuliani@ci.benicia.ca.us](mailto:mgiuliani@ci.benicia.ca.us)

11.2 Waiver. The failure of a party to insist on the strict performance of any provision of this Agreement or to exercise any right, power, or remedy upon a breach of any provision of this Agreement will not constitute a waiver of any provision of this Agreement or limit the party's right to enforce any provision or exercise any right in the future.

11.3 Modification. No modification of this Agreement is valid unless made in writing and executed by the parties.

11.4 Successors and Assigns. Developer shall have the right to assign this Agreement to affiliates and subsidiaries without prior consent of Benicia and shall have the right to assign the Agreement to third parties, with the consent of Benicia, which such consent shall not be unreasonably withheld. This Agreement shall run with the land and the terms and conditions of

this Agreement will inure to the benefit of and be binding upon the respective successors and assigns of the parties, including any estate, guardian, conservator, personal representative, or transferee of a party.

11.5. Insurance. So long as Developer is conducting any activities on the Property, Developer shall maintain or cause to be maintained insurance coverage as required by this Agreement with insurance companies lawfully authorized to do business in the state of California for losses which may arise out of or result from Developer's use of the Property and for which the Developer may be legally liable, including Workers Compensation, and Commercial Automobile Liability at the statutory minimum and Commercial General Liability at \$1,000,000 minimum coverage.

11.6 Governing Law. This Agreement and any disputes arising out of this Agreement shall be governed by and construed under the laws of the State of California. Notwithstanding anything to the contrary in this Agreement, neither party shall be entitled to, and each of Benicia and Developer hereby waives any and all rights to recover, consequential, incidental, and punitive or exemplary damages, however arising, whether in contract, in tort, or otherwise, under or with respect to any action taken in connection with this Agreement.

11.7 Attorneys' Fees. If either party commences litigation to enforce or interpret its rights under this Agreement, the prevailing party will recover, in addition to all other costs and damages, reasonable attorneys' fees as determined by the judge at trial or upon any appeal or petition for review.

11.8 Counterparts. This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute one and the same instrument.

11.9 Recording. Neither the Agreement nor a memorandum of it should be recorded.

11.10 Licensee Liability. Developer shall be responsible for all permits, costs, expenses, and damages arising from its activities on the Property. Developer shall be liable for any damage to property or injury to persons arising from Developer's exercise of its rights under the License, except to the extent caused by Benicia's misconduct or sole negligence.

11.11 Entire Agreement. This agreement, including attached exhibits, contains the entire and final understanding of the parties and supersedes all prior agreements and understandings between the parties related to the subject matter of this agreement.

11.12 Interpretation. The Parties agree that the provisions of this Agreement embody their mutual intent and that such provisions are not to be construed more liberally in favor or, or more strictly against, either party.

\*\*\*\*\*

IN WITNESS WHEREOF, Developer and Benicia have caused this Agreement to be executed and delivered by their duly authorized representatives as of the Effective Date.

**CITY OF BENICIA**

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Brad Kilger, City Manager

**Approved as to form:**

\_\_\_\_\_  
Heather McLaughlin, City Attorney

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_                    )

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2014 before me, the undersigned, personally appeared \_\_\_\_\_, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

SEAL:

\_\_\_\_\_  
Notary Public

**DEVELOPER:**

**Exelon Wind, LLC**

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Title:

STATE OF IOWA            )  
                                  ) ss.  
COUNTY OF POLK        )

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2014 before me, the undersigned, personally appeared \_\_\_\_\_, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as \_\_\_\_\_ of Exelon Wind LLC, and that by his signature on the instrument, executed the instrument.

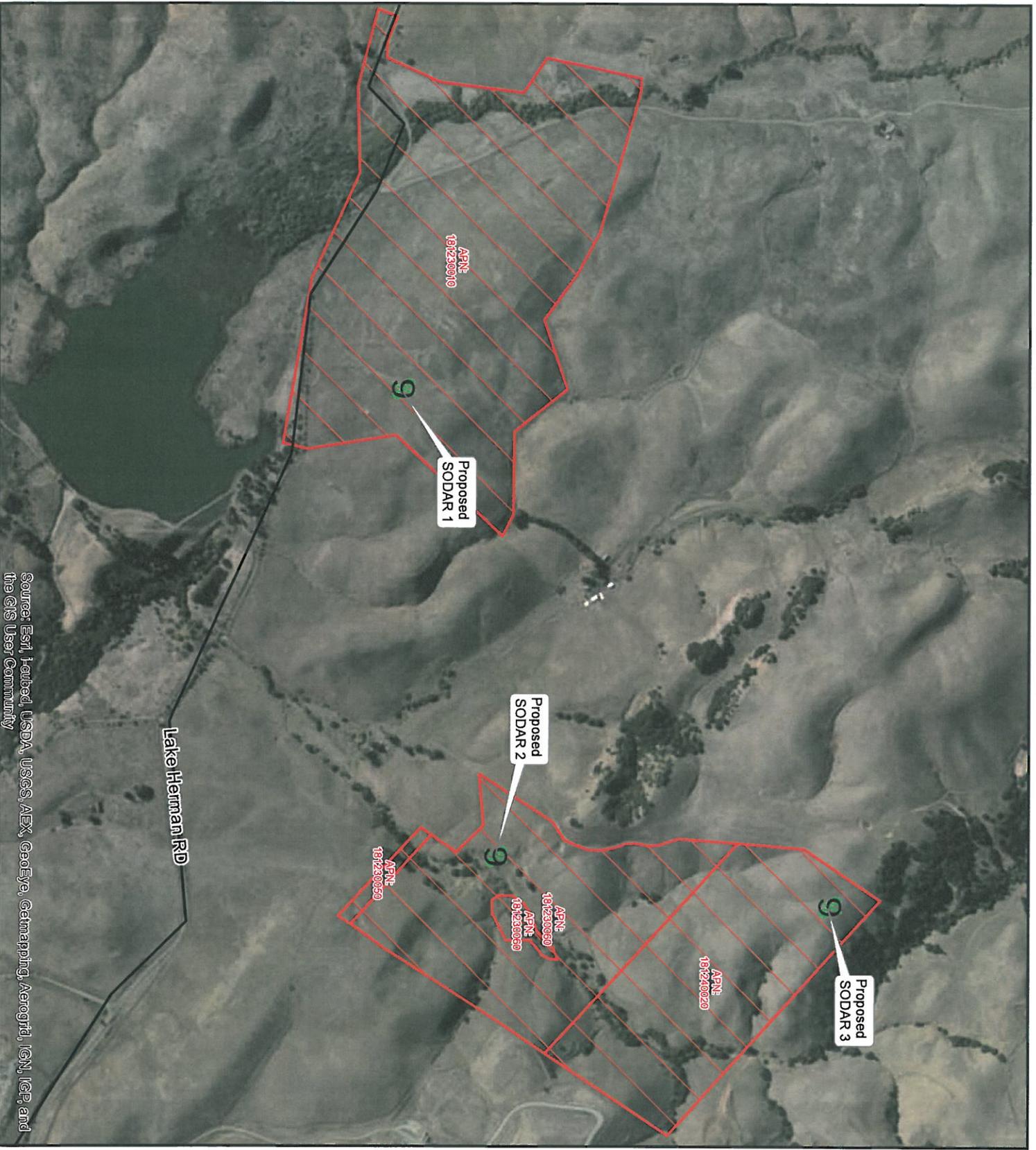
SEAL:

\_\_\_\_\_  
Notary Public

EXHIBIT A

PROPERTY DESCRIPTION

Real property situated in the County of Solano State of California, hereby described as follows: APN Nos. 181240020, 181230060, 181230050. APN 1811230010 may be accessed only after prior written approval from existing lessee. Map of described property is attached and incorporated by reference.



Source: Esri, Intermap, USDA, USGS, AEX, GeoEye, Geomapping, AeroGRID, IGN, IGP, and the GIS User Community

**Proposed SODAR Unit Locations**

**City Of Benicia**

- Legend**
-  Proposed SODAR Locations
  -  City of Benicia Parcels



Solano County, California

Date: 8/15/2014

File: City\_Of\_Benicia\_Proposed\_SODAR.mxd



Client

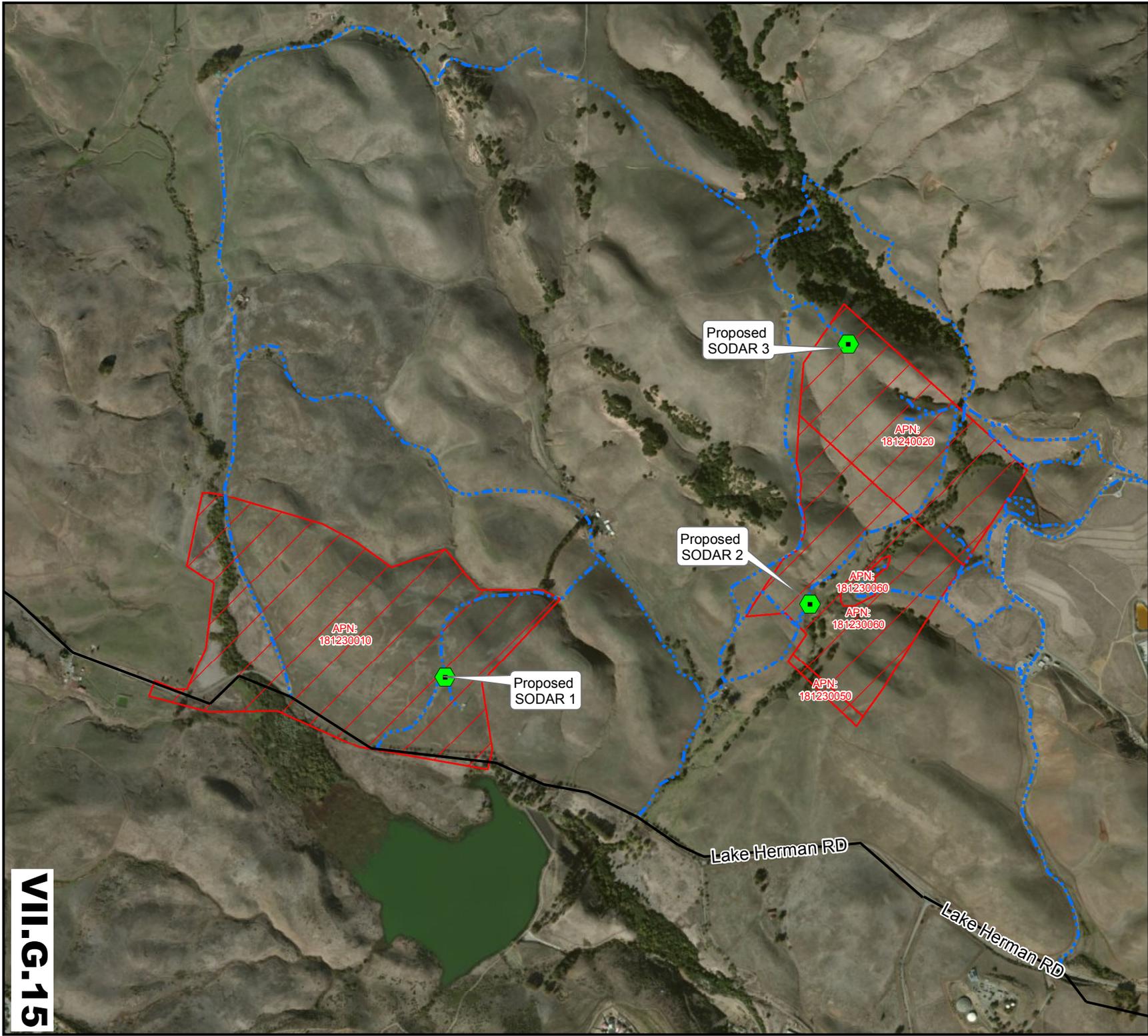


EXHIBIT B

SODAR UNIT (SONIC DETECTION AND RANGING)







**VII.G.15**

# Proposed SODAR Unit Locations

## City Of Benicia

**Legend**

-  Proposed SODAR Locations
-  Existing Roads/Trails
-  City of Benicia Parcels



Solano County, California  
 Date: 11/18/2014  
 File: City\_Of\_Benicia\_Proposed\_SODAR\_revised.mxd



Client





**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**BUSINESS ITEMS**

**DATE** : December 9, 2014

**TO** : City Council

**FROM** : City Manager  
Assistant City Manger

**SUBJECT** : **REVIEW OF PROPOSAL TO PREPARE A MANUAL TO GUIDE THE PURPOSE AND WORK OF THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES**

**RECOMMENDATION:**

Review proposal regarding preparation of a manual to guide the purpose and work of the City's boards, commissions and committees and provide input.

**EXECUTIVE SUMMARY:**

The City Council will receive a presentation regarding the preparation of a manual to guide the purpose and work of the City's boards, commissions and committees.

**BUDGET INFORMATION:**

The contract for preparation of the manual will be a not to exceed amount of \$25,000. Funds are available in 011-2405-8100.

It should be noted that the City has two separate contracts with Management Partners for assistance with the Sustainable Community Services Strategy (SCSS), as well as for interim community development management services. Both contracts have separate scopes of work, and are unrelated to this contract. Per Section 3.10.030 of the BMC, the City Manager has chosen to sole source this contract to Management Partners as they are the most qualified firm to perform the service in view of the financial and time constraints and given the firm's intimate knowledge of City operations.

**STRATEGIC PLAN:**

Relevant Strategic Issues:

- Strategic Issue 1: Protecting Community Health and Safety
- Strategic Issue 2: Protecting and Enhancing the Environment
- Strategic Issue 3: Strengthening Economic and Fiscal Conditions
- Strategic Issue 4: Preserving and Enhancing Infrastructure
- Strategic Issue 5: Maintain and Enhance a High Quality of Life

**BACKGROUND:**

On June 26, 2012 the City Council reviewed a preliminary work program for a comprehensive Boards and Commissions Review, which included an analysis of staff time required supporting Board & Commission (B&C) activities and development of a standardized orientation program for all new board members and commissioners.

The work program proposed that the analysis be broken down into four phases: 1) data collection and survey of board/commission members, 2) based on a review of the data and survey responses, the City Council will develop a list of core expectations for the boards and commissions, 3) using the data, survey responses and Council expectations, staff will develop a series of suggestions and alternatives regarding the structure and duties of the boards and commissions for consideration by the City Council, and 4) if necessary, staff will prepare the necessary resolutions and Municipal Code amendments to implement Council direction. At the conclusion of the study session, the City Council directed staff to undertake Phase I of the work program.

Phase I of the B&C review was completed in 2012. A Council study session was held on August 28, 2012. At that meeting the Council received an overview of each B&C and a summary of the statistical data that had been collected to date. Staff received feedback from Council regarding areas they were interested in having staff focus on during the review, which included establishing processes relative to B/C work plans and annual reports, as well as a consistent B/C orientation packet/procedure.

On May 15, 2013 the City Council was provided an update on the B&C review. Given the City's fiscal challenges at that time, as well as dealing with vacancies in several key staff positions, staff had to delay the review in order to focus attention on addressing current budget and staffing issues. At the study session the results of the B&C member surveys were presented, as well as options for Council consideration regarding immediate changes that could be made in how B&C's function or how they are structured in order to more efficiently utilize staff resources.

Based on the information provided, the City Council directed staff to bring back the necessary ordinances to eliminate the dormant committees (Design Review Board, Industrial Development Board and Mobile Home Rent Review Commission). This was done with the adoption of Ordinance No. 13-9 on September 3, 2013. The Council also requested that staff provide more information and analysis regarding the pros and cons of various B&C structures and also focus on providing better orientation materials for existing B&C's.

It was staff's goal to resume the review, after the FY 13-15 Budget was adopted, provided additional staff resources could be acquired to properly coordinate the review and preparation of implementation tools and training manuals. Unfortunately, as the Council is aware, the City was required to make further reductions to maintain a balanced budget. Furthermore, a major effort was placed on stabilizing the City's finances. This included initiating the Sustainable Community Services Strategy (SCSS) that focused staff resources on conducting a number of financial studies, a 10-year forecast of the General Fund, and an organizational scan.

In conducting the organization scan, the staff was asked to analyze their department workloads and evaluate opportunities to achieve efficiencies in their operations. The analysis confirmed that among the many duties the staff has, staffing the various B&C's continues to be a significant draw on staff time when the City is struggling to preserve all its core services. Therefore, staff is evaluating how best to further incorporate this information into the SCSS process in order to assist Council in making decisions relative to prioritizing City services and staff resources.

Notwithstanding our continued staffing shortages, events over the last year have shown that preparation of a comprehensive Boards and Commissions Manual is a very high priority. The City Council, staff and our B&C members would greatly benefit from having a document that clearly defines the role of the City Council's advisory bodies, their structure, Council expectations, common requirements of members, and procedures for the preparation and presentation of annual work plans, among other guidelines. Such a document would also be a training manual with special appendices that contain training materials specific to a particular B&C.

Staff has made several attempts at drafting a B&C Manual, but other work priorities are continually causing delay in its development. Therefore, staff will be obtaining the assistance of a professional consultant that has experience in developing such documents. Attached is a proposal for preparation of the manual. Because of the work already done by staff, including completion of the B&C surveys, it is assumed that the consultant will primarily focus on developing the first preliminary draft for Council review.

In addition, before staff presents the draft manual for B&C member input, it will be important that we first present the draft to Council and receive policy direction on key components of the manual. Once staff has received direction on those areas, the draft manual will be modified accordingly and then provided to B&Cs for input before a final draft is prepared for Council approval.

Staff is recommending that the City Council review the first draft based on the City's experiences with B&C's, as well as in the context of best practices utilized in other agencies. Until one sees a completed draft, it is very difficult to understand what should or should not be addressed in this type of manual, including how it should be presented. Staff feels the information already developed and the feedback provided in the B&C surveys provide a solid foundation for preparing the preliminary draft.

Attachments:

- Proposal from Management Partners for preparation of a manual to guide the purpose and work of the City's boards, commissions and committees
- Board and Commission Review - Scope of Work



December 4, 2014

Mr. Brad Kilger  
City Manager  
City of Benicia  
250 East L Street  
Benicia, CA 94510

Dear Mr. Kilger:

Thank you for the opportunity to submit a proposal to prepare a manual for use by City staff and members of boards and commissions. As you know, Management Partners is a professional management consulting firm specializing in helping local government leaders. The firm is staffed with 80 professionals who are experienced public service managers as well as qualified management consultants. Our consultants carry out a full range of projects for local government leaders. Each assignment we undertake receives careful, professional attention and we take pride in the quality of our work.

