

**January 19, 1999**

**The Benicia City Council meets the 1st and 3rd Tuesday of each month at 7:30 p.m. in the Council Chambers. Copies of Council Agendas are available in the City Clerk's office on the Friday afternoon before the Council meeting.**

**Benicia City Council Agenda**

**City Council Chambers**

**BENICIA CITY COUNCIL**

**AGENDA**

**CITY COUNCIL CHAMBERS**

**January 19, 1999**

**SPECIAL MEETING**

**6:45 P.M.**

**I. CALL TO ORDER: CITY CLERK ANNOUNCEMENT OF CLOSED SESSION**

**II. CLOSED SESSION:**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)**

**NUMBER OF CASES: 2**

**III. CONVENE OPEN SESSION:**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**REGULAR MEETING**

**7:30 P.M.**

**NOTE: ALL ITEMS ARE FOR COUNCIL DISCUSSION AND/OR ACTION:**

**IV. ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS**

**ANNOUNCEMENTS: Announcement of action taken, if any, in Closed Session**

**APPOINTMENTS:**

**PRESENTATIONS: Alan Fritzshall**

**President**

**Benicia Library Board of Trustees**

**PROCLAMATIONS:**

**V. ADOPTION OF AGENDA:**

**NOTE: THE BENICIA CITY COUNCIL WELCOMES CITIZEN PARTICIPATION. WE ASK THAT YOU KEEP YOUR COMMENTS TO ITEMS ON THE AGENDA TO FIVE (5) MINUTES. SHOULD YOU HAVE MATERIAL YOU WISH TO ENTER INTO THE RECORD, PLEASE SUBMIT IT TO THE CITY MANAGER.**

**VI. CONSENT CALENDAR:**

**A. Approval of Minutes of January 5, 1999.**

**B. Denial of claim and referral to insurance carrier (Martin).**

**C. Denial of claim and referral to insurance carrier (Vines).**

**D. Resolution approving Contract Change Order #4 in the amount of \$176,531 with C. Overaa Construction Company for the Wastewater Treatment Plant Improvement Project.**

**E. Minute action accepting the 1997.98 Independent Financial Audit.**

**F. Resolution authorizing the Finance Director to file an application for Federal Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Funding for \$988,700 to acquire three (3) new buses for Benicia Transit and to overlay Military East from East Second to East Fifth Streets.**

**G. Resolution consenting to a Franchise Agreement from Browning Ferris Industries of California, Inc., to Allied Waste Industries, Inc.**

**H. Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.**

**VII. PUBLIC HEARINGS:**

**A. Appeal of a decision by the Planning Commission to deny an appeal of a decision by the Design Review Commission for the proposed Dalaba Apartments.**

**VIII. REPORTS FROM CITY MANAGER:**

**A. Procedure for public notification of proposed fee, rate and tax changes.**

**IX. REPORTS FROM CITY COUNCIL COMMITTEES:**

**X. UNFINISHED BUSINESS:**

**A. Resolution adopting a policy regarding the positions of City Manager/Chief of Police.**

**B. Review and Approval of Meeting Schedule for General Plan Update Public Hearings.**

**C. Review and discussion of Chapter 1 - Introduction (Continued Public Hearing).**

**XI. NEW BUSINESS:**

**XII. COMMUNICATIONS:**

**A. WRITTEN**

**1. Letter sent to the Mayor & City Council, dated December 17, 1998, from William S. Whitney, Chair, Economic Development Board regarding the Benicia Sign Ordinance.**

**B. PUBLIC COMMENT**

**XIII. ADJOURNMENT:**

**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.**

**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 Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.**

**In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Linda Johnson, 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 this meeting.**

**(28 CFR 35.102-35.104 ADA Title II)**

**/agenda99/Agen119.99**