

**May 2, 2006
BENICIA CITY COUNCIL
CITY COUNCIL CHAMBERS
REGULAR MEETING AGENDA**

May 2, 2006

7:00 P.M.

- **CALL TO ORDER:**
- **CLOSED SESSION:**
 - NONE
- **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:**
 - Human Services Fund Board:**
 - One unexpired term to June 30, 2008
 - One unexpired term to June 30, 2009
 - Three full terms to June 30, 2010
 - Benicia Housing Authority Board of Commissioners:**
 - Two full terms to June 30, 2010
 - **Economic Development Board:**
 - Three full terms to June 30, 2010
 - **Library Board of Trustees:**
 - One full term to June 30, 2009
 - **Parks, Recreation and Cemetery Commission:**
 - One full term to July 30, 2010
 - **Open Government Commission:**
 - One unexpired term to December 6, 2006
 - **APPOINTMENTS:**
 - **PRESENTATIONS:**
 - **Solano Transportation Authority - Safe Routes to School/Transit Program**
 - Sam Shelton and Daryl Halls, Solano Transportation Authority
 - **PROCLAMATIONS:**
 - **National Safe Boating Week - May 20-26, 2006**
- **ADOPTION OF AGENDA:**
- **OPPORTUNITY FOR PUBLIC COMMENT:**
 - WRITTEN
 - PUBLIC COMMENT
- **CONSENT CALENDAR:**
 - **Approval of Minutes of April 18, 2006. (City Clerk)**

- **Second reading of a new ordinance, pursuant to State law and a court decision, for maintenance and repair of sidewalks by amending the Municipal Code to incorporate State procedures and to require property owners to keep their sidewalks in good repair. (City Attorney)**

This ordinance incorporates Streets and Highways Code procedures for requiring property owners to repair sidewalks. It also incorporates provisions recently approved by the Appellate Court to transfer liability for injuries to the public regarding sidewalk related accidents. This is in conformance with the City's existing procedures for claims for sidewalk injuries and the City's joint sidewalk program. The City Council introduced the ordinance at the April 18, 2006 meeting. The next step is a second reading of the ordinance. The ordinance will become effective on July 19, 2006.

Recommendation: Approve the second reading of the ordinance amending Title 12 (Streets, Sidewalks and Public Places) of the Benicia Municipal Code by adding a new Chapter 12.48 (Maintenance and Repair of Sidewalks).

- **Acceptance of the Inflow/Infiltration (I/I) Wet Weather Improvements Project - Wastewater Treatment Plant Portion. (Public Works Director)**

The I/I Wet Weather Improvements Project - Wastewater Treatment Plant Project has been completed for a final construction cost of \$3,520,395, including the installation for additional pumping, screening, and disinfection/dechlorination facilities at the Wastewater Treatment Plant. The entire I/I Project was completed under budget. Formal acceptance of the work by the City Council is now required to allow the final contract payment to be made to the contractor.

Recommendation: Adopt the resolution accepting as complete the I/I Wet Weather Improvements - Wastewater Treatment Plant Project, including final change orders, authorizing the City Manager to sign the Notice of Completion and authorizing the City Clerk to file said notice with the Solano County Recorder.

- **Expression of support for Measure I on the June 2006 ballot. (City Manager)**
The proposed parcel tax ballot measure, Measure I, would raise approximately \$2.8 million for Benicia schools annually, based on a \$254 per year parcel tax.

Recommendation: Adopt the resolution expressing support for a five-year, \$254 per year parcel tax that will provide funding to the Benicia Unified School District.

- **Reconsideration of the Traffic Relief and Safety Plan for the Solano County 1/2 Cent Sales Tax Measure. (City Manager)**

The Solano Transportation Improvement Authority (STIA) has taken the necessary steps to place a proposed transportation sales tax measure on the June 2006 ballot. An expenditure plan, entitled the "Traffic Relief and Safety

Plan for Solano County," has been developed and presented to each of the seven cities within the county, as well as the County Board of Supervisors, for review and approval. At the STIA's February 22, 2006 meeting, revisions were made to the expenditure plan. Based on these revisions, it has been requested by Council Member Patterson that the Council reconsider this item, including a revised resolution. At the April 4, 2006 City Council meeting, the Council agreed to the request to reconsider this item.

Recommendation: Consider Council Member Patterson's request that the Council consider adoption of an amended resolution supporting the revised "Traffic Relief and Safety Plan for Solano County."

- Approval to waive the reading of all ordinances introduced and adopted pursuant to this agenda.
- PUBLIC HEARINGS:
- ACTION ITEMS:
- INFORMATIONAL ITEMS:
 - Reports from City Manager.
- 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 agenda and nonagenda 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.