



**BENICIA CITY COUNCIL  
CITY COUNCIL MEETING AGENDA**

**Benicia City Hall, 250 East L Street, Council Chamber  
Benicia, CA 94510  
May 3, 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](http://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/82598285535?pwd=R0ZhYmxJNmhFNmFvRkNGa0M0bEN2Zz09>

- If prompted for a password, enter 471790.
- 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: 825 9828 5535 \*please note this is an updated ID number\*.

- Enter password: 471790
- 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 - NATIONAL HISTORIC PRESERVATION MONTH - MAY 2022 (Community Development Department)**

[Proclamation - Historic Preservation Month Proclamation - May 2022](#)

**7.B - PROCLAMTION - BENICIA OLDER AMERICANS MONTH - MAY 2022 (City Manager's Office)**

[Proclamation - Benicia Older Americans Month - May 2022](#)

**7.C - PROCLAMATION - MENTAL HEALTH AWARENESS MONTH - MAY 2022 (City Manager's Office)**

[Proclamation - Mental Health Month - May 2022](#)

## **8. Appointments**

**8.A - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF ATIBA MURPHY TO THE HOUSING AUTHORITY BOARD FOR A FULL TENANT TERM ENDING JANUARY 31, 2024 (City Manager's Office)**

[1. Resolution - Atiba Murphy](#)

**8.B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF LILY ESPINOZA TO THE OPEN GOVERNMENT COMMISSION FOR A FULL-TERM ENDING JANUARY 31, 2026 (City Manager's Office)**

[1. Resolution - Lily Espinoza](#)

**8.C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CONFIRMING THE MAYOR'S APPOINTMENT OF NICHOLAS WEBB TO THE OPEN GOVERNMENT COMMISSION FOR A FULL-TERM ENDING JANUARY 31, 2026 (City Manager's Office)**

[1. Resolution - Nicholas Webb](#)

## **9. Presentations**

**9.A - AUTOMATIC LICENSE PLATE READER UPDATE (Police Chief)**

## **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](mailto: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 APRIL 5, 2022 AND APRIL 19, 2022 REGULAR MEETINGS (City Clerk)**

[April 5 2022 City Council Meeting Minutes](#)

[April 19 2022 City Council Meeting Minutes](#)

### **14.B - LANDSCAPING AND LIGHTING DISTRICT FISCAL YEAR 2022-2023 (Public Works Director)**

The City of Benicia Landscaping and Lighting District (District) consists of five separate zones, with the largest being the residential zone. Private properties within each zone are assessed annually to pay the cost to maintain landscaping along street rights-of-way, maintenance of open space areas and maintenance and energy costs of streetlights on a zone-by-zone basis. Staff is recommending Council begin the annual assessment process.

Recommendation:

Move to adopt the attached resolutions pertaining to the Landscaping and Lighting District:

1. Initiate Proceedings for the Annual Levy and Collection of Assessments for the City of Benicia Landscaping and Lighting District, Fiscal Year (FY) 2022-23 (Attachment 1).
2. Preliminary approval of the Engineer's Report for the City of Benicia Landscaping and Lighting District, FY 2022-23 (Attachment 2).
3. Intention to Order the Levy and Collection of Assessments Pursuant to the Landscaping and Lighting Act of 1972 and therefore Setting a Public Hearing on June 7, 2022, for the City of Benicia Landscaping and Lighting District, FY 2022-23 (Attachment 3).

[Staff Report - Landscaping and Lighting District Assessment FY 22-23](#)

[1. Resolution - Intent to Initiate Proceedings](#)

[2. Resolution - Preliminary Approval of Engineer's Report](#)

[3. Resolution - Setting the Public Hearing Date on June 7, 2022](#)

[4. Preliminary Landscaping and Lighting Assessment District - Engineer's Report](#)

[5. Landscaping and Lighting Assessment District Diagram](#)

**14.C - AWARD FINANCIAL AUDIT SERVICES AGREEMENT TO CLIFTONLARSONALLEN LLP (Finance Director)**

Award a three-year agreement to CliftonLarsonAllen LLP (CLA) for financial audit services as proposed in response to the Request for Proposals (RFP) dated February 9, 2022.

Recommendation:

Move to adopt a resolution (Attachment 1) awarding an agreement for financial audit services (Attachment 2) to CliftonLarsonAllen LLP for fiscal year 2021-2022 through fiscal year 2023-2024 and authorize the Finance Director to approve two optional two-fiscal year extensions if warranted.

[Staff Report - Award Financial Audit Services Agreement to CliftonLarsonAllen LLP](#)

[1. Resolution – Approval of Agreement with CliftonLarsonAllen LLP](#)

[2. Financial Audit Services Agreement - CliftonLarsonAllen LLP](#)

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

## **15. Business Items**

### **15.A - RECOMMENDED USE OF UNASSIGNED FUND BALANCE (Finance Director)**

On April 19, 2022, Council approved a revised General Fund - Fund Balance Policy. The policy provided a framework for prioritizing net operating surplus to specific long term funding areas. Staff also recommended specific use of \$6.2 million of unassigned fund balance to address more acute needs. Council requested staff return on May 3, 2022, with a revised plan for the use of the \$6.2 million in unassigned fund balance. Staff is returning today with an alternative plan.

Recommendation:

Move to adopt a Resolution (Attachment 1) approving 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 and assign the unutilized funds per the General Fund - Fund Balance Policy.

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

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

## **16. Adjournment (8:00 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](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>
-------------------------------------

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