



BENICIA PLANNING COMMISSION/HISTORIC PRESERVATION REVIEW COMMISSION

AGENDA

March 3, 2022

6:30 PM

Coronavirus (Covid-19) Advisory Notice

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, the meeting will not be physically open to the public. Members of the Planning Commission, Historic Preservation Review Commission, and staff will participate in this meeting via videoconferencing as permitted under Government Code section 54953(e).

As always, the public may submit public comments to comdev@ci.benicia.ca.us. Any comment submitted should indicate to which item of the agenda the comment relates.

How to watch the meeting:

1. Cable T.V. Broadcast - Check with your cable provider for your local government broadcast channel.

2. Additionally, the public may view and provide public comment via Zoom (via computer or phone).

The meeting link is:

<https://us02web.zoom.us/j/87218047601?pwd=QWJXTWc2TzhOc2wwNkFCNXZWb1MzUT09>

• If prompted for a password, enter 942044

• Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Please note, your electronic device must have microphone capability.

3. Dial in with phone:

Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one.

One tap mobile :

US: +16699009128,,86100071423#,,,,*942044# or

+13462487799,,86100071423#,,,,*942044#

Telephone:

Dial (for higher quality, dial a number based on your current location): US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1646 558 8656 or +1 301 715 8592

- Enter the meeting ID number: 872 1804 7601
- Enter password: 942044
- When prompted for a Participant ID, press #.
- Press *9 on your phone to “raise your hand” during the public comment time for the item you wish to speak on.

Any member of the public who needs accommodations should email the Community Development Division at comdev@ci.benicia.ca.us, who will use their best efforts to provide as much accessibility as possible while also maintaining public safety.

1. Call To Order

2. Roll Call Of Commissioners

3. Pledge Of Allegiance

4. Reference To Fundamental Rights Of Public

The fundamental rights of each member of the public can be found in the municipal code posted on the City's website per section 4.04.030 of the City of Benicia's Open Government Ordinance.

5. Adoption Of Agenda

6. Opportunities For Public Comments

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission 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 applicable, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

7. Written Comment

8. Public Comment

9. Consent Calendar

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

Any Item identified as Public Hearing has been placed on the Consent Calendar because it as not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

10. Regular Agenda Items

10.a MILLS ACT ANNUAL COMPLIANCE REPORT (2021) AND PROGRAM EVALUATION

The purpose of this study session is to present information about the Mills Act program including the compliance status of current Mills Act contracts, and to receive comments from the community, Planning Commission and HPRC concerning its administration.

Staff Recommendation

Review the report, accept public comment, and provide feedback concerning the Mills Act annual compliance report and program evaluation.

[Staff Report - Mills Act Annual Compliance Report \(2021\) and Program Evaluation](#)

[1. Benicia Mills Act Program Requirements](#)

[2. 2021 Mills Act Inspection Report](#)

[3. City of Benicia Mills Acts Program Costs FY 21-22](#)

10.b OPEN GOVERNMENT ORDINANCE AND BROWN ACT TRAINING

The City Attorney will provide Open Government Ordinance and Brown Act training for Commissioners.

Recommended Action:

Receive Open Government Ordinance and Brown Act training.

11. Communication From Staff

12. Adjournment

Public Participation

The Benicia City Council and its Boards and Commissions welcome 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 Kim Imboden, 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 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.

Contact Your Council Members

If you would like to contact the Mayor or a Council Member, please call the number listed below to leave a voicemail message.

Mayor Young: 746-4213

Vice Mayor Campbell: 746-4213

Council Member Strawbridge: 746-4213

Council Member Largaespada: 746-4213

Council Member Macenski: 746-4213