



**BENICIA CITY COUNCIL  
CITY COUNCIL MEETING AGENDA**

**Benicia City Hall 250 East L. Street  
January 15, 2019  
7:00 PM**

**Call To Order**

**1. Closed Session (6:00 Pm)**

**1.A - PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957  
Title: City Attorney

**1.B - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (GOVERNMENT CODE SECTION §54956.8) CITY OWNED PROPERTY, 1471 Park Road Benicia, APN 080-140-670**

Pursuant to Government Code Section 54956.8  
Staff seeks direction from Council on price and terms to negotiate with the interested parties regarding the lease of this City-owned property.

Agency negotiator:	City Manager and Assistant City Manager
Negotiating parties:	City of Benicia and Potential Lessees
Under negotiation:	Price and terms of payment

**2. Convene Open Session**

**3. Roll Call**

**4. Pledge Of Allegiance**

**5. Reference To The Fundamental Rights Of The 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.

**6. Announcements**

**7. Proclamations**

**7.A - THE GREAT KINDNESS CHALLENGE**

[Proclamation - The Great Kindness Challenge](#)

**8. Appointments**

**9. Presentations**

**10. Adoption Of Agenda**

**11. Opportunity For Public Comments**

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.

**12. Written Comment**

**13. Public Comment**

**14. Consent Calendar**

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

**14.A - DECEMBER 18, 2018 CITY COUNCIL MEETING MINUTES**

- Approve Minutes

[December 18 2018 City Council Meeting Minutes](#)

**14.B - SECOND READING OF AN ORDINANCE TO AMEND BENICIA MUNICIPAL CODE TITLE 2 (ADMINISTRATION AND PERSONNEL) TO CHANGE THE PARKS, RECREATION & CEMETERY COMMISSION MEETING SCHEDULE (Parks and Community Services Director)**

This ordinance will change the frequency with which the Parks, Recreation & Cemetery Commission meets from the second Wednesday of every other month to the second Wednesday quarterly.

RECOMMENDATION:

Adopt the ordinance to amend Section 2.76.040 of Chapter 2.76 (Parks, Recreation and Cemetery Commission) Title 2 (Administration and Personnel) to 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.

[Staff Report - Parks Recreation and Cemetery Commission Meeting Schedule](#)

[1. Draft Ordinance - Parks Recreation and Cemetery Commission Meeting Schedule](#)

**14.C - CHANGE PROJECT SCOPE FOR THE WOMEN'S LOCKER ROOM FACILITY AND ALLOCATE AN ADDITIONAL \$100,000 OF MEASURE C FUNDS (Police Chief)**

The Benicia Police Department's women's locker room facility requires expansion to accommodate the growing number of female staff. Council previously approved \$120,000 of Measure C funds to renovate the existing modular building; that approach has been deemed unfeasible. Staff is returning to Council to request a change in project scope to replace the modular building at a total cost of approximately \$220,000. Staff is also requesting an additional allocation of \$100,000 of Measure C funds to complete the project.

Recommendation:

Adopt a resolution authorizing the following: (a) change the scope of the women's locker room facility project to purchase and install a new modular structure; and (b) allocate an additional \$100,000 of Measure C funds towards this project.

[Staff Report - Police Department Womens Locker Room Expansion](#)

[1. Resolution - Police Department Womens Locker Room Expansion](#)

**14.D - APPROVAL TO WAIVE THE READING OF ALL ORDINANCES INTRODUCED OR ADOPTED PURSUANT TO THIS AGENDA (City Attorney)**

## **15. Business Items**

### **15.A - ADOPTIONS OF AMENDMENTS TO TITLE 17 (ZONING) OF THE BENICIA MUNICIPAL CODE AND DOWNTOWN MIXED USE MASTER PLAN TO AMEND REGULATIONS FOR ACCESSORY DWELLING UNITS, AS WELL AS ADDITIONAL CLARIFYING AND CLEAN-UP AMENDMENTS, AFTER A DETERMINATION THAT THE PROJECT IS EXEMPT FROM CEQA (Community Development Director)**

