



**BENICIA CITY COUNCIL
CITY COUNCIL MEETING AGENDA**

**Benicia City Hall, 250 East L Street, Council Chamber
Benicia, CA 94510
April 19, 2022
6:00 PM**

Accessing The Meeting

How to Participate in the Meeting:

- 1) Attend in person at Council Chambers
- 2) Cable T.V. Broadcast - Check with your cable provider for your local government broadcast channel.
- 3) Livestream online at www.ci.benicia.ca.us/agendas.
- 4) Zoom Meeting (link below)

The public may view and participate (via computer or phone) link:

<https://us02web.zoom.us/j/89748847106?pwd=MHkwby80QXhSZWZqQlU5T3kwV2RWZz09>

- If prompted for a password, enter 257063.
- 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. Once unmuted, you will have up to 5 minutes to speak.

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.

1 669 900 9128
1 346 248 7799
1 253 215 8782
1 646 558 8656
1 301 715 8592
1 312 626 6799

- Enter the meeting ID number: 897 4884 7106 *please note this is an updated ID number*.

- Enter password: 257063
- When prompted for a Participant ID, press #.
- Press *9 on your phone to “raise your hand” when the Mayor calls for public comment during the item you wish to speak on. Once unmuted, you will have up to 5 minutes to speak.

Any member of the public who needs accommodations should email City Clerk Lisa Wolfe at lwolfe@ci.benicia.ca.us, who will use her best efforts to provide as much accessibility as possible while also maintaining public safety.

1. Call To Order (6:00 P.M.)

2. Convene Open Session

3. Roll Call

4. Pledge Of Allegiance

5. Reference To The Fundamental Rights Of The Public

The fundamental rights of each member of the public can be found in the municipal code posted on the City’s website and on a plaque that is posted at the entrance to this meeting per section 4.04.030 of the City of Benicia’s Open Government Ordinance.

6. Announcements

6.A - MAYOR'S OFFICE HOURS

Mayor Young is maintaining an open office on the first and third Mondays of the month (except holidays) in the Mayor’s office of City Hall from 4:30 to 6:00 p.m. No appointment is necessary. Other meeting times may be scheduled through City Hall by calling 707-746-4200.

6.B - OPENINGS ON BOARDS AND COMMISSIONS

- Building Code Board of Appeals
1 Full Term, Expiring July 31, 2025
- Historic Preservation Review Commission
1 Partial Term, Expiring January 31, 2024
- Library Board of Trustees
1 Partial Term, Expiring July 31, 2022

- Sky Valley Open Space Committee
1 Full Term, Expiring January 31, 2023

7. Proclamations

7.A - PROCLAMATION - CERTIFIED FARMERS MARKET 30TH ANNIVERSARY (City Manager's Office)

[Proclamation - Benicia Main Street's Certified Farmers Market](#)

7.B - PROCLAMATION - VOLUNTEER APPRECIATION WEEK (Police Department)

[Proclamation - Volunteer Week - April 17-23, 2022](#)

7.C - PROCLAMATION - CALIFORNIA FRIDAY NIGHT LIVE (Police Department)

[Proclamation - California Friday Night Live - April 2022](#)

8. Appointments

8.A - CITY COUNCIL APPOINTMENTS; SUBCOMMITTEE'S PREFERENCES FOR BOARDS AND COMMISSIONS

Subcommittee's preference to the Mayor of Lily Espinoza to the Open Government Commission for a full term ending 1/31/2026.

Subcommittee's preference to the Mayor of Terence Bennett to the Open Government Commission for a full term ending 1/31/2026.

Subcommittee's preference to the Mayor of Atiba Murphy to the Housing Authority Board for a full tenant term ending 1/31/2024.

Additional Boards and Commissions Applicants: Nicholas R. Webb, Open Government Commission and Pat Plant, Housing Authority Board.

