



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

**Benicia City Hall, Council Chambers
250 East L Street, Benicia, CA 94510
June 18, 2024
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/88508047557?pwd=cHRsZlBrYlphU3pkODcycytmcFR2UT09>

- If prompted for a password, enter 449303.
- 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: 885 0804 7557 *please note this is an updated ID number*.

- Enter password: 449303
- 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.

As a courtesy, and technology permitting, members of the public may participate remotely and provide public comment via Zoom. Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. Council meetings will not be cancelled due to technical difficulties.

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 Special Meeting To Order (5:00 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 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.

5. Public Comment For Closed Session

Public comments on the closed session items must be made in person, they will not be accepted via Zoom.

6. Adjourn To Closed Session

6.A - CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: City Manager, Human Resources Manager

Employee Organization: Benicia Police Officers Association, Benicia Public Service Employees Association, Benicia Dispatchers Association, Benicia Supervisor and Professional Association, Middle Management Employees, Police Management Employees, Senior Management Employees, and Unrepresented Employees

7. Reconvene Open Session

8. Announcement From Closed Session, If Any

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

10. Roll Call

11. Pledge Of Allegiance

12. 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.

13. Announcements

13.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.

13.B - CURRENT AND UPCOMING OPENINGS ON BOARDS, COMMISSIONS AND COMMITTEES

Applications for current and upcoming openings on Boards and Commissions are not currently being accepted. An announcement will be made by the City when applications are being accepted. Current and upcoming openings, along with descriptions of each Board and Commission, are provided on the following pages.

[Current and Upcoming Openings - Boards and Commissions](#)

14. Proclamations

14.A - PROCLAMATION - MIKE DOTSON - RETIREMENT FROM THE CITY OF BENICIA (City Manager)

[Proclamation - Mike Dotson - Retirement from the City of Benicia](#)

14.B - PROCLAMATION - JUNETEENTH FREEDOM DAY 2024 (City Manager's Office)

[Proclamation - Juneteenth Freedom Day 2024](#)

15. Appointments

16. Presentations

17. Adoption Of The Agenda

18. 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.

19. Written Comment

20. Public Comment

21. 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.

21.A - ADOPTION OF AN ORDINANCE AMENDING BENICIA MUNICIPAL CODE CHAPTERS 1.36 (VOLUNTARY CODE OF FAIR CAMPAIGN PRACTICES), 1.42 (CONTRIBUTION AND VOLUNTARY SPENDING LIMITS), 4.08 (PUBLIC TESTIMONY AT REGULAR AND SPECIAL MEETINGS), AND CHAPTER 4.12 (PUBLIC INFORMATION) AND FINDING THE ORDINANCE EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (City Attorney)

The proposed changes to the municipal code seek to curtail campaigning with materially deceptive media, align the timeframes for responding to public record act requests with state law, and address time allocations for speaking at public meetings. The City Council conducted a public hearing and introduced the ordinance on June 4, 2024. Also before the City Council is amendments to the City's Rules of Procedure, and the Voluntary Code of Fair Campaign Practices pledge that need to be amended in order to be consistent with the newly enacted municipal code provisions.

Recommendation:

Adopt an ordinance (Attachment 1) amending Benicia Municipal Code Chapters 1.36, 1.42, 4.08 and 4.12 (Attachment 2), adopt by motion the revisions to the Voluntary Code of Fair Campaign Practices pledge (Attachment 3) and the revisions to the City's Rules of Procedure (Attachment 4).

[Staff Report - Adoption of OGC Recommendations](#)

[1. Proposed Ordinance](#)

[2. Redline Edits to Municipal Code](#)

[3. Redlined Voluntary Code of Fair Campaign Practices Pledge](#)

[4. Revised City Council Rules of Procedure 2024](#)

21.B - APPROVAL OF AGREEMENT WITH APEX TECHNOLOGY MANAGEMENT, LLC FOR CO-MANAGED INFORMATION TECHNOLOGY SERVICES (Finance Director)

manage certain aspects of the infrastructure, systems and processes. To streamline the required services, a co-managed IT service provider agreement has been developed with Apex Technology Management. The proposed agreement meets the ongoing operational requirements of the City and provides access to additional services as needed to implement projects to modernize the IT infrastructure and systems.

