



**BENICIA CITY COUNCIL
CITY COUNCIL MEETING AGENDA**

**Benicia City Hall, 250 East L Street
September 1, 2020
7:00 PM**

Coronavirus (Covid-19) Advisory Notice

The Solano County Public Health Department has advised that non-essential gatherings should be canceled, postponed, or done remotely. Additional information is available at <http://www.solanocounty.com/depts/ph/ncov.asp>.

This meeting is necessary so that the City can continue to conduct its business and is considered an essential gathering. Consistent with Executive Orders No. 25-20 and No. 29-20 from the Executive Department of the State of California, the meeting will not be physically open to the public. Members of the City Council and staff will participate in this meeting via videoconferencing as permitted under Executive Orders No. 25-20 and No. 29-20.

As always, the public may submit public comments in advance and may view the meeting from home. Below is information on how to watch the meeting via cable and/or live stream and how to send in public comments that will be part of the public record.

How to Watch the Meeting:

- 1) Cable T.V. Broadcast on Channel 27
- 2) Livestream online at www.ci.benicia.ca.us/agendas.
- 3) Zoom Meeting (link below)

How to Submit Public Comments for this videoconferencing meeting:

Members of the public may provide public comments to the City Clerk by email at lwolfe@ci.benicia.ca.us. Any comment submitted to the City Clerk should indicate to which item of the agenda the comment relates. Specific information follows:

- Comments received by 3:00 pm on the day of the meeting will be electronically forwarded to the City Council and posted on the City's website.

- Comments received after 3:00 pm, but before the start time of the meeting will be electronically forwarded to the City Council, but will not be posted on the City’s website, and will not be read into the record.
- Comments received after the start time of the meeting, but prior to the close of the public comment period for an item will be read into the record, with a maximum allowance of 5 minutes per individual comment, subject to the Mayor's discretion.

Additionally, the public may view and provide public comment via Zoom (via computer or phone) link: <https://us02web.zoom.us/j/86908654422?pwd=eGsreIR5alZqQU9wT25nOVJXTkZiUT09>

- If prompted for a password, enter 454382.
- Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Please note, your electronic device must have microphone capability. Once unmuted, you will have up to 5 minutes to speak.

Dial in with phone:

Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one.

- 1 669 900 9128
- 1 346 248 7799
- 1 253 215 8782
- 1 646 558 8656
- 1 301 715 8592
- 1 312 626 6799

- Enter the meeting ID number: 869 0865 4422 *please note this is an updated ID number*.
- Enter password: 454382
- When prompted for a Participant ID, press #.
- Press *9 on your phone to “raise your hand” when the Mayor calls for public comment during the item you wish to speak on. Once unmuted, you will have up to 5 minutes to speak.

Any member of the public who needs accommodations should email City Clerk Lisa Wolfe at lwolfe@ci.benicia.ca.us, who will use her best efforts to provide as much accessibility as possible while also maintaining public safety.

1. Call To Order (7:00 P.M.)

2. Convene Open Session

3. Roll Call

4. Pledge Of Allegiance

5. Reference To The Fundamental Rights Of The Public

The fundamental rights of each member of the public can be found in the municipal code posted on the City's website per section 4.04.030 of the City of Benicia's Open Government Ordinance.

6. Announcements

6.A - MAYOR'S OFFICE HOURS

Mayor Patterson will maintain an open office every Monday (except holidays) in the Mayor's office of City Hall from 6:00 to 7:00 p.m. No appointment is necessary. Other meeting times may be scheduled through City Hall by calling 707-746-4200.

6.B - OPENINGS ON BOARDS AND COMMISSIONS

- Building Code Board of Appeals
1 Full Term, Expiring July 31, 2024

- Community Sustainability Commission
1 Partial Term, Expiring July 31, 2021
1 Full Term, Expiring January 31, 2023
1 Full Term, Expiring July 31, 2023

- Economic Development Board
2 Full Terms, Expiring July 31, 2024

- Historic Preservation Review Commission
2 Full Terms, Expiring January 31, 2024
2 Full Terms, Expiring July 31, 2024

- Housing Authority Board
1 Full Term, Expiring July 31, 2024

- Human Services Board
2 Partial Terms, Expiring July 31, 2021
3 Full Terms, Expiring 7/31/2024

- Open Government Commission
1 Partial Term, Expiring July 31, 2021

- Parks, Recreation & Cemetery Commission
1 Full Student Term, Expiring July 31, 2021

- Sky Valley Open Space Committee
1 Full Term, Expiring January 31, 2023
1 Full Term, Expiring January 31, 2024

The City of Benicia is accepting applications for one opening for the City's representative on the Solano County Senior Coalition. One Benicia resident will be appointed by the Mayor to represent the City on this Coalition. To submit an application, please visit the following page on the City's website:
<https://tinyurl.com/BeniciaRepSeniorCoalSolanoCty>

7. Proclamations

7.A - PROCLAMATION - FIRST ST. CAFE'S RETIREMENT

[Proclamation - First St. Cafe's Retirement](#)

7.B - PROCLAMATION - CAMELLIA TEA ROOM'S RETIREMENT

[Proclamation - Camellia Tea Room's Retirement](#)

7.C - PROCLAMATION - NATIONAL SUICIDE PREVENTION WEEK

[Proclamation - National Suicide Prevention Week](#)

8. Appointments

8.A - MAYOR'S REAPPOINTMENT OF DAVID DELONG TO THE BUILDING CODE BOARD OF APPEALS FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - DeLong](#)

8.B - MAYOR'S APPOINTMENT OF ANDREW BLACKSHEAR TO THE COMMUNITY SUSTAINABILITY COMMISSION FOR A PARTIAL TERM ENDING JULY 31, 2021

[1. Resolution - Blackshear](#)

8.C - MAYOR'S APPOINTMENT OF BARBARA LLOYD TO THE COMMUNITY SUSTAINABILITY COMMISSION FOR A FULL TERM ENDING JULY 31, 2023

[1. Resolution - Lloyd](#)

8.D - MAYOR'S APPOINTMENT OF JAMES PETRELLESE TO THE COMMUNITY SUSTAINABILITY COMMISSION FOR A FULL TERM ENDING JANUARY 31, 2023

[1. Resolution - Petrellese](#)

8.E - MAYOR'S REAPPOINTMENT OF MARTIN JONES TO THE ECONOMIC DEVELOPMENT BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Jones](#)

8.F - MAYOR'S APPOINTMENT OF NORMA MORALES PEREZ TO THE ECONOMIC DEVELOPMENT BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Perez](#)

8.G - MAYOR'S REAPPOINTMENT OF GILBERT VON STUDNITZ TO THE HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - von Studnitz](#)

8.H - MAYOR'S REAPPOINTMENT OF TIM REYNOLDS TO THE HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Reynolds](#)

8.I - MAYOR'S REAPPOINTMENT OF LUIS DELGADO TO THE HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING JANUARY 31, 2024

[1. Resolution - Delgado](#)

8.J - MAYOR'S APPOINTMENT OF RANDY YOUNG TO THE HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING JANUARY 31, 2024

[1. Resolution - Young](#)

8.K - MAYOR'S REAPPOINTMENT OF RAQUEL WALSH TO THE HOUSING AUTHORITY BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Walsh](#)

8.L - MAYOR'S REAPPOINTMENT OF DONNA FEINGOLD TO THE HUMAN SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Feingold](#)

8.M - MAYOR'S APPOINTMENT OF DAN BUNDY TO THE HUMAN SERVICES BOARD FOR A PARTIAL TERM ENDING JULY 31, 2021

[1. Resolution - Bundy](#)

8.N - MAYOR'S APPOINTMENT OF ANDRE STEWART TO THE HUMAN SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Stewart](#)

8.O - MAYOR'S APPOINTMENT OF MARIE LEWIS TO THE HUMAN SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024

[1. Resolution - Lewis](#)

8.P - MAYOR'S REAPPOINTMENT OF GABRIELLE MALTE TO THE PARKS, RECREATION & CEMETERY COMMISSION FOR A FULL STUDENT TERM ENDING JULY 31, 2021

[1. Resolution - Malte](#)

8.Q - MAYOR'S REAPPOINTMENT OF LARRY LAUBER TO THE SKY VALLEY OPEN SPACE COMMITTEE FOR A FULL TERM ENDING JANUARY 31, 2024

[1. Resolution - Lauber](#)

9. Presentations

None

10. Adoption Of Agenda

11. Opportunity For Public Comments

How to Submit Public Comments for this videoconferencing meeting:

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lwolfe@ci.benicia.ca.us. Any comment submitted to the City Clerk should indicate to which item of the agenda the comment relates. Specific information follows:

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12. Written Comment

13. Public Comment

14. Consent Calendar

Items listed on the Consent Calendar are considered routine and will be enacted, approved or adopted by one motion unless a request for removal or explanation is received from a Council Member, Staff or member of the public. Items removed from the Consent Calendar shall be considered immediately following the adoption of the Consent Calendar.

14.A - APPROVAL OF CITY COUNCIL MINUTES FROM AUGUST 18, 2020

Recommendation:

Approve the minutes.

[August 18, 2020 City Council Meeting Minutes](#)

14.B - AMENDMENT TO AGREEMENT FOR THE IMPACT FEES NEXUS STUDY (Assistant City Manager)

This report requests an increase to the agreement for the comprehensive update to the City’s development impact fees for an expanded scope of services and extended project timeline.

Recommendation:

Move to adopt the resolution (Attachment 1) approving the Second Amendment to Agreement with Economic and Planning Services (EPS) (Attachment 2), which includes an increase of \$20,000 to expand the scope and extend the timeline of the nexus study update, and authorizes the City Manager to sign the amendment on behalf of the City.

[Staff Report - Amendment to Agreement for the Impact Fees Nexus Study](#)

[1. Resolution – Amendment to Agreement for the Impact Fees Nexus Study](#)

[2. Second Amendment to Agreement with Economic and Planning Systems](#)

[3. June 2019 Agreement with Economic and Planning Systems](#)

14.C - APPROVAL TO WAIVE THE READING OF ALL ORDINANCES INTRODUCED OR ADOPTED PURSUANT TO THIS AGENDA (City Attorney)

15. Business Items

15.A - GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT (Community Development Director)

Section 65400 of the California Government Code requires that cities submit an annual report detailing their progress towards implementation of established General Plan goals, including the adopted Housing Element. This report is submitted to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year. Prior to submittal, the report must be reviewed by the Planning Commission and City Council.

Recommendation:

Accept the 2019 General Plan and Housing Element Annual Progress Report (Attachments 1-3).

[Staff Report - General Plan and Housing Element Annual Progress Report](#)

[1. General Plan Annual Progress Report and Annual Housing Element Progress Report](#)

[2. Appendix A - General Plan Implementation Report](#)

[3. Appendix B - Housing Element Implementation Report](#)

[4. February 13, 2020 Planning Commission Minutes](#)

15.B - INTRODUCTION OF AN ORDINANCE AMENDING BENICIA MUNICIPAL CODE CHAPTER 8.04, ADDING A DEFINITION OF “COMMERCIAL BLIGHT” AND DECLARING IT AN ACTIONABLE NUISANCE (City Attorney)

The proposed ordinance would define “commercial blight” and declare it as a nuisance, allowing the City to pursue nuisance abatement actions against commercial property owners who fail to maintain property in such as manner as to constitute a blight to the community.

Recommendation:

Move to waive the first reading and introduce an ordinance (Attachment 1) of the City Council amending Benicia Municipal Code Chapter 8.04 (Property Maintenance – Nuisance Abatement) and finding the ordinance exempt under the California Environmental Quality Act.

[Staff Report - Commercial Blight](#)

[1. Ordinance - Commercial Blight](#)

16. Adjournment (9:00 P.M.)

Public Participation

The Benicia City Council and its Boards and Commissions welcome 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 non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five 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 or Special Needs

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Alan Shear, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the 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.

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. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

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.

Public Records

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the

City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerk's Office.

Contact Your Council Members

If you would like to contact the Mayor or a Council Member, please call the number listed below to leave a voicemail message.

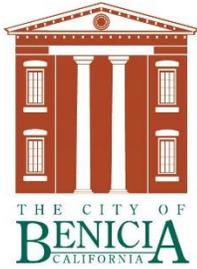
Mayor Patterson: 746-4213

Vice Mayor Strawbridge: 746-4213

Council Member Campbell: 746-4213

Council Member Young: 746-4213

Council Member Largaespada: 746-4213



PROCLAMATION

IN RECOGNITION OF

First St. Cafe's Retirement

After 24 Years in Business

WHEREAS, First St. Cafe contributed to making Downtown Benicia a vital destination for 24 years; and

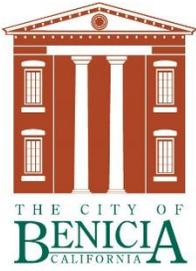
WHEREAS, they were known for their outstanding contributions to the community and organizations, such as (but not limited to) the Benicia Public Library with the Trivia Bee; Soroptimist International of Benicia with SIP with Soroptimist; and Benicia Main Street with continuous participation in many events and promotions, such as Taste of First Street; and

WHEREAS, they were a quaint and lively dining attraction with award winning recipes, such Dungeness Crab & Artichoke Sandwich, and weekly live music and entertainment.

NOW, THEREFORE, BE IT RESOLVED THAT I, Elizabeth Patterson, Mayor of the City of Benicia, and on behalf of the City Council of the City of Benicia, hereby recognize First St. Cafe's contribution to the charm and vitality of Downtown Benicia.

Elizabeth Patterson, Mayor
September 1, 2020





PROCLAMATION

IN RECOGNITION OF

Camellia Tea Room's Retirement *After 25 Years in Business*

WHEREAS, Camellia Tea Room contributed to making Downtown Benicia a vital destination for 25 years; and

WHEREAS, they were known for their outstanding contributions to the community and service organizations, such as (but not limited to) Soroptimist International of Benicia with the Bewitching Tea and Spring Tea; and Benicia Main Street with the Teddy Bear Tea; and

WHEREAS, they were a unique attraction, bringing downtown visitors and locals to enjoy afternoon tea, lunch and desserts.

NOW, THEREFORE, BE IT RESOLVED THAT I, Elizabeth Patterson, Mayor of the City of Benicia, and on behalf of the City Council of the City of Benicia, hereby recognize Camellia Tea Room's contribution to the charm and vitality of Downtown Benicia.

Elizabeth Patterson, Mayor
September 1, 2020





PROCLAMATION

IN RECOGNITION OF

National Suicide Prevention Week 2020 September 6-14, 2020

WHEREAS, suicide is the 10th leading cause of death in the United States and the 2nd leading cause of death among individuals between the ages of 10 to 34 (American Foundation for Suicide Prevention); and

WHEREAS, on average, there are 132 suicides per day in the U.S., and in 2018 there were 48,344 suicide deaths and an estimated 1.4 million suicide attempts in the U.S. (American Foundation for Suicide Prevention); and

WHEREAS, in 2019, there were 56 suicide deaths in Solano County; 80% were male; 41% of the suicide deaths were adults ages 30-59, 34% were seniors 60 and over, 16% were ages 19-29, and 9% of the suicide deaths were minors ages 14-17; firearms were involved in 36% of the suicides and 43% of the individuals died by hanging; and 14% of the individuals who died were veterans (Solano County Sheriff Coroner's Office); and

WHEREAS, in 2019, the City of Benicia experienced 1 suicide death (Solano County Sheriff Coroner's Office); and

WHEREAS, LGBTQ youth seriously contemplate suicide at almost 3 times the rate of heterosexual youth and LGBTQ youth are 4 times more likely to have attempted suicide than heterosexual youth, and transgender people are 12 times more likely to attempt suicide than the general public (American Psychiatric Association and NAMI); and

WHEREAS, the stigma associated with mental health conditions and suicidality work against suicide prevention by discouraging persons at risk of suicide from seeking life-saving help, and by further traumatizing those who have attempted suicide and those who have lost loved ones to suicide; and

WHEREAS, suicide is a preventable national, state, and local public health problem and no single suicide prevention program or effort will be appropriate for all populations or communities; and

WHEREAS, as a community, we can promote awareness that there is no single cause for suicide and that efforts should be made to develop and implement strategies to increase access to quality mental health, substance use disorder, and suicide prevention services; and



WHEREAS, Solano County Behavioral Health, in partnership with the Solano County Suicide Prevention Committee and the community, continue to strive to impact change by saving lives and envisioning a suicide-free community, achieved through education and trainings, stigma reduction efforts, collaboration with partners, and the provision of resources needed to combat suicide.

NOW, THEREFORE, BE IT RESOLVED THAT I, Elizabeth Patterson, Mayor of the City of Benicia, and on behalf of the City Council of the City of Benicia, hereby proclaim the week of September 6-14, 2020, as National Suicide Prevention Week 2020 in Benicia and encourage all residents of Benicia to learn more about promoting mental health wellness and the detection and prevention of suicide.