[Lily Espinoza - Application and Resume](#)

[Terence Bennett - Application and Resume](#)

[Atiba Murphy - Application](#)

[Nicholas Webb - Application and Resume](#)

[Pat Plant - Application and Resume](#)

9. Presentations

9.A - MEASURE C UPDATE (Deputy City Manager)

10. Adoption Of Agenda

11. Opportunity For Public Comments

How to Submit Public Comments for this City Council meeting:

Besides appearing in person and offering public comments, members of the public may provide public comment via Zoom, or to the City Clerk by email at lwolfe@ci.benicia.ca.us. Any comment submitted to the City Clerk should indicate to which item of the agenda the comment relates. Specific information follows:

- Comments received by 2:00 pm on the day of the meeting will be electronically forwarded to the City Council and posted on the City's website.

- Comments received after 2:00 pm, but before the start time of the meeting will be electronically forwarded to the City Council, but will not be posted on the City's website.

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 - APPROVAL OF A CONTRACT WITH LIGHTS & SOUNDS COLLECTIVE FOR FULL-SERVICE PRODUCTION AND EVENT MANAGEMENT OF INDEPENDENCE DAY WEEKEND CELEBRATION ON JULY 3 AND 4, 2022 (Deputy City Manager)

After a two-year hiatus from 4th of July festivities due to the restrictions of the COVID-19 pandemic, our American Independence Day celebration will return July 3 and 4, 2022. Adding to our Independence Day festivities will be the celebration of Pedrotti Ace Hardware 100th anniversary in business with a Pedrotti sponsored drone light show following Benicia's Torchlight Parade on July 3rd. To make this year's return of Independence Day celebrations spectacular, staff proposes contracting with Lights and Sounds Collective to produce and manage this year's Independence Day weekend events.

Recommendation:

Move to adopt a resolution (Attachment 1) approving the contract with Lights and Sounds Collective (Attachment 2) for \$142,000 to provide production and event management services for July 3, 2022, leading up to the drone light show and during the day and evening of July 4, 2022.

[Staff Report - Independence Day Weekend Event Celebration 2022](#)

[1. Resolution - Agreement - Lights & Sounds Collective - 4th of July Celebration on July 3 and 4, 2022](#)

[2. Agreement - Lights & Sounds Collective](#)

14.B - AWARD CONSTRUCTION CONTRACT FOR FISCAL YEAR 2021-22 CITYWIDE MICRO-SURFACING PROJECT (Public Works Director)

The FY 2021-22 Citywide Micro-surfacing Project will provide for the preservation and protection of several streets in Benicia by the application of a micro-surfacing pavement treatment.

Recommendation:

Move to adopt a resolution (Attachment 1) accepting the bids for the FY 2021-22 Citywide Micro-Surfacing Project; awarding the construction contract (Attachment 2) to American Asphalt Repair & Resurfacing Co., Inc, (American Asphalt) the lowest responsive and responsible bidder, in the amount of \$688,663.50, and authorizing the City Manager to sign the contract and any change orders on behalf of the City in an amount not-to-exceed \$791,963.03, which includes a 15% construction contingency of \$103,299.53.

[Staff Report - Award Construction Contract for FY 2021-2022 Micro-surfacing Project](#)

[1. Resolution – FY 2021-22 Citywide Micro-Surfacing Project](#)

[2. Construction Contract – American Asphalt Repair & Resurfacing Co., Inc.](#)

[3. Resolution No. 21-161](#)

[4. List and Maps of Streets](#)

[5. Bid Summary](#)

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

15. Business Items

15.A - LONG-TERM FINANCIAL FORECAST (Finance Director)

The Long-Term Financial Forecast (LTFF) takes a forward look at the City's General Fund operating revenues and expenditures. Its purpose is to identify financial trends, shortfalls, opportunities, and issues

so the City can proactively address them. It does so by projecting the future fiscal results of continuing the City's current service levels and policies. The LTFF lays the foundation for the budget, aiding both the City Manager and Council in establishing priorities and allocating resources appropriately.

The proceeding forecast indicates that the City of Benicia is in a period of fiscal instability. This forecast shows that the City will need to find ways to continue priority spending while managing non-core spending. With revenue shortfalls in coming years, a balance of focusing on priority spending and adding new revenue sources (or increasing current sources) will allow the City to prolong the life of its reserves. It should be noted that this forecast focuses on the City's ability to provide for operating service delivery programs that are currently in effect using existing sources of revenue at current staffing levels. This forecast does not include new positions, funding for new programs, or other initiatives above and beyond current operations.