## **Understanding of the Engagement**

The City of Benicia has 14 boards, commissions, and committees. The City's municipal code states:

*Boards, committees and commissions (referred to as advisory bodies) play an important role in city government by obtaining community input, developing recommendations and providing information to the city council (Ord.08-05.1).*

In 2013 City staff conducted a study to identify options for achieving efficiencies related to staffing the boards, commissions, and committees and presented the result to the City Council. Given significant reductions in staffing over the past five years, particularly in administrative and professional positions, it has become increasingly difficult to provide the level of support desired by the advisory bodies.

The staff report cited factors that contribute to a high impact on staff workload, including:

- Lack of clarity about how advisory bodies interpret their purpose and duties;
- Scheduling meetings beyond what is authorized through the ordinance or resolution setting up the board, commission or committee; and
- Creating extensive work plans and subcommittees.

The report pointed out that the lack of clarity about the purpose of a board, commission or committee is the chief problem that drives workload. Staff noted that questions have been

raised by community members and Council members about what is or should be the purpose of the advisory bodies and how they should function in carrying out that purpose. The City has minimal guidelines about how these advisory bodies should function and how staff resources may be used. As a result it has been left to each board, commission or committee to determine how it wants to carry out its mission and to staff to negotiate with each advisory body about allocation of staffing resources. With reduced staffing, this has become a major problem, sometimes resulting in conflict between staff and advisory body members.

As a way to address this issue, the City initiated a process to prepare a manual to guide the purpose and work of the City's boards, commissions and committees. Because of limited staff capacity, the City would like Management Partners to complete the work of preparing this manual. Key components may include the following, subject to discussions with City staff:

- Developing a statement of purpose and scope of work for each advisory body;
- Articulating the role of members of each advisory body, including role of the chair;
- Describing the role of staff as related to each advisory body and how work can be assigned;
- Describing the orientation process for advisory body members;
- Describing the expectation that there would be a recommended annual work plan (developed in collaboration with staff to ensure that sufficient staff resources are available to carry it out), with the work plan reviewed and approved by the City Council;
- Describing the expectation that there would be an annual report, to include results of the advisory body's work and an estimate of staff time spent supporting the advisory body; and
- Describing guidelines for resolving issues between an advisory body and staff.

### **Plan of Work**

We have outlined a plan of work for this engagement, which is described below. This is amenable to refinement through discussion with you.

#### **Activity 1: Start Project**

Management Partners will begin this project with a careful learning phase, starting with a meeting with City management to ensure we have a clear understanding of your objectives for the manual. During this initial meeting, we will discuss the schedule and our data needs for this project. Throughout the project we will keep you informed of our progress.

#### **Activity 2: Gather Information**

We will begin this activity by reviewing all material that has been prepared by staff to date. We will conduct interviews with the key staff currently supporting the advisory bodies. We anticipate interviewing about six individuals. These interviews will clarify any question regarding the information contained in the reports previously prepared by staff, and will refine the interests that should be reflected in the manual.



During this activity we will also obtain examples of board and commission manuals from other cities and review them to identify useful sections pertaining to the key issues that need resolution in the Benicia manual.

### **Activity 3: Prepare Manual**

Next we will prepare a draft manual. We will convene a meeting of the key City staff who support the advisory bodies and review the manual to hear any questions, clarifications, and other changes that are needed. We will then finalize the draft for submission to the City Council.

### **Project Team**

Management Partners has a strong project team that is well-qualified to complete this work for Benicia. This project will be a top priority for Management Partners and our team members will be available in whatever capacity and with whatever availability will contribute to the success of the project. Jan Perkins will serve as project manager and be assisted by Jim Reese and Preeti Piplani. The qualifications of each team member are briefly summarized below.

#### **Jan Perkins, Senior Partner**

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Jan Perkins has 30 years of management experience in local government. Before joining Management Partners in 2005 she served in several California and Michigan jurisdictions, including as city manager in Fremont and Morgan Hill, California. She also served the cities of Santa Ana, California; Grand Rapids, Michigan; and Adrian, Michigan in executive management roles. She provides assistance to government leaders in organizational analysis, leadership development, strategic planning, teambuilding, executive performance evaluation, and policy board/staff effectiveness. Jan has also authored a number of articles and conducted ethics training. She holds an undergraduate degree in sociology and a master's of public administration from the University of Kansas. Jan completed the Program for Senior Executives in State and Local Government from Harvard University, and is an ICMA Credentialed Manager.

#### **Jim Reese, Special Advisor**

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Jim Reese has worked in local government for over 35 years. He began his career on the east coast working in the Carolinas and Atlanta, Georgia. Much of his experience from that time was in economic development and he assumed increasingly responsible management positions over time. In California, Jim worked in the City of Newark for 17 years, first as Community development director, then as community development and finance director. When he retired from Newark in 2006, he was serving as assistant city manager. Since that time he has continued to work in local government, first as a member of the City of Orinda Finance Advisory Committee and more recently in a series of interim assignments, including assistant city manager for Fairfield, which he recently completed. Jim holds an undergraduate degree in

urban studies from the University of Maryland, College Park, and a masters of city planning from Georgia Institute of Technology.

**Preeti Piplani, Senior Management Advisor**

Preeti Piplani is an experienced public policy and administrative analyst. Her areas of local government expertise include conducting fiscal and budgetary analysis, risk assessments, management audits, and organizational assessments. She also has experience implementing performance measurement systems. Highlights of her most recent projects span numerous complex policy areas, including analyses of redevelopment dissolution, social services contract administration, and public sector payroll practices. Prior to joining Management Partners, Preeti served as an external management auditor to the County of Santa Clara’s Board of Supervisors. Her professional experience also includes work in public university administration and high-tech legislative and regulatory research and analysis. Preeti holds an undergraduate degree in political science and city/regional planning from the University of California, Berkeley, and a masters of public administration from the University of Southern California.

**Fee Proposal**

Management Partners will bill on the basis of actual hours spent. We will charge hourly rates shown in the table below as well as travel expenses.

Consultant	Hourly Rate
Senior Partner	\$220
Special Advisor	\$190
Senior Management Advisor	\$140

Other Management Partners consultants are available to assist with this project and their regularly hourly rates will apply. We propose a not-to-exceed contract in the amount of \$25,000

**Conclusion**

We would enjoy working with you on this important initiative. Please feel free to contact either Jan Perkins at 949-202-8870 or me if you have any questions.

Sincerely,

Andrew Belknap  
Regional Vice President



Accepted for the City of Benicia by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**Benicia Boards and Commissions Review  
Preliminary Work Program**

**Revised May 14, 2012**

**PROJECT DESCRIPTION**

Review and discuss each board and commission's mission, compliance with their respective mission, make up, possible changes, potential consolidations, adherence to codes, policies and Council expectations to include consideration of the current budget constraints and staff resources (project includes evaluation of design review duties of HPRC).

**PRELIMINARY WORK PROGRAM**

**Phase I**

**A) Collect Boards and Commissions (B/C) Background Information**

- Date of formation
- Reason for formation
- Mission of B/C
- Is this a mandated body (State requirement)?
- Number of members and if applicable specific duties
- List subcommittees or task forces formed
- Department responsible for staffing B/C
- Specific staff members assigned to B/C
- Tasks performed by staff in support of B/C
- Individual and total staff hours spent on a monthly and annual basis by task, including overtime hours
- Percentage of staff time spent on B/C relative to total staff hours available

**B) Board & Commission member Survey (Sample Questions)**

1. Do you feel your B/C is or is not fulfilling its mission and why or why not? Please reference the Purpose and Duties sections of the Municipal Code in your response.
2. What suggestions do you have on how your B/C could be more effective?
3. How do you view the role of your board or commission relative to the Council, citizens, other B/C's and staff?
4. How do you view your role on your B/C?
5. Are there resources you think would help your B/C be more effective that are not currently available to your commission?
6. What do you feel would be the most beneficial elements to include in an orientation for new appointees?

## **Phase II**

Conduct City Council meeting to review data and develop list of expectations for boards and commissions

## **Phase III**

### **A) Conduct Analysis of B/C's (Sample Analysis Topics)**

1. Is the mission/purpose of the B/C still relevant to current City Council goals and priorities? If not, should it be changed; combined with another B/C or eliminated?
2. Is the B/C accomplishing their purpose and duties, if not why?
3. Has the B/C assumed responsibilities outside their defined purpose and duties?
4. Given reductions in staffing over the last two years, does providing support to the B/C reduce availability of staffing for other City Council priorities or impact the provision of services to the public?
5. Are there any modifications to the purpose, duties, structure, or member qualifications that would improve the effectiveness of the B/C?

### **B) Present Findings to City Council and receive direction**

## **Phase IV**

### **A) Prepare necessary Code amendments, resolutions, policies and procedures**

### **B) Develop B/C member orientation packet(s)**

**AGENDA ITEM**  
**CITY COUNCIL MEETING DATE - DECEMBER 16, 2014**  
**BUSINESS ITEMS**

**DATE** : December 11, 2014

**TO** : City Manager

**FROM** : Interim Community Development Director

**SUBJECT** : **COMMUNITY SUSTAINABILITY COMMISSION FUNDING REQUEST**

**RECOMMENDATION:**

Review and consider the Community Sustainability Commission's request to have full authority over funds it may raise by applying for and receiving grants, through fund-raisers, and through profit-sharing or revolving loan funds in furtherance of the City's goal of implementing the Climate Action Plan.

**EXECUTIVE SUMMARY:**

On May 19, 2014, the Community Sustainability Commission (CSC) requested that funds raised through its direct efforts (without assistance from staff), including CSC initiated grant applications, fund-raisers and funds returned to the City from grants it may make in the future (e.g., revolving loan funds or profits), be allocated by the Council back to the Commission for disposition in furtherance of its mission.

**BUDGET INFORMATION:**

As funds raised by the Commission's efforts would generally not otherwise be available, there should be no significant direct budget impacts. To the degree the Commission was successful, it would augment the City's efforts to implement the Climate Action Plan. There would be some impact on staff resources, as staff would be responsible for tracking and administering Commission grants and assisting the Commission with other activities it may choose to undertake with the funds it raises. In addition, to the extent that the Commission seeks and obtains outside grants, it would have an impact on staff resources to administer and assist in implementing the grants and tracking funds. Some outside grants include limited funding for reimbursement of administrative costs, but those administrative allocations are rarely sufficient to reimburse the City for the staff time required. Grant administration and implementation is therefore added to existing staff work load, potentially displacing other priorities.

**GENERAL PLAN:**

The overarching goal of the General Plan is sustainability.

## **STRATEGIC PLAN:**

Relevant Strategic Plan Issues and Strategies:

- Strategic Issue #2: Protecting and Enhancing the Environment
  - Strategy #1: Reduce greenhouse gas emissions and energy consumption
  - Strategy #3: Pursue and adopt sustainable practices
- Strategic Issue #3: Strengthening Economic and Fiscal Conditions
  - Strategy #2: Strengthen Benicia Industrial Park competitiveness
  - Strategy #3: Retain and attract businesses

## **BACKGROUND:**

As the Commission discussed the impending exhaustion of the Valero Good Neighbor Steering Committee (VGNSC) funds, it considered how it might increase the funding available to further its mission to implement the Climate Action Plan.

On May 19, 2014 the Commission reviewed the attached memo and unanimously agreed to forward the request to the City Council (Attachment 1). In summary, the Commission is requesting that should it, through its own efforts (with no assistance from staff), raise funds or successfully apply for grants, or make future grants that have the potential to return funds back to the City (e.g., profits), that it would have full authority over how those funds are to be spent in furtherance of the Commission's mission to implement the City's Climate Action Plan. Staff has conferred with the Chair of the CEC to confirm its understanding as to the Commission's request.

The May 19 Commission request was forwarded to the City Council on July 2, 2014, but as it was not agendaized for discussion, the Council was unable to discuss or act on the request. At this time, the City Council is being requested to discuss and act on the Commission request.

### **Analysis**

Staff reviewed the fund raising/grant application authority of all of the City's Commissions and Boards in order to place the CSC's request in the context of the City's current policies. With the exception of commissions with land use authority granted to them by the Council or State law (in Benicia, the Planning Commission and Historic Preservation Review Commission), City boards, commissions and committees are generally advisory to the City Council. However, the Council has granted three commissions/boards some level of authority to undertake fundraising and/or seek grants in furtherance of their missions: the Parks, Recreation and Cemetery Commission (PRCC), the Arts and

Culture Commission (ACC) and the Human Services Board (HSB). The following section addressing fundraising other than grants, and the next section addresses grants.

#### Fundraising authority

As noted earlier, two commissions and one board have the authority to undertake fundraising in furtherance of their mission. Of those three, the PRCC has not chosen to take advantage of that authority and has not raised funds in the past few years.

The degree of autonomy the HSB and ACC bodies are able to exercise over the funds they raise is not clearly laid out in ordinance or policy. However, despite slight differences in how the ACC and HSB operate, both seek Council concurrence before expending donated funds. The ACC has used funds it has raised to support other fundraisers (such as the Film Festival), but staff has insisted that the ACC seek and be given Council approval before expending donated funds on arts projects or to support other arts-related activities. The HSB has adopted (with Council concurrence) a “Policy on Distribution of Funds – Operating and Endowment Funds.” The HSB raises funds and receives donations to support the community service organizations to which it recommends grant funding. Under that policy, the Council ratifies how donated funds are to be treated and Council approves grants to organizations from the fund.

In regard to both the HSB and ACC, there is substantial staff resources involved in assisting these commissions with their fund raising activities, and in tracking the funds that are raised and disbursed.

#### Grant Seeking Authority

In regard to grants, only the ACC has the authority to “accept gifts and grants from any source ... to augment any appropriation made for the support of the commission.” While it has the authority, the only grants it has received are from the Community Sustainability Commission grant program (with Valero Good Neighbor Steering Committee settlement funds); and the grants were ultimately approved by the City Council. The ACC has been asked by other arts organizations to seek or participate in outside grant activities, but staff has insisted that participating in any such grant application processes must have the prior authorization of the City Council.

#### CSC's Request

The CSC is essentially seeking authority that no other commission or board currently exercises: to have full authority over the money it raises. In regard to

fundraising, the CSC would like to undertake various fundraising activities and then decide how those funds are used without Council approval, so long as the donated funds are used in furtherance of its mission. As noted earlier, this places some burden on staff when any commission chooses to engage in fundraising. As much as a commission may want, in good faith, to undertake such activities without staff assistance, it is often necessary for staff to provide some logistical and administrative assistance with these efforts. Finally, staff must then track the money raised, ensure the funds are being appropriately allocated and expended by the commission, and then, potentially, track grants to ensure grantees are performing in conformance with whatever conditions were placed on the grant.

In regard to the CSC independently seeking and implementing grants, Section 2.108.090(F) of the Benicia Municipal Code states that the CSC shall: "Make recommendations to the city council regarding funding, including the search for private and public grants consistent with the needs of the community." Therefore, identifying potential grant opportunities is clearly within the CSC's purview. However, the CSC does not currently have the authority to apply for and accept grants without the explicit approval of the Council. Based on the recent experience of City staff, managing grant solicitation efforts on behalf of the CSC has required an extensive amount of staff time to administer the programs, including providing proper fiscal oversight of the funds. Moreover, as the CSC is essentially an arm of the City, any grant to the CSC is a grant to the City, and meeting the performance criteria of the grant becomes a City responsibility. Grants often come with requirements for matching funds and/or a match of staff time equivalent to some percentage of the overall project cost. As noted earlier, grants generally do not include sufficient funding to address the administration of the grant, and those costs and responsibilities become a staff priority, limiting staff's ability to engage in other essential work. If staff resources are needed to implement the grant and if staff is not augmented to do that work, those grant implementation activities will tend to take precedence over other priorities of the City. In summary, grants almost always come with costs in regard to staff time and city priorities that should be taken into account before they are applied for; and choices regarding the allocation of City resources generally rest with the City Council.

The CSC has also asked that it have authority to expend funds the City may receive from profit sharing agreements or revolving loans from grants. In regard to profit-sharing, the CSC has discussed the possibility of providing a grant to a start-up company that may have a new technology or provide a service furthering the City's sustainability goals, and having an agreement to share in any profits the company may generate in the future.

At this time, there are no profit sharing agreements or revolving loan funds

## **VIII.B.4**

associated with the City's existing Valero Good Neighbor Steering Committee (VGNSC) settlement grants. The CSC is considering the possibility that it may wish to engage in such programs with the remaining VGNSC grant funds, or with any other funds it may raise.

The City does not have any other program where it has sought to share in profits from its grants, and the City has no current revolving loan fund program. Establishing profit-sharing agreements with grantees would involve significant staff or outside resources (legal and auditing). Based on the City's previous experience, tracking revolving loans would require a significant commitment of staff resources. If the CSC wishes to recommend establishing such programs, the costs as well as the potential benefits should be considered; as staff has no experience with public jurisdictions engaging in profit sharing activities, additional research is needed to determine the risks and benefits of such an approach. Staff's limited experience with revolving loan funds is that the costs of such programs are high, and tend to reduce or eliminate potential benefits.

### Conclusion and Recommendations

The CSC is seeking authority over funds it may raise which exceeds that exercised by other City commissions and boards. In regard to fundraising, it is seeking the authority to both raise money and spend it without Council oversight. Should the Council wish to grant this authority to the CSC, it should direct staff to prepare an amendment to the Section 2.108 of the Municipal Code to give them this power. In order to avoid an improper delegation of Council authority should the CSC be given authority over expenditure of funds, the City Council must establish a policy, similar to that of the HSB, setting forth how money would be raised and expended, with that policy subject to Council approval.

Although the ACC has been given some authority to seek grants, staff currently requires that it seek Council authorization prior to doing so. There is a good reason for this: grants obligate the City to undertake certain activities and have a potentially significant impact on staff resources, which can displace other city priorities. Staff therefore recommends that the CSC not be given the authority to seek grants without Council authorization. Staff supports the current statement of CSC duties (BMC, Section 2.108.909) whereby the CSC searches for and recommends grant opportunities to the Council. This allows staff the opportunity to analyze and set forth the costs and benefits associated with a potential grant, and also allow the Council to consider the grant in the context of overall City priorities.

Staff does not recommend that the CSC have full authority over any funds returned in profits or through revolving loan funds. In regard to profit-sharing,

staff believes that should such an opportunity arise, additional research is needed on the costs and benefits of a city engaging in such activities. If, after research, such an opportunity proves feasible, it would still involve substantial staff resources to implement, and staff believes any funds that may accrue be allocated by the City Council. Finally, staff does not recommend engaging in revolving loan funds due to the high costs of administering such programs.

If it is the desire of some members of the CSC to act on their own authority to raise, manage and spend funds then the appropriate course of action would be for them to form a separate non-profit organization.