Elizabeth Patterson, Mayor
September 1, 2020

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF DAVID DELONG TO THE
BUILDING CODE BOARD OF APPEALS FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of David DeLong to the Building Code Board of Appeals by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF ANDREW BLACKSHEAR TO
THE COMMUNITY SUSTAINABILITY COMMISSION FOR A PARTIAL TERM
ENDING JULY 31, 2021**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Andrew Blackshear to the Community Sustainability Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF BARBARA LLOYD TO THE
COMMUNITY SUSTAINABILITY COMMISSION FOR A FULL TERM ENDING
JULY 31, 2023**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Barbara Lloyd to the Community Sustainability Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF JAMES PETRELLESE TO THE
COMMUNITY SUSTAINABILITY COMMISSION FOR A FULL TERM ENDING
JANUARY 31, 2023**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of James Petrellese to the Community Sustainability Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF MARTIN JONES TO THE
ECONOMIC DEVELOPMENT BOARD FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Martin Jones to the Economic Development Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF NORMA MORALES PEREZ TO
THE ECONOMIC DEVELOPMENT BOARD FOR A FULL TERM ENDING JULY 31,
2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Norma Morales Perez to the Economic Development Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF GILBERT VON STUDNITZ
TO THE HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM
ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Gilbert Von Studnitz to the Historic Preservation Review Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF TIM REYNOLDS TO THE
HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING
JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Tim Reynolds to the Historic Preservation Review Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF LUIS DELGADO TO THE
HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING
JANUARY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Luis Delgado to the Historic Preservation Review Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF RANDY YOUNG TO THE
HISTORIC PRESERVATION REVIEW COMMISSION FOR A FULL TERM ENDING
JANUARY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Randy Young to the Historic Preservation Review Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR’S REAPPOINTMENT OF RAQUEL WALSH TO THE
HOUSING AUTHORITY BOARD FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Raquel Walsh to the Housing Authority Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF DONNA FEINGOLD TO THE
HUMAN SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Donna Feingold to the Human Services Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF DAN BUNDY TO THE HUMAN
SERVICES BOARD FOR A PARTIAL TERM ENDING JULY 31, 2021**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Dan Bundy to the Human Services Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF ANDRE STEWART TO THE
HUMAN SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Andre Stewart to the Human Services Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S APPOINTMENT OF MARIE LEWIS TO THE HUMAN
SERVICES BOARD FOR A FULL TERM ENDING JULY 31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the appointment of Marie Lewis to the Human Services Board by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF GABRIELLE MALTE TO
THE PARKS, RECREATION, & CEMETERY COMMISSION FOR A FULL STUDENT
TERM ENDING JULY 31, 2021**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Gabrielle Malte to the Parks, Recreation & Cemetery Commission by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA
CONFIRMING THE MAYOR'S REAPPOINTMENT OF LARRY LAUBER TO THE
SKY VALLEY OPEN SPACE COMMITTEE FOR A FULL TERM ENDING JANUARY
31, 2024**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benicia that the reappointment of Larry Lauber to the Sky Valley Open Space Committee by Mayor Patterson is hereby confirmed.

On motion of _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

DRAFT

MINUTES OF THE
REGULAR MEETING – CITY COUNCIL
AUGUST 18, 2020
7:00 PM

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape. These are action minutes; a full video is available online at www.ci.benicia.ca.us/agendas.

CORONAVIRUS (COVID-19) ADVISORY NOTICE

CALL TO ORDER

Mayor Patterson called the Closed Session to order at 6:00 p.m.

All Council Members were present.

1) CLOSED SESSION (6:00 P.M.)

**1.A - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)**

Name of case: Thomas A. Welsh, Jr. et al. v. City of Benicia (FCS054527)

**1.B - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED
LITIGATION**

Initiation of litigation pursuant to Government Section 54956.9(d)(4):

Number of cases: 1

2) CONVENE OPEN SESSION (7:00 P.M.)

Mayor Patterson called the Open Session to order at 7:01 p.m.

4) PLEDGE OF ALLEGIANCE

3) ROLL CALL

All Council Members were present.

Council Member Young joined the Zoom session at 7:04 p.m. due to technical difficulties.

5) REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC

6) ANNOUNCEMENTS

6.A - ANNOUNCEMENTS FROM CLOSED SESSION, IF ANY

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Ben Stock, City Attorney, stated that Council met in closed session to discuss two items and took one reportable action. The Council, on a 4/0 vote, with Council Member Young abstaining, authorized the City Attorney to initiate litigation. Once the action has been initiated, the defendant and other particulars shall be disclosed to anyone who asks.

6.B - MAYOR'S OFFICE HOURS

6.C - OPENINGS ON BOARDS AND COMMISSIONS

7) PROCLAMATIONS

7.A - 100TH ANNIVERSARY OF THE 19TH AMENDMENT

Proclamation - 100th Anniversary of the 19th Amendment 

8) APPOINTMENTS

8.A - CITY COUNCIL APPOINTMENTS; SUBCOMMITTEE'S PREFERENCES FOR BOARDS AND COMMISSIONS

DeLong, David, Redacted 
Lloyd, Barbara, Redacted 
Petrellese, James, Redacted 
Blackshear, Andrew, Redacted 
Morales Perez, Norma, Redacted 
Jones, Martin, Redacted 
von Studnitz, Gilbert, Redacted 
Reynolds, Tim, Redacted 
Delgado, Luis, Redacted 
Young, Randy, Redacted 
Walsh, Raquel, Redacted 
Bundy, Dan, Redacted 
Feingold, Donna, Redacted 
Stewart, Andre, Redacted 
Lewis, Marie, Redacted 
Malte, Gabrielle, Redacted 
Lauber, Larry, Redacted 
Lescure, David, Redacted 
Finn, Sean, Redacted 
Matin, Abdul, Redacted 
Salazar, Roy, Redacted 

9) PRESENTATIONS

9.A - ANNIVERSARY OF 19TH AMENDMENT PRESENTATION

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9.B - UPDATE ON THE SOLANO COMMISSION FOR WOMEN AND GIRLS

10) ADOPTION OF AGENDA

On motion of Council Member Largaespada, seconded by Vice Mayor Strawbridge, Council approved the Adoption of the Agenda, as presented, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson
Noes: (None)

11) OPPORTUNITY FOR PUBLIC COMMENTS

12) WRITTEN COMMENT

Stan Golovich - Mr. Golovich submitted written comments regarding cannabis.

13) PUBLIC COMMENT

1. Aaron Barrall - Mr. Barrall discussed the issue of racial injustice in Benicia.
2. Vice Mayor Strawbridge - Vice Mayor Strawbridge discussed the need to have more women involved in the electorate and boards and commissions, and the need to have additional ballot drop boxes so the citizens can drop their ballots off when city hall is closed.

14) CONSENT CALENDAR

14.A - APPROVAL OF CITY COUNCIL MINUTES FROM JULY 7, 2020 AND JULY 21, 2020 (City Clerk)

[July 7, 2020 City Council Meeting Minutes](#) 
[July 21, 2020 City Council Meeting Minutes](#) 

Lisa Wolfe, City Clerk, noted the correction to Item 15.C from the 7/21/2020 City Council meeting minutes. The vote was corrected to reflect a 3/2 vote.

Public Comment:
None

14.B - DENIAL OF THE CLAIM AGAINST THE CITY BY STAN & DONNA ZUKOWSKI AND REFERRAL TO INSURANCE CARRIER (City Attorney)

[Staff Report - Zukowski Claim](#) 

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1. Redacted Claim Form - Zukowski Claim

Council Member Young pulled this item in error. He meant to pull item 14.D for discussion.

Public Comment:

None

On motion of Council Member Largaespada, seconded by Council Member Young, Council approved the denial of the claim against the City by Stan and Donna Zukowski and referral to insurance carrier, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

14.C - APPROVAL OF AGREEMENT FOR WATER RESOURCES CONSULTING SERVICES (Public Works Director)

Staff Report - Water Resources Consultant

1. Resolution - Water Resources Consultant

2. Agreement for Professional Services with Tully & Young, Inc.

RESOLUTION 20-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH TULLY & YOUNG, INC. FOR WATER RESOURCES CONSULTING SERVICES FOR FY20-21 AND FY21-22 AT A NOT-TO-EXCEED COST OF \$168,945 AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

14.D - INVESTMENT POLICY REPORT (Finance Director)

Staff Report - Investment Policy Report

1. Resolution Adopting Investment Policy

2. PFM Investment Policy Review Memo

3. Investment Policy (Red-Lined Version)

4. Investment Policy

5. PFM's Environmental, Social, and Governance Investment Presentation-Abbreviated

RESOLUTION 20-100 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING THE CITY OF BENICIA INVESTMENT POLICY

Council Member Young and Staff discussed concern regarding the investments and why the City was paying extra costs for managing them, and whether the City should put the

DRAFT

contract out for an RFP since we have had PFM for so long to see if we can get a lower price. Staff discussed how much staff time was involved in putting an RFP out to bid. They discussed the importance of having a relationship with your investment vendor.

Mayor Patterson asked if Staff could get back to Council on the average time a city has a relationship with their investment vendor.

Council Member Largaespada discussed support for continuing the relationship with PFM.

Council Member Campbell discussed whether Staff could take base points and put them into percentages.

Public Comment:

None

On motion of Council Member Young, seconded by Council Member Largaespada, Council approved the adoption of Resolution 20-100, as amended, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

14.E - FY 2019-20 QUARTERLY INVESTMENT REPORTS (Finance Director)

Staff Report - FY 2019-20 Quarterly Investment Reports 

1. 1st Quarter FY 2019-20 Investment Report 
2. 2nd Quarter FY 2019-20 Investment Report 
3. 3rd Quarter FY 2019-20 Investment Report 
4. 4th Quarter FY 2019-20 Investment Report 

Council Member Young discussed concern regarding the investment fees not being reflected in the reports.

Council Member Campbell discussed what the City's strategy was for the upcoming years. They discussed the issue of what the City's policy was, and which direction PFM was going with the City's portfolio.

Public Comment:

None

Vice Mayor Strawbridge recommended we form a subcommittee to look our investment policy and the investment reporting, as there needs to be more discussion and information for the public and Council.

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Mayor Patterson stated that the motion could be to accept the 2019-2020 Quarterly Investment Report, with direction to staff to come back with the idea of a subcommittee.

On motion of Vice Mayor Strawbridge, seconded by Council Member Campbell, Council approved the 2019-2020 Quarterly Investment Report, with additional direction to Staff, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

14.F - DESIGNATION OF VOTING DELEGATE FOR THE 2020 LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING (Assistant City Manager)

Staff Report - Designation of Voting Delegate for the 2020 League of California Cities Annual Business Meeting

1. Voting Delegate Information
2. 2020 Voting Delegate Form

14.G - AUTHORIZE PURCHASE OF PARKS & COMMUNITY SERVICES REPLACEMENT RIDING MOWER (Parks & Community Services Director)

Staff Report - Purchase of Parks & Community Services Replacement Riding Mower

1. Resolution - Purchase of Parks & Community Services Replacement Riding Mower
2. Quote from Turf Star Western
3. Vehicle and Equipment Purchase and Replacement Policy and Procedures

RESOLUTION 20-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA AUTHORIZING THE PURCHASE OF ONE (1) REPLACEMENT PARKS & COMMUNITY SERVICES LARGE RIDING MOWER UTILIZING EQUIPMENT REPLACEMENT FUNDS

Council Member Largaespada spoke in support of the proposed resolution. He discussed how staff took care of the city's equipment (as this mower was 25 years old).

Public Comment:

None

On motion of Council Member Largaespada, seconded by Vice Mayor Strawbridge, Council approved the adoption of Resolution 20-101, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

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14.H - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA RATIFYING THE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES (CITY MANAGER) OF THE CITY OF BENICIA AND ADOPTING A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 20-56 REGARDING OUTDOOR ACTIVITIES AND ENCROACHMENTS FOR BUSINESSES OPERATING IN COMPLIANCE WITH SOCIAL DISTANCING REQUIREMENTS (City Attorney)

Staff Report - Ratifying Emergency Services Order No. 20-4

1. Resolution - Ratifying Emergency Services Order No. 20-4

2. Emergency Services Order No. 20-4

RESOLUTION 20-102 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA REPEALING AND REPLACING RESOLUTION NO. 20-56 REGARDING OUTDOOR ACTIVITIES AND ENCROACHMENTS FOR BUSINESSES OPERATING IN COMPLIANCE WITH SOCIAL DISTANCING REQUIREMENTS

Council Member Largaespada and Staff discussed whether the resolution could be amended. He discussed the possibility of adding language that gets a request on the calendar to be seen by the Historic Preservation Review Commission (HPRC) within 5 days after submission.

Lorie Tinfow, City Manager, stated that if the 5 days was applied to a complete application, that should be doable. However, if the 5 days was applied from the date it was turned in it could be an issue. Often the application is not complete and we could not guarantee a 5-day turnaround because it is dependent on all the materials being submitted.

Council Member Largaespada stated that was acceptable.

Brad Misner, Com. Dev Director, stated that there was a discussion at the HPRC meeting regarding this and there was agreement amongst the commissioners that they would meet weekly, and also to have a subcommittee to work with staff on the applications when they come in. If there was an incomplete application the subcommittee could work with staff to get the application completed. They anticipate cutting the noticing time from 10 days down to 5 days. There are also projects that do not change the facade of the building or exterior of a building that are not required to go to the HPRC. There are a lot of tools we have at our disposal. He stated that 5-7 business days is more than enough to ensure we have a completed application and to get it scheduled to meet the noticing requirements to get it before the HPRC.

Vice Mayor Strawbridge and Staff discussed whether the appeal process could be shortened (not unless the BMC was changed, as it is governed by an ordinance). That could not be done tonight, as any change would require a first and second reading.

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Mr. Misner discussed the projects that are in the pipeline that they are aware of. Mayor Patterson stated that if there were a stampede of projects that come in, Council could revisit the issue of shortening the appeal process.

Council Member Young and Staff discussed whether the changes were limited to business and commercial who are affected by COVID (correct) and stated that this did not apply to residential properties.

Public Comment:

None

Mayor Patterson stated that the intent was to process the applications full steam ahead, with the understanding we will use prudent professional judgment.

On motion of Council Member Largaespada, seconded by Council Member Young, Council approved the adoption of Resolution 20-102, as presented, on a roll call by the following vote:

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

14.I - RATIFYING THE DECLARATION OF A CONTRACTING EMERGENCY AND APPROVING PAYMENT FOR EMERGENCY WASTEWATER COLLECTION SYSTEM AND ROAD REPAIRS (Public Works Director)

[Staff Report - Emergency Wastewater Collection System and Road Repairs](#) 
[1. Resolution - Emergency Wastewater Collection System and Road Repairs](#) 

RESOLUTION 20-99 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA RATIFYING THE CITY MANAGER'S DECLARATION OF THE EXISTENCE OF A CONTRACTING EMERGENCY DUE TO EMERGENCY WASTEWATER COLLECTION SYSTEM AND ROAD REPAIRS AND TERMINATING THE EMERGENCY ACTION NOW THAT THE EMERGENCY REPAIR IS COMPLETE

14.J - APPROVAL TO WAIVE THE READING OF ALL ORDINANCES INTRODUCED OR ADOPTED PURSUANT TO THIS AGENDA (City Attorney)

Council pulled Items 14.A, 14.B, 14.D, 14.E, 14.G, and 14.H for discussion.

On motion of Council Member Largaespada, seconded by Vice Mayor Strawbridge, Council approved the adoption of the Consent Calendar, as amended, on a roll call by the following vote:

DRAFT

Ayes: Council Member Campbell, Council Member Largaespada, Vice Mayor Strawbridge, Council Member Young, Mayor Patterson

Noes: (None)

15) BUSINESS ITEMS

15.A - FITZGERALD FIELD RENOVATION PROJECT (Parks and Community Services Director)

Staff Report - Fitzgerald Field Renovation Project 

Council Member Campbell recused himself from the discussion, as he owns a business that is too close to Fitzgerald Field.

Mike Dotson, Parks & Community Services Director, reviewed the staff report and a PowerPoint presentation.

Public Comment:

1. Robb Trost, Benicia Little League- Mr. Trost spoke in support of the proposed item.
2. Marty Jones - Mr. Jones spoke in support of the proposed project.

Vice Mayor Strawbridge and Mr. Trost discussed the issue of the fundraising that the Little League community has done.

Council Member Largaespada and Mr. Trost discussed the issue of other leagues using the fields and how many fields would be used.

Council Member Young and Mr. Trost discussed the amount of fundraising the Little League has done. It is somewhere in the \$20,000 range.

Mayor Patterson and Staff discussed the issue of local flooding, and whether the field would be high enough to deal with the rising sea level situation. Mr. Knight discussed how the structure would be on concrete to combat flood damage.

Council Member Young and Staff discussed the issue of cost and how the cost could possibly be reduced because of COVID, and the differences in cost/bids from the first time this was brought forward. Council Member Young discussed concern regarding spending this much money on this project at this time.

Mayor Patterson discussed support for Staff's recommendation.

On motion of Council Member Largaespada, seconded by Vice Mayor Strawbridge, Council received an update on the Fitzgerald Field project and directed staff to complete construction documents and proceed with a Request For Proposal to complete project construction, on a roll call by the following vote:

DRAFT

Ayes: Council Member Largaespada, Vice Mayor Strawbridge, Mayor Patterson
Noes: Council Member Young

15.B - PRESENTATION OF WATER AND WASTEWATER MASTER PLAN UPDATES AND CONDITION ASSESSMENTS (Public Works Director)

Staff Report - Water and Wastewater Master Plan Updates and Condition Assessments 

1. Executive Summary – Water Master Plan Update and Major Facility Condition Assessment 
2. Executive Summary – Wastewater Master Plan Update and Major Facility Condition Assessment 
3. Water Condition Assessment Defined Acronyms 
4. Wastewater Condition Assessment Defined Acronyms 

Kyle Ochendusko, Deputy Director of Utilities, and Gabe Aronow, Stantec, reviewed the staff report and a PowerPoint presentation.

Public Comments:

None

Council Member Largaespada and Staff discussed the issue of government funding, options, what was construction ready, and what the game plan was for being construction ready.

Vice Mayor Strawbridge and Staff discussed the issue of the drought, conservation, whether the road projects were being coordinated with the utility projects, and the electrical issue at the WWTP (it has not been fixed and is a very complicated problem).

