

November 2, 2004
BENICIA CITY COUNCIL
AGENDA
CITY COUNCIL CHAMBERS
November 2, 2004
SPECIAL MEETING
7:15 P.M.

I. CLOSED SESSION:

**A. CALL TO ORDER: ANNOUNCEMENT OF CLOSED SESSION
ROLL CALL**

PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA:

**C. COMMUNICATIONS ON CLOSED SESSION ITEMS:
WRITTEN**

PUBLIC COMMENT

D. CLOSED SESSION:

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)**

Name of claim: Allen Duschka

E. ADJOURNMENT:

BENICIA CITY COUNCIL

AGENDA

CITY COUNCIL CHAMBERS

November 2, 2004

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.

APPOINTMENTS: PEOPLE USING RESOURCES EFFICIENTLY (PURE) - Donald Basso and Dennis Lund

PRESENTATIONS:

**PROCLAMATIONS: RECOGNIZING THE COMPLETION OF THE FIRST PHASE OF THE FORREST DEANER NATIVE PLANT BOTANIC GARDEN AND COMMENDING THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THEIR SPECIAL EFFORTS IN SUPPORTING THE NATIVE PLANT GARDEN - Eileen Bielecki, Supervising Ranger of Diablo Vista District of California State Parks and Gary Brogan, Forrest Deaner Native Plant Botanic Garden
LUNG CANCER AWARENESS MONTH - November 2004**

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.

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. CONSENT CALENDAR:

A. Approval of Minutes of October 19, 2004. (City Clerk)

B. Denial of the Claim Against the City by D. Michael Brown and Referral to Insurance Carrier. (City Attorney)

Recommendation: Reject the claim against the City by D. Michael Brown.

C. Resolution revising the total number of Benicia residents that may serve on People Using Resources Efficiently (PURE) from five to six. (City Attorney)

Recommendation: Adopt Resolution.

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

VII. PUBLIC HEARINGS:

A. Public Hearing continued from October 19, 2004 on General Plan amendment and zoning change for 1422, 1430 and 1440 East Second Street continued from October 5, 2004. The proposed mixed-use project is for 1430 and 1440 East Second Street.

The project consists of three separate parcels totaling approximately two-thirds of an acre (29,130 sq. ft.). A mixed-use development is proposed on two of the three parcels; the third parcel will remain in its current use as a single-family residence. The mixed-use development consists of 4,343 sq. ft. of ground floor commercial and three dwelling units on the second floor consisting of 3,851 sq. ft.:

1. Resolution amending the General Plan Land Use designation from Low Density Single Family to Business and Professional Office.

2. Introduction and first reading on and Ordinance changing the zoning from Single Family Residential to Planned Development. (Community Development Director)

Recommendation: Hold the Public Hearing and adopt the Resolution amending the General Plan and introduce the Ordinance changing the zoning.

VIII. UNFINISHED BUSINESS:

IX. NEW BUSINESS:

**A. Development potential of the City-owned property at East 2nd and East E Streets.
(Assistant City Manager)**

Recommendation: Provide direction to staff.

X. REPORTS FROM CITY MANAGER:

XI. REPORTS FROM CITY COUNCIL COMMITTEES:

XII. ADJOURNMENT: