



**BENICIA CITY COUNCIL
CITY COUNCIL MEETING AGENDA**

**Benicia City Hall, 250 East L Street, Council Chamber
Benicia, CA 94510
May 17, 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/81865662962?pwd=QXVHa1FpUFFDcjR2MnVEWFIBZ2ZTd09>

- If prompted for a password, enter 098484.
- 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: 818 6566 2962 *please note this is an updated ID number*.

- Enter password: 098484
- 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

- Arts & Culture Commission
1 Partial Term, Expiring January 31, 2024
- Building Code Board of Appeals
1 Full Term, Expiring July 31, 2025
- Community Sustainability Commission
1 Full Student Term, Expiring July 31, 2023
- Economic Development Board
1 Full Term, Expiring July 31, 2026

- Historic Preservation Review Commission
1 Partial Term, Expiring January 31, 2024
1 Full Term, Expiring July 31, 2026
- Library Board of Trustees
3 Full Terms, Expiring July 31, 2025
- Sky Valley Open Space Committee
1 Partial Term, Expiring January 31, 2023

7. Proclamations

7.A - PROCLAMATION - NATIONAL PUBLIC WORKS WEEK - MAY 15-21, 2022 (Public Works Director)

[Proclamation - National Public Works Week - May 15-21, 2022](#)

7.B - PROCLAMATION - DROWNING PREVENTION MONTH (Parks and Community Services)

[Proclamation - Drowning Prevention Month - May 2022](#)

7.C - PROCLAMATION - NATIONAL POLICE WEEK (Police Department)

[Proclamation - National Police Week - May 15-21, 2022](#)

8. Appointments

9. Presentations

9.A - ARTS AND CULTURE COMMISSION ANNUAL REPORT (Library & Cultural Services)

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 CITY COUNCIL MINUTES FROM MAY 3, 2022 REGULAR MEETING (City Clerk)

[Meeting Minutes - May 3, 2022](#)

14.B - AWARD CONTRACT AGREEMENT TO WOODARD AND CURRAN FOR THE KYLE HYLAND FOUNDATION GRANT ADMINISTRATION PROJECT (City Manager)

During the State of California budgeting process, the State awarded a \$5 Million grant to the City of Benicia for the Kyle Hyland Foundation (KHF), a local non-profit organization in Benicia focused on offering mental health programs to youth. Due to the complex nature of needing to meet State and City requirements for grant expenditure, City staff is recommending awarding a 5-year contract agreement to Woodard and Curran for the Kyle Hyland Foundation Grant Administration Project.

Recommendation:

Move to adopt a resolution (Attachment 1) approving the contract with Woodard and Curran (Attachment 2) for the Kyle Hyland Foundation Grant Administration Project in the amount of \$357,182 with a 10% contingency of approximately \$35,818 for a not-to-exceed total of \$393,000.

[Staff Report - Award Contract for Kyle Hyland Grant Administration](#)

[1. Resolution – Approve Agreement for KHF Grant Administration Project](#)

[2. Agreement – Woodard and Curran – KHF Grant Administration](#)

14.C - AWARD DESIGN CONSULTANT AGREEMENT TO TRANSYSTEMS, INC. FOR BENICIA MARINA BREAKWATER REPAIRS (Municipal Project Manager)

In July of 2021, a Request for Proposals (RFP) was issued for a full condition assessment to be performed on the Benicia Marina breakwater. The assessment was completed in December of 2021, and it identified issues that need to be addressed. The consultant selected would provide necessary construction documents and required permits for the work to address these issues.

Recommendation:

Adopt a resolution (Attachment 1) authorizing the City Manager to enter into a design consultant agreement (Attachment 2) with TranSystems, Inc. of Berkeley, California in the not-to-exceed amount of \$320,000.00 for the design, construction documentation and permits for the repairs to the Benicia Marina breakwater.

[Staff Report - Benicia Marina Breakwater Repair](#)

[1. Resolution - Approving Agreement with TranSystems, Inc.](#)

[2. Contract Agreement with TranSystems, Inc.](#)

14.D - ACCEPTANCE OF THE FISCAL YEAR 2020-21 CITYWIDE STREET RESURFACING PROJECT AND APPROVING A BUDGET AMENDMENT (Public Works Director)

The FY 2020-21 Citywide Street Resurfacing Project (Project) generally consists of rehabilitating 45 street segments in various locations in the City. The original project budget was \$4,616,740 adopted in Resolution Number 21-52 on May 18, 2021. Construction is now complete. The final project cost is \$4,379,235.15, under budget by \$335,164.55.

Recommendation:

Adopt a resolution (Attachment 1) approving the contract change orders (Exhibit A), accepting the FY 2020-21 Citywide Street Resurfacing Project, Project No. MC-028-2020-21 as complete, authorizing the City Manager to sign the Notice of Completion (Attachment 2), and authorizing the City Clerk to file said notice with the Solano County Recorder.

[Staff Report - Acceptance of FY 20-21 Citywide Resurfacing Project](#)

[1. Resolution - Acceptance of FY 20-21 Citywide Street Resurfacing Project](#)

[2. Notice of Completion - FY 2020-21 Citywide Street Resurfacing Project](#)

[3. Resolution No. 21-52](#)

[4. List of Streets for FY 2020-21 Citywide Street Resurfacing Project](#)

[5. Map of Streets completed for FY 2020-21 Citywide Street Resurfacing Project](#)

14.E - ACCEPTANCE OF THE MILITARY WEST & WEST 7TH STREET TRAFFIC SIGNAL, PEDESTRIAN AND BICYCLE INFRASTRUCTURE IMPROVEMENTS PROJECT AND APPROVING A BUDGET AMENDMENT (Public Works Director)

The Military West and West 7th Street Traffic Signal, Pedestrian and Bicycle Infrastructure Improvements Project, Project No. T-041, generally consists of upgrading the traffic signal system and installing pedestrian and bicycle safety infrastructure. The original project budget was \$402,647.30 adopted in Resolution Number 19-60 on July 2, 2019. Project revenues increased by \$19,682.52 on November 20, 2019, because more federal grant funds were available for the project. Construction is now complete. The final project cost is \$460,350.41, over budget by \$38,020.59 and a budget amendment is required before closeout.