Council Member Campbell and Staff discussed the issue of the raw water line. Staff confirmed nothing has been decided or approved however; Stantec has done the preliminary groundwork. They also discussed the issue of a desalination project. Staff confirmed there was nothing in the works with regards to as desalination plant.

Council Member Young and Staff discussed the issue of the costs listed in the report, the need for a list of priorities that Council needs to undertake in the next year or two, the distribution line from Cordelia, the Vallejo inter-tie project, whether we could use the \$3 million we spend on projects for debt service, and the raw water used by Valero.

Council Member Campbell and Staff discussed the raw and treated water that goes to Valero, the Vallejo inter-tie project.

Mayor Patterson stated that without objections, Council received the report.

16) COUNCIL MEMBER COMMITTEE REPORTS:

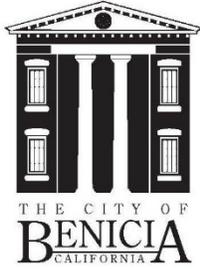
DRAFT

16.A - COUNCIL MEMBER COMMITTEE REPORTS

Committee Reports 

17) ADJOURNMENT (10:30 P.M.)

Mayor Patterson adjourned the meeting at 11:01 p.m.



AGENDA ITEM
CITY COUNCIL MEETING DATE – SEPTEMBER 1, 2020
CONSENT CALENDAR

TO : City Manager

FROM : Assistant City Manager

SUBJECT : **AMENDMENT TO AGREEMENT FOR THE IMPACT FEES NEXUS STUDY**

EXECUTIVE SUMMARY:

This report requests an increase to the agreement for the comprehensive update to the City’s development impact fees for an expanded scope of services and extended project timeline.

RECOMMENDATION:

Move to adopt the resolution (Attachment 1) approving the Second Amendment to Agreement with Economic and Planning Services (EPS) (Attachment 2), which includes an increase of \$20,000 to expand the scope and extend the timeline of the nexus study update, and authorizes the City Manager to sign the amendment on behalf of the City.

BUDGET INFORMATION:

The EPS consultant services agreement will increase by \$20,000 to a total of \$227,575. The increase is funded from available funding in the non-departmental operations budget (010-2900-7008).

BACKGROUND:

In June 2019, the City Council approved an agreement with EPS (Attachment 3) for a comprehensive update to the City’s six development impact fees, which are: Parkland Improvement Impact Fee, Parkland Dedication In Lieu Fee, Library Impact Fee, Traffic Impact Mitigation Fee (Traffic Fee), Sewer Capacity Fee, and Water Capacity Fee. The Mitigation Fee Act (California Government Code Section 66000 et seq., also known as “AB 1600”) regulates impact fees and states that regular nexus updates are required. The consultant team is comprised of EPS as the prime and two subconsultants: GHD, specializing in traffic modeling; and Bartle Wells Associates, specializing in utilities. Although the project was originally planned to be completed in June 2020, several reasons caused the City to extend the scope and timeline of the project, resulting in a necessary agreement increase.

The Traffic Impact Fee is charged to new residential and commercial development to address the impacts of future development on traffic operations. The basis for analyzing this fee was changed in December 2019 when the City Council adopted Vehicle Miles Traveled (VMT)

policies to maintain the downtown Priority Development Area (PDA) in compliance with updated program requirements set by *Plan Bay Area 2050*. This action resulted in expanding the types of data incorporated to calculate the Traffic Fee in the current study. The previous data points were solely focused on road and traffic projects. The revised and expanded calculus will include the original traffic component as well as the newly added VMT and multi-modal components (e.g. bicycle and pedestrian infrastructure). Therefore, the scope of work for the transportation impact fee was expanded to include a new methodology for incorporating VMT into an impact fee. Because this is a new policy, few cities have implemented it, and therefore much research was required, including conversations with the Association of Bay Area Governments (ABAG) and researching other cities’ practices for incorporating VMT into an impact fee. The consultant implemented the fair share methodology, which includes generating cost estimates for bike and pedestrian capital projects by linear mile, analyzing the Solano Active Transportation Plan for “per mile” type costs, and calculating the fair share by identifying total trips (or VMT) generated by City land uses.

In order for the update to the water and wastewater impact fees, also known as capacity fees, to align with the *Water and Wastewater Master Plan Update and Major Facility Condition Assessments* updated in June 2020, the City extended the timeline for the capacity fee update. This ensures that the City’s capacity fees updates utilize the most up-to-date information, rely on similar data inputs for the fee calculations, and reflect similar Capital Improvement Projects (CIP) as the master plans. By extending the timeline, the scope of work for the capacity fees, transportation impact fee, and the library impact fee were expanded to include additional analysis for Fiscal Year 2019-20, rather than ending with Fiscal Year 2018-19. The extension of the schedule also expanded the project management component of this project, resulting in a necessary project agreement increase.

Part of the original timeline included a public outreach process which involves coordination with the Economic Development Board (EDB). The onset of the coronavirus pandemic and shelter-at-home orders in mid-March contributed toward the need to extend the project timeline in order to have a more effective digital public outreach process. In the fall of 2019, City staff presented an overview of the impact fee update process at in-person meetings with the Downtown Business Alliance and EDB. The next, and final, public outreach meeting is scheduled to be held by zoom webinar at the next Economic Development Board meeting in September.

NEXT STEPS:

If the resolution is adopted, Economic Planning Systems and the subconsultant team will complete the comprehensive nexus study update. Staff will return to the City Council in November 2020 with the nexus studies, updated fee recommendations and the AB 1600 report.

ALTERNATIVE ACTIONS:

If the City Council does not approve the agreement increase, the comprehensive impact fee update will not be completed.

General Plan	Goal 2.17: Provide an efficient, reliable, and convenient transit system
	Goal 2.28: Improve and maintain public facilities and services
	Goal 2.32 Expand the City’s park system to accommodate future community needs

	Goal 2.36: Ensure an adequate water supply for current and future residents and businesses
	Goal 2.4: Ensure that development pays its own way
	Goal 2.40: Ensure adequate wastewater treatment capacity to serve all development shown in the General Plan
	Goal 3.4 Support the library and the services it provides the community

Priority Based Budgeting	Strategic City Result Impacted by this Agenda Item
	The City Council and community identified six (6) key “Results” that establish the key goals for which the City of Benicia aspires to achieve with our programs and services. Agenda Items often influence multiple Results, the primary Result impacted by this Agenda Item is (please check one):
	<input type="checkbox"/> Protect Community Health & Safety <input type="checkbox"/> Maintain & Enhance A High Quality of Life <input type="checkbox"/> Preserve & Enhance Infrastructure <input type="checkbox"/> Strengthen Economic & Fiscal Conditions <input type="checkbox"/> Protect & Enhance the Environment <input checked="" type="checkbox"/> High Performing Government
	City Programs Impacted by This Agenda Item (Top 3):
	1. Financial Reporting 2. Ordinances 3. Traffic Calming
	Priority Based Budgeting (PBB) Website:
	Coming soon in Spring 2020 will be a link to the City of Benicia’s PBB website to learn more about these programs and their costs.

CEQA Analysis	The requested action is exempt from CEQA because it will not result in a direct or indirect physical change in the environment and therefore is not a project as defined in CEQA Guidelines Section 15378.
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ATTACHMENTS:

1. Resolution – Amendment to Agreement for the Impact Fees Nexus Study
2. Second Amendment to Agreement with Economic and Planning Systems
3. June 2019 Agreement with Economic and Planning Systems

For more information contact: Alan Shear, Assistant City Manager

Phone: (707) 746-4309

E-mail: ashear@ci.benicia.ca.us

RESOLUTION NO. 20-

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BENICIA APPROVING A SECOND AMENDMENT TO INCREASE THE CONSULTANT SERVICES AGREEMENT WITH ECONOMIC AND PLANNING SERVICES (EPS) FOR \$20,000 FOR THE COMPREHENSIVE DEVELOPMENT IMPACT FEES NEXUS STUDY UPDATE

WHEREAS, a Request for Proposal (RFP) for technical services for the Comprehensive Development Impact Fees Nexus Study Update was issued on March 5, 2019; and

WHEREAS, staff recommended hiring Economic and Planning Services (EPS) based on their proposal, qualifications, holistic approach, and program team, including two subconsultants with subject matter expertise, as well as substantial experience in Solano County; and

WHEREAS, the City Council approved a consultant agreement with Economic and Planning Services for technical fee calculating services for the Comprehensive Development Impact Fees Nexus Study Update at a not-to-exceed cost of \$207,575 on June 18, 2019; and

WHEREAS, on December 3, 2019, the City Council adopted Vehicle Miles Traveled (VMT) policies in compliance with updated program requirements set by *Plan Bay Area 2050*, thereby extending the project scope to transform the traffic impact fee into the transportation impact fee incorporating VMT and multi-modal projects; and

WHEREAS, on June 16, 2020, City staff extended the timeline for the capacity fee update to incorporate the updated information that would be available upon the completion of the *Water and Wastewater Master Plan Update and Major Facility Condition Assessments*. The project timeline extension also expanded the project management needs, contributing to the necessary project budget increase.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Benicia hereby approves the Second Amendment to Agreement with Economic and Planning Services, which includes an increase of \$20,000 to the Agreement to expand the scope and extend the timeline of the nexus study update, and authorizes the City Manager to sign the amendment on behalf of the City.

On motion of Council Member _____, seconded by Council Member _____, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 1st day of September, 2020 by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

CONTRACT # ____-_____

SECOND AMENDMENT TO AGREEMENT

This Second Amendment of the Agreement, entered into this 1st day of September, 2020 by and between the City of Benicia, a municipal corporation (hereinafter “CITY”) and Economic and Planning Systems, Inc., a California corporation, with its primary office located at 1330 Broadway, Suite 450, Oakland, CA 94612, (hereinafter “CONTRACTOR”), is made with reference to the following:

RECITALS

- A. On June 18, 2019, an agreement was entered into by and between CITY and CONTRACTOR, (“Agreement”); and
- B. On June 16, 2020, this Agreement was modified with an amendment to the agreement (“First Amendment”), extending the description of services of the agreement to include FY 2019-20 and FY 2020-21 and extending the duration of the agreement until December 31, 2020.
- C. CITY and CONTRACTOR desire to further modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

- 1. Paragraph 3 (Payment) of the Agreement and First Amendment is modified to increase payment amount to from \$207,575 to \$227,575.
- 2. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

[SIGNATURES ON THE FOLLOWING PAGE]

CONTRACTOR

CITY OF BENICIA
A Municipal Corporation

BY: _____

Ashleigh Kanat
Principal
Economic & Planning Systems, Inc.

Lorie Tinfow
CITY MANAGER

RECOMMENDED BY:

Alan Shear
ASSISTANT CITY MANAGER

APPROVED AS TO FORM:

Benjamin L. Stock
CITY ATTORNEY

CONTRACT # 19 - 183**AGREEMENT FOR CONSULTING SERVICES**

THIS AGREEMENT ("Agreement") is made and entered into this 18 day of June 2019 between the City of Benicia, a municipal corporation in Solano County, California, (hereinafter "CITY") and Economic and Planning Systems, Inc., a California corporation, with its primary office located at One Kaiser Plaza, Suite 1410, Oakland, CA 94612 (hereinafter "CONSULTANT") (collectively, "the Parties").

RECITALS

WHEREAS, CITY has determined it is necessary and desirable to secure certain technical services for the Comprehensive Development Impact Fees Study . The scope of work for said service (hereinafter "Project") is attached hereto as Exhibit "A" and is hereby incorporated by reference;

WHEREAS, CITY staff does not have the expertise to perform this work in-house.;

WHEREAS, CONSULTANT is specially trained, experienced and competent to perform the services required by this agreement; and

WHEREAS, CONSULTANT represents it is qualified and willing to provide such services pursuant to the terms and conditions of this Agreement.

NOW, THEREFORE, IT IS AGREED by and between CITY and CONSULTANT as follows:

AGREEMENT1. INCORPORATION OF RECITALS

The recitals set forth above, and all defined terms set forth in such recitals and in the introductory paragraph preceding the recitals, are hereby incorporated into this Agreement as if set forth herein in full.

2. SCOPE OF SERVICE

(a) Services to be Furnished. Subject to such policy direction and approvals as CITY through its staff may determine from time to time, CONSULTANT shall perform the services set forth in the Task Order labeled Exhibit A, which is attached hereto and incorporated herein by reference.

(b) Schedule for Performance. CONSULTANT shall perform the services identified in Exhibit A according to the completion schedule included in Exhibit A and as expeditiously as is consistent with generally accepted standards of professional skill and care, and the orderly progress of work.

(i) CONSULTANT and CITY agree that the completion schedule in Exhibit A represents the best estimate of the schedule. CONSULTANT shall comply with completion dates noted in Exhibit A unless a written waiver is granted by the CITY's project manager.

(ii) CONSULTANT shall not be responsible for performance delays caused by others, or delays beyond CONSULTANT's control, and such delays shall extend the times for performance of the work by CONSULTANT.

(c) Standard of Quality. All work performed by CONSULTANT under this Agreement shall be in accordance with all applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in CONSULTANT's field of expertise at the time CONSULTANT's work is performed. CONSULTANT shall function as a technical advisor to CITY, and all of CONSULTANT's activities under this Agreement shall be performed to the full satisfaction and approval of the Department Head or his/her designee.

(d) Compliance with Laws. CONSULTANT shall comply with all applicable federal, state, and local laws, codes, ordinances, regulations, orders, and decrees. CONSULTANT represents and warrants to CITY that CONSULTANT shall, at its own cost and expense, keep in effect or obtain at all times during the term of this Agreement any licenses, permits, insurance and approvals which are legally required for CONSULTANT to practice its profession or are necessary and incident to the due and lawful prosecution of the services it performs under this Agreement. CONSULTANT shall maintain a City of Benicia business license. CONSULTANT shall at all times during the term of this Agreement, and for one year thereafter, provide written proof of such licenses, permits, insurance, and approvals upon request by CITY. CITY is not responsible or liable for CONSULTANT's failure to comply with any or all of the requirements contained in this paragraph.

3. COMPENSATION

(a) Schedule of Payment. The compensation to be paid by CITY to CONSULTANT for the services rendered hereunder shall be on a time and materials basis based upon the rate schedule in Exhibit B attached hereto and hereby incorporated by reference not to exceed \$207,575 dollars. The rate schedule in Exhibit B itemizes those standard and expected expenses for which CONSULTANT shall receive compensation. If CONSULTANT obtains CITY's prior written approval from the Department Head or his/her designee, CONSULTANT may be reimbursed for extraordinary costs incurred on the Project.

(b) Additional Services. CITY shall make no payment to CONSULTANT for any additional services unless such services and payment have been mutually agreed to and this Agreement has been formally amended in accordance with Section 7.

(i) Only the City Manager or Designee can act on behalf of CITY to authorize CONSULTANT to perform additional services.

(ii) CONSULTANT shall not commence any work or services exceeding the Scope of Services in Section 2 without prior written authorization from CITY in accordance with Section 7. CONSULTANT's failure to obtain a formal amendment to this Agreement authorizing additional services shall constitute a waiver of any and all right to compensation for such work or services.

(iii) If CONSULTANT believes that any work CITY has directed CONSULTANT to perform is beyond the scope of this Agreement and constitutes additional services, CONSULTANT shall promptly notify CITY of this fact before commencing the work. CITY shall make a determination as to whether such work is beyond the scope of this Agreement and constitutes additional services. If CITY finds that such work does constitute additional services, CITY and CONSULTANT shall execute a formal amendment to this Agreement, in accordance with Section 7, authorizing the additional services and stating the amount of any additional compensation to be paid.

(c) Invoicing and Payment. CONSULTANT shall submit monthly invoices for the services performed under this Agreement during the preceding period. Invoices or billings must be submitted in duplicate and must indicate the hours actually worked by each classification and employee name, as well as all other directly related costs by line item in accordance with Exhibit B. CITY shall approve or disapprove said invoice or billing within thirty (30) days following receipt thereof and shall pay all approved invoices and billings within thirty (30) days.

4. PRODUCT REVIEW AND COMMENT

CONSULTANT shall provide CITY with a pdf version of each product described in Exhibit A. Upon the completion of each product, CONSULTANT shall be available to meet with CITY. If additional review and/or revision is required by CITY, CITY shall conduct reviews in a timely manner.

5. TERM OF AGREEMENT

This Agreement shall be effective immediately upon the signatures of both Parties and shall remain in effect until **June 30, 2020**, unless amended pursuant to Section 7, or terminated pursuant to Section 6.

6. TERMINATION

(a) CITY shall have the right to terminate this Agreement for any reason whatsoever at any time by serving upon CONSULTANT written notice of termination. The Agreement shall terminate three (3) business days after notice of termination is given. The notice shall be deemed given on the date it is deposited in the U.S. mail, certified, postage prepaid, and addressed to CONSULTANT at the address indicated in Section 11.

(b) If CITY issues a notice of termination,

(i) CONSULTANT shall immediately cease rendering services pursuant to this Agreement;

(ii) CONSULTANT shall deliver to CITY copies of all writings, whether or not completed, which were prepared by CONSULTANT, its employees, or its subcontractors, if any, pursuant to this Agreement. For purposes of this Agreement, the term "writings" shall include, but not be limited to, handwriting, typewriting, computer files and records, drawings, blueprints, printing, photographs, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof;

(iii) CITY shall pay CONSULTANT for work actually performed up to the effective date of the notice of termination, subject to the limitations prescribed by Section 3 of this Agreement, less any compensation to CITY for damages suffered as a result of CONSULTANT's failure to comply with the terms of this Agreement. Such payment shall be in accordance with Exhibit B. However, if this Agreement is terminated for fault of CONSULTANT, CITY shall be obligated to compensate CONSULTANT only for that portion of CONSULTANT's services which are of benefit to CITY.

