

**February 6, 2007
BENICIA CITY COUNCIL
CITY COUNCIL CHAMBERS
SPECIAL MEETING AGENDA**

February 6, 2007

6:00 P.M.

- **CALL TO ORDER:**
- **CONVENE OPEN SESSION:**
 - **ROLL CALL**
 - **PLEDGE OF ALLEGIANCE**
 - **REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
 - **WRITTEN**
 - **PUBLIC COMMENT**
- **CLOSED SESSION:**
 - **CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))
Agency negotiators: City Manager and Human Resources Director**

Employee organization(s): Benicia Police Officer's Association, Benicia Senior Management Group and Benicia Public Service Employees' Association

- **PUBLIC EMPLOYEE APPOINTMENT/ PERFORMANCE EVALUATION
(Subdivision (b)(1) of Government Code Section 54957)**

Titles: City Manager and City Attorney

- **RECONVENE OPEN SESSION:**
- **INFORMATIONAL ITEMS:**
 - **Update on Priority Projects. (City Manager)**

This update on priority projects covers the "Top Ten" list of City Council Priority Projects. Staff will brief Council on the progress of each of the projects since the last review on October 3, 2006. Staff will focus their comments on changes, significant project delivery issues, and estimated completion dates.

Recommendation: Informational report only, no action necessary.

- **ADJOURNMENT:**

**BENICIA CITY COUNCIL
CITY COUNCIL CHAMBERS
REGULAR MEETING AGENDA**

February 6, 2007

7:00 P.M.

- **CALL TO ORDER:**
- **CLOSED SESSION:**

- TO BE HELD AT 6:00 P.M., PRIOR TO THE REGULAR MEETING
- **CONVENE OPEN SESSION:**
 - ROLL CALL
 - PLEDGE OF ALLEGIANCE
 - REFERENCE TO THE FUNDAMENTAL RIGHTS OF PUBLIC
- **ANNOUNCEMENTS/APPOINTMENTS/PRESENTATIONS/PROCLAMATIONS:**
 - **ANNOUNCEMENTS:**
 - Announcement of action taken at Closed Session, if any.
 - Openings on Boards and Commissions:
People Using Resources Efficiently (PURE) Committee:
-One immediate opening
 - Human Services Arts Board:
-One unexpired term to June 30, 2009
 - **APPOINTMENTS:**
 - Historic Preservation Review Commission:
 - Rodney Sherry - one full term to February 28, 2011
 - Michael White - one full term to February 28, 2011
 - **PRESENTATIONS:**
 - Presentation by Caltrans
-Bijan Sartipi, District 4 Director - Caltrans
 - **PROCLAMATIONS:**
- **ADOPTION OF AGENDA:**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
 - WRITTEN
 - PUBLIC COMMENT
- **CONSENT CALENDAR:**
 - Approval of Minutes of January 16, 2007. (City Clerk)
 - Award of construction contract for City Hall bathroom renovation project. (Public Works Director and Parks & Community Services Director)
The City Hall Bathroom Renovation Project will consist of upgrades to the existing upstairs and downstairs bathrooms at City Hall to bring them into compliance with ADA standards. Modifications to the employee break room will also be included in the project. Project funding of \$256,000 includes a \$22,555 contingency, all of which will be provided by budgeted appropriations of \$156,000 from the Capital License Fund and an additional appropriation of \$100,000 from the Facilities Maintenance Fund Reserves.

Recommendation: Adopt a resolution:

- **Accepting the bids for the City Hall Bathroom Renovation Project, affirming the City Manager's decision on the bid protest, awarding the construction contract to Gilbert-Morad Engineering and Construction of Fairfield, in the amount of \$233,445 and authorizing the City Manager to sign the contract on behalf of the City; and**

- **Appropriating \$156,000 from the Capital License Fund and \$100,000 from the Facilities Maintenance Fund Reserves.**
- **Award of construction contract for the Lincoln Street Water Line Replacement Project. (Public Works Director)**

This project will install new water lines and valves on Lincoln Street in the Lower Arsenal. The existing water lines and valves are old and to prevent potential costly repairs and water shutdowns, replacement is recommended. Sufficient funds are available in the Water Line Replacement budget of the Water Enterprise Fund for the project.

Recommendation: Adopt a resolution accepting the bids for the Lincoln Street Water Line Replacement Project, awarding the construction contract to Soares Pipeline of Hayward in the amount of \$84,871 and authorizing the City Manager to sign the contract on behalf of the City.

- **Adoption of the 2007 City Council Regular Meeting Schedule. (City Manager)**
The proposed calendar lists the City Council's regular meeting dates for 2007.

Recommendation: Adopt, by motion, the 2007 City Council Regular Meeting Calendar.

- **Approve the July 1, 2006 to June 30, 2011 amendments to the Memorandum of Understanding with the Benicia Public Service Employees' Association. (Human Resources Director)**

The City concluded negotiations with the Benicia Public Service Employees' Association (BPSEA) on December 11, 2006. BPSEA is our largest organized unit consisting of 78 full time employees. Two percent (2%) of the cost of this Memorandum of Understanding has already been included in the FY 2006/2007 budget numbers. The additional budget impact for FY 2006/2007 will be approximately \$44,025.

Recommendation: Adopt the resolution approving the amendments to the July 1, 2006 through June 30, 2011 Memorandum of Understanding with the Benicia Public Service Employees' Association.