Recommendation:

Move to adopt a resolution (Attachment 1) approving an agreement (Attachment 2) with Apex Technology Management LLC for co-managed IT services for a one-year term, and delegating authority to the City Manager and Finance Director to authorize additional services and equipment up to \$100,000 annually, and to execute annual renewals of the co-managed IT services agreement.

[Staff Report - Apex Agreement](#)

[1. Resolution – Approving an Agreement Apex Technology Management for Co-Managed IT Services](#)

[2. Apex Technology Management Agreement](#)

21.C - AWARD OF CHEMICAL PURCHASE ORDERS FOR WATER AND WASTEWATER TREATMENT DIVISIONS FOR FISCAL YEAR 2024-2025 (Public Works Director)

Each year the Water and Wastewater Treatment Plants procure chemicals used to treat water and wastewater. Since 1994, the City, and other agencies in and around Solano, Napa, and Yolo counties make up the North Bay Agency Chemical Pool (Chemical Pool) to obtain the best possible pricing through bulk purchasing. The proposed procurement for Fiscal Year 2024-25 includes leveraging the Chemical Pool to meet most of the City's chemical treatment needs for water and wastewater.

Recommendation:

Move to adopt a resolution (Attachment 1) accepting the Chemical Pool bids of lowest responsive and responsible bidders (Attachment 2), approving the related purchase orders for water and wastewater treatment for FY24-25, and authorizing the City Manager and Finance Director, to sign the purchase orders on behalf of the City.

[Staff Report - Award of Chemical Purchase Orders for Water and Wastewater Treatment for FY24-25](#)

[1. Resolution – Chemical Purchase Orders - Water and Wastewater Treatment for FY24-25](#)

[2. Chemical Pool Bid Summary FY24-25](#)

21.D - RESOLUTION CONTINUING THE DECLARATION OF A LOCAL EMERGENCY FOR RAW WATER TRANSMISSION LINE INCIDENT (City Manager)

The City Manager/Emergency Services Director is requesting that Council find that the following conditions of extreme peril to the safety of persons and property continue to exist within the City of Benicia: severe hillside slope failure along Lopes Road caused by storm event flooding and stormwater runoff which damaged the RWTL and other structures including roadways, impact to the supply and transport of water to users in the City, which require actions to procure adequate water supply until the damage is repaired, and potentially other damage unknown at this time.

Recommendation:

Move to adopt a Resolution of the City of Benicia Continuing the Declaration of Local Emergency (Attachment 1).

[Staff Report - Continuation of Existence of a Local Emergency](#)

[1. Resolution - Continuation of Declaration of Local Emergency](#)

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

22. Business Items

22.A - PARKS, TRAILS & OPEN SPACE MASTER PLAN FINAL DRAFT (Community Services Director)

In October 2020, City Council approved agreements for consulting services to support an update to the City's 1997 Parks, Trails & Open Space Master Plan (1997 PTOS MP). A draft copy of the updated Parks, Trails & Open Space Master Plan was presented to the Parks, Recreation and Cemetery Commission (PRCC) in April 2024, with recommended modifications based on public comments

received. The PRCC recommended a final draft go to City Council for adoption. The final draft of the Master Plan is available online at www.ci.benicia.ca.us/masterplan

Recommendation:

Adopt a resolution (Attachment 1) adopting the final draft of the Parks, Trails and Open Space Master Plan (Attachment 2).

[Staff Report - Parks Trails Open Space Master Plan](#)

[1. Resolution - Adopt Final Draft of 2024 Parks Master Plan](#)

[2. Parks, Trails and Open Space Master Plan](#)

22.B - ADOPTION OF 5-YEAR STRATEGIC PLAN AND ADOPTION OF WORK PLAN FOR FISCAL YEAR 2024-25 (City Manager)

The City Council held a Goal Setting Workshop on February 23, 2024, to discuss and set its priorities for the next fiscal year, July 1, 2024– June 30, 2025 (FY 2024-25). In addition, on March 3, 2024, at the EMT Meeting a discussion was held to provide the next steps and note the department responsible for each project.