7. AMENDMENTS

Modifications or amendments to the terms of this Agreement shall be in writing and executed by both Parties.

8. NONDISCLOSURE OF CONFIDENTIAL INFORMATION

CONSULTANT shall not, either during or for 2 years after the term of this Agreement, disclose to any third party any confidential information relative to the work of CITY without the prior written consent of CITY.

9. INSPECTION

CITY representatives shall, with reasonable notice, have access to the work and work records, including time records, for purposes of inspecting same and determining that the work is being performed in accordance with the terms of this Agreement. Inspections by CITY do not in any way relieve or minimize the responsibility of CONSULTANT to comply with this Agreement and all applicable laws.

10. INDEPENDENT CONTRACTOR

In the performance of the services in this Agreement, CONSULTANT is an independent contractor and is not an agent or employee of CITY. CONSULTANT, its officers, employees, agents, and subcontractors, if any, shall have no power to bind or commit CITY to any decision or course of action, and shall not represent to any person or business that they have such power. CONSULTANT has and shall retain the right to exercise full control of the supervision of the services and over the employment, direction, compensation, and discharge of all persons assisting CONSULTANT in the performance of said service. CONSULTANT shall be solely responsible for all matters relating to the payment of its employees, including compliance with social security and income tax withholding, workers' compensation insurance, and all other regulations governing such matters.

11. NOTICES

Any notices or other communications to be given to either party pursuant to this Agreement shall be in writing and delivered personally or by certified U.S. mail, postage prepaid, addressed to the party at the address set forth below. Either party may change its address for notices by complying with the notice procedures in this Section. Notice so mailed shall be deemed delivered three (3) business days after deposit in the U.S. mail. Nothing shall preclude the giving of notice by facsimile machine provided, however, that notice by facsimile machine shall be followed by notice deposited in the U.S. mail as discussed above.

To CITY: Mr. Alan Shear, Assistant City Manager
City of Benicia
250 East L Street
Benicia, CA 94510

To CONSULTANT: Ashleigh Kanat, Principal
Economic & Planning Systems, Inc.
One Kaiser Plaza, Suite 1410
Oakland, CA 94612

12. OWNERSHIP OF MATERIALS

All drafts, notes, data, models, information, preliminary analyses, or other similar documents are the property of the CONSULTANT and the CONSULTANT shall retain possession and control of those documents. CONSULTANT shall produce its findings relating to the Comprehensive Development Impact Fee Study in project deliverables, as identified in the Request for Proposals (RFP) Section II Scope of Services Item No. 14 Deliverables. The deliverables identified include administrative and final draft reports. More specifically, the deliverables for this project are as follows: eight (8) hard copies of administrative draft reports and one electronic copy which are required upon completion of each major part of the project. Following approval by the staff, eight (8) hard copies of each final report and one electronic copy are required. One unbound copy of each final document and a USB flash drive containing all final documents and final analyses are to be provided. The deliverables, once produced to the CITY, shall be owned and be the property of the CITY.

13. EMPLOYEES; ASSIGNMENT; SUBCONTRACTING

(a) Employees. CONSULTANT shall provide properly skilled professional and technical personnel to perform all services required by this Agreement. CONSULTANT shall not engage the services of any person(s) now employed by CITY without CITY's prior express written consent.

(b) Assignment. CONSULTANT shall not assign, delegate, or transfer its duties, responsibilities, or interests in this Agreement without the prior express written consent of CITY. Any attempted assignment without such approval shall be void and, at CITY's option, shall terminate this Agreement and any license or privilege granted herein.

(c) Subcontracting. CONSULTANT shall not subcontract any portion of the work to be performed under this Agreement without the prior express written consent of CITY. If CITY consents to CONSULTANT's hiring of subcontractors, CONSULTANT shall provide to CITY copies of each and every subcontract prior to its execution. All subcontractors are deemed to be employees of CONSULTANT, and CONSULTANT agrees to be responsible for their performance. CONSULTANT shall give its personal attention to the fulfillment of the provisions of this Agreement by all of its employees and subcontractors, if any, and shall keep the work under its control.

14. BINDING AGREEMENT

This Agreement shall bind the successors in interest, legal representatives, and permitted assigns of CITY and CONSULTANT in the same manner as if they were expressly named herein.

15. WAIVER

(a) Effect of Waiver. Waiver by either party of any default, breach, or condition precedent shall not be construed as a waiver of any other default, breach, or condition precedent or any other right under this Agreement.

(b) No Implied Waivers. The failure of either party at any time to require performance by the other party of any provision hereof shall not affect in any way the right to require such performance at a later time.

16. NONDISCRIMINATION

(a) CONSULTANT shall not discriminate in the conduct of the work under this Agreement against any employee, applicant for employment, or volunteer on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, marital status, pregnancy, sex, age, sexual orientation or other prohibited basis.

(b) Consistent with CITY's policy that harassment and discrimination are unacceptable employer/employee conduct, CONSULTANT agrees that harassment or discrimination directed toward a job applicant, a City employee, or a citizen by CONSULTANT or CONSULTANT's employee or subcontractor on the basis of race, religious creed, color,

national origin, ancestry, physical or mental disability, marital status, pregnancy, sex, age, sexual orientation or other prohibited basis will not be tolerated. CONSULTANT agrees that any and all violation of this provision shall constitute a material breach of the Agreement.

17. INDEMNITY

(a) To the fullest extent allowed by law, CONSULTANT specifically agrees to indemnify, defend, and hold harmless CITY, its officers, agents, and employees from and against any and all actions, claims, demands, losses, expenses including attorneys' fees, damages, and liabilities resulting from injury or death of a person or injury to property, arising out of or in any way connected with the performance of this Agreement, however caused, regardless of any negligence of the CITY, whether active or passive, excepting only such injury or death as may be caused by the sole negligence or willful misconduct of the CITY. The CONSULTANT shall pay all costs that may be incurred by CITY in enforcing this indemnity, including reasonable attorneys' fees. The defense and indemnification obligations of this agreement are undertaken in addition to, and shall not in any way be limited by the insurance obligations contained in this agreement.

(b) Further, CONSULTANT will indemnify CITY, and hold it harmless, from an assertion that as a result of providing services to CITY, CONSULTANT or any of its employees or persons performing work pursuant to this Agreement is entitled to benefits from, or is covered by, the Social Security retirement system or the California Public Employees Retirement Systems. Notwithstanding the foregoing, however, CONSULTANT's obligations for any payments to such claimant shall be limited to those payments which CITY may be required to pay.

18. INSURANCE

(a) Required Coverage. Without limiting CONSULTANT's indemnification, it is agreed that CONSULTANT shall maintain in force at all times during the term of this Agreement the following types of insurance providing coverage on an "occurrence" basis. Said insurance, with the exception of Worker's Compensation and Errors & Omissions Liability, shall name the CITY as additional insureds and evidence of said insurance shall be delivered to CITY in certificate and endorsement forms acceptable to the CITY prior to execution of this Agreement.

Automobile insurance for the vehicle(s) CONSULTANT uses in connection with the performance of this Agreement. Coverage: at least \$1,000,000 per occurrence for bodily injury and property damage.

Commercial general liability and property damage insurance. Coverage: at least \$1,000,000 per occurrence. The general aggregate limit shall be at least twice the required occurrence limit.

Worker's Compensation insurance to cover its employees as required by the Labor Code of the State of California. CONSULTANT's worker's compensation insurance shall include the following language: "All rights of subrogation are hereby waived against the CITY, its officers and employees when acting within the scope of their appointment or employment." In the event any class of employees engaged in hazardous work under this Agreement is not protected under Workers' Compensation Statutes, the CONSULTANT shall provide adequate and suitable insurance for the protection of its employees not otherwise protected.

E&O/ Professional's Liability, errors and omissions liability insurance appropriate to the CONSULTANT's profession. Coverage: at least \$1,000,000 per Claim.

(b) General Provisions.

(i) CONSULTANT shall obtain insurance acceptable to the CITY in a company or companies admitted in California and with a Best rating of no less than A VII or as acceptable to the CITY. The endorsements, naming the CITY as an additional insured, are to be signed by a person authorized by CONSULTANT's insurer to bind coverage on its behalf.

(ii) It shall be a requirement under this contract that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be (1) the broader coverage and maximum limits specified in this contract; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured; whichever is greater.

(iii) The limits of insurance required in the Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the CITY (if agreed to in a written contract) before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.

(iv) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the CITY, its elected or appointed officers, officials, employees, agents or volunteers.

(v) The insurance provided by these policies shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty days written notice has been received by the CITY.

(c) Additional Insured. The CITY will be named as an additional insured for all liability arising out of the operations by or on behalf of the named insured, and this policy protects the additional insured, its officers, agents and employees against liability for personal and bodily injuries, deaths or property damage or destruction arising in any respect, directly or indirectly, in the performance of the contract.

(i) Each such policy shall be endorsed with the following language:
The City of Benicia, its elected or appointed officers, officials, employees and volunteers are included as insureds with regard to damages and defense of claims arising from: (a) activities performed by or on behalf of the Named Insured, including the insured's general supervision of the Named Insured, (b) products and completed operations of the Named Insured, or (c) premises owned, leased or used by the Named Insured.

(ii) This policy shall be considered primary insurance as respects the CITY, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by the CITY, including any self-insured retention the City may have, shall be considered excess insurance only and shall not contribute with it.

(iii) The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverages afforded shall apply as though separate policies had been issued to each insured.

(iv) The Additional Insured coverage under the CONSULTANT's policy shall be primary and non-contributory and will not seek contribution from the CITY's insurance or self-insurance and shall be at least as broad as CG 20 01 04 13.

(d) Deductibles and Self-Insured Retentions. All self-insured retentions (SIR) must be disclosed to the CITY's Risk Management for approval and shall not reduce the limits of liability. At the option of CITY, either: the insurer shall reduce or eliminate such deductibles or self-insurance retention as respects the CITY, its officers, officials, agents, employees and volunteers; or CONSULTANT shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Policies containing any self-insured (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the CITY. The CITY reserves the right to obtain a full certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of the right to exercise later.

19. WORKERS' COMPENSATION

(a) Covenant to Provide. CONSULTANT warrants that it is aware of the provisions of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code. CONSULTANT further agrees that it will comply with such provisions before commencing the performance of the work under this Agreement.

(b) Waiver of Subrogation. CONSULTANT and CONSULTANT's insurance company agree to waive all rights of subrogation against CITY, its elected or appointed officials, agents, and employees for losses paid under CONSULTANT's workers' compensation insurance policy which arise from the work performed by CONSULTANT for CITY.

20. FINANCIAL RECORDS

CONSULTANT shall retain all financial records including, but not limited to, documents, reports, books and accounting records which pertain to any work or transaction performed pursuant to this Agreement for four (4) years after the expiration of this Agreement. CITY or any of its duly authorized representatives shall, with reasonable notice, have access to and the right to examine, audit, and copy such records.

21. CONFLICT OF INTEREST

CONSULTANT shall exercise reasonable care and diligence to prevent any actions or conditions which could result in a conflict with CITY's interest. During the term of this Agreement, CONSULTANT shall not accept any employment or engage in any consulting work which creates a conflict of interest with CITY or in any way compromises the services to be performed under this Agreement. CONSULTANT shall immediately notify CITY of any and all violations of this Section upon becoming aware of such violation. CONSULTANT shall file FPPC form 700 the City Clerk if required by CITY's Conflict of Interest Code.

22. TIME OF THE ESSENCE

CONSULTANT understands and agrees that time is of the essence in the completion of the work and services described in Section 2.

23. SEVERABILITY

If any court of competent jurisdiction or subsequent preemptive legislation holds or renders any of the provisions of this Agreement unenforceable or invalid, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected.

24. GOVERNING LAW AND CHOICE OF FORUM

This Agreement shall be administered and interpreted under California law as if written by both parties. If any provision in this Agreement is held by any court to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force. **If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state court situated in the County of Solano, State of California or, if necessary, in a federal court situated in the City and County of Sacramento, California.**

25. COSTS AND ATTORNEYS' FEES

If either party commences any legal action against the other party arising out of this Agreement or the performance thereof, the prevailing party in such action may recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and attorneys' fees. In any action seeking recovery of monetary damages, the plaintiff shall not be considered to be the prevailing party unless it recovers at least 66% of the dollar amount requested in the complaint's prayer for relief.

26. INTEGRATION

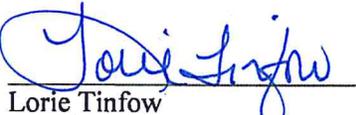
This Agreement represents the entire understanding of CITY and CONSULTANT as to those matters contained herein and supersedes all prior negotiations, representations, or agreements, both written and oral. This Agreement may not be modified or altered except in accordance with Section 7. The effective date of this Agreement shall be the date of execution by the CITY as shown below.

IN WITNESS WHEREOF, the undersigned execute this Agreement on the date shown below their respective signatures.

CONSULTANT

CITY OF BENICIA
A Municipal Corporation

BY: 



Title: Ashleigh Kanat, Principal

Lorie Tinfow
CITY MANAGER

Date: 6/6/2019

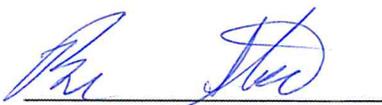
Date: 6-28-19

RECOMMENDED BY:



Alan Shear
ASSISTANT CITY MANAGER

APPROVED AS TO FORM:



Benjamin L. Stock
CITY ATTORNEY

Attachments: Exhibit A – Scope of Work/Proposal
Exhibit B – Budget

EXHIBIT A
Scope of Work/Proposal

Revised Work Program Benicia Impact Fee Study

Approach and Scope of Work

The City of Benicia (City) is seeking to review and update the City's existing development impact fee programs to help fund a range of transportation, library, parks and recreation, and water/wastewater improvements that are important to the City's future and quality of life. EPS understands that the economic vitality of the City is linked to critical investment in its urban infrastructure system. This study is an opportunity to ensure that this set of development impact fees generates revenue that will help the City to meet the demands of future growth.

The fee program will supplement other local, State, and Federal funding programs by having new development pay a proportional share of the costs of these needed facilities. If appropriately updated and implemented, the comprehensive fee program will be an important stimulus for economic development, providing certainty to developers about the rules and financial obligations they will face and ensuring adequate infrastructure will be available to support growth and enhance competitiveness.

Background and Key Issues

The City has approved impact fee programs that are currently collecting revenue. As part of this effort, there are several key issues that will need to be effectively addressed, including, but not limited to, the following:

- **Financial and Administrative Audit.** Fee updates are opportunities to improve the alignment between future growth and infrastructure needs and to implement best practices related to fee accounting. The EPS Team will review each of the fee programs based on available documentation and discussions with City staff to understand how best to approach the fee program update.
- **Other Potential Fee Programs.** Beyond the City's current fee programs, there may be other fee programs the City wants to explore, potentially including downtown parking, stormwater, and public facilities. Early in the study process, the EPS Team will coordinate with City staff to identify which of the other potential fee programs warrant further analysis.
- **Develop Land Use and Growth Assumptions.** Working with City staff, EPS will develop the land use growth assumptions and development forecasts that will be used to estimate future facility needs and cost allocations. It will be important to coordinate this effort with the City's relevant planning documents, such as the General Plan and/or Specific Plans.
- **Develop List of Capital facilities and Costs.** Impact fees are based on a set of capital facilities and infrastructure needed in full or in part to serve new development. However, there is some flexibility in specificity needed, ranging from a level of service approach to a more detailed project list, or something in-between. EPS will work closely with City staff to identify an appropriate approach for each fee category and facility type.

- **Ensure a Financially Effective Fee Program.** The fees developed should provide sufficient means for successfully funding the new improvements and required capital facilities targeted by the program. Given that fee revenues are likely to represent only one, albeit important, funding source, the development impact fee program must be effectively integrated with other programs and resources to ensure stakeholders (and developers who pay the fees) that the facilities will ultimately be built.
- **Ensure a Politically and Economically Viable Fee Program.** The fees developed in this process should reflect input from key stakeholders in the community to ensure that they receive broad support. Although the technical steps provide the basis for completing the impact fee study, it is recognized that ultimate approval will require compromise and policy choices. To this end, it will be important for both the consultant team and City staff to work closely with key policy makers and other stakeholders throughout the process. In addition, it will be important to understand and monitor the economic implications of the fee program to ensure that financial burdens on development are reasonable and do not hinder growth. The inclusion of local interest groups throughout the process can engender support for, and/or reduce opposition to, the fees, making it easier to ensure approval from City policy makers and, ultimately, successful implementation by the development community.

Methodological Approach

EPS's approach to developing a comprehensive fee program combines early collaboration and sound technical analysis with an iterative, and informed decision-making process. This approach is based on understanding the local context and the technical and legal issues inherent in an impact fee study.

The Mitigation Fee Act sets (California Government Code sections 66000 et seq.) sets forth the procedural requirements for establishing and collecting development impact fees and requires that a reasonable relationship, or nexus, must exist between a governmental exaction and the purpose of the condition. Accordingly, our basic methodology involves a series of analytical tasks to develop a schedule of maximum fees, by land use category, which are justifiable based on the Mitigation Fee Act. The maximum allowable fee levels then act as a starting point for review and discussion concerning fee levels and program implementation, recognizing there are a number of economic and policy considerations that inform fee program decisions beyond the specifics of the technical work.