Attachments:

- July 2, 2014 Memo from Chair Beutel, Community Sustainability Commission re: Funding for CSC Efforts
- Excerpts from the Municipal Code pertaining to advisory bodies, Arts & Culture Commission, and Community Sustainability Commission; and Resolution No. 10-45



## MEMORANDUM

**Date:** July 2, 2014  
**To:** City Council  
**From:** Chair Beutel, Community Sustainability Commission  
**Re:** Funding for Community Sustainability Commission Efforts

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At the May 19, 2014 City of Benicia Community Sustainability Commission meeting, the Commission clarified the disposition of funding it raised according to the parameters set below:

If the CSC funds a grant, applies for an outside grant, or conducts a fund raiser, and the CSC grant has the potential to return funds (e.g. a percentage of profit) or an external grant provides new funding for future allocation through the CSC, or monies are raised through a CSC fund raising effort, the City Council will allocate that designation of funds to the CSC for future actions.

Constance M. Beutel, EdD  
Chair, Community Sustainability Commission

cc: Brad Kilger, City Manager  
Heather McLaughlin, City Attorney



**Division 2. Boards and Commissions****Chapter 2.60  
ADVISORY BODIES**

## Sections:

- 2.60.010 Purpose.
- 2.60.020 Eligibility.
- 2.60.030 Term of office.
- 2.60.040 Appointments, reappointments, and vacancies.
- 2.60.050 Attendance.
- 2.60.060 Quorum.
- 2.60.070 Rules of procedure.
- 2.60.080 Support staff.
- 2.60.090 Compensation.
- 2.60.100 Statement of economic interest.
- 2.60.110 Removal.
- 2.60.120 Application.

**2.60.010 Purpose.**

Boards, committees and commissions (hereinafter referred to as "advisory bodies") play an important role in city government by obtaining community input, developing recommendations and providing information to the city council. (Ord. 08-05 § 1).

**2.60.020 Eligibility.**

All advisory body members must be residents of the city unless otherwise noted. The city council or state or federal law may establish additional requirements. (Ord. 08-05 § 1).

**2.60.030 Term of office.**

A. The term of office for members of an advisory body is four years, unless otherwise noted. Each member serves until his or her successor is appointed and qualifies.

B. The following term limits are exceptions to the limits specified above:

1. Library Board of Trustees. The term of office for members of the library board of trustees is three years.<sup>1</sup>
2. Parks, Recreation and Cemetery Commission. The term of office for the student member is one year with the option of a second term at the recommendation of the commission and reappointment in accordance with BMC 2.60.040.
3. *Repealed by Ord. 13-08.*
4. Sustainability Commission. The term of office for the student member is one year with the option of a second term at the recommendation of the commission and reappointment in accordance with BMC 2.60.040.

C. Unless otherwise noted, there are no term limits for serving on an advisory body.

D. Staggered Terms. Terms of office for all new boards and commissions will be staggered. The terms of office shall be based on the number of members of the board or commission. For a five-member board or commission, the first appointment shall be for one year. The second appointment shall be for two years. The third appointment shall be for three years. All subsequent appointments shall be for four years. For a seven-member board or commission, the first appointment shall be for one year. The second and third appointments shall be for two years. The third and fourth appointments shall be for three years. All subsequent appointments shall be for four years unless otherwise noted. (Ord. 13-08 § 2; Ord. 10-01 § 1; Ord. 09-17 § 1; Ord. 08-05 § 1).

#### **2.60.040 Appointments, reappointments, and vacancies.**

Appointments shall be made in accordance with the city council's rules and procedures for appointments. Reappointments of eligible advisory body members shall be made in accordance with the city council's rules and procedures for appointments. Whenever a vacancy occurs within an advisory body, the vacancy shall be filled in accordance with the city council's rules and procedures for appointments. (Ord. 08-05 § 1).

#### **2.60.050 Attendance.**

A. All members must be active participants in order for an advisory body to function effectively and accomplish its goals. This means all members must be present unless excused from attending a meeting by the chair. If a member is absent without cause from three successive regular meetings, the office becomes automatically vacant. The chair shall immediately notify the city council of the vacancy.

B. A member is not absent without cause if his or her absence is:

1. Due to illness; or
2. Unavoidable and the member gives the secretary of the advisory body written notice before the day of the meeting that he or she will be absent and giving the reason for the absence. (Ord. 08-05 § 1).

#### **2.60.060 Quorum.**

A majority of the entire membership of the advisory body constitutes a quorum for the transaction of business. For example, if the body has five members, three members are a quorum. (Ord. 08-05 § 1).

#### **2.60.070 Rules of procedure.**

Each advisory body must maintain rules of procedure that are in accordance with the Brown Act, the open government ordinance (BMC Title 4) and the council's code of conduct. (Ord. 08-05 § 1).

#### **2.60.080 Support staff.**

Staff support and assistance is provided, but advisory bodies do not have supervisory authority over city employees. Staff members remain responsible to their immediate supervisors and ultimately to the city manager and council. (Ord. 08-05 § 1).

#### **2.60.090 Compensation.**

Except as otherwise provided, advisory bodies do not receive compensation or city benefits for their service. Reimbursement for expenses in accordance with adopted city policy is allowed with prior approval. (Ord. 08-05 § 1).

### **2.60.100 Statement of economic interest.**

Certain advisory body members may be required to file statements of economic interest (also known as conflict of interest forms) upon taking office. Determination of the need to file such forms is made in accordance with the council's conflict of interest code. (Ord. 08-05 § 1).

### **2.60.110 Removal.**

A member of an advisory body may be removed for cause by four affirmative votes of the council. (Ord. 08-05 § 1).

### **2.60.120 Application.**

This chapter applies to the following advisory bodies:

- A. Board of library trustees;
- B. Civil service commission;
- C. *Repealed by Ord. 13-09.*
- D. Parks, recreation and cemetery commission;
- E. Planning commission;
- F. Historic preservation review commission;
- G. *Repealed by Ord. 13-08.*
- H. *Repealed by Ord. 13-07.*
- I. Building board of appeals;
- J. Economic development board;
- K. Arts and culture commission;
- L. Sustainability commission;
- M. Open government commission. (Ord. 13-09 § 2; Ord. 13-08 § 2; Ord. 13-07 § 2; Ord. 10-01 § 2; Ord. 09-17 § 2; Ord. 09-16 § 1; Ord. 09-15 § 1; Ord. 08-05 § 1).

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<sup>1</sup> The term of the library board of trustees is three years per Section 18911 of the California Education Code which governs municipal libraries.

**The Benicia Municipal Code is current through Ordinance 14-09, passed November 18, 2014.**

Disclaimer: The City Clerk's Office has the official version of the Benicia Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



## Chapter 2.104 ARTS AND CULTURE COMMISSION

### Sections:

- 2.104.010 Established – Membership.
- 2.104.020 Purpose.
- 2.104.030 Members – Qualification.
- 2.104.040 Meeting time and place.
- 2.104.050 Officers – Appointment.
- 2.104.060 Officers – Duties.
- 2.104.070 Powers.
- 2.104.080 Duties.

### **2.104.010 Established – Membership.**

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The arts and culture commission is established in the city. The commission consists of nine voting members. (Ord. 09-15 § 2).

### **2.104.020 Purpose.**

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The purpose of the commission is to:

- A. Advise and inform the city council and staff on culture and arts related issues;
- B. Evaluate the needs and resources of local culture and arts organizations;
- C. Facilitate, encourage, promote and stimulate arts and culture in our community;
- D. Promote and increase public awareness, locally and beyond the city, of arts and cultural resources and activities;
- E. Support and promote the arts and culture as a major element in Benicia's community identity;
- F. Ensure that cultural and artistic elements are integral to the city's quality of life and economic vitality;  
and
- G. Engage youth in culture and arts. (Ord. 09-15 § 2).

### **2.104.030 Members – Qualification.**

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- A. Each member of the arts and culture commission shall have a demonstrated interest in promoting and sustaining the arts and cultural community of poetry, literacy, performing arts, music, theater, dance, film, visual arts, and cultural events.
- B. At least one member shall be an artist or shall represent the visual arts community.
- C. At least one member shall represent the cultural and/or performing arts community.
- D. Members shall not be on other city boards or commissions nor board members of other organized art or cultural groups. (Ord. 09-15 § 2).

#### **2.104.040 Meeting time and place.**

The commission shall meet on the second Thursday every other month (bimonthly, six times a year) at the hour of 7:00 p.m in the Commission Room, City Hall, 250 East L Street, Benicia, California. (Ord. 09-15 § 2).

#### **2.104.050 Officers – Appointment.**

The commission shall elect a chairperson and a vice-chairperson from among its members. The chairperson and vice-chairperson serve for a term of one year and until the successor of each takes office. The commission shall also appoint a secretary. The secretary need not be a member of the commission. (Ord. 09-15 § 2).

#### **2.104.060 Officers – Duties.**

A. Chairperson. The chairperson shall preside at all meetings of the commission, appoint all committees, and perform the duties necessary or incidental to that office, and serve for a term of one year.

B. Vice-Chairperson. The vice-chairperson is chairperson in the absence of the chairperson or in case of the inability of the chairperson to act, and shall serve for a term of one year.

C. Secretary. The secretary shall keep minutes of each meeting and shall record the official action taken. On all official actions on which a vote is taken, the secretary shall take the vote by roll call, in alphabetical order, with the chairperson voting last. The secretary shall certify each official document and resolution of the commission. The secretary shall maintain records of operation and shall perform such other duties as the commission assigns. (Ord. 09-15 § 2).

#### **2.104.070 Powers.**

A. The commission may assist and cooperate with any existing agency or group, which has as its object the development or improvement of art and culture activities and programs.

B. The commission may plan for the development of arts and culture activities and make recommendations to the city council.

C. The commission may accept gifts and grants from any source to assist it in the performance of its functions. These gifts and grants operate to augment any appropriation made for the support of the commission.

D. The commission may establish working committees as necessary to carry out the work of the commission. Examples of these include: the publicity committee, the grants committee, the events committee, and the annual report committee.

E. The commission will have the power to coordinate fundraising activities for arts and culture activities. (Ord. 11-10 § 1; Ord. 09-15 § 2).

#### **2.104.080 Duties.**

The commission shall:

A. Work cooperatively with city boards and commissions and other public and private organizations in creating and promoting art and cultural programs and activities within the city;

- B. Make recommendations to the city council regarding the funding of community art projects, including the search for private and public grants, and regarding the disbursement of funds to arts and cultural organizations consistent with the needs of the community. The commission shall develop and adopt procedures for evaluating grant requests from the community prior to making recommendations on the requests to city council;
- C. Provide information, including a community calendar of events, regarding performing arts, music, theater, dance, film, visual arts, nonpermanent exhibits and cultural events, such as celebrations of different cultures and culinary arts;
- D. Encourage community involvement in the cultural arts by providing opportunities for local and area events and performances on behalf of the arts community;
- E. Have the option to coordinate fundraising projects to augment city funding and to raise funds to be used to stimulate arts and culture activities, events and projects in the community;
- F. Send to the city council annually a written report of its activities and recommendations for improvements and additions to existing art and culture programs;
- G. Develop recommendations in which the city may encourage and promote related programs;
- H. Advise the planning commission or the city council, as the case may be, on any required public art dedications pursuant to BMC 16.32.120; and
- I. Work closely with the assigned department director and other departments and agencies of the city so that the resources of the city are used as effectively and efficiently as possible on behalf of art and culture entities within the city. (Ord. 11-10 § 2; Ord. 09-15 § 2).

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**The Benicia Municipal Code is current through Ordinance 14-09, passed November 18, 2014.**

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## Chapter 2.108 COMMUNITY SUSTAINABILITY COMMISSION

### Sections:

- 2.108.010 Established – Membership.
- 2.108.020 Purpose.
- 2.108.030 Definitions.
- 2.108.040 Members – Qualification.
- 2.108.050 Members – Ex officio.
- 2.108.060 Meeting time and place.
- 2.108.070 Officers – Appointment.
- 2.108.080 Officers – Duties.
- 2.108.090 Duties.

### **2.108.010 Established – Membership.**

The community sustainability commission is established in the city. The commission consists of seven voting members, one of whom shall be a high school student. (Ord. 09-16 § 2).

### **2.108.020 Purpose.**

The purpose of the commission is to educate, advocate and provide oversight for integrated solutions that seek a sustainable equilibrium for economic, ecological, and social health and well-being, both now and in the future. (Ord. 09-16 § 2).

### **2.108.030 Definitions.**

“Sustainability,” as defined by the Benicia general plan and by the World Commission on Environment and Development (a.k.a. 1987 Brundtland Commission), is meeting the needs of the present generation without compromising the ability of future generations to meet their needs. Sustainability is an evolving concept and the definition will evolve over time. (Ord. 09-16 § 2).

### **2.108.040 Members – Qualification.**

A. Each member of the community sustainability commission shall have expertise and/or demonstrated interest in one or more of the following areas:

1. Water quality, water use efficiency and conservation;
2. Air quality;
3. Local and regional ecology;
4. Energy;
5. Mobility;
6. Land use/stewardship;
7. Green site planning and building;

8. Waste management;
9. Community and regional economics/finance;
10. Social justice;
11. Public relations;
12. Local based business management (merchants, etc.).

B. One member of the commission shall be a high school student with junior or senior standing who resides in Benicia. (Ord. 09-16 § 2).

#### **2.108.050 Members – Ex officio.**

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The commission shall have nonvoting ex officio members from:

- A. Benicia Unified School District, President or designee;
- B. Valero Refinery, General Manager or designee;
- C. Amports, General Manager or designee;
- D. Good Neighbor Steering Committee, Chair or designee.

To increase participation, an ex officio member may only represent one of the above categories. (Ord. 09-16 § 2).

#### **2.108.060 Meeting time and place.**

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The commission shall meet on the third Monday of every other month (bimonthly, six times per year) at the hour of 6:00 p.m. in the Commission Room, City Hall, 250 East L Street, Benicia, California. (Ord. 12-03 § 1; Ord. 09-16 § 2).

#### **2.108.070 Officers – Appointment.**

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The commission shall elect a chairperson and a vice-chairperson from among its members. The chairperson and vice-chairperson serve for a term of one year and until the successor of each takes office. The commission shall also appoint a secretary. The secretary need not be a member of the commission. (Ord. 09-16 § 2).

#### **2.108.080 Officers – Duties.**

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A. Chairperson. The chairperson shall preside at all meetings of the commission, appoint all committees, and perform the duties necessary or incidental to that office.

B. Vice-Chairperson. The vice-chairperson is chairperson in the absence of the chairperson or in case of the inability of the chairperson to act.

C. Secretary. The secretary shall keep minutes of each meeting and shall record the official action taken. On all official actions on which a vote is taken, the secretary shall take the vote by roll call, in alphabetical order, with the chairperson voting last. The secretary shall certify each official document and resolution of the commission. The secretary shall maintain records of operation and shall perform such other duties as

the commission assigns. (Ord. 09-16 § 2).

### **2.108.090 Duties.**

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The commission shall:

A. Advise the city council on implementation of the Benicia climate action plan and related city strategic plan performance measures, as appropriate.

B. Provide recommendations regarding the distribution of climate action and water conservation funds from the 2008 Valero Improvement Plan Settlement Agreement and from future funding sources allocated to support the efforts of making Benicia a more sustained community with reference to the climate action plan.

C. Advise the city council on matters related to sustainability, climate change and greenhouse gas reductions, including recommendations on forthcoming innovative programs and amendments to the climate action plan, if necessary.

D. Facilitate public outreach, education and collaboration with regards to community sustainability to guide Benicia's transition towards being a sustainable, socially just, economically vibrant, and green community.

E. Prepare an annual report to city council on implementation of this chapter.

F. Make recommendations to the city council regarding funding, including the search for private and public grants consistent with the needs of the community. (Ord. 09-16 § 2).

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**The Benicia Municipal Code is current through Ordinance 14-09, passed November 18, 2014.**

Disclaimer: The City Clerk's Office has the official version of the Benicia Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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**RESOLUTION NO. 10-45**

**A RESOLUTION AMENDING THE "HUMAN SERVICES AND ARTS BOARD" IN THE CITY OF BENICIA TO THE "HUMAN SERVICES BOARD" AND TO REMOVE ACTIVITIES RELATED TO THE CULTURAL ARTS FROM THE BOARD'S DUTIES**

**WHEREAS**, the City had previously established a Human Services and Arts Board and now wants to transfer the duties of the board related to the cultural arts to the recently formed Arts and Culture Commission; and

**WHEREAS**, with that transfer of duties, it is appropriate to change the name of the Human Services and Arts Board to the Human Services Board (also known as the Human Services Fund Board) to better reflect their functions.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Benicia as follows:

**SECTION 1: BOARD CREATED.** There is created in the City of Benicia a Human Services Board. The board shall consist of nine members.

**SECTION 2: QUALIFICATIONS OF BOARD MEMBERS.** To be eligible for appointment to the board, an individual shall have demonstrated interest in, and commitment to, furthering the interests of human services and be a qualified elector.

**SECTION 3: TERM OF OFFICE OF BOARD MEMBERS.** The term of office for each member of the board is four years. Each member shall serve a term of office of four years or until the successor is appointed and qualified.

**SECTION 4: REMOVAL AND VACANCY.** A member of the board may be removed by a majority vote of the Council. A vacancy on the board, whether by reason of removal, expiration of term, vacancy, or otherwise, shall be filled by appointment by the Mayor and ratification by a majority of the City Council. A person who has been appointed to fill a vacancy shall serve for the remainder of the unexpired term.

**SECTION 5: GROUNDS FOR VACANCY.** If a member of the board is absent without excuse from two successive regular meeting of the board, that member's office may become vacant at the discretion of the chairperson. The board shall immediately notify the Council of the vacancy.

**SECTION 6: QUORUM.** Five members of the board shall constitute a quorum for the transaction of business.

**SECTION 7: MEETINGS.** The board shall fix the time and place of its regular meetings.

**SECTION 8: ADOPTION OF RULES.** The board shall adopt rules for the transaction of its business.

**SECTION 9: OFFICERS.** The board shall appoint from among its members a Chairperson,

Vice-Chairperson, Secretary, Treasurer, and other officers and/or positions as the board deems necessary or appropriate. The Chairperson, Vice-Chairperson, Secretary, and Treasurer shall serve for a term of one year.

SECTION 10: OFFICER'S DUTIES. The board shall determine and define the duties of each of its officers.

SECTION 11: POWERS AND DUTIES. The board shall have the following powers and duties:

- A. Investigate human services needs of the City of Benicia and annually make recommendations to the City Council regarding priorities of human services needs.
- B. Develop procedures and timetables for reviewing funding requests, and make recommendations to the City Council as to which applicants should be funded.
- C. Evaluate and report to the City Council regarding the effectiveness of the previous year's funding.
- D. Coordinate continuing fund raising activities for human services needs only.

SECTION 12: LIMITATIONS OF POWERS. The City Council shall have the exclusive power to make distributions from the Human Services Fund after consideration of the recommendations of the board.

SECTION 13: HUMAN SERVICES FUND CREATED - SOLICITATION AND COLLECTION OF CONTRIBUTIONS. The City Council hereby creates a "Human Services Fund" which shall consist of funds obtained by the solicitation of voluntary contributions to the funds, fund raising activities, and from funds contributed by the City, if any, for human services programs. In addition to other methods of obtaining funds for human services needs, the City may solicit voluntary written pledges for contributions to the fund from citizens and property owners of the. The City may collect the sum pledged by an individual by billing him/her therefore as a separate item on their water bill. The one time donations collected by the City shall be placed in a separate endowment fund of the City designated as the "Human Services Endowment Fund" and these funds may be utilized in accordance with the Board's Endowment Policy. Ongoing donations will be placed in the Human Services Grant Fund, to be distributed annually by the Council to human services programs, and only after hearing and considering the recommendations of the board and other information, which the Council, in its discretion, may consider.

SECTION 14: HUMAN SERVICES PROGRAM DEFINED. A "human services program" for the purposes of this resolution, shall be those programs or activities which address the mental, social or physical health and welfare of Benicia residents of all ages.

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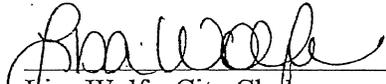
On motion of Council Member **Hughes**, seconded by Council Member **Ioakimedes**, the above Resolution was introduced and passed by the City Council of the City of Benicia at a regular meeting of said Council held on the 6th day of April, 2010 and adopted by the following vote:

Ayes: Council Members **Campbell, Hughes, Ioakimedes** and Vice Mayor **Schwartzman**

Noes: **None**

Absent: **Mayor Patterson**

ATTEST:

  
\_\_\_\_\_  
Lisa Wolfe, City Clerk

  
\_\_\_\_\_  
Alan Schwartzman, Vice Mayor



**AGENDA ITEM  
CITY COUNCIL MEETING: DECEMBER 16, 2014  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014  
**TO** : Mayor Patterson  
**FROM** : City Manager  
**SUBJECT** : **MAYORS' COMMITTEE MEETING**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

The Mayors' Committee meetings are held quarterly in Benicia. The next meeting is scheduled for December 17, 2014.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 1, 2014

**TO** : Mayor Patterson  
Council Member Strawbridge

**FROM** : City Attorney

**SUBJECT** : **ABAG COMMITTEE MEETING**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

- The draft minutes are not yet available for the Spring General Assembly meeting held April 17, 2014.
- The date for the next Spring Assembly has not been announced yet.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 4, 2014

**TO** : Council Member Campbell  
Council Member Strawbridge

**FROM** : Assistant City Manager

**SUBJECT** : **FINANCE COMMITTEE REPORT**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

The last Finance Committee meeting was held on November 20, 2014; draft minutes for the meeting are attached for your review. The next meeting will be on Thursday, December 18, 2014 at 9:00 a.m.

Attachment:

- November 20, 2014 Draft Meeting Minutes



**FINANCE COMMITTEE  
SPECIAL MEETING MINUTES  
COMMISSION ROOM  
November 20, 2014 - 9:00AM**

**1. Call to Order at 9:02**

**2. Roll Call**

Attended by Chairperson Michael Clarke; Committee Members: Kathy Griffin, Alan Nadritch, John Potter; Council Members: Tom Campbell, Christina Strawbridge; City Treasurer Kenneth Paulk

Staff present: Brad Kilger, City Manager; Anne Cardwell, Assistant City Manager; Karin Schnaider, Finance Director; Abigail Urrutia, Assistant Finance Director, Mario Giuliani, Economic Development Manager

Absent: Vice-chairperson Chris Carvalho

**3. Pledge of Allegiance**

**4. Notice to the Public**

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to the Commission Room per Section 4.04.030 of City of Benicia Ordinance No. 05-6 (Open Government Ordinance).

**5. ACTION ITEMS**

**A. Approval of Agenda**

The committee approved the agenda of November 20, 2014.

Ayes: Clarke, Griffin, Nadritch, Potter

Noes: (None)

Abstain: (None)

**B. Approval of minutes for meeting held on October 31, 2014**

The committee approved the minutes of October 31, 2014.

Ayes: Clarke, Griffin, Nadritch, Potter

Noes: (None)

Abstain: (None)

**C. Recommendation of GASB 54 Fund Balance Policy**

Finance Director Schnaider presented the proposed GASB 54 fund balance policy that will be forwarded to the Council. The City has followed GASB 54 financial statement presentation since FY2010-11; however there was no formal Council approval. This will be a ratification of the GASB rule being followed by the City. New fund balance components are categorized into Nonspendable (which are prepaid items), Restricted, Committed, Assigned and Unassigned. The 10% Emergency Reserve falls under the Committed, which can only be committed by the City Council, which is adopted by formal ordinance or resolution; and the other 10% Contingency Reserve falls under the Assigned Fund Balance. Assigned does not have to be formally adopted by Council, but allows the City Manager to assign fund balance for carryover items, payments for debt or to fund the next year's budget.

Discussion to change policy language by Chairperson Clarke were presented and suggested corrections for the 10% Contingency Reserve classified as Unassigned in FY2012-13 be also presented in FY13-14 as Unassigned. Finance Director Schnaider reiterated that prior year's financial presentation was correct. With Council approval this reserve will fall under the Assigned Fund Balance for FY13-14.

The policy will be re-stated and be brought back to the committee with revisions as proposed by Chairperson Clarke, with the Contingency reserve specified in the Assigned Fund Balance.

**D. Recommendation for Cost Recovery Policy**

Finance Director Schnaider stated that the City-wide fee study will be presented to the Council tentatively in January or February 2015. The Council will consider adopting a cost recovery and user fee policy with establishment of 100% cost recovery and establishing a policy and procedure for on-going maintenance, which are GFOA and GASB standards. 100% cost recovery does not mean that all fees have to be set at 100%. It means that cost should be calculated at 100%, including direct costs and the indirect (overhead, cost allocation) costs associated with the service. Cost allocation policy has been adopted and staff has applied all those costs, and now all costs need to be captured in calculating the fee. Staff can recommend a lower fee than the actual full costs making Council aware of how much the City subsidizes and what the City is getting on full cost recovery.

The second portion of the policy is the on-going maintenance which should include natural increases. Staff is recommending the CPI and the construction CPI, of the San Francisco Greater Bay Area region, to continue to keep up with the cost of living. On annual review, it is a requirement of the user fee that it goes back to Council for approval, whether fees stay flat or will be increased.

This will be the first time to have a comprehensive fee study. Individual departments have gone to Council for fee increases, but not as a whole City. NBS has been working on the fee study and it is estimated that by January the project will be completed.

The policy will be presented to Council in a joint meeting with the Finance Committee approximately in January 2015. This will be an education and dialogue for both Council and committee members. If committee members have any feedback, questions or comments, they should be directed to Finance Director Schnaider.

**6. DISCUSSION ITEMS**

**A. Review Warrant Register for the Month of October 2014**

Treasurer Paulk had no concerns on any of the items for this month. He clarified his question on the legal fees for the Valero crude by rail from the previous month. Finance Director verified that Valero pays for all legal fees in the trust fund. There were no further questions on the October register.

**B. Finance Committee Work Plan**

Finance Director Schnaider highlighted the changes in work plan - tasks completed and to set-aside tentatively January 27, 2014 as the Joint Meeting with Council and Finance Committee for the budget preparation at 6:00 p.m.

Finance Director Schnaider informed the committee that the CAFR study session will be held on the regular December meeting, explaining the different sections of the CAFR. It will also be presented in detail at the January 2015 meeting.

Council Member Strawbridge asked the status of the Marina. Finance Director Schnaider stated that staff evaluations have been forwarded to the City Manager and a follow-up meeting has been scheduled by the City Manager to finalize the report that will be forwarded to Council. The earliest possible meeting will be in January 2015. After Council direction, the report will be available to the Finance Committee.

Finance Director Schnaider informed the committee that an ERP meeting with staff was held and the budget for the ERP is being worked on. Project is moving along slowly and

in December probable staff members from other departments, who will be involved in the ERP will be selected, to help in the selection of the ERP. Sample RFP is approximately in February 2015. There is progress in the ERP project.

**C. Review 2015 Calendar**

Meetings will be held the fourth Thursdays of the month at 9:00 a.m., except for the November and December 2015 meetings which will be the third Thursday. Council Member Strawbridge appreciated the change in meeting days and time. City Manager Kilger wants staff to follow up with the press and the BIPA representative as both are not present at the meeting.

**D. Section 3.22.120 A and B of Measure C**

Finance Director Schnaider turned over the discussion to Mario Giuliani, who was the project manager for the ballot measure. He reminded everyone the last time he presented Measure C to the committee shortly after Council authorized placing Measure C in the ballot and the role of the Finance Committee oversight. It was based on the City's financial situation. With the City's increased property taxes, property values are still below 2008 levels. To maintain the quality of life, additional revenue measures are needed. Measure C is needed for quality of life and to maintain existing services. Staff recommended 12 projects that will be supported by the measure. For the first two years the additional \$3.7 million received annually from Measure C will go as follows: \$1.7 million to support existing City services and the \$2 million will go to capital and equipment expenditures. Finance Committee's function is to ensure and verify the receipt of revenues and expenditure of funds as approved by Council.

Questions raised by Chairperson Clarke: Will there be separate accounting for each projects? Finance Director Schnaider confirmed that the accounting system has the capability of segregating expenditures by projects. Do we intend to issue bonds to fund the 12 projects? City Manager Kilger stated that at this time, there are no recommendations as to issuing bonds. It is a pay as you go for expenditures.

The tax does not have a sunset; therefore, the committee's role does not have a sunset either. As long as Measure C exists, committee will be monitoring the revenues and expenditures. Staff will monitor and compare sales tax figures from prior year's to the effective date of receipt of Measure C to verify whether the City is generating an additional \$3.7 million. Measure C will be effective as of April 2015.

Chairperson Clarke wanted to know if a quarterly report be provided to the committee for the Measure C revenues and expenditures. City Manager Kilger will bring this back for further discussion as he is uncertain what staff has to work with.

Member Nadritch inquired if there is an outstanding debt for the library construction. Staff, through the CAFR, verified that no debt is associated with the construction of the library.

Treasurer Paulk inquired about the industrial park occupancy rate. ED Manager Giuliani stated that occupancy rate in the industrial park is passed 91%, a better occupancy rate than pre-recession, but overlay that with the sales tax, the City is down 20%. Occupancy at the industrial park is mostly warehouse and non-sales tax producing businesses. Treasurer Paulk commended City Manager Kilger and staff for doing a great job.

**7. Public Comment - none**

**8. Committee Member Comment**

Member Nadritch confirmed that the next meeting will be on December 18, 2014.

Member Potter commented not wanting a packet as it is available for him online. Question on voting rights for the Treasurer is being brought back to Council for future action, on December 16, 2014 Council meeting.

Chairperson Clarke requested Finance Director Schnaider to contact Carlos Oblites, from PFM our Investment Advisor, to show a comparison of investment earnings at maximum term, and the associated risks when he presents the 4<sup>th</sup> quarter Investment Report. Finance Director Schnaider will relay request but is not sure that will be done on the next presentation by Carlos Oblites.

**9. Adjournment – Adjourned at 10:30 a.m.**

**AGENDA ITEM  
CITY COUNCIL MEETING: DECEMBER 16, 2014  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014

**TO** : Mayor Patterson  
Council Member Campbell

**FROM** : City Manager

**SUBJECT** : **LEAGUE OF CALIFORNIA CITIES**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

The next North Bay Division General Membership Meeting is scheduled for January 21, 2015 and will be hosted by the City of Sonoma.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014

**TO** : Vice Mayor Hughes  
Council Member Strawbridge

**FROM** : City Manager

**SUBJECT** : **CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

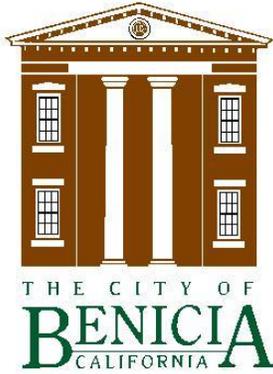
This committee meets quarterly. Attached are the minutes from the October 2, 2014 meeting and the agenda from the December 4, 2014 meeting.

Meetings for 2015 will be held at the Benicia Unified School District's Board Room located at 350 East K Street. The next scheduled meeting is March 5, 2015 at 8:30 a.m. at the District Office Board Room, and the agenda for that meeting is not yet available.

Attachments:

- Minutes from the October 2, 2014 meeting.
- Agenda from the December 4, 2014 meeting.





**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE  
MINUTES**

**Benicia Community Center, Program Room 2**  
370 East L Street  
October 2, 2014 8:30-10:30am

**I. Call to Order and Pledge of Allegiance**

**A. Present:**

Brad Kilger, City Manager  
Mark Hughes, Council Member  
Christina Strawbridge, Council Member  
Mike Dotson, Parks & Community Services Director  
Scott Przekurat, Police Lieutenant  
Sharon Williams, City Manager's Office  
Michael Gardener, Assistant Superintendent  
Tim Rahill, BUSD Chief Business Officer  
Betty Jensen, BUSD Superintendent's Office  
Marie Knutsen, Republic Services

**II. Reference to the Fundamental Rights of the Public and Public Comment**

Kilger noted the fundamental rights of the public. There was no public comment.

**III. Consent Calendar**

**A. Approval of Minutes of the Regular Meeting held on March 6, 2014.**

On a motion made by Michael Gardner, seconded by Mark Hughes, the minutes were approved.

**IV. Business Items**

**A. Recycling Programs in Schools (Marie Knutsen, Republic Services)**

Marie Knutsen gave an update on recycling in schools to help reduce the City's diversion numbers for garbage that is reported to the State. Marie needs help with setting up the program (aftercare) to make sure the program is still being followed. Will need a Teacher or leadership person to monitor the program after it is set up. Food waste program also needs to be implemented by composting or recycling to Republic composting facility for a fee.

**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE  
MINUTES  
Benicia Community Center, Program Room 2  
370 East L Street**

Marie will contact Alex Portershawver, Community Development Department, to work on program with schools regarding composting and/or recycling. Marie to provide composting bins at each facility at no charge. BUSD – Tonya, Food Service contact person.

**B. Measure C (Brad Kilger)**

Brad gave an overview of Measure C (one cent sales tax increase), on the November ballot. He handed out a frequently asked questions sheet. Information needs to be sent to all candidates, so they can be informed when citizens ask questions regarding the measure and to parenting groups.

**C. Update from Superintendent (Assistant Supt.)**

- Schools are up and going well due to good administration.
- The great shakeout on October 16<sup>th</sup>. All schools will be participating in this statewide event.
- Benicia Non-Profits – meet monthly to match needs and resources in the community. Transportation is always an issue working with SolTrans to get reduced rates for low-income students. Passes may be available.
- Benicia High School – is in desperate need of space to build homecoming floats. Mario will talk to Rotary. Council Member Hughes contacted BIPA.
- Measure S – Working with underwriter to rate bond and hoping to get highest rating possible. Community will see Measure S bond on the November tax bills. Continuing with community oversight committee to oversee the bond project for next 6-8 years. Three series with a total of \$50 million over this time frame. District hired a person for eight years to oversee bond.

**V. Future Agenda Items – N/A**

**VI. Adjournment – meeting adjourned at 9:35 a.m.**

**Public Participation**

The City Council/School Board Liaison Committee welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council/School Board Liaison Committee allows speakers to speak on matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council/School Board Liaison Committee.

**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

**MINUTES**

**Benicia Community Center, Program Room 2**

370 East L Street

Should you have material you wish to enter into the record, please submit it to the City Manager.

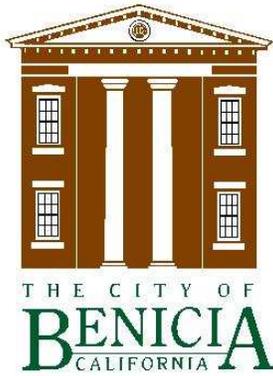
**Disabled Access**

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Anne Cardwell, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**Meeting Procedures**

All items listed on this agenda are for City Council/School Board Liaison Committee discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council/School Board Liaison Committee.





## **BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

### **AGENDA**

**Benicia Community Center, Program Room 2**

**370 East L Street**

**December 4, 2014 8:30-10:30am**

- I. Call to Order and Pledge of Allegiance**
- II. Reference to the Fundamental Rights of the Public and Public Comment**
- III. Consent Calendar**
  - A. Approval of Minutes of the Regular Meeting held on October 2, 2014.**
- IV. Business Items**
  - A. Community Based Internships for High School Students (Janice Adams)**
  - B. New Program - B Cubed (BUSD, BEF, Business) (Janice Adams)**
  - C. Adoption of 2015 Meeting Calendar**
- V. Future Agenda Items**
- VI. Adjournment**

### **Public Participation**

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**BENICIA CITY COUNCIL/SCHOOL BOARD LIAISON COMMITTEE**

**AGENDA**

**Benicia Community Center, Program Room 2**

370 East L Street

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**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 4, 2014

**TO** : Council Member Campbell  
Council Member Schwartzman

**FROM** : City Manager

**SUBJECT** : **SKY VALLEY OPEN SPACE COMMITTEE**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

The meetings of the Committee are now scheduled on an as-needed basis. At this time, the next meeting date is unknown.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 1, 2014

**TO** : Mayor Patterson  
Council Member Strawbridge

**FROM** : City Manager

**SUBJECT** : **SOLANO EDC BOARD OF DIRECTORS**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

The agenda for the Board of Directors meeting held on September 11, 2014 was previously issued, the minutes are attached. The agenda for the Board of Directors meeting held on November 13, 2014 is attached; the minutes are not yet available.

The next Board of Directors meeting is scheduled for Thursday, January 22, 2015 at 9:00 a.m. at Jelly Belly Candy Company. The agenda is not yet available.

Attachments:

- Solano EDC Minutes September 11, 2014
- Solano EDC Agenda November 13, 2014





## SOLANO EDC BOARD OF DIRECTORS MEETING

September 11, 2014

### MINUTES

#### CALL TO ORDER

In the absence of Chairman Van Ouwerkerk, Acting Chair Reynolds called the meeting to order at 9:00 am at the Jelly Belly Candy Company.