Recommendation:

Discussion and provide possible direction on the information presented within the Long-Term Financial Forecast (LTFF).

[Staff Report - Long-Term Financial Forecast](#)

[1. Five-Year Forecast Memo](#)

15.B - NEW FUND BALANCE RESERVE POLICY AND RECOMMENDED USE OF UNASSIGNED FUND BALANCE (Finance Director)

Staff is recommending a replacement of the current fund balance policy with the recommended General Fund - Fund Balance Policy. Although the previous policy met the basic level of fund balance reserves, it did not articulate a prescriptive allocation for unassigned fund balance, nor did the policy identify the long-term strategic areas which would require one-time multi-year funding accumulation. The recommended policy allows for reserves to cover short term cash flow needs, fiscal uncertainty funding (to smooth out a short-term revenue slow down or local emergency/natural disaster) coupled with additional prescriptive and intentional funding allocations for unassigned fund balance that matches the current Council priority funding needs.

Staff is also recommending separating the General Fund policy from the Internal Service Funds, Water, and Wastewater funds. Staff will return to the Council later this year to address those specific fund balance policies once additional time can be taken to review the longer-term needs. The Water/Wastewater funds do not have the urgency of policy change that existed with the General Fund.

Staff is also recommending the use of an unaudited \$6.2 million in unassigned fund balance and recommending any remaining unassigned fund balance, once the financial audit is completed, follow the distribution as outlined in the recommended General Fund - Fund Balance Policy.

Recommendation:

Move to adopt a Resolution (Attachment 1) for the following actions:

1. removing the City's Fund Balance Policy, in whole, and replacing it with the revised General Fund - Fund Balance Policy (Exhibit A); and
2. approve the recommended use of the unassigned fund balance, authorizing the Finance Director to make the necessary appropriation changes within the FY 2021/22 budget to utilize the unassigned fund balance recommendations.

[Staff Report - General Fund - Fund Balance Policy and Unassigned Fund Balance Designations](#)

[1. Resolution - General Fund - Fund Balance Policy and Unassigned Fund Balance Designations](#)

15.C - DRAFT SITES INVENTORY FOR 2023-2031 HOUSING ELEMENT (Community Development Director)

Every eight years, each California city and county must update the Housing Element of their General Plan and have it certified by the California Department of Housing and Community Development (HCD). The Housing Element must plan for the housing needs of the community at all economic levels and ensure that adequate sites are zoned to meet the City's projected housing need over the upcoming eight-year planning cycle. An essential component in fulfilling the purposes of the Housing Element is the Sites Inventory. This agenda item presents the draft Sites Inventory for the 2023-2031 Housing Element, which will be incorporated into the draft Housing Element. Confirmation of the parcels to be included on the Sites Inventory is an essential next step in preparing the draft Housing Element and Housing Element Environmental Impact Report (EIR).

Recommendation:

Receive the report, accept public comment, and provide direction concerning the draft Housing Element Sites Inventory.

[Staff Report - Housing Element Opportunity Sites Inventory](#)

[1. Public Comment received through April 11, 2022](#)

[2. Minutes of January 25, 2022 City Council/Planning Commission Study Session](#)

[3. Minutes of the March 22, 2022 City Council Meeting](#)

[4. Summary of March 2, 2022 Community Workshop](#)

[5. Summary of March 31 and April 6 Open Houses](#)

[6. Partial Open Space Inventory & Map](#)

[7. Vacant Sites Inventory - Table](#)

[8. Vacant Sites Inventory - Maps](#)

[9. Draft Housing Opportunity Sites Inventory - Table](#)

[10. Draft Housing Opportunity Sites Inventory - Maps](#)

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 - COMMITTEE REPORTS

[Committee Reports](#)

17. Adjournment (10:00 P.M.)

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: 707-746-4213

Vice Mayor Campbell: 707-746-4213

Council Member Strawbridge: 707-746-4213

Council Member Largaespada: 707-746-4213

Council Member Macenski: 707-746-4213