From past experience, we have found that the technical analysis can be conducted much more efficiently and effectively if there is fundamental agreement on key principles, parameters, and objectives. In approaching this work for the City, an analytical process that clearly distinguishes between policy issues and technical analysis needs to be employed, and it will be important to establish agreement on key data assumptions among the stakeholders before assessing the results.

The audit of the current fee program as well as early interviews with department representatives and other key stakeholders are key to our approach. Project milestones and checkpoints are set, at which stakeholders are provided the analytic findings and are asked to respond with any questions or comments. Based on direction from stakeholders, further research can be performed and appropriate modifications can be made.

While a participatory process can help to achieve politically and economically acceptable fees, it is also important to maintain clear objectives to guide the study process. The ultimate project objective includes the establishment of a set of Citywide development impact fees that strike a mutually enforcing balance between necessary infrastructure investment and new residential and economic development in the City.

Scope of Services

This scope of services describes the organizational and technical tasks necessary to design and implement the requested fee program updates consistent with the project approach described above. The work plan proposed below follows a phased approach linked to key project milestones and deliverables for review and input by key city staff, policy-makers, and public stakeholders. The first phase includes the evaluation of the current fee programs and lays out a detailed strategy for navigating the entire process and includes specific task descriptions. The second phase includes the technical analysis associated with preparing the impact fee nexus studies, and the third and final phase is focused on approval of the fee program and program implementation. Of course, throughout the work effort, EPS will remain flexible and be able to adapt to inevitable changes in policy direction and circumstances.

Phase I: Study Implementation Plan, Program Evaluation, and Management

Phase I is designed to identify the basic parameters of the fee programs based on a full evaluation or audit of the existing programs, develop agreement on the primary goals and objectives of the update, and outline a process for resolving the key issues that are likely to arise. The analytical steps are presented in the sequence in which they are to be carried out, although preliminary work for some tasks may begin before completion of a previous task.

Phase I, Task 1: Project Initiation and Project Management

In this task the EPS Team will meet with City staff to review project parameters, clarify team roles, and review the project schedule and key deliverables. The primary goal of this task is to finalize the scope, including a stakeholder outreach and engagement strategy if appropriate, budget, and other project related issues. The Team will discuss whether there are other potential fee programs that warrant inclusion at this time. If the EPS Team identifies opportunities for other fee programs as part of this task or during the course of the study, EPS will make a recommendation to City staff.¹ EPS will use this opportunity to identify existing data, documents, parallel work efforts, and other pertinent information, including the General Plan, Specific Plans, utility master plans, land use projections, current CIP list and costs, etc. EPS will also work with staff to establish a management and reporting protocol for the entire project, defining team roles, internal and external communication protocol, the format of deliverables, and scheduling issues.

Phase I, Task 1 Deliverables: Final Scope of Services and Schedule

Phase I, Task 1 Meeting: Project Initiation Meeting

¹ Expanding the scope of work to include one or more additional fee programs may require a scope/budget amendment.

Phase I, Task 2: Evaluation of Existing Fee Programs (Financial Audit)

The EPS Team will review pertinent materials related to the existing fee programs, such as the fee schedules, the supporting nexus studies, the enabling ordinances and associated resolutions, the project lists, the fund balances, reimbursement agreements, and accounting practices. This task will inform what changes, if any, need to be considered in the updated fees, and will alert the EPS Team to what administrative best practices may need addressing.

Phase I, Task 2 Deliverables: Memorandum summarizing findings of the audit and recommendations for the update.

Phase I, Task 2 Meeting: Meeting with the Finance Department (or appropriate contact to discuss fund balances and accounting)

Phase I, Task 3: Develop Critical Study Parameters and Assumptions

Building on what we learn in Task 2, this task will specify how various program approaches and key assumptions will be addressed in the update. Although it is recognized that this task may not fully resolve all of the issues described below, the goal will be, at a minimum, to develop broad agreement on a process for doing so.

Land Use Assumptions and Timeframe

Working with City staff, the EPS Team will develop the land use growth assumptions and development forecasts that will be used to estimate future facility needs and cost allocations.

- **Land Use Categories:** EPS, working closely with City staff, will need to define the land use categories for which separate fees will be calculated. As a starting point, it is expected that this categorization will be similar to the land use categories used in the current fee programs, focusing on residential (single-family and multifamily), industrial, retail, hotel, and commercial (office) development, although additional categories may be warranted based on what is planned in other areas of the City. The land use categories should reflect the types of development the City anticipates but should keep the categories as broad as practicable to ease administration of the fee program. EPS will also define the operative land use assumptions, such as persons per household and employees per square foot, to be used to forecast growth and facility demand.
- **Land Use Growth Assumptions:** Amount, Type, and Location of Growth: This task will conclude with a total projection of the amount of development expected to occur for each land use category over the time frame specified. For Benicia, the timeframe likely will be 2040, although options may be considered. Ultimately, the final land use assumptions will need to be approved by City staff. This information will also need to be integrated into the growth forecasts by transportation analysis zone (TAZ) in the traffic model during Phase II.
- **Fee Geography:** In some circumstances, a single fee may not fit all circumstances and a system of subarea fees and/or layering may be appropriate (fees that vary by geography). In other circumstances, geographic-based zones may add unnecessary complexity. The need for subarea fees will be technically derived based on the select-link analysis (for the transportation fee) and nexus logic. The EPS Team will provide recommendations as to which fees may warrant a zone approach and which are best suited as Citywide.

Criteria for Eligible Capital Facilities and Costs

A critical component of the fee study will be to define a set of criteria that will be used to select projects that are eligible for fee funding. It is likely that many projects have already been identified in various planning documents or the CIP, and, in fact, may already be reflected in the current fee programs, yet there will be other projects that warrant inclusion. Defining the criteria is an important step to ensure consensus among City staff and stakeholders on the purpose of the fee program. Projects to be included are typically those that are not fully funded by other sources, are not the specific responsibility of one development project's mitigation and fall within the Mitigation Fee Act's parameters. Potential criteria for project selection may include whether or not a funding source is already identified, geographic scope of benefit, time horizon for implementation, and whether it is consistent with General Plan service standards.

The EPS Team will work with City staff to collect and/or help prepare cost estimates based on our collective experience and expertise. This scope of work includes the preparation of cost estimates for transportation improvements (see Phase II, Task 1.3). If cost estimates are needed for non-transportation improvements and the City's public works and/or engineer is not able to provide cost estimates, the EPS Team will coordinate with City staff and determine if it is necessary to subcontract with an appropriate engineering firm.

Cost Allocation Methodology

The allocation of facility costs between new and existing development and by land use is a critical component of the fee nexus analyses. For certain capital facilities the allocation methodology is relatively established, but for others a significant amount of flexibility is available. For transportation impact fees, "select link" analysis is the industry's typical approach to cost allocation, but service standards ultimately play an important role. When considering multi-modal improvements, additional inputs and methodologies are necessary. With water and wastewater fees, there are various approaches available as well. The EPS Team will need to establish a proportional and justifiable basis for allocating costs between existing and new growth based on service standards that can be well documented and supported.

Phase I, Task 3 Deliverables: Memorandum summarizing critical study parameters and assumptions, including approach options for the transportation analysis.

Phase I, Task 3 Meetings: One meeting with City staff (may be the same as the Project Initiation meeting)

Phase I, Task 4: Consider Policy and Implementation Issues

Once approved, the success of a fee program will depend on how it is administered on a daily basis, including the interface between the public and City staff. Consequently, developing this protocol is the focus of Phase III. However, it is not too early to consider implementation issues at the outset of the study process, given its potential impact on methodology and other factors. In the EPS Team's experience, fee adjustments, reimbursements and land use exclusions as well as fee program updating and auditing are critical considerations.

Phase I, Task 4 Deliverables: Memorandum summarizing preliminary policy and implementation issues

Phase I, Task 4 Meetings: One meeting with City staff (may be the same as the Project Initiation meeting)

Phase I, Task 5: Graphic Support for Community Outreach

The EPS Team will provide graphic support for the City's community outreach efforts. The objective will be to succinctly communicate in a visual manner the following: 1) the problem the City is trying to solve; 2) the selected approach/process to solving the problem; 3) the benefits to the community; 4) the timeline; and 5) who the City has hired.

Phase I, Task 5 Deliverables: graphic support materials

Phase II: Technical Analysis

The purpose of this phase is to perform the technical analysis needed to support the fee calculation nexus studies. The work will be guided by the results of Phase I, and as such is described in more general terms here.

Phase II, Task 1: Develop the Updated Transportation Fee Program

This task will involve updating, as required, all of the planned circulation improvements in the current fee program and collecting/preparing reasonable cost estimates for all of the improvements. This effort will include removal of improvement projects from the list that have been completed and additions of other modal improvements, including but not limited to, roadway new construction and widening, intersection improvements, including roundabouts and signalization, at grade and grade separated railroad crossings, and grade separated pedestrian crossings, bicycle and pedestrian circulation improvements consistent with the City's General Plan Circulation Element. The fee program will also include feasibility studies, Caltrans improvement processing documents, improvement plans, fee administration and fee study updates.

Task 1.1: Data Collection

The following data collection effort relative to the update of the TIF will be conducted to obtain a firm understanding of the current traffic fees that are collected within the City.

- Review Circulation Element Update assumptions utilized in the City, such as trip generation rates for various types of land uses and Levels of Service for City roadway facilities. Review the land use categories in the City's current TIF and determine if additional categories are needed.
- Review methodology for attributing circulation improvements to new development versus the portion attributable to existing deficiencies.
- Determine what portion of the total estimated improvement costs were anticipated to be funded from fee revenues and evaluate the feasibility of other sources of revenue that were relied upon for transportation and other improvements.
- Coordinate with City staff to determine the current balance in existing fee accounts for the TIF program.
- Existing traffic data collection at up to 25 intersections and 10 roadway segments.

Phase II, Task 1.1 Deliverables: None

Phase II, Task 1.1 Meetings: One meeting with City staff

Task 1.2: Identify Transportation Projects and Priorities

An updated list of transportation improvements that is needed to support new development in the City will be determined along with a matrix that indicates whether the improvement will be funded wholly or in part by the TIF. The EPS Team will work with the City to explore and assess defensible performance metrics outside of vehicular delay that support the City's overall transportation policies and goals.

Phase II, Task 1.2 Deliverables: Initial transportation project list categorized by travel mode

Phase II, Task 1.2 Meetings: One meeting with City staff (may be the same as the Task 1.1 meeting)

Task 1.3: Update or Prepare Cost Estimates

Opinions of cost for improvements will be updated using current local unit costs. Available aerial photography will be used to identify major features that could significantly influence the cost estimates. Right-of-way cost estimates will also be developed based on the City's experience with right-of-way acquisition and rough estimates of needed right-of-way. Right-of-way costs will be estimated from assessor information on a per square foot basis and not on the basis of property appraisals.

These unit cost estimates are intended to provide only a "planning level" cost that can be reasonably used for capital improvement programming and should not be considered design-level cost estimates based on engineering studies. Project "soft costs", such as design and construction support, will be included as line item estimates alongside other contingencies, and will be based on overall project construction costs and typical industry project development costs.

Phase II, Task 1.3 Deliverables: Short list of transportation projects with associated cost estimates summarized in an infrastructure cost database

Phase II, Task 1.3 Meetings: None

Task 1.4: Determine the Benefit to New Development

Under AB 1600, it is not lawful to charge or in any way hold responsible new development for the correction of existing deficiencies that are creating existing traffic congestion (unacceptable Levels of Service, for example). Therefore, to establish 'nexus' between new development and needed transportation facilities, this task will evaluate existing vehicular traffic and multimodal conditions to clearly distinguish between improvements that are needed to correct existing transportation deficiencies from improvements that are needed to maintain City Level of Service standards (and/or other multimodal standards) with added traffic from future new development.

For locations that have existing transportation deficiencies, improvements and their associated costs will be identified that will mitigate such conditions. These costs will not be included in the fee program, unless the City is already collecting funds towards construction of these projects in the currently-adopted fee program. For projects of a regional nature, where a cost share between agencies is anticipated, the EPS Team will estimate share by agency or geography using the STA travel demand mode's "Select Link" tool.

Phase II, Task 1.4 Deliverables: List of transportation projects with associated new development benefit

Phase II, Task 1.4 Meetings: None

Task 1.5: Maximum Fee Calculations

Consistent with the Mitigation Fee Act (Government Code § 66000 et seq.), the EPS Team will calculate the maximum justifiable transportation impact fee to be charged to new development to ensure that new development pays a proportional share toward the transportation infrastructure that is needed to support new development.

The cost allocation methodology may be based on the same methodology used for the 2014 TIF update, which is based on new developments' net new trip generation estimates. However, the EPS Team will also explore and propose alternative TIF cost allocation methodologies that achieve defensible cost allocations and fees consistent with Assembly Bill 1600 (Section 66000 et. seq. of the Government Code) guidelines. These may include cost allocation methodologies that consider trip length in addition to new trips (vehicle miles generated) and mixed use and infill trip generation factors (variable mode splits or trip rates based on project context). The EPS Team will work with the City to align cost allocation methodologies with the City's overall transportation and land use goals and policies.

Based on the selected methodology, costs per trip will be calculated for the TCIP. Upon identification of per trip (or trip mile) costs, a TIF fee for each land use category will be calculated by applying the costs per trip determined by the methodology described above to the assigned trip generation rate (and possibly trip length) for each land use. From the determination of the cost per trip (or trip mile) for each nonresidential land use category, tables relating associated fee rates for commercial and industrial uses will be identified.

Phase II, Task 1.5 Deliverables: Summary memorandum describing approach, assumptions, and preliminary maximum fee calculations with up to three (3) alternative cost allocation methodologies

Phase II, Task 1.5 Meetings: One meeting with City staff to discuss fee structure alternatives / tradeoffs / implications

Phase II, Task 2: Develop the Updated Parkland Fee Program

The parkland fee currently reflects two statutory foundations: the Subdivision Map Act (Quimby) and the Mitigation Fee Act. The fee has not been updated in many years and is out of step with the current level of service and land costs. The EPS Team recommends reviewing the methodology and current service standard and discussing whether there are recreation facility improvements that should be included (impact fee only). There are a number of different parameters that may need to be specified and/or require additional research discussion with City staff, some of which might be defined or clarified in Phase I. These are likely to include:

- Existing and preferred citywide service standards for parks broadly defined.
- A list of parkland acquisition and recreation capital improvements needed to expand capacity to serve new development.

- Estimated costs of parks-related items, including individual capital facilities, land costs, and, in some cases, recreation facilities and equipment.
- Other funding sources that are available, expected, or typically pursued to support parks and recreation investment in the City.
- Appropriate demand allocations approaches (typically based on persons per households and employee equivalents (where nonresidential development is included)).

Ultimately, in conjunction with data on existing development and growth forecasts, EPS will develop estimates of potential park and recreation cost allocations to new development. Subsequently, an initial set of maximum development impact fees will be determined. EPS will also work with City staff to develop a prioritization system that can be used during Phase III when the broader economic and policy questions associated with the full set of updated fees are considered. Similar to the other fee programs, there will be a number of critical issues to be considered in terms of project prioritization, geographic allocation, and overall fee levels.

Phase II, Task 2 Deliverables: Deliverables will depend on the outcome of the fee program parameters discussions but could include either updated parkland acquisition and improvement costs, or a parks project list and cost database.

Phase II, Task 2 Meetings: One meeting with City staff

Phase II, Task 3: Develop the Updated Library Fee Program

The role of libraries is changing rapidly as the ways in which people consume media is evolving. For example, many residents rely on libraries to access technology and the internet. In some jurisdictions, this evolution in the ways that libraries provide services is causing cities to reevaluate how best to measure the level of service. Based on the criteria established in Phase I, the EPS Team will conduct a series of tasks designed to produce a list of library improvements (e.g., new or expanded facilities, new media acquisition, new technology acquisition) and their corresponding costs, to be covered in full or in part by the fee program. These tasks are described below.

Task 3.1: Identify Potential Fee Program Capital Projects

The EPS Team will develop a master list of library improvements to be potentially funded in full or in part by the fee program. Projects that are clearly ineligible for impact fee revenues, such as those designed to correct existing deficiencies, those related to operation and maintenance, or those with existing funding in place, will not be included. If there are hybrid projects that will repair existing deficiencies and expand capacity, we will determine how much overcapacity the facility is currently operating and will use that result to determine the proportion of the improvement cost that should be discounted in the fee program. Projects with previously designated funding sources will not be included in the fee program.

Phase II, Task 3.1 Deliverables: Library Program Project List and Database

Phase II, Task 3.1 Meeting: One meeting with City staff

Task 3.2: Develop Cost Estimates

EPS will rely upon the City (library or public works staff) to provide and/or develop cost estimates for inclusion in the fee program. Alternatively, EPS can research recent costs of

similar facilities in the region if available. If needed or if the City prefers, EPS will work with City staff to identify a civil engineering and cost estimating firm to assist in the preparation of cost estimates.

EPS will convert the Project List into an infrastructure cost database, in spreadsheet format, that will be directly linked to the cost allocation model and fee schedule described below. The infrastructure cost database will include project type, name, location, size or quantity, cost, and non-fee funding sources. Again, the portion of project costs that are funded by other sources will need to be excluded.

Phase II, Task 3.2 Deliverables: Cost Estimates to the City for review and consideration; Final Impact Fee Program Project List and Cost Database

Phase II, Task 3.2 Meeting: One meeting with City staff (may be the same as the Task 3.1 meeting)

Phase II, Task 4: Develop the Updated Water and Wastewater Fee Programs

Bartle Wells Associates (BWA) will evaluate alternative fee methodologies and identify advantages and disadvantages of different approaches with the goal of gaining consensus for the most appropriate approach for updating the City's water and wastewater capacity charges.

