

**PRESS RELEASE**  
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## **City of Benicia Reaches Settlement with Amports on Demolition of Damaged Historic Buildings**

**Benicia, CA (December 18, 2019)** — At Tuesday's City Council meeting, City Attorney Ben Stock announced the settlement of a lawsuit filed by Amports over the requested demolition of two fire-damaged historic buildings located on their property.

The City Council voted unanimously to direct the City Attorney to finalize the agreement with Amports' attorney. Once executed by both parties, the settlement provides that the parties would request the Court to enter a stay in current litigation in order for Amports to submit a request for an emergency demolition permit. If the City exercises its discretion and issues the demolition permit, Amports has agreed to take the following actions:

- 1) Dismiss the current litigation with prejudice;
- 2) Provide \$800,000 for the City to allocate towards rehabilitating historic City-owned structures;
- 3) Install an interpretative sign on the property to convey the historic significance of the site;
- 4) Document the structures on the property per the Secretary of Interior's Standards;
- 5) Offer salvaged building features and equipment as determined by Amports to the Benicia Historical Museum;
- 6) Offer to provide up to \$5,000 in order to sponsor an exhibit regarding the site at the museum; and
- 7) Attempt to remove and re-attach the façade of the Shipping Office building onto a new structure included as part of its future development of the site.

After demolition, Amports would then submit a use permit application to develop the property for cargo processing and storage, which would include a potential walking path along the shore; that path would be dedicated to the City for public use. If Amports' use permit is ultimately approved after undergoing all requisite review, Amports will provide an additional \$400,000 to the City for further rehabilitation of City-owned historic structures.

If the façade of the Shipping Office building is unable to be re-attached at a cost of under \$500,000, Amports will pay the City an additional \$500,000 for historic rehabilitation purposes minus the costs already spent attempting to attach it.

Amports also agrees as part of this settlement to work with the Benicia Fire Department to identify and permit a secondary means of access over Amports' property to provide emergency access to and from the Arsenal area of the City.

"This settlement agreement offers a solid path forward for both the City and Amports," said Mayor Elizabeth Patterson. "We look forward to moving our historic preservation efforts forward with the funding provided by Amports and to an improved working relationship between Amports and the City."

The Council also directed staff to bring forward a report in the first quarter of 2020 identifying a public process for setting funding priorities for the money received as part of this settlement for renovating City-owner historic structures.

Once the parties execute the settlement, any member of the public may obtain a copy of the agreement through the City Clerk's office by calling 707-746-4200.

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