#### Attending were:

Jack Batchelor	Robert Bloom	Suzanne Bragdon	Daryl Halls
Dilenna Harris	J. Paul Harrington	Steve Huddleston	Curtis Hunt
Dan Keen	Bridgit Koller	Tim Kubli	Sandy Person
Steve Pierce	Harry Price	Jon Quick	Tom Recknagel
Scott Reynolds	Michael Segala	Talyon Sortor	Jim Sotiros
Jay Speck	Louise Walker	David White	

#### Absent were:

Greg Armstrong	Dr. Ramona Bishop	Rebecca Brandt	Bill Browne
Beverly Byl	Tim Chapa	Tony Cincotta	Elaine Crombie
Pippin Dew-Costa	Ed Farewell	Mario Giuliani	Brad Kilger
Laura Kuhn	Dr. Jowel Laguerre	Albert Lavezzo	Jim Lindley
Elizabeth Patterson	Bob Simpson	Scott Thomas	Skip Thomson
Patsy Van Ouwerkerk			

#### APPROVAL OF MINUTES

Acting Chair Reynolds called for approval of minutes of the July meeting. Upon motion duly made (Segala) and seconded (Batchelor) it was RESOLVED, that the minutes of the July 10, 2014 meeting of the Solano EDC Board of Directors be accepted as submitted.

#### TREASURERS REPORT

Interim Treasurer Reynolds presented the financial report for the month of August 2014. Upon motion duly made (Huddleston) and seconded (Recknagel) it was RESOLVED, that the Treasurer's Report be accepted. President Person informed directors EDC's sub-tenant the Solano College Small Business Development Center will be moving out by the end of the year due to financial problems.

#### ADVOCACY COMMITTEE UPDATE

Committee Chair Steve Huddleston presented a letter of support touting Valero's economic impact to the City of Benicia and the region to be included in the EIR comments for its proposed crude by rail project. Upon motion duly made (Batchelor) and seconded (Harris) it was RESOLVED, that the letter be submitted.

#### MOVING SOLANO FORWARD UPDATE

Steve Pierce informed directors the team is reviewing comments to be included in the final document and the County is actively seeking additional funding sources for the next phase.

#### SOLANO ENERGY WATCH UPDATE

J. Paul Harrington informed directors small and medium business owners have saved over 900,000 KWH putting \$174,493 back into the business community through energy savings.

#### TRANSPORTATION UPDATE

Director Halls provided a comprehensive update on: current, completed and upcoming projects; roadway conditions report and funding challenges.

#### PRESIDENT'S REPORT

President Person provided an update on: prospect activity; California Competes Tax Credit program; One Bay Area Plan; Manex workshop and proposed CALED workshop Economic Development 101 for elected officials in 2015.

The meeting adjourned 10:00 am.

#### **Sandy Person**

President

sandy@solanoedc.org

#### **Patricia Uhrich**

Office Manager

pat@solanoedc.org

#### **J. Paul Harrington**

Project Manager

Solano Energy Watch

jpaul@solanoedc.org

#### **Address:**

360 Campus Lane, Suite 102  
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**Solano EDC  
Board of Directors Meeting  
Thursday, November 13, 2014  
Jelly Belly Candy Company (Corporate Offices)**

AGENDA

- |             |     |  |                                  |
|-------------|-----|--|----------------------------------|
| 9:00 am     | 1.  | Call to Order  | Laura Kuhn, Vice-Chair           |
| Action Item | 2.  | Approval of 09/11/14 Meeting Minutes   | Laura Kuhn, Vice-Chair           |
| Action Item | 3.  | Treasurer’s Report – October 2014  | Scott Reynolds, Acting Treasurer |
| Action Item | 4.  | Board replacement:<br>◆ Travis Armstrong for Tony Cincotta, Solano Garbage Company | Laura Kuhn, Vice-Chair           |
|             | 5.  | Chairman’s Remarks   | Laura Kuhn, Vice-Chair           |
| Action Item | 6.  | 2015 Board Nominations   | Laura Kuhn, Vice-Chair           |
| Action Item | 7.  | 2015 Budget  | Sandy Person                     |
|             | 8.  | Advocacy Committee Update  | Steve Huddleston                 |
|             | 9.  | Economic Development Task Force Update   | Mario Giuliani                   |
|             | 10. | Solano Energy Watch Update   | J. Paul Harrington               |
|             | 11. | Transportation Update  | Daryl Halls                      |
|             | 12. | President’s Report   | Sandy Person                     |
|             | 13. | Items from Directors   |                                  |
| 10:00 am    | 14. | Adjourn Meeting  |                                  |

2015 Board of Directors – 9:00 am, 2nd Thursday (odd months) (except Jan)  
Location: Jelly Belly Candy Company  
January 22\*, March 12, May 14, July 09, Sept 10, Nov 12

Calendar

- ◆ Nov 21 North Bay Business Journal Partner Event: Impact Solano
- ◆ Dec 04 Westamerica Bank Partner Event: Spirit of Solano luncheon
- ◆ Jan 29 Solano EDC Annual Luncheon Meeting



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014

**TO** : Mayor Patterson  
Council Member Schwartzman

**FROM** : Director of Public Works

**SUBJECT** : **SOLANO TRANSPORTATION AUTHORITY**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

The Minutes from the October 8, 2014 Regular Board meeting are attached as well as the agenda for the December 10, 2014 meeting. The next regular meeting will be on January 14, 2015 at Suisun City Hall and the agenda for that meeting is unavailable.

Attachments:

- Minutes from the October 8, 2014 Regular Board Meeting
- Agenda for the December 10, 2014 Regular Board Meeting





**SOLANO TRANSPORTATION AUTHORITY**  
**Board Minutes for Meeting of**  
**October 8, 2014**

**1. CALL TO ORDER**

Chair Davis called the regular meeting to order at 6:05 p.m. A quorum was confirmed.

**MEMBERS**

<b>PRESENT:</b>	Osby Davis, Chair	City of Vallejo
	Elizabeth Patterson, Vice-Chair	City of Benicia
	Jack Batchelor	City of Dixon
	Harry Price	City of Fairfield
	Norman Richardson	City of Rio Vista
	Pete Sanchez	City of Suisun City
	Steve Hardy	City of Vacaville
	Jim Spring	County of Solano

**MEMBERS**

**ABSENT:** None.

**STAFF**

<b>PRESENT:</b>	Daryl K. Halls	Executive Director
	Bernadette Curry	Legal Counsel
	Janet Adams	Deputy Exec. Director/Dir. of Projects
	Robert Macaulay	Director of Planning
	Johanna Masiclat	Clerk of the Board/Office Manager
	Susan Furtado	Accounting & Administrative Svc. Manager
	Judy Leaks	Program Manager – SNCI & SR2S
	Liz Niedziela	Transit Manager
	Robert Guerrero	Project Manager
	Sarah Fitzgerald	Program Services Administrator – SR2S
	Tiffany Gephart	Transit Mobility Coordinator
	Judy Kowalsky	Accounting Technician
	Sean Hurley	Commute Consultant
	Chris Caro	Marketing Assistant
	Amy Antunano	Customer Service Representative
	April Wells	Customer Service Representative

**ALSO PRESENT: (In alphabetical order by last name.)**

Mona Babauta	Solano County Transit (SolTrans)
Amanda Dum	City of Suisun City

Steve Hartwig  
Wayne Lewis  
Mike Roberts  
Elizabeth Romero  
Matt Tuggle  
Alan Zahradnik

City of Vacaville  
City of Fairfield  
City of Benicia  
SolTrans  
County of Solano  
SolTrans Project Manager

**2. CONFIRM QUORUM/STATEMENT OF CONFLICT**

A quorum was confirmed by the Clerk of the Board. There was no Statement of Conflict declared at this time.

**3. APPROVAL OF AGENDA**

On a motion by Board Member Batchelor, and a second by Board Member Hardy, the STA Board approved the agenda.

**4. OPPORTUNITY FOR PUBLIC COMMENT**

None presented.

**5. EXECUTIVE DIRECTOR'S REPORT**

- STA's Legislative Priorities and Platform
- Nominees for STA's 17th Annual Awards
- Solano County's First Annual Pothole Report Identifies Significant Local Funding Shortfall
- First Annual Report for Regional Transportation Impact Fee (RTIF) and Draft RTIF Policy Guidelines
- Countywide In-Person ADA Eligibility Program Completes Successful First Year
- SolTrans to Present Curtola Project Status and Proposed Service Modifications to Solano Express Routes 78 and 85
- Solano Rail Facilities Plan - Passenger Station Criteria
- State Route (SR) 29 Corridor - Strategic Partnership Grant Application
- Cancellation of Continued Right of Necessity (RON) Hearings for Jepson Parkway Project
- STA to Celebrate International Walk to School Day in Solano County
- STA Staff Update

**6. REPORT FROM THE METROPOLITAN TRANSPORTATION COMMISSION (MTC)**

None presented.

**7. REPORT FROM STA**

**A. State Legislative Update**

*Presented by Josh Shaw, Shaw Yoder & Antwih, Inc.*

**B. Presentation on the Curtola Park and Ride Expansion Project**

*Presented by Mona Babauta, SolTrans*

**C. Present Nominations for STA's 17<sup>th</sup> Annual Awards**

*Presented by Jayne Bauer, STA*

**D. STA's Local Preference Policy Year-End Report**

*Presented by Judy Kowalsky, STA*

- E. Directors Reports**
  - 1. Planning**
  - 2. Projects**
  - 3. Transit/Rideshare**

**8. CONSENT CALENDAR**

On a motion by Vice Chair Patterson, and a second by Board Member Sanchez, the STA Board unanimously approved Consent Calendar Items A through L. (8 Ayes)

**A. Minutes of the STA Board Meeting of September 10, 2014**

Recommendation:

Approve STA Board Meeting Minutes of September 10, 2014.

**B. Draft Minutes of the TAC Meeting of September 24, 2014**

Recommendation:

Approve Draft TAC Meeting Minutes of September 24, 2014.

**C. Fiscal Year (FY) 2014-15 Indirect Cost Allocation Plan (ICAP) Rate Application for Caltrans**

Recommendation:

Approve the following:

1. STA's ICAP Rate Application for FY 2014-15; and
2. Authorize the Executive Director to submit the ICAP Rate Application to Caltrans.

**D. Solano Short Range Transit Plan (SRTP) Plan Update**

Recommendation:

Approve the following:

1. STA to conduct an update to the Countywide Coordinated SRTP for Dixon, Fairfield and Suisun Transit (FAST), Rio Vista and SolTrans Transit Operators as requested by the Metropolitan Transportation Commission (MTC);
2. Authorize the Executive Director to execute a funding agreement with MTC for \$120,000 for the Solano County Coordinated SRTP and the Transit Corridor Study; and
3. Authorize the Executive Director to issue a Request for Proposal (RFP) and enter into a contract for the Countywide Coordinated SRTP and Transit Corridor Study Phase II for an amount not-to-exceed \$300,000.

**E. Fiscal Year (FY) 2014-15 Transportation Development Act (TDA) Matrix – October 2014 – City of Dixon Amendment**

Recommendation:

Approve the FY 2014-15 Solano TDA Matrix – October 2014 as shown in Attachment A for the City of Dixon Amendment.

**F. SolTrans Compressed Natural Gas (CNG) Feasibility Study**

Recommendation:

**Approve the SolTrans CNG Feasibility Study and Maintenance Facility Assessment.**

**G. Transportation Fund for Clean Air (TFCA) Funding Approval**

Recommendation:

Approve the FY 2014-15 Transportation Fund for Clean Air (TFCA) Program to Increase SNCI Rideshare Program's TFCA allocation by \$59,507.

**H. Curtola Transit Center Project Initiation Document (PID) Request**

Recommendation:

Amend the FY 2014-15 3-Year Project Initiation Document (PID) Work Plan to include SolTrans Curtola Transit Center in FY 2014-15.

**I. Pedestrian Advisory Committee (PAC) Appointment**

Recommendation:

Appoint Rischa Slade representing the Solano Community College to the Pedestrian Advisory Committee (PAC) for a three-year term.

**J. Transportation Development Act (TDA) Article 3 – Dixon West B Street Bicycle and Pedestrian Undercrossing Project**

Recommendation:

Approve the following:

1. \$90,000 of FY 2014-15 TDA Article 3 funds for bicycle and pedestrian improvements to be completed as part of the Dixon West B Street Undercrossing Project; and
2. \$10,000 of FY 2014-15 TDA Article 3 funds for the purchase of automated bike and pedestrian counters.

**K. Adopt a Resolution of Intention Declaring the Remainder of the Former Green Valley Middle School Site as Surplus (4/5 vote required) and Providing Notice of STA's Intention to Sell Surplus Real Property**

Recommendation:

Adopt STA Resolution No. 2014-26 declaring the remainder of the former Green Valley Middle School site as surplus to the needs of the STA and notice of intention to sell as surplus real property to the highest responsible bidder, in accordance with the terms and conditions set forth in the attached Bid Submittal Instructions and Purchase and Sale Agreement, for the minimum purchase price of \$1,142,000 (4/5<sup>th</sup> vote required).

**L. Zero Emission Vehicle Readiness Grant for Electric Vehicle Implementation**

Recommendation:

Authorize the STA Executive Director to apply for the California Energy Commission's Zero Emission Vehicle Readiness Grant for up to \$300,000 for implementation of the Electric Vehicle Component of the Solano Alternative Fuels and Infrastructure Plan.

**9. ACTION – NON FINANCIAL ITEMS**

**A. Conduct Public Hearing - SolTrans Recommended Service Modifications to Solano Express Routes 78, and 85**

Mona Babauta, SolTrans Executive Director, and Alan Zahradnik, SolTrans Project Manager, reported that SolTrans is in the process of restructuring and enhancing its fixed route bus services, Routes 78 and 85. Alan Zahradnik outlined the existing and proposed network, short/long-term recommendations, proposed strategies and described the details of potential service improvements both short/long-term.

Open Public Hearing: 6:30 p.m.

Public Comments: None.

Closed Public Hearing: 6:35 p.m.

Recommendation:

Approve the following:

1. Conduct a Public Hearing for proposed service changes to Solano Express Routes 78 and 85; and
2. Approve SolTrans changes to Routes 78 and 85 after receiving public comments through the STA Board and SolTrans Public Hearing process.

On a motion by Vice Chair Patterson, and a second by Board Member Spering, the STA Board unanimously approved the recommendations. (8 Ayes)

**B. 2014 Solano County Annual Pothole Report**

Anthony Adams presented the first 2014 Solano County Pothole Report. He noted that all seven cities and the County have provided STA with the necessary budget information to allow for more accurate PCI projections and funding shortfalls. He outlined the current 2013 PCI scores, FY 2013-14 budget data, updated budget projections and shortfalls, newly projected future PCI maps, and federal/state/local/countywide funding sources.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Approve the 2014 Solano County Annual Pothole Report as shown in Attachment A.

On a motion by Board Member Sanchez, and a second by Board Member Spering, the STA Board unanimously approved the recommendation. (8 Ayes)

**C. STA's 2015 Legislative Priorities and Platform**

Jayne Bauer presented the first draft form of STA's 2015 Legislative Priorities and Platform. She identified the proposed edits to the Platform and cited that staff recommendation is to distribute the draft document for public review and comment with adoption at the December 10<sup>th</sup> Board meeting.

**Public Comments:**

None presented.

**Board Comments:**

Vice Chair Patterson suggested adding the following funding concepts to the Legislative Platform:

1. Increase in the Cap and Trade Account
2. Upgrade for Rail Integration
3. Advantage of the Bus Rapid Transit Program
4. Monitor Federal regulations of hazardous material transport by rail.

In addition, Vice Chair Patterson suggested to change the title of "Ferry" to "Water Corridor"

Recommendation:

Distribute the STA's Draft 2015 Legislative Priorities and Platform for review and comment.

On a motion by Vice Chair Patterson, and a second by Board Member Richardson, the STA Board unanimously approved the recommendation to include the suggested items listed above in italics. (8 Ayes)

**D. Countywide In-Person ADA Eligibility Program FY 2013-14 Progress Report**

Tiffany Gephart presented the Countywide In-Person ADA Eligibility Program Progress Report for FY 2013-14. She summarized them as evaluations, scheduling assessments, eligibility letters, paratransit usage, and comment cards.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Receive and file the Countywide In-Person ADA Eligibility Program FY 2013-14 Annual Progress Report.

On a motion by Board Member Hardy, and a second by Board Member Price, the STA Board unanimously approved the recommendation. (8 Ayes)

**E. Solano Rail Facilities Plan Update**

Sofia Recalde summarized the status of current and committed passenger rail stations in Solano County. She described the current criteria guiding the establishment of passenger rail stations and Solano County (via the Capitol Corridor station guidelines). She also outlined the potential Solano-specific criteria that could help guide the decision making and funding process for future passenger stations in the County.

**Public Comments:**

None presented.

**Board Comments:**

Board Member Spering asked staff to explain what the coordination/approval of station design plans with “host” railroad under “Railroad Approval” of the Potential Solano-Specific Station Criteria. Sofia Recalde responded and said that since this matches the CCJPA’s criteria, the project sponsor would do the negotiating with the railroad.

Recommendation:

Adopt the proposed Solano-Specific Station Criteria as shown on *Page 109* in Attachment A.

On a motion by Board Member Batchelor, and a second by Board Member Hardy, the STA Board unanimously approved the recommendation as amended shown above in *bold italics*. (8 Ayes)

**F. Regional Transportation Impact Fee (RTIF) Program FY 2013-14 Annual Report and Policy Guidelines**

Robert Guerrero distributed and reviewed the revised (changes noted in track changes) draft policy guidelines for administration of RTIF revenues and the RTIF FY 2013-14 Annual Report. He noted that the RTIF Subcommittee made additional changes to the draft policy guidelines at their meeting on September 22, 2014.

Robert Guerrero identified the proposed policy guidelines that focused on the following six components:

1. Project Selection/Implementation Plans
2. Amending the RTIF Strategic Implementation Plan
3. Eligible RTIF Costs
4. Release of RTIF Funds
5. Project Delivery and Reporting Requirements
6. RTIF Loans

Robert Guerrero also reviewed the draft RTIF Program FY 2013-14 Annual Report (dated September 24, 2014). He noted that in summary, the RTIF generated \$390,382 in FY 2013-14 from the cities of Benicia, Fairfield, Vacaville, Vallejo and the unincorporated County of Solano with no RTIF collected from the cities of Dixon, Rio Vista or Suisun City during this reporting period. He reported that the total available funding collected for eligible RTIF projects during this period is \$382,574 after accounting for STA's two percent administrative fee.

**Public Comments:**

None presented.

**Board Comments:**

None presented.

Recommendation:

Approve the following:

1. Policy Guidelines for the RTIF Program for Administration of RTIF Revenues as shown in Attachment A; and
2. Solano FY 2013-14 RTIF Annual Report as shown in Attachment B.

On a motion by Board Member Batchelor, and a second by Board Member Price, the STA Board unanimously approved the recommendations. (7 Ayes, 1 Abstention, County of Solano)

- G. The Public Hearing continued from the September 10, 2014 Board Meeting to consider the adoption of a Resolution of Necessity (Resolution No. 2014-25) to Acquire Property by Eminent Domain for the Jepson Parkway Project has been canceled (APN 0135-0707-010, 0135-0707-020).**

STA staff notified the Board that parties have reached an agreement and the RON Hearing was cancelled.