For the fee calculation, BWA will work with the City to identify costs that should be recovered from the updated fees, and will subsequently calculate the value of water and sewer system infrastructure in current dollars. A number of methods can be used to value existing assets. Costs for projected capital improvements will be allocated to current and future users. BWA will also review outstanding information and work the City to identify future customer service capacities of the water and sewer systems. Underlying unit costs will be developed for the water and wastewater systems by dividing the costs included for fee recovery by the service capacity of those facilities. These underlying unit costs will be subsequently applied to the demand and usage characteristics of proposed customer classes.

BWA will work with the City and EPS to identify appropriate customer categories and associated utility usage/demand characteristics. Water capacity charges are commonly applied based on some measure of water demand (such as meter size or estimated demand for different types of development), while wastewater capacity charges are commonly applied based on wastewater flow and strength (for different types of new development or a range of more-generic wastewater strength categories).

Updated fees will be designed to comply with Government Code Section 66000, et. seq. (established by AB1600 and known as the Mitigation Fee Act). BWA will also recommend a method for annually or periodically adjusting capacity charges to keep the fees aligned with the future costs of providing service. Final fee recommendations will reflect input from the City's project team, Technical Advisory Committee, and City Council.

Phase II, Task 4 Deliverables: Capacity charge model in Excel; draft and final memoranda for inclusion in the overall nexus study report

Phase II, Task 4 Meetings: Up to three meetings to discuss findings and alternatives, gain input, and build consensus for updated fee recommendations.

Phase III: Fee Implementation

This purpose of this phase is to test the economic feasibility of the preliminary fees and pull the completed technical work into a final nexus study and ordinance(s) that can be taken to City Council for adoption.

Phase III, Task 1: Fee Comparisons and Economic Feasibility Analysis

The maximum allowable fee levels are only the starting point to the implementation and approval process since decision-makers may ultimately approve a lower fee to advance economic and other policy considerations. Once the preliminary impact fee is derived, EPS will evaluate its impact on local economic development goals. This analysis may result in modifications to the fee program, and perhaps another round of project prioritization.

Fee Comparison. The fee comparison will consist of a survey of fee levels, including Benicia's current local fees, relative to other cities in Solano County. This survey will help inform the City as to how current/proposed fees may compare to other jurisdictions.

Economic Feasibility: As another lens through which to assess feasibility, EPS will test the financial feasibility implications on prototypical development projects (e.g., residential, commercial, industrial, etc.) and will provide recommendations as to whether the new fees could discourage certain types of development. This feasibility assessment will be informed by discussions with the development community.

This task will help inform the policy makers of some of the implications and tradeoffs of adopting fees at the maximum level and help inform decisions concerning land uses to be excluded or across-the-board reductions in the fee level. Based on this analysis, EPS will recommend methods for making any required fee adjustments and address potential unintended consequences.

Phase III, Task 1 Deliverables: Memorandum summarizing the economic feasibility analysis

Phase III, Task 1 Meetings: One meeting with City staff; discussions with the development community as needed to inform development cost assumptions

Phase III, Task 2: Draft Nexus Study and Ordinance/Resolution Support

Based on the technical results from preceding tasks and feedback from City staff, EPS will update the preliminary impact fee schedule. For example, the preliminary fee calculation methodology may be revised to incorporate changes in the amount, scope, or incidence of the fees.

Once the fee schedule is finalized, EPS will prepare a Technical Report that documents the assumptions and methodology and establishes the required nexus for creating the fee. This report will include copies of all data, models, and other materials used in the analysis. The report will include a "Fee Program Administration" chapter that provide guidance to City staff about how to charge the fees (e.g, applicable land use categories, exemptions, timing of payment, accounting best practices, etc). A chart of land use categories and illustrative uses will be included as well.

The consultant team will prepare an Administrative Draft Nexus Study for staff review before preparing a Draft Nexus Study for broader circulation.

As part of this task, EPS will assist with the preparation of new ordinance and fee setting resolutions, based on the technical work completed. The City Attorney will have responsibility for drafting the final documents.

Phase III, Task 2 Deliverables: Administrative draft nexus study and draft nexus study; Support with draft ordinances and fee setting resolutions

Phases III, Task 2 Meetings: None

Phase III, Task 3: Public Review Process

EPS will assist staff in presenting the fee studies to the City Council or other commissions (e.g., Economic Development Board meeting) as appropriate. A single round of revisions to each of the proposed programs is anticipated following each public meeting.

Phase III, Task 3 Deliverables: None

Phase III, Task 3 Meetings: Up to three public meetings (e.g., two Council meetings (one towards the beginning, and one towards the end), and the Economic Development Board meeting (towards the middle of the study process))

Phase III, Task 4: Final Nexus Study Reports

Based on comments received on the draft nexus study, a final nexus study will be prepared. EPS will be available to present the findings and recommendations to the City Council. EPS will be available to review and provide input on draft legislation (ordinances and resolutions) to be prepared by the City Attorney.

Phase III, Task 4 Deliverables: Final nexus reports and review of ordinances for Council adoption

Phase III, Task 4 Meetings: City Council (included above in Phase III, Task 3)

Proposed Timetable and Phasing

EPS is available to begin work immediately upon authorization to proceed (early June is the estimated start period) and is prepared to take fee schedules and draft nexus studies to Council for approval within nine (9) to twelve (12) months. **Figure 1** displays estimated timing for the study, based on a nine-month study period, which assumes timely contract approval, and that the required input and data from City staff is provided in a timely manner.

Figure 1 Proposed Work Schedule

Phase and Tasks	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
Phase I: Study Implementation Plan, Program Evaluation, and Management												
Task 1: Project Initiation and Project Management												
Task 2: Evaluation of Existing Fee Programs (Financial Audit)												
Task 3: Develop Critical Study Parameters and Assumptions												
Task 4: Consider Policy and Implementation Issues												
Task 5: Graphic Support for Community Outreach												
Phase II: Technical Analysis												
Task 1: Develop the Updated Transportation Fee Program												
Task 2: Develop the Updated Parkland Fee Program												
Task 3: Develop the Updated Library Fee Program												
Task 4: Develop the Updated Water and Wastewater Fee Programs												
Phase III: Fee Implementation												
Task 1: Fee Comparisons and Optional Economic Analysis												
Task 2: Draft Nexus Study and Ordinance/Resolution Support												
Task 3: Council Review and Approval Process												
Task 4: Final Nexus Study Reports												

Cost Proposal

The EPS Team budget estimate for this project by task and staff person is provided in **Table 1**. We estimate that the EPS Team can complete the above Scope of Work for a not-to-exceed budget amount of **\$182,575**.

EPS recommends a contingency of \$25,000 in the event that additional fee programs are incorporated into this Study and require Consultant Team resources beyond those anticipated in **Table 1**.

The budget estimate covers all costs associated with the tasks, materials, travel, and meetings described in the Scope. Additional tasks or meetings requested by the client will be billed on a time-and-materials basis at our standard hourly rates. Charges are based on the amount of time actually spent. Expenses for travel, data, copying, and other project related items are billed at cost.

Invoices are submitted monthly and are payable upon receipt.

EXHIBIT B
Project Budget

Attachment A
Revised Work Program 5/20/19

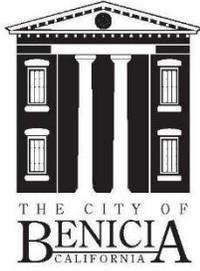
Table 1 Proposed Cost Proposal

Phase/Task	Economic & Planning Systems, Inc.						GHD						Bartle Wells Associates				Total	
	Kanat Principal- Charge	Gade Project Manager	Rice-Evans Senior Advisor	Production/ Admin Staff	EPS Subtotal	EPS Direct Expenses	Trigenza Project Manager	Inouye QA/QC	Southern Planner	Isenhower Traffic	Kehrer Design	Graphic Design Staff	GHD Subtotal	GHD Direct Expenses	Handlers Project Manager	Helgeson Consultant		BWA Subtotal
Phase I - Study Implementation Plan, Program Evaluation, and Management																		
Task 1: Project Initiation and Project Management	20	40	4	0	\$13,040	\$50	14	4	0	0	0	\$3,500	\$0	10	4	\$3,200	\$200	\$20,170
Task 2: Evaluation of Existing Fee Programs (Financial Audit)	24	40	6	1	\$14,765	\$50	2	2	4	0	0	\$1,470	\$0	2	2	\$580	\$0	\$17,165
Task 3: Develop Critical Study Parameters and Assumptions	6	12	2	1	\$4,235	\$0	2	0	16	0	0	\$2,770	\$0	4	2	\$1,300	\$0	\$8,395
Task 4: Consider Policy and Implementation Issues	6	2	2	1	\$2,505	\$0	4	0	8	0	0	\$1,940	\$0	4	2	\$1,300	\$0	\$5,915
Task 5: Graphic Support for Community Outreach	2	0	0	0	\$530	\$0	2	0	0	0	32	\$5,170	\$0	0	0	\$0	\$0	\$5,700
Subtotal, Phase I	58	94	14	3	\$35,155	\$100	24	6	28	0	32	\$14,940	\$0	20	10	\$6,950	\$200	\$57,345
Phase II - Technical Analysis																		
Task 1: Develop the Updated Transportation Fee Program	4	6	0	1	\$2,145	\$0	18	6	50	54	88	\$34,510	\$13,200	0	0	\$0	\$0	\$49,855
Task 2: Develop the Updated Parkland Fee Program	16	20	6	1	\$9,345	\$0	0	0	0	0	0	\$0	\$0	0	0	\$0	\$0	\$9,345
Task 3: Develop the Updated Library Fee Program	6	18	2	1	\$5,225	\$0	0	0	0	0	0	\$0	\$0	0	0	\$0	\$0	\$5,225
Task 4: Develop the Updated Water and Wastewater Fee Programs	4	8	0	1	\$2,145	\$0	0	0	0	0	0	\$0	\$0	30	50	\$15,050	\$300	\$17,495
Subtotal, Phase II	30	50	8	4	\$18,860	\$0	18	6	50	54	88	\$34,510	\$13,200	30	40	\$15,050	\$300	\$81,920
Phase III - Fee Implementation																		
Task 1: Fee Comparisons and Economic Feasibility Analysis	8	20	2	0	\$5,990	\$0	0	0	4	0	0	\$0	\$0	4	4	\$1,760	\$0	\$8,350
Task 2: Draft Nexus Study and Ordinance/Resolution Support	8	16	2	2	\$5,520	\$250	6	3	20	0	0	\$4,660	\$0	12	12	\$5,280	\$0	\$15,910
Task 3: Public Review Process	12	20	0	2	\$6,670	\$100	12	4	12	0	0	\$5,020	\$270	6	6	\$2,640	\$400	\$18,100
Task 4: Final Nexus Study Reports	2	4	0	2	\$1,360	\$0	2	1	4	0	0	\$1,220	\$0	2	4	\$1,220	\$100	\$3,950
Subtotal, Phase III	30	60	4	6	\$19,560	\$350	20	8	40	0	0	\$11,700	\$270	24	26	\$10,930	\$500	\$43,310
TOTAL					\$73,575	\$450						\$61,150	\$13,470			\$32,830	\$1,000	\$182,575
Recommended Contingency [1]																		\$25,000
2019 Hourly Billing Rates [2]	\$295	\$155	\$285	\$95			\$185	\$250	\$150	\$150	\$160	\$150		\$255	\$185			

Note: Direct expenses are billed at cost and include reimbursable expenses for items such as travel to meetings (per the 2019 IRS Mileage Rate), data acquisition, and technology support.

[1] The contingency is recommended in the event that the Team decides to include another fee program into the Study process. This contingency will allow the technical analysis to proceed without upsetting the overall schedule.

[2] Hourly billing rates are effective in 2019 and subject to annual revision.



**AGENDA ITEM
CITY COUNCIL MEETING DATE – SEPTEMBER 1, 2020
BUSINESS ITEMS**

TO : City Manager

FROM : Community Development Director

SUBJECT : **GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT**

EXECUTIVE SUMMARY:

Section 65400 of the California Government Code requires that cities submit an annual report detailing their progress towards implementation of established General Plan goals, including the adopted Housing Element. This report is submitted to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year. Prior to submittal, the report must be reviewed by the Planning Commission and City Council.

RECOMMENDATION:

Accept the 2019 General Plan and Housing Element Annual Progress Report (Attachments 1-3).

BUDGET INFORMATION:

There are no costs associated with accepting or providing feedback on the 2019 General Plan and Housing Element Annual Progress Report. Information regarding the funding budgeted for General Plan programs has been incorporated in Appendix B of the 2019 General Plan Annual Report.

BACKGROUND:

General Plan

California law requires each city to adopt a comprehensive, long-term General Plan to guide the physical development of the incorporated city and land outside city boundaries that bears a relationship to its planning activities. The General Plan serves as an outline for future growth and development. As such, the General Plan contains policies and programs designed to provide decision makers with a solid foundation for land use and development decisions.

The City of Benicia’s General Plan is the guiding document for future policy considerations and development within the City. Benicia’s General Plan was adopted in 1999 and the City continues to work toward implementation. The General Plan Annual Report lists the changes and actions that have occurred, in addition to a complete listing of all the General Plan’s goals, Policies, and

Programs, organized by section. The General Plan is accessible from the City website at www.ci.benicia.ca.us/planning.

Annual Reporting

State law requires that each city submit annual reports by April 1st of each year to the Office of Planning Research (OPR) and California Department of Housing and Community Development (HCD) to ensure that the goals, policies, and action items of the General Plan and Housing Element are being implemented.

Both reporting elements have been combined into a single Annual Progress Report (Attachment 1). The annual report identifies those General Plan and Housing Element programs for which the City has made notable progress or changes during the 2019 calendar year.

In addition to reporting on the City's progress toward completion of programs, the Housing Element Annual Progress Report includes a listing of all housing units entitled and permitted during the calendar year. This reporting is provided on a spreadsheet template that HCD modified and distributed in 2019 to require additional detail about the nature of new housing development.

The Planning Commission reviewed and provided comment on the General Plan Annual Report at the regularly scheduled Planning Commission hearing on February 13, 2020. The adopted minutes are attached (See Attachment 4, Item 10.C). Commissioner Dravnieks Apple requested clarification on General Plan Program 4.7.B. Planning staff worked with the Library Department to confirm what information relating to hazardous waste sites in Benicia is publicly available at the Benicia Library. The status of Program 4.7.B was reworded for clarity and accuracy, and the revised language has been included in Appendix A.

Typically, the City Council would accept the General Plan and Housing Element Annual Progress Reports prior to the submission of these documents to the California Department of Housing and Community Development (HCD). However, due to the unexpected onset of Covid-19, these reports could not be presented to Council prior to the April 1st deadline. As a result, the reports were submitted to HCD with the single clarification requested by the Planning Commission. The attached documents have been accepted by HCD, but they will accept revisions to these annual reports should the Council determine that any revisions are necessary.

NEXT STEPS:

Should the City Council accept the prepared Annual Progress Reports, no additional action shall be taken.

ALTERNATIVE ACTIONS:

If the Council determines that revisions to the Annual Progress Reports are needed, staff will make the directed changes and transmit the revised reports to the California Department of Housing and Community Development (HCD) and the Office of Planning Research (OPR).

Priority Based Budgeting	Strategic City Result Impacted by this Agenda Item
	The City Council and community identified six (6) key “Results” that establish the key goals for which the City of Benicia aspires to achieve with our programs and services. Agenda Items often influence multiple Results, the primary Result impacted by this Agenda Item is (please check one):
	<input type="checkbox"/> Protect Community Health & Safety <input type="checkbox"/> Maintain & Enhance A High Quality of Life <input type="checkbox"/> Preserve & Enhance Infrastructure <input type="checkbox"/> Strengthen Economic & Fiscal Conditions <input type="checkbox"/> Protect & Enhance the Environment <input checked="" type="checkbox"/> High Performing Government
	Priority Based Budgeting (PBB) Website:
	Coming soon in Spring 2020 will be a link to the City of Benicia’s PBB website to learn more about these programs and their costs.

