



**BENICIA CITY COUNCIL  
CITY COUNCIL SPECIAL & REGULAR MEETING AGENDA**

**Videoconferencing Meeting  
January 18, 2022  
6:00 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 City Council 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 in advance and may view the meeting from home. Below is information on how to watch the meeting via cable and/or live stream and how to send in public comments that will be part of the public record.

How to Watch the Meeting:

- 1) Cable T.V. Broadcast - Check with your cable provider for your local government broadcast channel.
- 2) Livestream online at [www.ci.benicia.ca.us/agendas](http://www.ci.benicia.ca.us/agendas).
- 3) Zoom Meeting (link below)

How to Submit Public Comments for this videoconferencing meeting:

Members of the public may provide public comments 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, and will not be read into the record.

- Comments received after the start time of the meeting, but prior to the close of the public comment period for an item will be read into the record, with a maximum allowance of 5 minutes per individual comment, subject to the Mayor's discretion.

Additionally, the public may view and provide public comment via Zoom (via computer or phone) link: <https://us02web.zoom.us/j/84314882911?pwd=S2JrSTdnd3I3TXZZeWduYWE4VIN3UT09>

- If prompted for a password, enter 609394.
- 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: 843 1488 2911 \*please note this is an updated ID number\*.
- Enter password: 609394
- 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](mailto: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 Special Meeting To Order (4:30 P.M.)**

**2. Convene Open Session**

**3. Roll Call**

**4. 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 per section 4.04.030 of the City of Benicia's Open Government Ordinance.

**5. Adjourn To Closed Session**

**5.A - CONFERENCE WITH LABOR NEGOTIATORS**

**Pursuant to Government Code Section 54957.6**

**Agency designated representatives: Mayor, City Attorney**

**Unrepresented Employee: City Manager**

**5.B - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

**Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (2 potential cases)**

**6. Reconvene Open Session**

**7. Announcement From Closed Session, If Any**

**8. Adjournment Of Special Meeting And Call Regular Meeting To Order (6:00 P.M.)**

**9. Roll Call**

**10. Pledge Of Allegiance**

**11. 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 per section 4.04.030 of the City of Benicia's Open Government Ordinance.

**12. Announcements**

**12.A - MAYOR'S OFFICE HOURS**

Mayor Young will not be holding office hours due to surgery.

At a future date to be determined, Mayor Young will resume 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.

**12.B - OPENINGS ON BOARDS AND COMMISSIONS**

- Building Code Board of Appeals  
1 Full Term, Expiring July 31, 2025
- Economic Development Board

- 1 Full Term, Expiring January 31, 2026
- Housing Authority Board  
1 Tenant Term, Expiring January 31, 2024
- Human Services Board  
1 Full Term, Expiring July 31, 2025
- Library Board of Trustees  
1 Partial Term, Expiring July 31, 2022
- Open Government Commission  
2 Full Terms, Expiring January 31, 2026
- Parks, Recreation & Commission  
1 Full Term, Expiring January 31, 2026
- Sky Valley Open Space Committee  
1 Full Term, Expiring January 31, 2023

**13. Proclamations**

**13.A - CULTURAL DIVERSITY AWARENESS WEEK**

[Proclamation - Cultural Diversity Awareness Week January](#)

**14. Appointments**

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

Subcommittee's preference to the Mayor of Neema Hekmat, re-appointment to the Arts and Culture Commission for a full term ending January 31, 2026.

Subcommittee's preference to the Mayor of Thomas DeMasi, re-appointment to the Community Sustainability Commission for a full term ending January 31, 2026.

Subcommittee's preference to the Mayor of Misty Bostater, re-appointment to the Housing Authority Board for a full tenant term ending January 31, 2024.

Subcommittee's preference to the Mayor of Kelsey Bye, appointment to the Open Government Commission for a full term ending January 31, 2026.

Subcommittee's preference to the Mayor of Kari Birdseye, re-appointment to the Planning Commission for a full term ending January 31, 2026.

Subcommittee's preference to the Mayor of Jarrod Slate, re-appointment to the Planning Commission for a full term ending January 31, 2026.