Recommendation:

Adopt a resolution (Attachment 1) approving the contract change orders (Exhibit A), accepting the Military West & West 7th Street Traffic Signal, Pedestrian and Bicycle Infrastructure Improvements Project, Project No. T-041, as complete, authorizing the City Manager to sign the Notice of Completion (Attachment 2), authorizing the City Clerk to file said notice with the Solano County Recorder, and approving a budget amendment.

[Staff Report - Acceptance of Military West and West 7th Traffic Improvement Project](#)

[1. Resolution – Acceptance of the Military West & West 7th Street Traffic Signal, Pedestrian and Bicycle Infrastructure Improvements Project](#)

[2. Notice of Completion - Acceptance of the Military West & West 7th Street Traffic Signal, Pedestrian and Bicycle Infrastructure Improvements Project](#)

[3. Resolution No. 19-60](#)

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

15. Business Items

15.A - APPROVAL OF ARTS AND CULTURE COMMISSION’S PUBLIC ART PROJECTS AND RELATED BUDGET AMENDMENT (Library & Cultural Services Director)

In February 2022, the Public Art Committee (PAC), a subcommittee of the Arts and Culture Commission (ACC), approved the release of two requests for proposals (RFP). The first was to repaint three signal boxes. The second was to start a new public art project known as the Working Piano “Play Art.” Multiple responses to both RFPs were received. The PAC reviewed the proposals at their March meeting and made recommendations to the ACC which approved the recommendations. Funding for both projects is available from donations and Measure C. Staff recommends approval of both projects and a budget amendment to allocate available funds for use.

Recommendation:

Move to adopt a resolution (Attachment 1) approving the selection of three different artists to paint the designated signal boxes and the selected artist for the initial “Play Art” project installation and approve a budget amendment within the Arts and Culture budget to reflect the total amount of funding required to complete three decorated signal boxes.

[Staff Report - Arts and Culture Commission's Public Art Projects](#)

[1. Resolution - Approving Arts and Culture Commission's Public Art Project and Related Budget Amendment](#)

[2. Visual Representations of Proposed Public Art](#)

15.B - AUTHORIZATION OF REIMBURSEMENT AGREEMENT AND CONTRACTS FOR THE NORTH STUDY AREA COMMUNITY LED VISIONING PROCESS (Community Development Director)

This agenda item provides an update on the activities of the North Study Area subcommittee and would authorize execution of and reimbursement agreement and professional services agreements for land use planning and economic consultant services.

Recommendation:

Move to adopt a resolution (Attachment 1) authorizing execution of a reimbursement agreement with WCHB Development, LLC (Attachment 2) and adopt a resolution (Attachment 3) authorizing execution of professional services agreements with Economic & Planning Systems (EPS) (Attachment 4) and Ben Noble City and Regional Planning (Attachment 5) to provide economic, public engagement, and land use planning consultant services for the North Study Area, a property comprising approximately 527 acres southwest of Lake Herman Road and East Second Street.

[Staff Report - North Study Area](#)

[1. Resolution - Authorizing Execution of a Reimbursement Agreement – WCHB Development, LLC](#)

[2. Reimbursement Agreement – WCHB Development, LLC](#)

[3. Resolution – Authorizing Execution of Agreements for Consulting Services for the North Study Area](#)

[4. Professional Services Agreement – Economic & Planning Systems](#)

[5. Professional Services Agreement – Ben Noble City and Regional Planning](#)

15.C - ORDINANCE TO AMEND TITLE 18 (SIGNS) (City Attorney)

The proposed changes to the City’s Sign ordinance will clarify that noncommercial signs can be located in the City’s public right of way in locations approved by the City for a limited duration.

Recommendation:

Move to waive the first reading and introduce an ordinance (Attachment 1) of the City Council amending Benicia Municipal Code Title 18 (Signs) and finding the ordinance exempt under the California Environmental Quality Act.

[Staff Report - Ordinance to Amend Title 18 \(Signs\)](#)

[1. Draft Ordinance Amending Title 18](#)

[2. Proposed Amendments to Title 18](#)

15.D - REVIEW CITY OF BENICIA URBAN GROWTH BOUNDARY (MEASURE K) BEFORE THE SUNSET DATE (Deputy City Manager)

In 2003, an initiative of the voters established an Urban Growth Boundary (UGB) line through passing Measure K (Measure). Measure K sunsets on December 31, 2023. Staff is seeking direction from Council to place Measure K on the ballot for the November 2022 election in to renew the Measure as is, with findings noting that renewable energy projects such as solar and wind and a water conveyance are permitted uses under the current language.

Recommendation:

Provide direction to staff to pursue a ballot measure to renew Measure K, which sunsets on December 31, 2023.

[Staff Report - Urban Growth Boundary](#)

[1. Measure K Full Text from 2003](#)

[2. City Land Use Map](#)

[3. Ordinance 20-5 \(Solar Utilities Regulation\)](#)

[4. Resolution 20-88 \(Solar Permits\)](#)

[5. Resolution 16-75 \(Wind Turbine Permits\)](#)

16. 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 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