CEQA Analysis	Council’s acceptance or rejection of the General Plan and Housing Element Annual Progress Reports does not meet the definition of a project under the California Environmental Quality Act (CEQA) because organization or administrative activities of governments that will not result in direct or indirect physical changes in the environment are explicitly excluded from being considered “projects” under CEQA. Therefore, CEQA review is not required.
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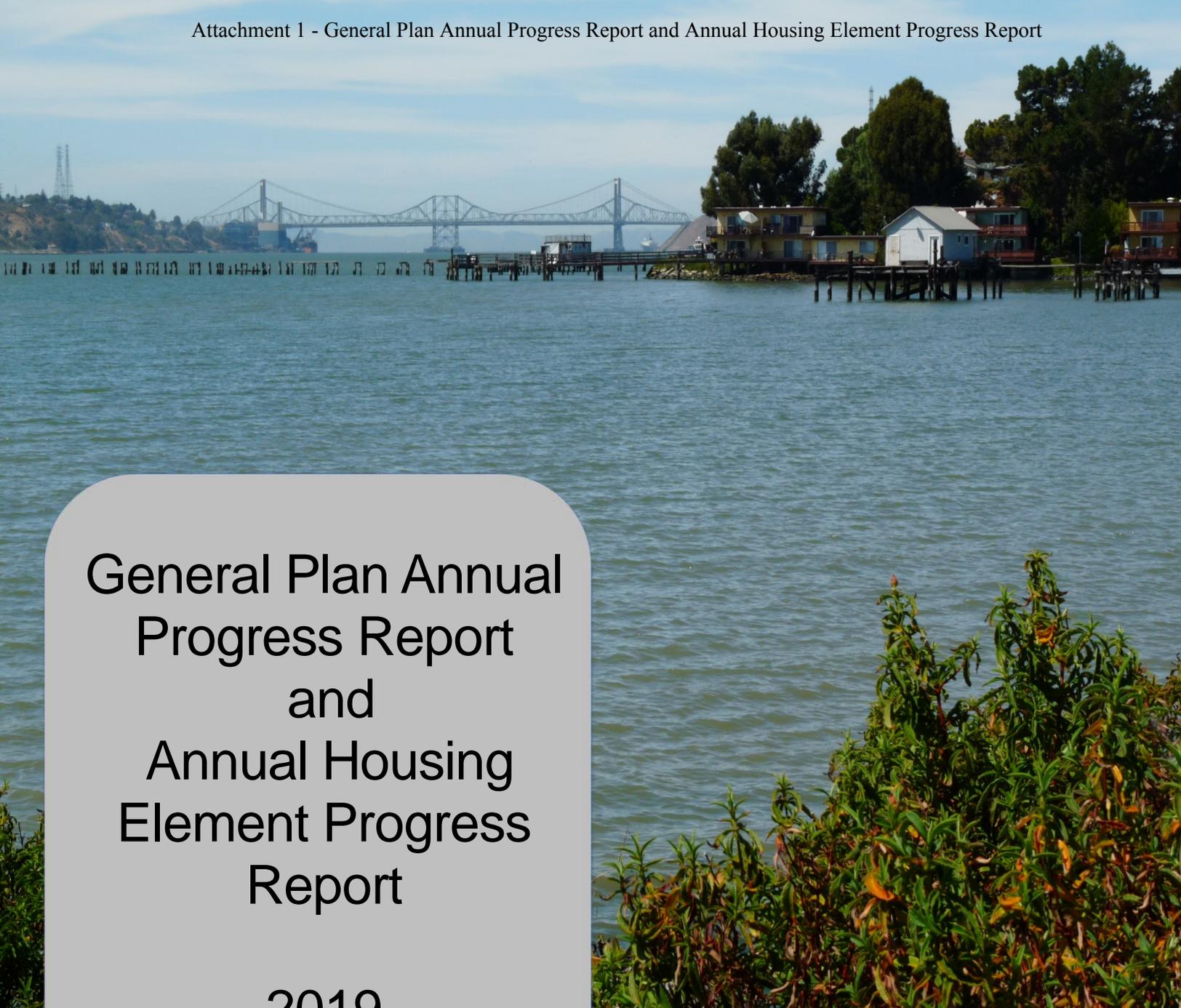
ATTACHMENTS:

1. General Plan Annual Progress Report and Annual Housing Element Progress Report
2. Appendix A: General Plan Implementation Report
3. Appendix B: Housing Element Implementation Report
4. February 13, 2020 Planning Commission Minutes

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General Plan Annual
Progress Report
and
Annual Housing
Element Progress
Report

2019

City of Benicia

Prepared by the Community Development Department, Planning Division

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Introduction

The Benicia General Plan addresses issues related to the physical development and growth of Benicia, and it represents the community's aspirations for the future. The General Plan is required by State law, and it has a long-range focus, looking 20 years into the future. The City of Benicia General Plan was adopted in 1999.

The General Plan is a blueprint for the future, guiding various City functions. The plan covers the seven mandatory elements: land use, circulation, housing, conservation, open space, safety, and noise. The plan establishes the future vision of the city through goals, policies and programs. These goals lay out what the City wants to accomplish including various policies that guide the day-to-day decisions that aid the City in achieving these goals. Programs specify actions the City will take to implement the General Plan.

The State of California Governor's Office of Planning and Research and the State Department of Housing and Community Development will also receive a copy of Benicia's General Plan progress report after it is reviewed and accepted by Benicia's City Council.

Performance Measures

The Planning Division has measured implementation of the General Plan by describing the state of each program as outlined in Table 1. The status of each program, goal, or policy is notated as either C for completed, O for ongoing, or PC for partially completed. By identifying a priority designation, the City can better determine which item to focus on to maintain continued growth and completion of the General Plan goals.

Designation	Priority
1	Currently Budgeted
2	Request for future funding
3	Not Budgeted

General Plan Organization

The City of Benicia's General Plan contains four chapters and fifteen subsections. Each program, goal, or policy is separated into different sections depending on the outcome of it. The topics of the General Plan encompass the elements mandated by the State, plus additional topics of local interest. The Housing Element, which is a part of the General Plan, is adopted separately and encompasses the topics of housing supply and preservation, housing for special needs, access to housing and energy/water efficiency.

Community Development and Sustainability (CD):

- A. Land Use and Growth Management
- B. Economic Development
- C. Circulation
- D. Community Services

Community Identity (CI):

- A. Historic Resources
- B. Cultural Resources
- C. Visual Character
- D. Open Space and Conservation of Resources

Community Health and Safety (CHS):

- 1. Healthy Community
- 2. Hazards to the Community
- 3. Responses to Hazards
- 4. Noise

Updates to General Plan

The last comprehensive update to Benicia’s General Plan was adopted in 1999. General Plan Guidelines prepared by the State Office of Planning and Research recommend that General Plans are updated regularly and “revised as new information becomes available and as community needs and values change.” The exceptions are the Housing Element and the Community Health and Safety Element, which now must be updated every eight years. In 2014, the City adopted the 2015-2023 Housing Element, which received certification by the HCD. Housing Element and the Safety Element updates must be adopted by January 2023.

The City has not significantly changed its primary goal of maintaining Benicia as a small city. The 1999 General Plan was forward-thinking for its time, weaving sustainability throughout the Plan and including both Economic Development and Healthy Communities elements. The goals established in 1999 are still applicable today.

Policy Amendments and Implementation:

No amendments to the General Plan were proposed or enacted in 2019. The City of Benicia advanced policy implementation of the General Plan, including the Housing Element, in the following notable ways:

- 1. Cannabis – The Planning Commission adopted a ranked list of qualified cannabis retail applicants on October 16, 2019. The Planning Department is currently

reviewing a Use Permit Application submitted by the top ranked retailer, Authentic 707. Collectively, the City's Cannabis-related efforts have contributed to the implementation of the following General Plan Goals:

- CD Goal 2.5 to facilitate and encourage new uses which provide fiscal and economic benefits,
 - CD Goal 2.13 to support the economic vitality of existing commercial centers
 - CHS Goal 4.4 To reduce the incidence of substance abuse and strive for a drug-free community
 - CHS Goal 4.6 to prevent and reduce crime.
2. Accessory Dwelling Units (ADUs) – an amendment to the ADU Ordinance (Section 17.70.060 BMC) was prepared to encourage the production of new housing and eliminate discrepancies between Benicia's ADU ordinance and recently adopted state laws. This amendment received public hearings before the Historic Preservation Review Commission and Planning Commission, and was adopted after a second reading by the City Council on February 4, 2020. The ADU Ordinance modifies zoning requirements and establishes design standards for new ADUs in historic districts. It directly implements Program 1.9 of the Housing Element: to encourage the development of second units, by streamlining project review and establishing objective standards for ADUs. In addition to implementation of the General Plan, the ordinance also advances implementation of:
- CI Goal 3.1 to maintain and enhance Benicia's historic character
 - CI Goal 3.7 to maintain and enforce Benicia's small-town visual characteristics.
3. Objective Planning Standards – the City Council adopted a resolution establishing objective planning standards for mixed use and multi-family residential projects on July 16, 2019. Standards of this nature were initially adopted as an interim emergency ordinance in response to the statewide enactment of Senate Bill 35, which streamlines approval processes for multi-family development with affordable housing, but these standards were made permanent with Council's action. The City of Benicia is currently performing additional community outreach in an effort to collect feedback that can be used to make targeted revisions to the adopted standards, as directed by the Council at the time of adoption. A community meeting is tentatively scheduled for this spring. These efforts have advanced the implementation of:
- CD Goal 2.1 to preserve Benicia as a small-sized city
 - CD Goal 2.11 to encourage the retention and continued evolution of the lower Arsenal into a historic/cultural/commercial/industrial center of mutually compatible uses;

- CI Goal 3.7 to maintain and reinforce Benicia's small-town characteristics.
4. Highway Safety Improvement Program (HSIP) – The City was awarded a Highway Safety Improvement Program (HSIP) grant to perform roadway improvements at East 5th Street. These improvements were designed in FY 18/19 and it is anticipated that they will be fully constructed by Summer 2020. This work supports the following goals:
 - CD Goal 2.14 enhance Benicia's small-town atmosphere of pedestrian-friendly streets and neighborhoods
 - CD Goal 2.15 make pedestrian and bicycle circulation, and safety improvements a high priority for transportation funding, utilizing locally generated revenues and State and federal grants
 5. Industrial Park Bus Hub- the City worked with Solano Transportation Authority (STA) to build a new bus hub in the industrial park at Park Road and Industrial Way. In 2019 the bus hub was officially completed, it is now served by Fairfield and Suisun Transit (FAST) with express bus service from Pleasant Hill BART, Fairfield, Davis, and Sacramento. These efforts have contributed to the implementation of:
 - CD Goal 2.17 provide an efficient, reliable, and convenient transit system
 - CD Goal 2.24 continue to provide safe and direct access to the Industrial Park

Interagency and Interdepartmental Coordination:

The Planning Division continues to be involved in regional planning activities. In 2019, Planning Division staff worked with many City Departments and regional agencies:

- Tri Cities and County Collaborative Planning Group aka Solano Open Space (a joint powers authority between the cities of Benicia, Fairfield, Vallejo, and Solano County for the preservation of open space);
- Collaboration with Solano Transportation Authority (STA) in completing development of a regional transportation facility (bus hub) in the Industrial Park, commitment to participating in STA's Solano Housing Investment Partnership (SolHIP) program, development of a countywide Active Transportation Plan (ATP) and re-designation of Benicia's downtown area as a Priority Development Area (PDA) and Benicia's Industrial Park as a Priority Production Area (PPA);
- Coordination with the Solano County Airport Land Use Commission and review of proposals subject to Airport Land Use Commission review;
- Submittal of City planning data to the Association of Bay Area Governments (ABAG) for their Bay Area Spatial Information System (BASIS) modeling activities.

- Participation with other Solano County representatives to coordinate outreach strategies for the upcoming 2020 Census.
- Coordination with BCDC on permitting, as well as the current status of the Suisun Marsh Protection Plan.

Housing Element Reporting

To address statewide housing needs, the state of California requires regions to address housing issues and needs based on future growth projections for the area. HCD allocates regional housing needs to councils of government throughout the state. The Regional Housing Needs Plan (RHNP) then allocates to each city and unincorporated county their “fair share” of the region’s projected housing needs by household income level. This distribution is commonly referred to as the Regional Housing Needs Allocation (RHNA).

The intent of the RHNP is to ensure that local jurisdictions address not only the needs of their immediate areas but also fill the housing needs of the entire region. Additionally, a major goal of the RHNP is to ensure that every community provides an opportunity for a mix of affordable housing to all economic segments of its population.

For the City, the RHNP is developed by the Association of Bay Area Governments (ABAG). ABAG considered several factors in preparing the RHNA, including projected households, job growth, regional income distribution, and location of public transit. The January 1, 2014- October 31, 2022 RHNA for the City of Benicia is shown in Table 2.

Table 2*	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Current Regional Housing Needs Allocation	94	54	56	123	327

* <https://www.ci.benicia.ca.us/vertical/Sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/2015-2023HousingElement.pdf>

The City adopted its 2015-2023 Housing Element on November 18, 2014. It was subsequently certified by the State Department of Housing and Community Development (HCD). The Housing Element progress reporting is separate from the General Plan due to more frequent, state mandated updates. HCD has standardized forms for addressing the Housing Element portion of this Annual Progress Report. The forms submitted to HCD are contained within Appendix B.

Building permits were issued for five new single-family dwellings and eight new accessory dwelling units. While additional housing units are in progress at various stages of permit review, HCD reporting only accounts for permits issued in 2019.

The new single-family dwellings are classified as “above moderate income”; the new accessory dwelling units are considered “moderate income”. No units were deed restricted for affordability. The City of Benicia continues to strive for the production of new housing units, including ADUs, through ongoing development of public information and policies that increase certainty around the standards and permitting procedures for new housing.

General Plan Program Implementation Status Updates

Jan 1, 2019-Dec 31, 2019

1. City Manager's Office & Economic Development:

- a. CD Program 2.5.F: Continue to maintain and update an economic development strategy which focuses on both the acquisition of new businesses and retention of existing businesses.
 - i. *Status*: The Economic Development Board and City Council adopted an Economic Development Strategy in 2007. This was updated in 2012 by the Economic Development Board and City Council with the adoption of the Business Action Development Plan (March 2012). In 2015 the City Council adopted the Benicia Industrial Park Marketing Plan which highlighted the need to target industrial manufactures. In 2020 the City plans to initiate an RFP for an Economic Development Strategy for the decade of 2020's.
- b. CD Program 2.5.H: Develop an "economic development web page" for Benicia with pertinent economic and demographic information, and profiles of key development sites and vacant buildings available for new businesses.
 - i. *Status*: An entirely new website was launched in 2013. See www.BeniciaBusiness.com. This website will be refreshed and more mobile friendly. This website was redeveloped and a new site went live in August 2019.
- c. CD Program 2.12.R: Continue to support promotional maps for visitors that identify locations of restaurants, services, specialty retail, recreational, and other facilities that cater to visitors and tourists. (pg. 50 of General Plan)
 - i. *Status*: The City continues to make available information on many attractions and collaborates with Benicia Main Street to further this endeavor. Directional signage was installed in 2009. Staff began updating the wayfinding signs in 2019 and will complete the project in 2020.
- d. CD Program 2.16.C: Assess the cost and feasibility of Policy 2.16.2 (Encourage private entities to maintain places of business that are physically accessible to all), including any changes in opportunities or costs for businesses to occupy historic structures.
 - i. *Status*: Staff continues to pursue long-term tenants to occupy the Commanding Officer's Quarters.
- e. CD Program 2.19.A: Identify ferry service market potential and terminal location options.

- i. Status:* PropSF, a private small boat ferry operator, began limited service out of the Benicia Marina under contract with Genentech. Solano Transportation Authority (STA) conducted a water transit plan process with Water Emergency Transportation Authority in 2018 and 2019. A plan has yet to be adopted.
- f. CHS Program 4.1.A:* Develop a citizen input planning process with the Human Services Fund Board to address locally identified community health and health-related concerns.
 - i. Status:* Human Services Fund Board is now called the Human Services Board. The Request for Funding (RFF) process is an opportunity for the public to apply and provide feedback on community health and health-related concerns.
- g. CHS Program 4.3.C:* Investigate the feasibility of utilizing existing City buildings to deliver health-related services, and expand the scope of the buildings' uses in conjunction with established neighborhood groups.
 - i. Status:* The Community Center (formerly Mills Elementary School) offers CPR classes, a myriad of physical fitness courses, and nutritional/healthy cooking classes to the community.

Community Development Department:

- h. CD Program 2.1.A:* Adopt development guidelines that retain the scale and character of the city, preserve public view corridors, and reflect the subdivision and development patterns within existing neighborhoods. (pg. 33A of General Plan)
 - i. Status:* Prior to the adoption of the 1999 General Plan, Benicia adopted the following: Downtown Historic Conservation Plan (1990), Arsenal Historic Conservation Plan (1993), and the Industrial Design Guidelines (1989). In 2007 the City adopted the Downtown Mixed Use Master Plan, which set forth new zoning districts and development standards. A CLG grant was awarded in 2017 to update the Downtown Historic Conservation Plan Design Guidelines. The draft update was completed in 2018, along with proposed amendments to the procedures for Design Review. The project remains ongoing.
- i. CD Program 2.5.I:* Conduct a bi-annual review of fee burdens for key land uses in Benicia and competing jurisdictions in the region to ensure that Benicia's fees are sufficient and competitive and do not create a deterrent to beneficial development.

-
- i.* Fees were evaluated through a fee study (2017) and subsequent analysis (2019). Fees for peer jurisdictions were evaluated and a final recommendation is forthcoming in 2020.
 - j.* CD Program 2.12.F: Promote additional civic and compatible public and private uses in the Civic Center area.
 - i.* *Status:* The Civic Center Park bocce ball courts were expanded and the library landscape was renovated in 2017. Public art in honor of Benicia's Sister City Tula, Hidalgo Mexico, was added to the south facade of the Library in 2019.
 - k.* CD Program 2.12.K: As the budget allows, provide amenities such as additional benches along First Street and in adjacent public areas; drinking fountains, public art, shade trees and arbors.
 - i.* *Status:* The Urban Waterfront Enhancement and Master Plan, which was adopted in 2014, provides comprehensive park development between First Street and the Marina Entry Channel, south of B Street. In 2019, the City completed tree well improvements and public art was installed on public and private lands.
 - l.* CD Program 2.17.G: Provide attractive and pedestrian-friendly transit stops and buses, including bike racks on buses.
 - i.* *Status:* In 2014, the city worked with Solano Transportation Authority on a new bus hub project located at Park Road and Industrial Way. A grand opening for the bus hub was held in 2019.
 - m.* CD Program 2.21.A: Advertise the benefits of Transportation Demand Management (TDM) measures and conduct public outreach programs to educate the public about options available within the city.
 - i.* *Status:* This is administered by the Solano Transportation Authority (SolTrans) and Solano Napa Commuter Information (SCNI). The City assists SCNI to promote Bike to Work, Commuter Challenge, and other programs that promote alternatives to the private automobile. The City has partnered with Solano Transportation Authority to promote the first/last mile and Lyft program that encourages transit usage to employment areas.
 - n.* CD Program 2.21.C: Consider denser, mixed-use developments, particularly in the Downtown area.
 - i.* *Status:* The city has a designated Priority Development Area (PDA) for the Downtown which focuses on denser, mixed-use development. This also occurs through the implementation of the Downtown Mixed Use Master Plan with accompanying form-based development regulations. The plan allows for mixed-uses and

employs zero lot lines and limited setbacks to achieve greater densities than previously permitted. In 2019, the City Council authorized a grant application for SB2 funding to establish a mixed-use zone at Military East and East 5th Street.