Additional Boards and Commissions Applicants:  
William Stockton, Community Sustainability Commission

[Hekmat, Neema, Redacted](#)

[DeMasi, Thomas, Redacted](#)

[Bostater, Misty, Redacted](#)

[Bye, Kelsey, Redacted](#)

[Birdseye, Kari, Redacted](#)

[Slate, Jarrod, Redacted](#)

[Stockton, William, Redacted](#)

## **15. Presentations**

**15.A - PUBLIC WORKS REORGANIZATION AND STABILIZATION (Public Works)**

**15.B - VEGETATION MANAGEMENT (Fire)**

## **16. Adoption Of The Agenda**

## **17. Opportunity For Public Comments**

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## **18. Written Comment**

## **19. Public Comment**

## **20. 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.

### **20.A - APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 7, 2021, DECEMBER 21, 2021 AND JANUARY 4, 2022 SPECIAL AND REGULAR MEETINGS (City Clerk)**

Recommendation:

Approve the minutes.

[December 7 2021 City Council Meeting Minutes](#)

[December 21 2021 City Council Meeting Minutes](#)

**20.B - APPROVAL OF TASK ORDER NO. 1 WITH COASTLAND CIVIL ENGINEERING, INC. FOR DESIGN SERVICES FOR THE FY 2021-22 CITYWIDE MICRO-SURFACING PROJECT (Public Works Director)**

To move forward with the design services for the FY 2021-22 Citywide Micro-surfacing Project, staff is bringing forward Task Order Number 1 of the Master Professional Agreement for with Coastland and Civil Engineering, Inc.

Recommendation:

Move to adopt a resolution (Attachment 1) approving Task Order Number 1 with Coastland Civil Engineering, Inc. (Attachment 2) for design services for the FY 2021-22 Citywide Micro-surfacing Project in the amount of \$95,238 and authorizing the City Manager to sign the task order on behalf of the City.

[Staff Report - Approve Consultant Agreement with Coastland for FY 21-22 Micro-Surfacing Project](#)

[1. Resolution - Approval of Task Order No. 1 for Design Services for FY 2021-22 Micro-surfacing Project](#)

[2. Task Order No. 1 - Coastland Civil Engineering, Inc.](#)

[3. Proposal - Coastland Civil Engineering, Inc.](#)

**20.C - AUTHORIZING BUDGET AMENDMENTS TO INCREASE THE FRC BUDGET TO EXPEND GRANT FUNDS TO ASSIST AT-RISK SENIORS (Police Chief)**

The Benicia Police Department's Family Resource Center (FRC) received a grant from the Napa Solano Area Agency on Aging (NSAAA) for the period of November 2020 to September 2021 to assist at-risk seniors. The agency has once again granted the FRC another \$74,950 for the same scope of work beginning January 2022 until June 2022.

Recommendation:

Adopt a resolution (Attachment 1) approving a budget amendment within the Family Resource Center budget, to reflect the total amount of funding received and provide for the expense authority to spend the received funding.

[Staff Report - FRC Budget Amendment](#)

[1. Resolution - FRC Budget Amendment](#)

[2. Attachment - NSAAA Agreement](#)

**20.D - ACCEPT FUNDING OF \$75,000 AND AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH SOLANO TRANSPORTATION AUTHORITY AND APPROVE THE NECESSARY BUDGET AMENDMENTS (Police Chief)**

The City has been in an agreement with Solano Transportation Authority (STA) since 2018 to deliver the enforcement of the Safe Routes to School Program. STA is amending the agreement to extend the term to December 31, 2022, and increase the term by \$75,000 for the year.

Recommendation:

Adopt a resolution (Attachment 1) for the following:

1. Accept \$75,000 from STA and authorize the City Manager to sign the amendment.
2. Approve the necessary budget amendments and authorize future amendments for the purpose of accepting increased funding provided in the original contract, without an additional resolution from the City of Benicia.