**10. ACTION – FINANCIAL ITEMS**

**A. Strategic Partnership Grant Application for the SR 29 Corridor  
Major Investment Study**

Robert Guerrero explained that STA is considering submitting a grant proposal for the Caltrans Strategic Partnerships Grant category for a Major Investment Study (MIS) for the SR 29 Corridor. He noted that the proposed goal for the STA's grant proposal is to evaluate the corridor for transportation and transit opportunities in partnership with the City of Vallejo, SolTrans, NCTPA, and Caltrans. He added that STA staff would like to request \$250,000 to complete the study and a local match of \$62,500 (20%) in local contribution. Additionally, the STA is requesting to seek a total grant request of \$350,000 with \$20,000 match request from NCTPA.

**Public Comments:**

None presented.

**Board Comments:**

Vice Chair Patterson requested

Recommendation:

Approve the following:

1. Authorize the Executive Director to submit a Caltrans Grant application for the SR 29 Corridor Major Investment Study in the Strategic Partnership category or Sustainable Communities category; and
2. Dedicate up to \$62,500 from State Transit Assistance Funds (STAF) as local match for the grant application.

On a motion by Vice Chair Patterson, and a second by Board Member Sanchez, the STA Board unanimously approved the recommendations. (8 Ayes)

**Board Comments:**

None presented.

Recommendation:

Approve the programming of FY 2014-15 STAF priorities as specified in Attachment C.

On a motion by Vice Chair Patterson, and a second by Board Member Batchelor, the STA Board unanimously approved the recommendation. (8 Ayes)

**11. INFORMATIONAL – DISCUSSION**

**NO DISCUSSION**

- A. Status of Solano’s Title VI Program**
- B. Commuter Benefits Program Update**
- C. Fiscal Year (FY) 2013-14 Abandoned Vehicle Abatement (AVA) Program Fourth Quarter Report**

**D. STA's Local Preference Policy FY 2013-14 Year-End Report**

**E. Summary of Funding Opportunities**

**12. BOARD MEMBER COMMENTS**

**13. ADJOURNMENT**

The meeting was adjourned at 7:25 p.m.

The next regularly scheduled meeting of the STA Board is at **6:00 p.m., Wednesday, December 10, 2014**, Suisun Council Chambers.

Attested by:

---

Johanna Masiclat  
Clerk of the Board

/October 10, 2014  
Date





**MEETING AGENDA**

**6:00 p.m., STA Board Regular Meeting  
 Wednesday, December 10, 2014  
 Suisun City Hall Council Chambers  
 701 Civic Center Drive  
 Suisun City, CA 94585**

**Mission Statement:** To improve the quality of life in Solano County by delivering transportation system projects to ensure mobility, travel safety, and economic vitality.

**Public Comment:** Pursuant to the Brown Act, the public has an opportunity to speak on any matter on the agenda or, for matters not on the agenda, issues within the subject matter jurisdiction of the agency. Comments are limited to no more than 3 minutes per speaker unless modified by the Board Chair, Gov't Code § 54954.3(a). By law, no action may be taken on any item raised during the public comment period (Agenda Item IV) although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the agency. **Speaker cards are required in order to provide public comment. Speaker cards are on the table at the entry in the meeting room and should be handed to the STA Clerk of the Board. Public comments are limited to 3 minutes or less.**

**Americans with Disabilities Act (ADA):** This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact Johanna Masiclat, Clerk of the Board, at (707) 424-6008 during regular business hours at least 24 hours prior to the time of the meeting.

**Staff Reports:** Staff reports are available for inspection at the STA Offices, One Harbor Center, Suite 130, Suisun City during regular business hours, 8:00 a.m. to 5:00 p.m., Monday-Friday. You may also contact the Clerk of the Board via email at [jmasiclat@sta-snci.com](mailto:jmasiclat@sta-snci.com). **Supplemental Reports:** Any reports or other materials that are issued after the agenda has been distributed may be reviewed by contacting the STA Clerk of the Board and copies of any such supplemental materials will be available on the table at the entry to the meeting room.

**Agenda Times:** Times set forth on the agenda are estimates. Items may be heard before or after the times shown.

**STA BOARD WORKSHOP**

**ITEM**

**BOARD/STAFF PERSON**

- |   |                    |
|---|--------------------|
| <p><b>1. CALL TO ORDER/PLEDGE OF ALLEGIANCE</b><br/>(6:00 – 6:05 p.m.)</p>  | <p>Chair Davis</p> |
| <p><b>2. CONFIRM QUORUM/ STATEMENT OF CONFLICT</b><br/>An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; (3) leave the room until after the decision has been made. Cal. Gov't Code § 87200.</p> | <p>Chair Davis</p> |

**STA BOARD MEMBERS**

Osby Davis (Chair)	Elizabeth Patterson (Vice Chair)	Jack Batchelor, Jr.	Harry Price	Norman Richardson	Pete Sanchez	Len Augustine (Pending)	Jim Spering
City of Vallejo	City of Benicia	City of Dixon	City of Fairfield	City of Rio Vista	City of Suisun City	City of Vacaville	County of Solano

**STA BOARD ALTERNATES**

Jesus Malgapo	Alan Schwartzman	Dane Besneatte	Rick Vaccaro	Constance Boulware	Mike Hudson	Dilenna Harris	Erin Hannigan
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The complete STA Board Meeting Packet is available on STA's Website at [www.sta.ca.gov](http://www.sta.ca.gov)  
 (Note: STA Board Meetings are held at Suisun City Hall, 6:00 p.m. on the 2<sup>nd</sup> Wednesday of every month  
 (except August (Board Summer Recess) and November (Annual Awards Ceremony).)

**3. APPROVAL OF AGENDA**

**4. SWEARING-IN OF NEW STA BOARD MEMBER**

(6:05 – 6:10 p.m.)

- **Mayor Len Augustine**  
Member representing the City of Vacaville

Johanna Masiclat,  
Clerk of the Board

**5. OPPORTUNITY FOR PUBLIC COMMENT**

(6:10 – 6:15 p.m.)

**6. EXECUTIVE DIRECTOR'S REPORT – Pg. 7**

(6:15 – 6:20 p.m.)

Daryl K. Halls

**7. REPORT FROM THE METROPOLITAN  
TRANSPORTATION COMMISSION (MTC)**

(6:20 – 6:25 p.m.)

Jim Spring,  
MTC Commissioner

**8. REPORT FROM CALTRANS AND STA PRESENTATIONS**

(6:25 – 6:30 p.m.)

**A. Directors Reports**

- 1. Planning**
- 2. Projects**
- 3. Transit/Rideshare (Solano Commute Challenge- Results)**

Robert Macaulay  
Janet Adams  
Judy Leaks

**9. CONSENT CALENDAR**

Recommendation:

Approve the following consent items in one motion.

(Note: Items under consent calendar may be removed for separate discussion.)

(6:30 – 6:35 p.m.)

**A. Minutes of the STA Board Meeting of October 8, 2014**

Johanna Masiclat

Recommendation:

Approve STA Board Meeting Minutes of October 8, 2014.

**Pg. 13**

**B. Draft Minutes of the TAC Meeting of November 19, 2014**

Johanna Masiclat

Recommendation:

Approve Draft TAC Meeting Minutes of November 19, 2014.

**Pg. 23**

**C. Fiscal Year (FY) 2013-14 Fourth Quarter Budget Report**

Susan Furtado

Recommendation:

Receive and file.

**Pg. 29**

**D. Fiscal Year (FY) 2014-15 First Quarter Budget Report**

Susan Furtado

Recommendation:

Receive and file.

**Pg. 35**

**E. Letters of Support for Federal Transit Administration (FTA) Section 5310 Funding for Solano Mobility Management Programs**

Liz Niedziela

Recommendation:

Approve the following:

1. Authorize the Chair to forward a Letter of Support to Caltrans in Support of the Solano Transportation Authority's funding application for FTA Section 5310 for Solano Mobility Management Programs;
2. Authorize the Executive Director to submit an application for FTA Section 5310 for the Solano Mobility Management Program;
3. Approve STA Resolution No. 2014-27 as shown in Attachment A; and
4. Authorize the Executive Director to execute a contact or agreement with Caltrans for FTA Section 5310 funding for the Solano Mobility Management Program including submitting and approving request for reimbursement of funds as stated in Authorizing STA Resolution No. 2014- 27 (Attachment A).

**Pg. 39**

**F. Federal Transit Administration (FTA) Non-Urbanized Area Program (FTA Section 5311) Revised Recommendation**

Liz Niedziela

Recommendation:

Approve Federal Section 5311 Allocation for 2014 and 2015 in the amount of \$409,092 as specified in Attachment C.

**Pg. 43**

**G. Resolutions for Transportation Development Act (TDA) Article 3 – Dixon West B Street Undercrossing Project and Automated Counters**

Drew Hart

Adopt the following:

1. STA Resolution No. 2014-28 declaring the approval of the expenditure of TDA Article 3 funds for the following projects:
  - a. \$90,000 of FY 2014-15 TDA Article 3 funds for bicycle and pedestrian improvements to be completed as part of the Dixon West B Street Undercrossing Project; and
  - b. \$10,000 of FY 2014-15 TDA Article 3 funds for the purchase of automated bike and pedestrian counters.
2. STA Resolution No. 2014-30 rescinding previous resolution 2014-18 and approving the updated coordinated claim.

**Pg. 51**

**H. Contract Amendment for State Legislative Advocacy Services**

Jayne Bauer

Recommendation:

Approve the following:

1. Authorize the Executive Director to execute a contract amendment to the State Lobbying Consultant Services Agreement with Shaw/Yoder/Antwih, Inc. for a two-year term in an amount not-to-exceed \$66,500 annually; and
2. Authorize the Executive Director to enter into an agreement with SolTrans to reimburse STA \$20,000 annually for state lobbying consultant services provided by Shaw/Yoder/Antwih, Inc.

**Pg. 65**

- I. Dixon West B Street Pedestrian Undercrossing - Contract Amendment Construction Management Services** Janet Adams

Recommendation:

Authorize the Executive Director to amend contract with Parsons Brinckerhoff for an additional \$47,925 to complete construction management services needed during construction; as well as closeout the projects to allow for final invoicing to Caltrans.

**Pg. 71**

- J. Regional Transportation Impact Fee (RTIF): Nexus Report Amendment** Robert Guerrero

Recommendation:

Approve the following:

1. Regional Transportation Impact Fee (RTIF) Supplemental Nexus Analysis for the Green Valley Overcrossing Project; and
2. Authorize the Executive Director to forward a letter to the County of Solano to amend the RTIF and PFF to include the Green Valley Overcrossing Project.

**Pg. 75**

**10. ACTION FINANCIAL ITEMS**

- A. STA's Annual Audit for Fiscal Year (FY) 2013-14** Susan Furtado

Recommendation:

Receive and file STA's Annual Audit for FY 2013-14.

(6:35 – 6:40 p.m.)

**Pg. 141**

- B. Authorization for Sale of Surplus Property** Janet Adams

Recommendation:

Adopt STA Resolution No. 2014-29 authorizing the sale of the remainder of the former Green Valley Middle School site to Pacific Coast Supply, LLC as the highest responsible bidder, in accordance with the attached Purchase and Sale Agreement, for the purchase price of \$1,142,000 (4/5<sup>th</sup> vote required).

(6:40 – 6:45 p.m.)

**Pg. 143**

- C. Intercity Transit Corridor Study – Public Input Process, Selection of Preferred Service Alternative, and Authorization of Initiation of Phase 2 of Study** Jim McElroy,  
STA Project  
Manager

Recommendation:

Approve the following:

1. Approve the public review and input process for Phase 2 as specified:
  - a. Forward the Phase 1 results to each of the affected Cities and the County including the three service options assessed and Option B as the service option recommended for Phase 2;
2. Authorize the Executive Director to develop and issue a Request for Proposal (RFP) for consultant services for the Transit Corridor Study Phase 2 and the Coordinated SRTP; and

3. Authorize the Executive Director to enter into an agreement in an amount not- to-exceed \$275,000 for Transit Corridor Study Phase 2 and Coordinated SRTP.

(6:45 – 6:55 p.m.)

**Pg. 163**

## 11. ACTION NON-FINANCIAL ITEMS

- A. **STA’s Draft 2015 Legislative Priorities and Platform Recommendation:** Jayne Bauer  
Adopt the STA’s 2015 Legislative Priorities and Platform as specified in Attachment C.  
(6:55 – 7:00 p.m.)  
**Pg. 205**

## 12. INFORMATIONAL ITEMS – NO DISCUSSION

- A. **State Affordable Housing and Sustainable Communities Program Update** Robert Macaulay  
**Pg. 231**
- B. **Quarterly Project Delivery Update** Anthony Adams  
**Pg. 239**
- C. **Status of Solano’s Title VI Program** Anthony Adams  
**Pg. 253**
- D. **Mobility Management Program Update** Tiffany Gephart  
**Pg. 255**
- E. **Solano Employer Commute Challenge 2014 – Results** Judy Leaks  
**Pg. 265**
- F. **Summary of Funding Opportunities** Andrew Hart  
**Pg. 269**

## 13. BOARD MEMBERS COMMENTS

## 14. ADJOURNMENT

The next regularly scheduled meeting of the STA Board is at **6:00 p.m., Wednesday, January 14, 2015**, Suisun Council Chambers.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014

**TO** : Mayor Patterson  
Vice Mayor Hughes

**FROM** : Director of Public Works

**SUBJECT** : **SOLANO COUNTY WATER AGENCY**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

The draft minutes of the November 13, 2014 meeting are attached. The agenda for the regular meeting on December 11, 2014 is attached. The next meeting is scheduled for January 8, 2015.

Attachments:

- Draft minutes of the November 13, 2014 regular meeting
- Agenda for December 11, 2014 regular meeting



**SOLANO COUNTY WATER AGENCY  
BOARD OF DIRECTORS MEETING MINUTES**

**MEETING DATE: November 13, 2014**

The Solano County Water Agency Board of Directors met this evening at the Solano County Water Agency. Present were:

Mayor Jack Batchelor, City of Dixon  
Mayor Harry Price, City of Fairfield  
Mayor Steve Hardy, City of Vacaville  
Mayor Pete Sanchez, City of Suisun City  
Mayor Norm Richardson, City of Rio Vista  
Supervisor Hannigan, Solano County District 1  
Supervisor Linda Seifert, Solano County District 2  
Supervisor Spering, Solano County District 3  
Supervisor John Vasquez, Solano County District 4  
Supervisor Skip Thomson, Solano County District 5  
Director J. D. Kluge, Solano Irrigation District  
Manager Don Holdener, Maine Prairie Water District  
Director Dale Crossley, Reclamation District 2068

**CALL TO ORDER**

The meeting was called to order at 6:30 P.M. by Chairman Price.

**APPROVAL OF AGENDA**

On a motion by Supervisor Seifert and a second by Supervisor Vasquez the Board unanimously approved the agenda.

**PUBLIC COMMENT**

There were no public comments.

**CONSENT ITEMS**

On a motion by Supervisor Seifert and a second by Mayor Sanchez the Board unanimously approved Consent Items A through E.

- (A) Minutes
- (B) Expenditure Approvals
- (C) Rio Vist Flood Control Study
- (D) Amendment to Dry Year Water Purchase Agreement with Yolo County
- (E) Amendment to Aquatic Pesticide Compliance Agreement with Blankenship and Associates.

**BOARD MEMBER REPORTS**

Mayor Hardy wished the Board of Directors well on their continuing endeavors and other Board Members commended Mayor Hardy for his service.

**GENERAL MANAGER'S REPORT**

There were no additions to the General Manager's written report.

**DELTA COORDINATION WORKING GROUP**

Manager Okita reported that the Group recommended renaming the Group the Water Policy Committee to reflect the broader scope of water issues the Committee desires to discuss. He reminded the Board that up to seven members may serve on the Committee in addition to

staff and other participants from nearby localities. On a motion from Mayor Price and a second from Supervisor Thomson the Board unanimously approved:

1. Renaming the Delta Coordination Working Group to the Water Policy Committee.
2. Appointing Supervisor Seifert as Chair of the Water Policy Committee. Approved Mayor Elect Augustine to serve on the Committee.
3. The Committee to include local agency staff and participants from Napa and Yolo County.

#### **EXECUTIVE SEARCH**

Chairman Price reported that the Executive Committee reviewed three proposals for the General Manager recruitment and recommends CPS HR Consulting. Stuart Satow from CPS HR Consulting provided an overview and a timetable of the recruitment process. On a motion by Supervisor Spering and a second by Mayor Hardy the Board unanimously selected CPS HR Consulting to recruit a replacement for the retiring General Manager. Chairman Price appointed himself, Supervisor Spering, Mayor Batchelor, Supervisor Hannigan and Director Crossley as a committee to work with Mr. Satow.

#### **DELTA ISSUES**

Supervisor Thomson reported the Delta Counties Coalition is meeting with Secretary Laird to discuss governance with a goal for the Delta Counties Coalition to participate in decisions regarding the Bay Delta Conservation Plan.

#### **TIME AND PLACE OF NEXT MEETING**

The next regularly scheduled meeting will be Thursday, December 11, 2014 at 6:30 P.M. at the SCWA offices in the Monticello Room located at the Solano County Water Agency offices.

#### **ADJOURNMENT**

This meeting of the Solano County Water Agency Board of Directors was adjourned at 6:47 P.M.

---

David B. Okita, General Manager  
and Secretary to the Board of Directors of the  
Solano County Water Agency

# SOLANO COUNTY WATER AGENCY



## BOARD OF DIRECTORS:

### Chair:

Mayor Harry Price  
City of Fairfield

### Vice Chair:

Director Dale Crossley  
Reclamation District No. 2068

Mayor Jack Batchelor  
City of Dixon

Mayor Osby Davis  
City of Vallejo

Supervisor Erin Hannigan  
Solano County District 1

Mayor Steve Hardy  
City of Vacaville

Director John D. Kluge  
Solano Irrigation District

Mayor Elizabeth Patterson  
City of Benicia

Mayor Norm Richardson  
City of Rio Vista

Director Gene Robben  
Maine Prairie Water District

Mayor Pete Sanchez  
City of Suisun City

Supervisor Linda Seifert  
Solano County District 2

Supervisor Jim Spering  
Solano County District 3

Supervisor Skip Thomson  
Solano County District 5

Supervisor John Vasquez  
Solano County District 4

## GENERAL MANAGER:

David Okita, PE  
Solano County Water Agency

## BOARD OF DIRECTORS MEETING

**DATE:** Thursday, December 11, 2014

**TIME:** 6:30 p.m.

**PLACE:** Berryessa Room  
Solano County Water Agency Office  
810 Vaca Valley Parkway, Suite 203  
Vacaville

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENT

Limited to 5 minutes for any one item not scheduled on the Agenda.