The proposed project is an amendment to Title 17 (Zoning) of the Benicia Municipal Code (BMC) and the Downtown Mixed Use Master Plan (DMUMP) to amend regulations for accessory dwelling units including associated clarifying and clean-up amendments. The proposed amendments would modify the definitions, zone regulations and Tables 4.1 through 4.4 of the DMUMP, BMC Sections 17.70.060 (Accessory Dwelling Units), 17.12.030 (Definitions), 17.16.080 (Accessory Use Classifications), 17.70.050 (Accessory Structures), 17.70.280 (Manufactured Homes), Chapter 17.74 (Off-Street Parking) and Chapter 17.108 (Design Review). The amendments will bring the City of Benicia into compliance with recent changes to State statute, change the type of review applied to new ADUs, modify size and setback requirements for accessory structures, and establish new design standards for ADUs. Additional amendments to the Zoning Ordinance are proposed for clarification and alignment including definitions for construction trailer and parking, and amendments relating to applicability of small-car parking and specification of permitted vehicle parking surfaces. The City Council conducted a first reading of the ordinance to amend the Benicia Municipal Code on September 4, 2018.

#### RECOMMENDATION:

1. Find changes to the Benicia Municipal Code and the Downtown Mixed Use Master Plan are exempt from CEQA;
2. Conduct a second reading and adopt Ordinance Amending Benicia Municipal Code Title 17 (Zoning) regulating accessory dwelling units; and
3. Adopt Resolution Amending the Downtown Mixed Use Master Plan regulating accessory dwelling units.

[Staff Report - Accessory Dwelling Units.docx](#)

[1. Ordinance - Accessory Dwelling Units](#)

[2. Resolution - Accessory Dwelling Units](#)

[3. Staff Report First Reading - Accessory Dwelling Units Sept. 4 2018](#)

[4. Draft Ordinance Mark Up](#)

[5. Resolution No 18-6 \(PC\)](#)

[6. Correspondence from Mark Hajjar December 14 2018](#)

[7. Accessory Dwelling Unit Impact Fees](#)

## **15.B - SECOND STEP OF COUNCIL MEMBER CAMPBELL'S 2-STEP PROCESS REQUEST TO DISCUSS UPDATING THE CAMPAIGN ORDINANCES (City Attorney)**

At the December 18, 2018 City Council meeting, Council Member Campbell's two-step process request was presented to the Council to consider updates to the city's campaign ordinances. The Council directed staff to agendize the item for discussion. Staff has included preliminary research on this subject.

Recommendation:

Provide direction on whether the Santa Clara model and any other proposed updates should be considered and whether updates should be discussed and reviewed by an ad hoc group or by the Open Government Commission prior to consideration by the Council.

[Staff Report - Campaign Ordinance Updates - Campbell](#)

- [1. Two-Step Agenda Request Campbell - Campaign Ordinance Update](#)
- [2. Santa Clara Dark Money Ordinance - Campaign Ordinance Update](#)
- [3. Campaign Disclosure Forms and Filings City of Santa Clara Webpage - Campaign Ordinance Update](#)
- [4. Campaign Regulations City of Santa Clara Web Page - Campaign Ordinance Update](#)
- [5. Government Code 84222 Multipurpose Org - Campaign Ordinance Update](#)
- [6. Government Code 84211 Contents of Statement - Campaign Ordinance Update](#)
- [7. Other Possible Ordinance Updates - Campaign Ordinance Update](#)

## **16. 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.)

### **16.A - COUNCIL MEMBER COMMITTEE REPORTS**

[Committee Reports](#)

## **17. Adjournment (9:30 Pm)**

## **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 Alan Shear, 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.

<b>Contact Your Council Members</b>
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If you would like to contact the Mayor or a Council Member, please call the number listed below to leave a voicemail message.

Mayor Patterson: 746-4213

Vice Mayor Strawbridge: 746-4213

Council Member Campbell: 746-4213

Council Member Young: 746-4213

Council Member Largaespada: 746-4213