Recommendation:

This item includes two actions:

1. Adopt, by minute order only, the City of Benicia’s 5-Year Strategic Plan and Resiliency Plan (Attachment 1).
2. Adopt, by minute order only, the City Council’s Work Plan for FY 2024-25 (Attachment 2) and direct staff to provide regular progress updates.

[Staff Report - Work Plan 2024-25](#)

[1. City of Benicia 5-Year Strategic Plan and Resiliency Plan](#)

[2. Work Plan FY 2024-2025](#)

22.C - APPROVE POSITION ALLOCATION CHANGES, SALARY SCHEDULE AND BUDGET AMENDMENT FOR THE CITY MANAGER’S OFFICE, HUMAN RESOURCES, FINANCE DEPARTMENT, POLICE DEPARTMENT, COMMUNITY DEVELOPMENT DEPARTMENT, PUBLIC WORKS, PARKS AND COMMUNITY SERVICES, LIBRARY (City Manager)

The City continues to make necessary changes to modernize operations within all departments, and implement our Pathway to Resiliency to secure a strong and sustainable financial future. As part of the FY2023-25 budget planning process, all departments were asked to review their staffing allocations for any changes, or reallocations of positions, as we continue to align the structure of departments and maximize efficiencies. The efforts of reviewing staffing as part of the City’s Resiliency Plan continues, and will continue in phases over the next few years.

This report reviews two major reorganizations in the City, moving Parks and Building Maintenance to Public Works and combining Recreation and Library into one department of Community Services, as well as several staffing changes in multiple departments. The recommended staffing changes do not result in any staff layoffs, rather they build on current vacancies, planned retirements, and planned staffing changes.

Recommendation:

Move to adopt a resolution (Attachment 1), approving position allocation changes (Exhibit A), and amendments to the City's Classification Plan as described, salary schedule (Exhibit B), authorizing the Finance Director to make the necessary budget amendments, and authorizing the City Manager to take the necessary administrative steps to implement the actions.

[Staff Report - Position Allocation Changes](#)

[1. Resolution - Position Allocation Changes](#)

22.D - DIRECTION TO MODIFY AND REORGANIZE THE CITY'S ADVISORY BOARDS, COMMISSIONS AND COMMITTEES (City Manager)

The City of Benicia has many citizen advisory Boards, Commissions and Committees (BCCs) that are appointed by the Mayor and confirmed by the City Council which are directly supported by staff. City staff seeks direction to reorganize our Boards, Commissions and Committees so they can better address the current issues and initiatives facing the City while becoming more efficient with the use of staff resources.

Recommendation:

Provide staff direction to initiate the process of making the appropriate changes to the Benicia Municipal Code (BMC) that reflect the changes directed by the City Council.

[Staff Report - Board and Commission Reorganization](#)

22.E - PUBLIC HEARING FOR CITY OF BENICIA LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2024-2025 (Public Works Director)

The items scheduled for consideration at this meeting will complete the City's process for levying assessments for FY 2024-25 through the Solano County Auditor-Controller's Office for collection of the assessments with the property tax bills. Funds collected from the Landscaping and Lighting Assessment District (District) are used to maintain streetlights and publicly owned landscaping adjacent to roads within each zone.

Recommendation:

1. Conduct a public hearing to receive oral statements and written comments concerning the City of Benicia Landscape and Lighting Assessment District for FY 2024-25; and
2. At the conclusion of the public hearing, adopt a resolution (Attachment 1) ordering the maintenance of existing improvements in all five zones of the District, confirming the Assessment

Diagram, approving the Engineer's Report and ordering the levy and collection of certain assessments for the District for FY 2024-25.

[Staff Report - LLAD Public Hearing](#)

[1. Resolution - Ordering Levy and Collection of Assessments](#)

[2. Resolutions 24-51, 24-52, and 24-53](#)

[3. Landscaping and Lighting Assessment District Engineer's Report](#)

[4. Assessment District Diagram](#)

23. 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.)

23.A - COUNCIL MEMBER COMMITTEE REPORTS

[Council Member Committee Reports](#)

24. 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 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 Scott: 707-746-4213

Council Member Birdseye: 707-746-4213

Council Member Campbell: 707-746-4213

Council Member Macenski: 707-746-4213