5. CONSENT ITEMS

(A) Minutes: Approval of the Minutes of the Board of Directors meeting of November 13, 2014 is recommended.

(B) Expenditure Approvals: Approval of the November checking account register is recommended.

(C) Flood Control Advisory Committee Re-Appointments: Reappoint public members Charles Karnopp, and Paul Lum to two year terms on the Flood Control Advisory Committee.

(D) Lower Putah Creek Coordinating Committee Appointments: Appoint Solano representatives on the Lower Putah Creek Coordinating Committee for calendar year 2015.

810 Vaca Valley Parkway, Suite 203  
Vacaville, California 95688  
Phone (707) 451-6090 • FAX (707) 451-6099  
www.scwa2.com



**VIII.C.9.5**

(E) Amendment to Agreement with DWR for Funding Alternate Intake Project:  
Authorize General Manager to execute Amendment No. 3 to the “Agreement for Funding Among the Department of Water Resources, Solano County Water Agency and Napa County Flood Control and Water Conservation District for the Cost of Environmental Analysis, Planning and Design of the North Bay Aqueduct Alternate Intake Project” to extend the term of the agreement from December 31, 2014 to June 30, 2016.

(F) Comment Letter on Priority Status of the Solano Subbasin of the Sacramento River Groundwater Basin: Authorize the Chairman to sign a comment letter to the Department of Water Resources requesting a “low priority” status for the Solano Subbasin of the Sacramento River Groundwater Basin.

6. **BOARD MEMBER REPORTS**

RECOMMENDATION: For information only.

7. **GENERAL MANAGER’S REPORT**

RECOMMENDATION: For information only.

8. **AGREEMENT FOR GOVERNMENT RELATIONS REPRESENTATION BY CLEAN TECH ADVOCATES**

RECOMMENDATIONS:

1. Hear report from Patrick Leathers, Legislative Advocate, on the past and upcoming State Legislative Session.
2. Authorize General Manager to execute an agreement with Clean Tech Advocates to provide government relations representation for the Solano County Water Agency for the 2015 – 2017 State Legislative Session. Costs not to exceed \$130,000 for two years.

9. **WATER CONSERVATION/PUBLIC AWARENESS/URBAN WATER MANAGEMENT PLANS**

RECOMMENDATION: Hear report from staff on current water conservation and public awareness efforts and provide feedback on scope of programs. Provide direction on SCWA 2016 Urban Water Management Plan scope.

10. **DELTA ISSUES**

RECOMMENDATION: Hear report from Supervisor Thomson on the activities of the Delta Counties Coalition and the Delta Protection Commission.

**11. TIME AND PLACE OF NEXT MEETING**

Thursday, January 8, 2015 at 6:30 p.m. at the SCWA offices.

*The Full Board of Directors packet with background materials for each agenda item can be viewed on the Agency's website at [www.scwa2.com](http://www.scwa2.com).*

Any materials related to items on this agenda distributed to the Board of Directors of Solano County Water Agency less than 72 hours before the public meeting are available for public inspection at the Agency's offices located at the following address: 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688. Upon request, these materials may be made available in an alternative format to persons with disabilities.

Dec.2014.bod.agd



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 2, 2014

**TO** : Council Member Campbell  
Council Member Schwartzman

**FROM** : Public Works Director

**SUBJECT** : **TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY (TPBS) COMMITTEE**

The following is provided as your committee report for the December 16, 2014 City Council meeting.

The TPBS Committee held their regular meeting on October 16, 2014.

The next regular meeting is scheduled for January 15, 2014.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 4, 2014

**TO** : Mayor Patterson  
Council Member Strawbridge

**FROM** : City Manager

**SUBJECT** : **TRI-CITY AND COUNTY COOPERATIVE PLANNING GROUP**  
**"SOLANO OPEN SPACE"**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

A copy of the agenda is attached for the meeting held on December 8, 2014.

Attachment:

- December 8, 2014 Agenda





# SOLANO OPEN SPACE

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## **Amended AGENDA**

December 8, 2014

Solano County Government Center

CAC Conference Room #1600

675 Texas Street, Fairfield, CA

**7:15 p.m.**

1. Roll Call
2. **Approval of Agenda**
3. Introductions
4. Public Comment
5. **Approval of Minutes from September 8, 2014**
6. Update on Benicia State Park (Bob Berman/Elizabeth Patterson)
7. Updates on Solano Land Trust Activities (SLT Staff)
8. Update on Syar Quarry (Matt Walsh)
9. Solano County Land Acquisition Project (Earmark) (SLT Staff)
10. Budget Update for 2014-2015
11. Regional Park Issues (Subcommittee):
  - A. Review/Discussion
  - B. **Action Item: (Budget Amendment) Membership in Ridge Trail Association (Harry Englebright)**
  - C. Information and Discussion: Board of Supervisors legislation pertaining to the establishment of a Regional Park District in Solano County (Matt Walsh/Subcommittee)
12. Future Agenda Items/Closing Remarks/Adjourn



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014

**TO** : Mayor Patterson  
Vice Mayor Hughes

**FROM** : City Manager

**SUBJECT** : **VALERO COMMUNITY ADVISORY PANEL (CAP)**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

The CAP meets quarterly at 6:30 p.m. at the refinery at 610 Industrial Way. The next meeting is TBD.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORT**

**DATE** : December 5, 2014

**TO** : Mayor Elizabeth Patterson  
Vice Mayor Hughes  
Council Member Christina Strawbridge

**FROM** : Youth Action Coalition

**SUBJECT** : **YOUTH ACTION COALITION**

It was reported that the contract with Solano County H&SS for FY 14-15 was approved and signed by the county supervisors on December 2, 2014. This county funding provides for coalition staff, alcohol and compliance checks expense, responsible beverage service training and development of retail tobacco and alcohol programs.

A report on the alcohol compliance checks conducted on November 21, 2014 in 17 Benicia businesses was given. Three of the businesses sold alcohol to a minor. A tobacco compliance check will be conducted in December.

Results from Benicia Unified School District from the California Healthy Kids Survey for 2014 were reviewed and discussed for impact on strategy and future programs.

The retail environment and compliance with sign regulations in existing state law was discussed with emphasis on the effect on alcohol and tobacco marketing to youth. Outlines of a future retail recognition and compliance program were developed.

The next meeting is scheduled for January 28, 2015.



**AGENDA ITEM  
CITY COUNCIL MEETING: DECEMBER 16, 2014  
COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 9, 2014  
**TO** : City Council  
**FROM** : Mayor Patterson  
**SUBJECT** : **ABAG/CAL FED TASK FORCE/BAY AREA WATER FORUM**

The following information is provided for your committee report at the December 16, 2014 City Council meeting.

The Bay Area Water Forum's last meeting was held on March 26, 2012.

This was the last meeting of the Bay Area Water Forum for 2012, due to a lack of funding.



**AGENDA ITEM**  
**CITY COUNCIL MEETING: DECEMBER 16, 2014**  
**COUNCIL MEMBER COMMITTEE REPORTS**

**DATE** : December 1, 2014

**TO** : Mayor Patterson  
Vice Mayor Hughes  
Council Member Schwartzman

**FROM** : Assistant City Manager

**SUBJECT** : **SOLANO COUNTY TRANSIT (SolTrans) BOARD MEETING**

The following information is provided for your committee report at the December 16, 2014 Council meeting.

The Solano County Transit (SolTrans) Joint Powers Authority held a regular meeting on November 20, 2014 in the City of Vallejo Council Chambers. The Executive Report for the November 20, 2014 meeting is attached.

The next regular meeting of the SolTrans Board on December 18, 2014 is canceled. The next regular meeting will be held on January 15, 2015 at 4:00 p.m. and will be held in the City of Benicia Council Chambers. The Agenda and Executive Report for this meeting were not available as of the date of this report.

Attachment:

- November 20, 2014 Executive Report





**TO:** BOARD OF DIRECTORS  
**PRESENTER:** MONA BABAUTA, EXECUTIVE DIRECTOR  
**SUBJECT:** EXECUTIVE DIRECTOR'S REPORT  
**ACTION:** INFORMATIONAL

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The following provides an overview of more significant issues addressed by your staff since the October 16, 2014 Board meeting:

**FINANCE AND ADMINISTRATION:**

- **SolTrans Curtola Park and Ride Hub:** A more detailed report is provided under Agenda Item 17. The west side of the lot is being improved, which includes the transit center, and approximately 300 parking spots. Weekly construction updates may be found here: <http://www.soltransride.com/planning/soltrans-curtola-park-ride-hub/weekly-construction-updates/> More info on the overall project may be found here: <http://www.soltransride.com/planning/soltrans-curtola-park-ride-hub/>.
- **Public Private Partnership (P3) Process:** Staff issued a RFQ on September 26<sup>th</sup> for soliciting statements of qualifications from private firms that can potentially operate and maintain the future SolTrans Curtola Park and Ride Hub through a “public-private partnership.” Statements were due on October 23<sup>rd</sup>, and interviews were conducted with SP+ and ABM on November 6th. Staff will recommend a contract award to the Board in January 2015. You may see the RFQ here: <http://www.soltransride.com/wp-content/uploads/2012/06/RFQ-for-Curtola-OandM.pdf>
- **Transit Operations & Maintenance Facility at 1850 Broadway:** A pre-construction meeting was scheduled for November 13<sup>th</sup>, and at this point, all operations and administrative staff have vacated the O&M facility and been relocated to modular facilities. However, maintenance staff will continue to maintain vehicles in the building, and construction work will be staged to accommodate this. More information on this project may be found under Agenda Item 17.
- **Human Resources Update:** We currently have three temporary Analysts through Bolt Staffing and Accountemps, Alan, Mandi, and Erwin, assisting with projects in the Planning/Operations and Finance/Administration divisions. However, staff recently released another job posting for permanent Analyst positions, and in the next couple of months, we hope to have received enough applications from qualified individuals to conduct interviews.
- **Financial and Performance Audits:** Significant work is currently being done by staff to complete the State Triennial TDA Performance and Federal Transit Administration Triennial Review Audit processes. Both of these efforts should be done by next Spring 2015. I am

also pleased to report that we have just completed the FY 2013-14 Year-End Fiscal Audit without any issues, and this report is provided under Agenda Item 8.

### OPERATIONS:

- Benicia Lunch Shuttle: The Benicia Lunch Shuttle was initiated on October 22nd. This service will operate through the end of the year. However, its effectiveness will be evaluated to determine if this particular service should continue, or if ridership demand can be accommodated efficiently through the existing General Public Dial-a-Ride (GPDAR) system. See Attachment A for the promotional flier.
- Benicia Senior Fare on General Public Dial-a-Ride: Staff implemented the midday discount program for seniors on the GPDAR system on November 1<sup>st</sup>. As you may recall, the Board approved this pilot program in September 2014. See Attachment B for the promotional flier.
- Route 20 Pilot for Benicia Citizens: Staff is proposing the implementation of a fixed-route pilot project (Route 20) that would provide a direct link from Benicia to Solano Community College (Vallejo campus) and popular retail and employment locations around Vallejo's Gateway Plaza. This is being recommended for Board approval, given the significant amount of feedback and support received from Benicia citizens and the Public Advisory Committee over the past 2 years. More information may be found under Agenda Item 13.
- Clipper: The Clipper universal fare system was implemented the first week of November, and public outreach events were done at the Vallejo Transit Center and Benicia's City Park to promote it. See Attachment C for the press release with general details on the program.
- System Analysis and Restructuring Project: Staff began significant public outreach efforts in early November following the Board's approval of service enhancements in October for implementation by January 1, 2015. Information on what will be implemented may be found here: <http://www.soltransride.com/planning/system-restructuring/>.

### EXTERNAL AFFAIRS:

- Presentations: Staff is scheduled to meet with Benicia's Women's Club in early January where they will provide information on transportation services in Benicia.

Furthermore, I am scheduled to deliver a presentation to the Benicia Friendship Club on January 29, 2015 at noon.

- Community Outreach Events: SolTrans participated in the Cal Maritime Academy's 5<sup>th</sup> Annual Career and Community Partnership Expo on October 28<sup>th</sup>.
- State and National Committee Meetings:
  - American Public Transportation Association (APTA): I continue to remain active on APTA's Small Operations Committee, and I was recently elected in October to sit on its Steering Committee (2-year term).
  - California Transit Association (CTA): As a member of CTA's Executive Committee, I attended a meeting on Tuesday, November 11<sup>th</sup>, in Monterey. The following day, I then delivered a presentation (Attachment D) during a session entitled, "Community Involvement and Public Participation," which was part of CTA's Annual Fall

Conference. Finally, I had the great honor of receiving the “Transit Professional of the Year” award from the Association’s Small Operators Committee on Thursday, November 13<sup>th</sup>.

Attachments:

- A. Benicia Lunch Shuttle Promo Flier
- B. Benicia Senior Fare DAR Promo Flier
- C. Clipper Launch Press Release
- D. CTA Presentation
- E. List of Acronyms

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# Going to Lunch? Ride the Shuttle.



311 Sacramento St. Vallejo, CA 94590  
(707) 648-4666 [www.soltransride.com](http://www.soltransride.com)

## Benicia

# *Monthly Senior Lunch*

## Shuttle

LAST QUARTER 2014  
October 22 (Launch)  
November 19  
December 17

### Cost to Ride Shuttle

FREE in both directions on October 22nd!

On November 19th and December 17th:

Seniors (65+),  
Persons w/Disabilities,  
and Medicare \$0.85  
Adults \$1.75

### Brought to You by SolTrans

in Partnership  
with the  
Benicia Community Center

Casa de Vilarrassa 383 East I St.	Rancho Benicia 300 East H St.	Benicia Senior Center	Benicia Senior Center	Casa de Vilarrassa 383 East I St.	Rancho Benicia 300 East H St.
11:00am	11:05am	11:20am	1:20pm	1:30pm	1:35pm



**BENICIA SENIOR CENTER**  
187 East L St., Benicia, CA 94510  
(707) 745-1202

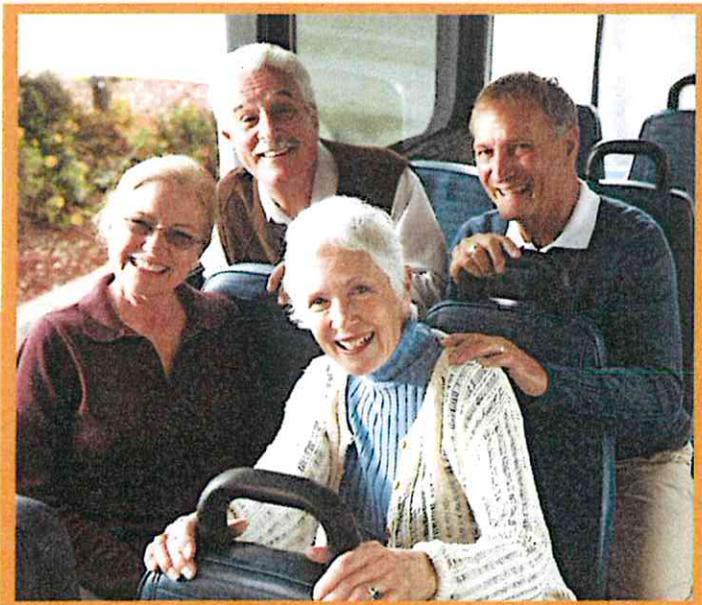
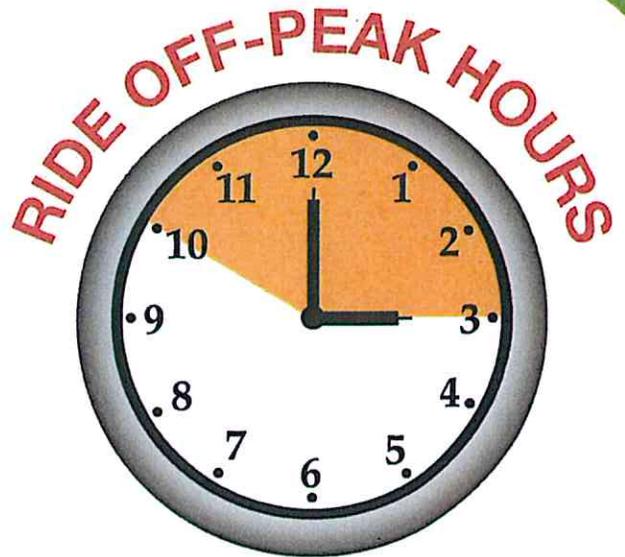
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## Benicia Dial-A-Ride Senior Fare

Weekdays 10am to 3pm  
**AND All Day Saturday!**

November 2014 - December 2015



# \$1.00

**One-way Cash Fare**  
(Regular fare is \$2 per trip)

THAT'S  
**50% OFF**  
Current DAR Cash Fare!

*A dollar a way  
can make your day!*

To schedule a trip: (707) 745-0815

For Seniors 65+  
(driver may ask for ID)

We're Your  & Sol for Transportation.

311 Sacramento St. Vallejo, CA 94590  
(707) 648-4666 [www.soltransride.com](http://www.soltransride.com)

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**FOR IMMEDIATE RELEASE**

November 3, 2014

Contact: Elizabeth Romero

Phone: 707-736-6983

SolTrans, 311 Sacramento St., Vallejo CA 94590

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**\*\*\* MEDIA ADVISORY \*\*\* MEDIA ADVISORY \*\*\***

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## **SolTrans Now Offering Clipper, as part of Napa Solano Clipper Launch**

**Vallejo & Benicia, CA** – Solano County Transit (SolTrans) joined the Clipper network Monday, November 3, 2014. Clipper is an all-in-one transit fare payment card accepted with nine major transit operators in the San Francisco Bay Area. With this launch, Clipper is now available with Napa and Solano transit operators including SolTrans, FAST, the VINE, Vacaville City Coach, and Vallejo-San Francisco Bay Ferry.

The smart card is designed to enhance the customer experience, offering an “easy, fast, secure, and reusable” alternative to cash or paper passes. Tagging the card at each bus boarding applies the correct fare (some systems require a tag-off). Cards may be registered for security and auto-loading of value; youth and senior cards require registration for reduced fare. The card is reusable, and can hold multiple operator passes. Transfers with participating Clipper operators with reciprocal fare agreements are automatically calculated.

SolTrans will offer “cash value” and 31-Day Local and 31-Day Multi Zone Fixed Route Passes for Clipper. Currently, approximately 25% of trips on local routes are paid for using a monthly pass, compared to 40% on regional routes. These riders now have the option of using Clipper. SolTrans will sell adult, youth (6-18), and senior (65+) cards. Persons under 65 with qualifying disabilities may apply for a Regional Transit Connection (RTC) Clipper Card to receive discounted monthly passes on Clipper. Clipper card is only available on SolTrans fixed route buses, not Dial-a-Ride or ADA Paratransit.