[Staff Report - Solano Transportation Authority Agreement Amendment](#)

[1. Resolution - Solano Transportation Authority Agreement Amendment](#)

[2. Attachment - Amendment to Agreement](#)

**20.E - SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 17 OF THE BENICIA MUNICIPAL CODE AND AMENDING THE BENICIA ZONING MAP IN ORDER TO IMPLEMENT THE EASTERN GATEWAY STUDY (Community Development Director)**

The proposed project is an amendment to the Benicia Municipal Code (BMC) regulations to incorporate two new mixed-use zoning districts into the BMC, update the zoning map accordingly, and make targeted revisions to the BMC relating to parking and project review. The amendments would implement the community vision developed through the Eastern Gateway Study.

The City Council conducted a public hearing and introduced the ordinance on January 4, 2022; as part of the same motion, the Council adopted a resolution amending the Benicia General Plan and adopting the Initial-Study Mitigated Negative Declaration.

Recommendation:

Adopt the ordinance (Attachment 1) amending Chapters 17.08 (Organization, Applicability, and Interpretation), 17.12 (Definitions), 17.26 (Mixed Use Districts), 17.70 (General Regulations), 17.74 (Off Street Parking and Loading Regulations), 17.104 (Use Permit and Variances), and 17.108 (Applicability) of the Benicia Municipal Code.

[Staff Report - Eastern Gateway](#)

[1. Ordinance Amending the Benicia Municipal Code \(Zoning\) and Zoning Map](#)

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

**21. Business Items**

**21.A - CREATION OF THE ECONOMIC DEVELOPMENT AND FINANCE BOARD AND DIRECTION TO REVIEW MODIFICATIONS OF THE CITY'S VARIOUS BOARDS AND COMMISSIONS AND RELATED OPERATIONAL PROCEDURES (Deputy City Manager)**

The City of Benicia has 15 citizen advisory Boards or Commissions that are appointed by the Mayor and confirmed by the City Council which are directly supported by staff. City staff seeks direction to return at a future City Council meeting to review these Boards and Commissions by the City Council and related procedures in an effort to streamline process and be more efficient with staff time. Additionally, staff seeks to immediately begin the process to combine the Economic Development Board (EDB) and Finance Committee into a single body of the Economic Development and Finance Board.

**Recommendation:**

Provide staff direction to initiate the process of combining the Economic Development Board and Finance Committee into a single body and direct staff to make the appropriate changes to the Benicia Municipal Code to be adopted by the City Council at a future meeting. In addition, provide direction to staff on the Council's desire to modify existing Boards and Commissions and related procedures.

[Staff Report - Creation of the Economic Development and Finance Board](#)

**21.B - UPDATE ON FACE COVERINGS MANDATE AND THE CONTINUATION OF VIRTUAL MEETINGS AND CONSIDER RESCINDING OR MODIFYING RESOLUTION NO. 21-88 (City Manager)**

On August 24, 2021, Council passed Resolution No. 21-88, requiring face coverings be worn in all indoor public settings in the City. The resolution ordered that the item return for review after six weeks and, additionally, when the City is not in the substantial or high transmission of COVID-19, as defined by the Centers for Disease Control (CDC), for a thirty-day period.

On September 21, 2021, Council discussed protocols for City Council Chambers and directed staff to continue with virtual meetings with the same review requirements as the face covering mandate.

At the October 19, 2021 City Council meeting, and again at the November 16, 2021 City Council meeting, Council directed staff to bring back the face covering mandate, as well as the continuation of virtual meetings, for further Council review and discussion.

At the December 7, 2021 City Council meeting Council directed to continue the face covering mandate without change and bring back the item for further discussion of creating a more holistic approach than the current single measurement of transmission rates at the January 18, 2022 City Council meeting.

Recommendation:

Receive the update. Consider voting on any changes to the criteria in Resolution 21-88 used to determine whether to lift the mandate, rescind the Resolution, or keep it in place with no changes.

[Staff Report - Update on Face Coverings Mandate and Continuation of Virtual Meetings](#)

[1. Resolution No. 21-88](#)

**22. 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.)

**22.A -COUNCIL MEMBER COMMITTEE REPORTS**

[Committee Reports](#)

**23. Adjournment Of Regular Meeting (9:30 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>
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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 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