

**May 3, 2005
BENICIA CITY COUNCIL
AGENDA
CITY HALL**

**May 3, 2005
SPECIAL MEETING
7:00 P.M.**

I. SPECIAL MEETING

A. CALL TO ORDER:

ROLL CALL

PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA:

C. COMMUNICATIONS:

1. WRITTEN

2. PUBLIC COMMENT

D. UNFINISHED BUSINESS:

- 1. Approval of agreement(s) with Benicia Unified School District (BUSD) for City-provided maintenance of fields at four school sites in return for use of school facilities and appropriation of two (2) months of funding. (City Manager, Parks & Community Services Director & City Attorney)**

Under the proposed agreement, the City's Parks and Community Services Department would improve and maintain turf play fields at four BUSD school sites (Benicia High School, Robert Semple Elementary School, Mills Elementary/Liberty High School and Joe Henderson Elementary School). BUSD would permit City use of school facilities for City programming and general community use.

Recommendation: Adopt the Resolution(s) appropriating \$232,197, or alternative amount, and authorizing execution of the agreements.

- 2. Discuss scope of City/Schools Revenue Options Committee. (City Manager)**

The City/Schools Revenue Options Committee's proposed charge would be to explore the shared needs of the Benicia Unified School District and the City of Benicia for additional funding, identify options available for providing additional funding and make appropriate recommendations.

Recommendation: Discuss proposed scope and provide direction regarding establishment of a City/Schools Revenue Options Committee.

E. ADJOURNMENT:

**BENICIA CITY COUNCIL
AGENDA
CITY HALL
May 3, 2005
REGULAR MEETING
7:30 P.M.**

**II. CALL TO ORDER:
ROLL CALL
PLEDGE OF ALLEGIANCE**

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

**III. ANNOUNCEMENTS/APPOINTMENTS
PRESENTATIONS/PROCLAMATIONS:**

ANNOUNCEMENTS: Announcement of action taken at Closed Session, if any.
**PUBLIC WORKS OPEN HOUSE AND DISPLAY AT THE
LIBRARY**
**Open House: Saturday, May 14, 2005 from 10:00 am-2:00
pm at the City's Corporation Yard**
Library Display: May 16-23, 2005
**WATER AWARENESS DISPLAY AT THE LIBRARY - May 4 -
27, 2005**

APPOINTMENTS:

**PRESENTATIONS: PUBLIC WORKS PROFESSIONALS AT WORK IN BENICIA
(Public Works Department Staff)**

**PROCLAMATIONS: NATIONAL PUBLIC WORKS WEEK - May 15-22, 2005 (Dan
Schiada, Public Works Director)**
**WATER AWARENESS MONTH - May 2005 (Dave
Wenslawski, Water Quality Technician)**

IV. ADOPTION OF AGENDA:

V. COMMUNICATIONS:

- A. WRITTEN**
- B. PUBLIC COMMENT**

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 non-agendized 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.

VI .ADOPTION OF AGENDA:

VII. CONSENT CALENDAR:

- A. Approval of Minutes of April 19, 2005 regular Council Meeting. (City Clerk)**
- B. Inflow/Infiltration (I/I) Wet Weather Improvements Project - Status Report and Approval of Change Orders. (Public Works Director)**

Staff is requesting approval on change orders for extra work on the relief pipeline contract and on the wastewater treatment plant contract. Total change order increases to date are \$273,739 (4%) for the relief pipeline contract and \$289,168 (9%) for the wastewater treatment plant contract. There are adequate funds remaining so that final project costs will be within budgeted amounts.

- C. Recommendation: Adopt the Resolutions**
 - 1. Authorizing the Director of Public Works, on behalf of the City, to execute contract change orders with Ranger Pipelines in the amount of \$90,492 for the I/I Wet Weather Improvement Project;**
 - 2. Authorizing the Director of Public Works, on behalf of the City, to execute contract change orders with Kaweah Construction in the amount of \$95,418 for the I/I Wet Weather Improvement Project.**
- D. Acceptance of four easements along McAllister Drive within Southampton Units D-1 and D-6. (Public Works Director)**

The City is requiring the developer to install street lighting and median landscaping along McAllister Drive. The easements provide legal authority for City access and maintenance of both.

Recommendation: Adopt the Resolution accepting two public utility easements and two landscape easements along McAllister Drive, within Southampton Units D-1 and D-6.

- E. Status of emergency repairs to the Police Patrol Locker Room and adjoining space. (Police Chief)**

Pursuant to State law and City Ordinance when emergency procurement and repairs are made, staff must report the status of the repairs until the project is complete. The work is expected to be completed by Friday, April 29, 2005. A resolution determining the continuing needs for emergency repairs is required.

Recommendation: Adopt the Resolution determining a continuing need for the emergency purchase and installation of heating and air conditioning units and related clean up for the Patrol Officer locker room in the Police Department and appropriating the funds from the General Fund reserve.

- F. Approve a Mills Act contract for the property at 1063 Jefferson Street. (Community Development Director)**

The Mills Act Program is a state-authorized mechanism by which owners of qualified historical properties may use an alternative method of determining value for property tax purposes in order to encourage the preservation and rehabilitation of historic property. The Mills Act contracts will reduce the property tax paid by the property owner by an estimated \$2,000 annually, which would result in a reduction of slightly more than \$500 per year to the City of Benicia. The City receives approximately 26% of the property taxes collected on parcels in the City. The Council authorized up to \$30,000 annually of property tax rebates for Mills Act contracts of which there exists remaining appropriations to cover this proposed contract.

Recommendation: Adopt the Resolution directing the City Manager to negotiate and execute a Mills Act contract for 1063 Jefferson Street in the City of Benicia.

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

VIII. PUBLIC HEARINGS:

- 1. Appeal of the Planning Commission's decision to uphold the Design Review Commission's action adopting the mitigated negative declaration and approving design review for new construction at 221 First Street. (Community Development Director)**
- 2. The project includes approximately 1,800 sq. ft of ground level commercial fronting on First Street, 8 residential units, 8 garages containing 16 parking spaces, 10 unenclosed parking spaces and improved public access along the Carquinez Strait.**
- 3. Recommendation: Adopt the Resolutions**
- 4. Denying the appeal and upholding the decision of the Planning Commission to uphold the Design Review Commission's adoption of a Mitigated Negative Declaration; and**
- 5. Denying the appeal of the Planning Commission's decision to uphold the Design Review Commission's Design Review approval of the 221 First Street project.**

IX. UNFINISHED BUSINESS:

X. NEW BUSINESS:

XI. REPORTS FROM CITY MANAGER:

XII. REPORTS FROM CITY COUNCIL COMMITTEES:

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 Procedures 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 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.

(28 CFR 35.102.104 ADA Title II)