Clipper cards and value can be purchased over the phone or web with Clipper Customer Service at 877-878-8883 or [clippercard.com](http://clippercard.com). Clipper is also available at these SolTrans locations:

- Vallejo Transit Center – 311 Sacramento St., Vallejo, CA 94590
- Vallejo Ferry Ticket Office – 289 Mare Island Way, Vallejo, CA 94590

Clipper is also available from the following Benicia & Vallejo retailers:

- Raley’s, 890 Southampton Rd, Benicia
- Walgreens, 2647 Springs Rd, Vallejo
- Walgreens, 1050 Redwood St, Vallejo

The Metropolitan Transportation Commission will be hosting several Clipper Launch outreach events throughout Napa and Solano Counties. Information and free promotional cards will be provided. For SolTrans riders, key events will take place tomorrow, November 5, 2014 from 3:30 p.m. to 6:30 p.m. at the Vallejo Transit Center and on Monday, November 10, 2014 from 4:30 p.m. to 7:30 p.m. at Benicia City Park (Military & First St. bus stops). Events continue through November 20, 2014. Visit the SolTrans website for the outreach schedule.

For more information, reference the SolTrans website at [soltransride.com](http://soltransride.com) or [clippercard.com](http://clippercard.com).

-more-

Solano County Transit (SolTrans) is the public transportation provider for the Cities of Benicia and Vallejo. SolTrans provides local fixed route bus, regional express bus, complementary paratransit, dial-a-ride service, and subsidized taxi programs. We deliver safe, reliable and efficient transportation services that link people, jobs, and our communities. The agency is a Joint Powers Authority (JPA) that is governed by a six-member Board of Directors. The Board is composed of two representatives from each member city, Solano County's representative on the Metropolitan Transportation Commission (MTC), and a representative from the Solano Transportation Authority.

###

ATTACHMENT D  
Agenda Item 5

# LEADERSHIP THROUGH COMMUNITY ENGAGEMENT

By: Mona Babauta, Executive Director  
Solano County Transit on November 12, 2014



## BACKGROUND ON SOLTRANS

- ▶ Joint Powers Authority (JPA) formed through consolidation of Vallejo & Benicia transit systems in Dec 2010
- ▶ Member Agencies: Cities of Vallejo & Benicia & Solano's Congestion Management Agency
- ▶ Shared Vision of member agencies:
  1. Create a sustainable and efficient transit system
  2. Increasingly meet the community's transportation needs
  3. Create a service that the community embraces & views as an asset



## CHALLENGES IMPACTING PUBLIC SENTIMENT

- ▶ Service cuts and new routes implemented in July 1, 2012 to address budget shortfall.
- ▶ Structural deficit implied more cuts in the future.
- ▶ Free transfers **ELIMINATED** July 1, 2012 and new routes resulted in more bus transfers for many riders.
- ▶ 3<sup>rd</sup> party contract with **Local** Service Provider of over 50+ years was put out to bid in Fall 2012.
- ▶ Benefits of consolidation were not clearly outlined for the public.



# PUBLIC SENTIMENT $\neq$ SHARED VISION

## **Public Sentiment following SolTrans' Actions:**

- ▶ Public anger about paying more for transit and getting a “lower” level of service.
- ▶ Public did not understand the value in SolTrans' establishment.
- ▶ Local businesses & community groups saw the change(s) as negative.

## **In reality, SolTrans' actions were part of a shared vision for creating a transit system that was:**

- ▶ Reliable
- ▶ SUSTAINABLE / financially viable
- ▶ Focused on Enhancing the Community
- ▶ Valued as a Community Asset



# PUBLIC ENGAGEMENT EFFORTS TO ADDRESS PUBLIC SENTIMENT & SHARED VISION

1. Set-up communication tools for receiving and responding to customer comments.
2. Develop Key Partnerships & Be Known in Your Community!
3. Leverage the JPA structure / “Team Approach” in managing the Agency
4. Implement Key Projects to Demonstrate Agency Progress
  - ▶ Build credibility & public trust.
  - ▶ Demonstrate how transit enhances the community and access to key services, events, etc.



# STAY IN TOUCH WITH COMMUNITY FEEDBACK

**Leave a Comment**

We welcome feedback and questions from SolTrans passengers. Please fill out the form below to send us a message. Customer service hours of operation are 8:30 am to 5:30 pm, Monday through Friday. Customer service can be reached at (925) 648-4200 during regular office hours.

Your Name \*  
 Your Email or Address \*  
 Your City  
 Mobile Number  
 Time and Day of Transit  
 Your Message \*

**Select Language**  
 Translate to:  
 English

**Social Links**  
[Link to our Facebook](#)

**Solano County Transit (SolTrans)**  
 (925) 648-4200  
 311 Sacramento Street  
 Vallejo, CA  
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**SolTrans Customer Comment**

Submitted on Transit - mroscop@soltransonline.com

Starred  
 Important  
 Sent Mail  
 Drafts (4)  
 Circles  
 CTA Small Oper  
 2008 Fleet Study  
 2010-11 TDA Prod  
 ADA  
 Administration  
 Sent Fraction  
 Bikes  
 Budget

Comment Date: 11/05/2014  
 Comment Time: 13:29  
 Bus: 3040  
 Route: 7  
 Mode: Fixed  
 Drive Name: STREET, WILLIE  
 Location: apcd onboard  
 Comment Type: Complaint  
 Reason: To Come  
 Comment: Bus passed him up at the bus stop.  
 Initial Response  
 Caller: mroscop  
 Address  
 City: St  
 Zip  
 Phone: (925) 648-7913  
 Response: Yes  
 Completed by: monroe williams

**facebook**

Public Transportation

**SolTrans**

Timeline About Photos Reviews More

PEOPLE

239 likes  
 67 photos

SolTrans shared a link.  
 20 hours ago · 48

SolTrans will be operating SolTrans service on Tuesday, November 11, 2014, in observance of Veteran's Day. SolTrans Holiday Schedule can be found here: [soltransdc.com/routes/holiday-schedule](http://soltransdc.com/routes/holiday-schedule)

**SurveyMonkey**

Home My Surveys Examples Survey Services Plans & Pricing

Upgrade your plan for more powerful surveys. Upgrade

TITLE	MODIFIED	RESPONSES	ACTIONS
Revised Proposals for Fixed Route Operating Scenario for Improved System Performance Created September, 17 2014	10/08/14	66	✓ [Feedback]
SolTrans Outreach Survey Created August, 02 2014	09/17/14	102	✓ [Feedback]
Benicia Industrial Park Employee Commute Survey Created April, 28 2014	06/20/14	214	✓ [Feedback]
Benicia Community Transit Survey - Spring 2014 Created April, 28 2014	06/16/14	179	✓ [Feedback]

ALL SURVEYS: 4 of 4





# GET IN THE DOOR & MAKE YOUR PRESENCE KNOWN!

Remember--You're here to Help!

Leverage Relationships with  
Community Leaders in Traditional  
& Non-Traditional Forums!



Go to Community Gathering  
Places (Libraries, Farmers  
Markets, Senior Centers)



**FREE RIDES**  
Ride SolTrans Local Routes FREE  
with this Advertisement!

Enjoy Waterfront Weekend Festivities  
and a Special Community Event!  
Saturday, October 4, 2014 to see historic ships and  
landmarks on Marin Island and Overlook Station.

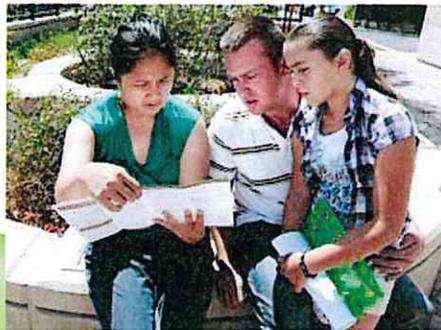
Go to [www.soltransride.com](http://www.soltransride.com)  
for more information.

Excludes 201 and 202 bus routes. For a complete  
listing of routes, visit [www.soltrans.com](http://www.soltrans.com).  
\*We would love to hear from you! Call 707.595.8127

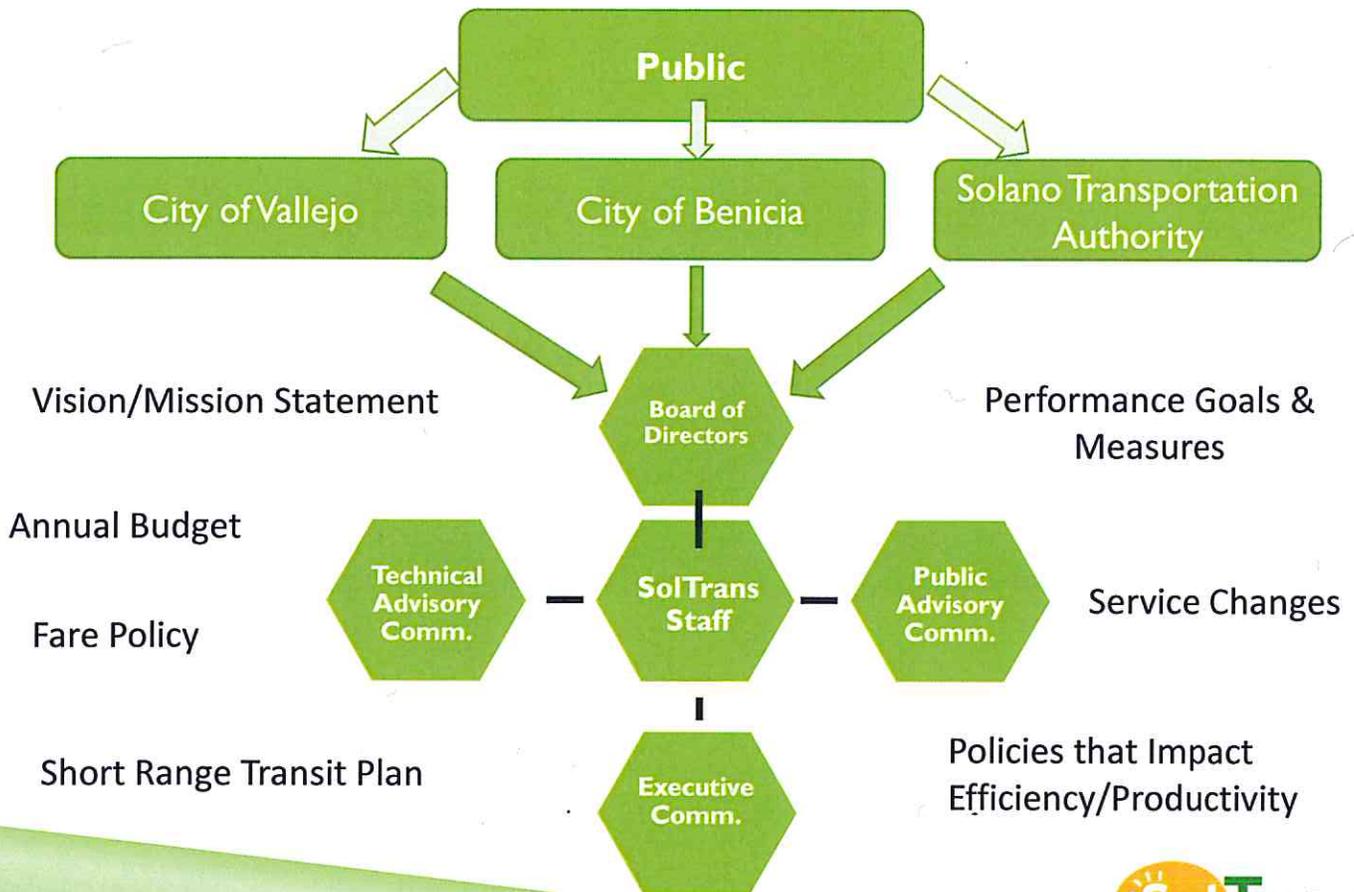


[www.soltrans.com](http://www.soltrans.com)

Back to School Fairs



# SOLTRANS JOINT POWERS AUTHORITY (JPA) STRUCTURE



# IMPLEMENTING THE SHARED VISION AS SHAPED BY THE JPA BOARD/COMMITTEES AND THE COMMUNITY

- ▶ Produce Results
- ▶ Check-in with the Community to share progress and gain feedback

# ENHANCING THE COMMUNITY AND CITY GATEWAY WITH AN ATTRACTIVE TRANSIT FACILITY—



- 592 parking spaces
- Transit platform – accommodates 6 independent buses
- Casual carpool location
- Kiss & ride location
- Passenger amenities/ canopy structure
- Security office/ vending kiosk/Restroom
- Solar Power Array
- Landscaping/ water quality
- Electric Vehicle Charging Stations





# SOLTRANS CURTOLA PARK & RIDE HUB

## Outreach Efforts:

- Intercept surveys at facility site and at El Cerrito Del Norte BART station
- On-Line surveys
- Seat-drops on Commuter Express Bus Routes
- Open House & Community Meetings
- Postcards to residents and businesses



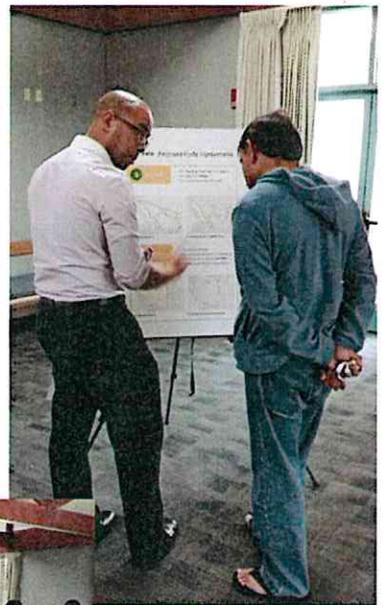
## What We Learned:

- Level of support/opposition for the project.
- Improved safety/security & parking enforcement needed in neighborhoods.
- Amenities desired by users to enhance the local community.
- Willingness to pay for parking to finance amenities & security.
- Public Private Partnership to finance facility improvements needed.
- Significant interest in creating an impressive “Gateway” into Vallejo.

Outcome: Staff & Board were clear on how to improve & finance the facility improvements.



# HELPING COMMUNITY MEET LIFE NEEDS BY RESTRUCTURING & EXPANDING SERVICE



# PRODUCE RESULTS & SHARE THEM!



Celebrate successes via YOUR social media network & those of partner agencies (i.e. Nextdoor, Facebook, Twitter)

Nextdoor Downtown Vallejo  
Daily Digest

Help Downtown Vallejo get to 30 members!  
Invite your neighbors »



Hit the "speaking circuit" – work with partner agencies to deliver presentations on what your agency is doing for your community.

Keep the media informed (press releases, purchase advertising). Share all press releases with community stakeholders.

Back up your message with results



**Times-Herald**  
**Benicia**  
magazine.com



# LEADERSHIP THROUGH PUBLIC ENGAGEMENT –OVERVIEW–

- ▶ We engage the diverse sectors of our community by being engaged in what matters to them & tailoring our communication in a meaningful way. Continuously gathering feedback is a priority!
- ▶ We help partners pursue their vision/mission, and they help us pursue ours.
- ▶ We focus on results to build credibility & public trust.
- ▶ By engaging the public, receiving constant feedback, and communicating our Agency's value, we are better able to make effective decisions and build a successful transit system that enhances the Vallejo & Benicia communities!



Ridership Growth of Approximately 6% = SolTrans' success in meeting community needs



THANK YOU FOR YOUR TIME!

Mona Babauta

Executive Director

Solano County Transit

311 Sacramento St.

Vallejo, CA 94590

Phone: 707-736-6990

Email: [mona@soltransride.com](mailto:mona@soltransride.com)



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SOLTRANS ACRONYMS LIST OF TRANSPORTATION TERMS

Last Updated: June 11, 2014

<b>A</b>		MPO	Metropolitan Planning Organization
ADA	Americans with Disabilities Act	MTC	Metropolitan Transportation Commission
APC	Automatic Passenger Counter	<b>N, O, &amp; P</b>	
AVL	Automatic Vehicle Location System	NTD	National Transit Database
AVO	Average Vehicle Occupancy	OBAG	One Bay Area Grant
<b>B</b>		PAC	Public Advisory Committee
BAFO	Best and Final Offer	PCC	Paratransit Coordinating Council
BART	Bay Area Rapid Transit	PDT	Project Development Team
<b>C</b>		PDWG	Project Development Working Group
CalEMA	California Emergency Management Agency	PNR	Park & Ride
CALTRANS	California Department of Transportation	PPP (3P)	Public Private Partnership
CAM	Cost Allocation Model	PTAC	Partnership Technical Advisory Committee
CARB	California Air Resources Board	<b>R &amp; S</b>	
CBA	Collective Bargaining Agreement	RFP	Request for Proposals
CCC	Contra Costa County Connections	RM2	Regional Measure 2 Funds
CHP	California Highway Patrol	RVH	Revenue Vehicle Hours
CMAQ	Congestion Mitigation & Air Quality Program	RVM	Revenue Vehicle Miles
COV	City of Vallejo	SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
CTC	California Transportation Commission	SNCI	Solano Napa Commuter Information
CTSGP	California Transit Security Grant Program	SR2T	Safe Routes to Transit
CTAF	California Transit Assistance Fund	SRTTP	Short Range Transit Plan
<b>D</b>		STA	Solano Transportation Authority
DAR	Dial-a-Ride	STAF	State Transit Assistance Fund
DBE	Disadvantaged Business Enterprise	STIP	State Transportation Improvement Program
DOT	Department of Transportation	STP	Surface Transportation Program
<b>E &amp; F</b>		<b>T</b>	
FAST	Fairfield and Suisun Transit	TAC	Technical Advisory Committee
FHWA	Federal Highway Administration	TCP	Transit Capital Priorities
FTA	Federal Transit Administration	TDA	Transportation Development Act
FY	Fiscal Year	TIF	Transportation Investment Fund
<b>G, H, I, &amp; J</b>		TIP	Transportation Improvement Program
GFI	Gen-fare Industries Farebox	TLC	Transportation for Livable Communities
GP	General Public (as in GP Dial-a-Ride)	TMA	Transportation Management Association
GPS	Global Positioning System	TMP	Transportation Management Plan
HOV	High Occupancy Vehicle	TMS	Transportation Management System
IFB	Invitation for Bid	<b>U, V, W, Y</b>	
IPR	Initial Project Report	UA	Urbanized Area
ITF	Intercity Transit Funding	VMT	Vehicle Miles Traveled
JARC	Job Access Reverse Commute	VTC	Vallejo Transit Center
JPA	Joint Powers Authority	WETA	Water Emergency Transportation Authority
<b>L &amp; M</b>		YTD	Year to Date
MAP-21	Century Moving Ahead for Progress in the 21st Century		
MCI	Motor Coach Industries		
MOU	Memorandum of Understanding		
MOV	Multiple Occupant Vehicle		

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