- **Approve the July 1, 2006 to June 30, 2010 amendments to the Memorandum of Understanding with the Benicia Police Officer's Association. (Human Resources Director)**

The City concluded negotiations with the Benicia Police Officer's Association (BPOA) on December 18, 2006. The BPOA unit consists of Police Officers and Police Sergeants and covers 32 full time employees. Two percent (2%) of the cost of this Memorandum of Understanding has already been included in the FY 2006/2007 budget numbers. The additional budget impact for FY 2006/2007 will be approximately \$135,975.

Recommendation: Adopt the resolution approving the amendments to the July 1, 2006 through June 30, 2010 Memorandum of Understanding with the Benicia Police Officer's Association.

- **Approve the July 1, 2006 to June 30, 2010 amendments to the labor agreement with the Benicia Senior Management Group. (Human Resources Director)**

The City concluded negotiations with the Benicia Senior Management Group on January 24, 2007. The Senior Management Group consists of 8 incumbents. This group is comprised of our Department Directors. Two percent (2%) of the cost of this Memorandum of Understanding has already been included in the FY 2006/2007 budget numbers. The additional budget impact for FY 2006/2007 will be approximately \$44,000.

Recommendation: Adopt the resolution approving the amendments to the July 1, 2006 through June 30, 2010 Labor Agreement with the Benicia Senior Management Group.

- **Award of construction contract for X-Park Project. (Parks & Community Services Director)**

The X-Park Project, located at Benicia Community Park, will be a 20,000 square feet recreation facility for skateboarders, in-line skaters and BMX bikes. Funds are available in the Capital Project Fund, Park Dedication Fund and the Skate Park Project accounts to cover most of the proposed costs, per the adopted 2005-2007 Capital Improvement Budget; however, additional funding from the General Fund Surplus is necessary. The contractor, AJ Vasconi General Engineering, is well received in the area for their work and has successfully completed six similar skate park projects.

Recommendation: Adopt the resolution accepting the bid for the X-Park, awarding the construction contract, to AJ Vasconi General Engineering of Concord, California, in the amount of \$858,500; secure \$407,986 of additional funding from the General Fund Surplus, and authorizing the City Manager to sign the contract on behalf of the City.

- **Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.**
- **PUBLIC HEARINGS:**
- **ACTION ITEMS:**
 - **Redesign and re-bid for restoration of the Commandant's Residence Improvement Project. (Parks & Community Services Director)**

On August 14th the construction plans and specifications were made available for public bidding. Six (6) weeks later, on September 28th, the City received and opened a single bid from Albay Construction Inc. in the amount of \$2,466,020. On November 14, 2006 the City Council rejected the bid from Albay Construction Inc.

Recommendation: Staff, with the assistance of our consultants Carey and Co. Inc., recommends approval of a redesign of the restoration of the Commandant's Residence Project that encompasses the scope of Phase I and Phase II into one combined project and adoption of the resolution authorizing the City Manager to execute a contract with Carey and Co. Inc. for design services not to exceed \$123,230.

- **Review of Library Basement Completion Project. (Library Director)**
In the Long Range Plan 2006-10, the Board of Library Trustees established as a priority the "remodeling of the basement to provide expanded services for customers and staff." This project consists of finishing approximately 8,000 square feet of space currently used for workspace for up to seven staff, book storage, and Friends of the Library monthly booksales. The Library Director would like to use the space for staff offices, conference rooms, a literacy program center, book storage and Friends' book sale area.

Recommendation: Approve use of library fund balances in Measure B and Interlibrary Loan accounts to create a design plan and obtain a cost estimate for construction.

- **INFORMATIONAL ITEMS:**

- **Reports from City Manager.**
 - **Update on the 2007-2009 Strategic Plan. (City Manager)**

The City of Benicia's Strategic Plan is comprehensively evaluated and updated bi-annually. The current Strategic Plan was developed for the 2005-07 fiscal years, and thus is now in the process of being updated. Projects and programs approved in this process will receive priority consideration for inclusion in the 2007-09 budget.

Recommendation: Review the status of the Strategic Plan update and provide comments.

- **Consideration of possible City Council subcommittee relative to Valero Water Contract Renegotiation. (City Attorney)**

The City is preparing to begin negotiations with Valero regarding the provision of untreated water to Valero. The City Council may want to consider a subcommittee to guide this project.

Recommendation: Provide direction to staff.

- **Consideration of requests for a formula-based business moratorium. (City Manager)**

Multiple City Council Members have made requests regarding scheduling consideration of a possible moratorium on formula-based businesses. Staff anticipated this would be discussed as part of the

study session on formula-based businesses and big-box retail presently scheduled for a study session at 6:00 p.m., prior to the regular meeting on February 20, 2007. The sub-committee of the City Council on this subject has met once and will meet again prior to the City Council meeting, and will have a recommendation. Staff is seeking direction on this issue.

Recommendation: Provide direction to staff.

- Update on the 2007 Policy Calendar. (City Manager)
An update on the dates selected for review of various policy issues will be provided to the City Council.

Recommendation: For information only.

- COMMENTS FROM COUNCIL MEMBERS:
- ADJOURNMENT:

Public Participation

The Benicia City Council welcomes 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 agendized and nonagendized matters under public comment. Comments are limited to no more than 5 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

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Diane O'Connell, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this 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.