- o. CD Program 2.23.F: Recommend parking to be located behind or alongside (but not in front of) buildings, where possible.
 - i. *Status*: In downtown, the development standards require parking to be located behind buildings. This program is also reflected in the Objective Planning Standards for Mixed Use and Multi-Family Development, adopted in 2019.
- p. CI Program 3.1.D: Continue to work and cooperate with the Benicia Historical Society on historic preservation issues.
 - i. *Status*: Staff regularly coordinates and continues involvement with and from the Benicia Historical Society. Staff supported the Historical Society's successful nomination of the Von Pfister General Store and Southern Pacific Depot to the National Register of Historic Places. In 2019, the City established a standing meeting with Historical Society representatives to review matters relating to historic preservation and coordinated directly on multiple projects including the Accessory Dwelling Unit (ADU) ordinance, Objective Planning Standards and Downtown Design Guidelines.
- q. CI Program 3.1.J: Continue to assist owners of historic homes in lower-income areas with low interest loans through Community Development Block Grants (CDBG), when available.
 - i. *Status*: Benicia has a Housing Rehabilitation Loan Program for eligible property owners to assist with home repairs. The City is currently finalizing a CDBG grant application for Benicia Housing Authority to fund improvements to its senior living facility, Casa de Villarassa.
- g. CI Program 3.7.A: Develop design guidelines for public works and private development that encourage place-making.
 - i. *Status*: Adopted plans with guidelines for private property include: Downtown Historic Conservation Plan (guidelines only), Downtown Mixed Use Master Plan (place-making zoning requirements), Arsenal Historic Conservation Plan (guidelines), and Industrial Design Guidelines. Public realm is addressed by the Downtown Streetscape Plan. The City has received grant funding from the California Office of Historic Preservation to prepare an update to the design guidelines of the Downtown Historic District. The draft of

the design guidelines was completed in 2018 and is pending City Council approval following further revision.

2. Finance Department:

- a. CD Program 2.17.C: Institute a continuing program to evaluate the transit system to ensure it meets the public's needs.
 - i. *Status*: Since 2011, SolTrans has provided transit service in the former Benicia Breeze and Vallejo Transit service areas. SolTrans completed a Short-Range Transit Plan in June 2013. SolTrans received public comment in Spring of 2019 regarding initial route and service changes. As a result of the public comment, SolTrans implemented two phases of changes for specific routes and services, including Benicia's Dial-a-Ride program. SolTrans continues to monitor and research efficiencies in routes and services within Benicia.

3. Fire Department:

- a. CHS Program 4.15.C: Continue and expand routine fire inspections for businesses for compliance with the Uniform Fire Code and the California Fire Code.
 - i. *Status*: The Fire Inspector of the Fire and Life Safety Division along with a company inspection program conducts fire and life safety inspections.
- b. CHS Program 4.15.D: Continue the yearly vegetation management program.
 - i. *Status*: This program is administered by the Fire Department.
- c. CHS Program 4.22.A: Provide the public with information and training on what to do until help arrives in an emergency.
 - i. *Status*: Part of the community outreach program and Benicia Community Emergency Response Training (CERT); the City is also informing/training the public on strategies to reduce climate change related risks like flooding, sea level rise, and temperature increases. An update to the City's Emergency Operations Plan (EOP) is in progress with community education and engagement.
- d. CHS Program 4.22.D: Consider a City radio station to inform residents in the event of an emergency.
 - i. *Status*: The City completed this in February 2001. With technological challenges and insufficient resources, this is no longer operational.

4. Parks & Community Services Department:

- a. CD Program 2.15.B: Provide additional trails along the shoreline.
 - i. *Status*: Shoreline trails were included in the 2014 Urban Waterfront Enhancement Plan, including a short Bay Trail/Ridge Trail segment. The Delta Protection Commission designated the shared Bay/Ridge Trail alignment for the Great California Delta Trail in 2017, and is currently working on a Delta Trail Master Plan that will include shoreline segments in Benicia. Staff has been participating in a multi-agency collaborative planning effort for the Carquinez Strait Scenic Loop Trail. Staff continues to seek funding and opportunities to provide trails along the Benicia shoreline. The Planning Division enforces public access on development applications within 100 feet of the mean high tide, as required.
- b. CD Program 2.15.C: Provide proper signing for improved trails, fire break trails, and interpretive trails.
 - i. *Status*: As trails are developed signage is provided. The Bay Area Ridge Trail updated their trail signage throughout Benicia in 2018-19.
- c. CD Program 2.15.H: Continue to implement the pedestrian pathway system in the City's Parks, Trails and Open Space Master Plan especially linkages between the City's residential neighborhood and commercial districts.
 - i. *Status*: Examples include the pathway between Community Park and Lake Herman Regional Park, the proposed Waterfront Park Bay Trail alignment, and Park Road Improvement Project. This project continues to be ongoing. Additional elements are being considered in the Active Transportation Plan that is currently in development under the leadership of Solano Transportation Authority.
- d. CD Program 2.20.L: Identify areas of the city that are pedestrian-unfriendly and develop corrective plans.
 - i. *Status*: The Solano Transportation Authority's Countywide Pedestrian Plan listed the top priority as the State Park Road Bike/Ped Path, which was completed in October 2010. First Street Streetscape Project was the second priority project. Additional corrective plans may be included in the Active Transportation Plan that is being developed.
- e. CD Program 2.30.I: Use primarily native plant species and other drought tolerant plants in all parks and open space areas.

- i. Status:* Where possible, native and drought tolerant plants are used to replace depleted plantings and for new plantings. New landscapes recently installed at the library and SP Depot are low water, low maintenance landscapes. The City has partnered with Benicia Tree Foundation to plant oaks, buckeyes, and redbuds from locally sourced seed at Lake Herman Regional Park.

5. Police Department:

- a. CHS Program 4.4.A:* Include law enforcement, the School District, and proprietors of nicotine, alcohol, and prescription drugs in planning and operating substance abuse prevention programs.
 - i. Status:* The department conducts education and "sting" operations to reduce the availability of ATOD and works with Solano County's ATOD Reducing Rates Strategic Plan. In 2018, the City received additional tobacco enforcement and educational grant through the Department of Justice, including creating an interactive educational trailer "Hidden in Plain Sight" that teaches and guardians about tobacco and other drug use in children. In 2019, a new tobacco ordinance and tobacco retail fee were successfully passed by council.
- b. CHS Program 4.4.B:* Identify at-risk populations and work to develop programs and services to address their needs.
 - i. Status:* Implementation through Family Resource Center and a family intervention counselor to work with at-risk families. In 2018, the Police Department implemented a homeless outreach coordinator as an ancillary duty. The office works closely with Solano County Homeless Intervention Team to address county-wide homeless issues. In 2019, the City went into contract with Shelter Solano to ensure a guaranteed bed each month for Benicia. The program remains ongoing.
- c. CHS Program 4.6.C:* Promote the education of citizens on how not to be a victim.
 - i. Status:* Continue to expand a robust social media presence, which includes public education to avoid and deter crime. The Police Department joined Nextdoor in 2019 to focus on dispersing information specifically to Benicia residents. Host classes to the public as needed. This program remains ongoing.

6. Public Works Department:

- a. CD Program 2.12.J: Maintain public parks, streets, and sidewalks located Downtown in a clean and safe condition.
 - i. *Status*: Works with Parks and Community Services Dept. This is done as part of existing City maintenance programs. In 2019, the City installed decomposed granite in all non-grated First Street tree wells to improve accessibility and safety.
- b. CD Program 2.14.F: Where feasible, provide pedestrian sidewalks in all residential areas along both sides of the street.
 - i. *Status*: Implemented as part of the development review process. Also included in the City's Neighborhood Traffic Calming Program. City was awarded a Highway Safety Improvement Program (HSIP) grant for East 5th Street Roadway Improvements. These improvements were designed in FY 18-19 and it is anticipated that construction will be completed in Summer 2020.
- c. CD Program 2.15.D: Improve safety and pedestrian movement by building curb extensions that narrow the overall width required by pedestrians to cross the street at major pedestrian waiting areas at street intersections, sidewalks, and landscaped areas.
 - i. *Status*: Examples include Military/West 2nd Street, East 5th/J Street, East 5th/L Street, and Youth Center Crosswalk, Benicia High School Traffic Signal Project, Downtown & Western Gateway Intermodal Projects. Included in the City's Neighborhood Traffic Calming Program. City was awarded a HSIP grant for East 5th Street Roadway Improvements. These improvements were designed in FY 18-19 and it is anticipated that construction will be completed in Summer 2020.
- d. CD Program 2.17.G: Provide attractive and pedestrian-friendly transit stops and buses, including bike racks on buses.
 - i. *Status*: In 2014, the city worked with Solano Transportation Authority on a new bus hub project located at Park Road and Industrial Way. Construction began Summer 2015 and is now complete.
- e. CD Program 2.20.L: Identify areas of the city that are pedestrian-unfriendly and develop corrective plans.
 - i. *Status*: The Solano Transportation Authority's Countywide Pedestrian Plan listed the top priority as the State Park Road Bike/Ped Path, which was completed in October 2010. First Street Streetscape Project was the second priority project. The City is

currently working with Solano Transportation Authority to develop an Active Transportation Plan.

- f. CD Program 4.12.A: Prepare a new citywide storm drain master plan.
 - i. *Status*: This program will be completed in FY 2019/2020 and is funded through Measure C.
- g. CD Program 4.12.C: Accelerate implementation of the existing Storm Drain Master Plan.
 - i. *Status*: City Council approved the creation of a storm improvement fund for implementation of Measure C storm water management plan and the construction of needed drainage system improvements.

A complete listing of all goals, policies, and programs in the General Plan are included as Appendix A. The first column is color coded by section; the second column shows the reference number; the third column explains whether the statement is a goal, policy, or program; and the fourth column provides the corresponding goal/policy/program statement.

Review of Grant Administration for Land Use Planning Activities

The Planning Division continues to apply for grants when opportunities to fund implementation of Council policies arise. To be more competitive for future funding, the City has applied for and received Priority Development Area Designation (PDA) for its downtown, and has nominated the Industrial Park for a Priority Production Area (PPA) designation. These designations, awarded by ABAG/MTC, position Benicia for future funding opportunities.

Additionally, the City has been awarded \$160,000 of grant funding for planning activities that promote housing production through Senate Bill 2. The City's approved scope of work includes designating a new mixed-use zone district in an existing commercial corridor at Military East and East Fifth Street that allows by-right mixed use or multi-family housing production for eligible projects.

Technological Review, GIS, and Website

The Planning Division tracks permit activity with Accela Automation. Development of a local Geographical Information Systems (GIS) database is underway. The City also participates in the County of Solano REGIS consortium. The Planning Division updates its website monthly with active and recently approved planning projects. Other pertinent information, such as planning application forms and guidelines, historic property information, and plans and maps, are updated as necessary.

General Plan Implementation; January 1 - December 31, 2019		Appendix A				
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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Land Use and Growth Management	2.1	Goal	Preserve Benicia as a small-sized city.			
	2.1.1	Policy	Ensure that new development is compatible with adjacent existing development and does not detract from Benicia's small town qualities and historic heritage, and to the extent possible, contributes to the applicable quality of life factors noted above.			
	2.1.A	Program	Adopt development guidelines that retain the scale and character of the city, preserve public view corridors, and reflect the subdivision and development patterns within existing neighborhoods.	O	Fees were evaluated to a fee study (2017) and subsequent analysis (2019). Fees for peer jurisdictions were evaluated and a final recommendation is forthcoming in 2020.	Community Development Planning Division
	2.1.2	Policy	Make efficient use of land in new development areas consistent with the surrounding neighborhood.			
	2.1.3	Policy	Maintain a visual and physical separation from the cities of Fairfield and Vallejo.			
	2.1.4	Policy	Strive to preserve significant areas of vegetation and open space when approving development projects.			
	2.1.5	Policy	An Urban Growth Boundary is established as shown on the General Plan Land Use Diagram in order to separate the City's urban area from its surrounding			
	2.1.6	Policy	No urban development beyond the Urban Growth Boundary shall be served by City water and/or sewer services.			
	2.1.7	Policy	The City shall promote compact urban development within the UGB and shall encourage development of public, semi-public, active recreational, and all other uses deemed desirable for the community inside the UGB.			
	2.1.8	Policy	Prior to December 31, 2023, the Urban Growth Boundary designated on the Land Use Diagram, this policy, Policies 2.1.5, 2.1.6, and 2.1.7 and the definition of			
	2.2	Goal	Maintain lands near Lake Herman and north of Lake Herman Road in permanent agriculture/open space use.			
	2.2.1	Policy	Protect and maintain agricultural and rural land uses, hillsides, two-lane curving roads, watershed, riparian corridors and upland grasslands.			
	2.2.2	Policy	Avoid health risks associated with the inactive IT Panoche Hazardous Waste Facility and land use conflicts with the Syar Quarry.			
	2.2.A	Program	Initiate a variety of planning, regulatory, and financial measures to ensure permanent protection of agricultural and open space uses near Lake Herman and north of Lake Herman Road.	O	The Sky Valley Open Space Committee was established in 2004 to protect agricultural uses and the watershed north of Lake Herman Road through conservation easements and land acquisition. In 2010/2011 the CA Rangeland Trust assisted the city in pursuing conservation easements. To date, no property was put into conservation easements.	Community Development Planning Division
	2.2.B	Program	Acquire property, development rights, or easements to preserve open space.	O	At this time, property owners not interested in obtaining conservation easements and no financial resources for open space acquisition.	Community Development Planning Division
	2.2.C	Program	Evaluate incorporating the Northern Area into the Tri-City and County Open Space Area.	O/3	Both Sky Valley Committee and Tri City and County Cooperative Planning Group have had some discussion about this possibility. Requires an amendment to the Joint Powers Agreement between the Cities of Benicia, Fairfield, Vallejo and Solano County.	Community Development Planning Division
	2.3	Goal	Ensure orderly and sensitive site planning and design for large undeveloped areas of the City, design for large undeveloped areas of the City, consistent with the land use designations and other policies in this General Plan.			
	2.3.1	Policy	Require a Master Plan for new industrial and business park developments on properties under common or single ownership which aggregate to more than 40 acres. (Properties include: Seeno, Valero undeveloped area, Pine Lake north of I-780, Port - south, Port - north.)			

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Land Use and Growth Ma	2.3.A	Program	Ensure adequate funding is available for the long-term maintenance of undeveloped areas preserved when approving land divisions.	O	Staff routinely evaluates as part of a project application.	Community Development Planning Division and Parks & Community Services Dept.
	2.3.2	Policy	Support land divisions where existing buildings with historic or architectural significance are retained and/or improved rather than demolished.			
	2.4	Goal	Ensure that development pays its own way.			
	2.4.1	Policy	Ensure any new development to be fiscally and financially sound and pay its own way with respect to City and School District capital improvements.			
	2.4.A	Program	Monitor development to ensure it does not overburden the City's infrastructure.	O	As development occurs, impacts and connection fees are collected to provide additional capacity for sewer & water treatment, additional traffic, storm water impacts, etc... The General Plan, Water Master Plan, and Sewer Master Plan ensure orderly growth and adequate service.	Public Works Engineering Division
Citywide Econ. Development	2.5	Goal	Facilitate and encourage new uses and development which provide substantial and sustainable fiscal and economic benefits to the City and the community while maintaining health, safety, and quality of life.			
	2.5.1	Policy	Diversify the mix of economic development programs in the city to include new programs that address Downtown revitalization, tourism, waterfront development, and clusters of related businesses.			
	2.5.A	Program	The City works with Solano Economic Development Corporation and Solano Workforce Development Board to provide information on labor force costs by occupation and industry sector, turnover rates, productivity, reliability, and other factors. Maintain and update the database annually.	3/O	Ongoing, in conjunction with Solano Economic Development Corporation and Solano Workforce Investment Board	City Manager's Office Economic Development Division
	2.5.B	Program	Target business attraction efforts toward firms that pay high wages and with jobs that relate to the skills and education levels of Benicia residents.	O	A database is maintained in conjunction with Solano Economic Development Corporation.	City Manager's Office Economic Development Division
	2.5.C	Program	Evaluate future uses on a cost/revenue basis, taking into account economic diversity for the long term and environmental and community costs and benefits.	O	This occurs with each substantial development or business application submitted to the City.	City Manager's Office Economic Development Division
	2.5.D	Program	Continue to offer incentives for locating in Benicia to businesses that maximize jobs or long-term net revenues to the City of Benicia, or both.	3/O	Types of incentives the City may offer include sales tax rebates or deferrals and/or fee deferrals; case-by-case basis (no budget allocation). City is implementing a Business Resource Incentive Program which is an incentive program for business to reduce energy costs.	City Manager's Office Economic Development Division
	2.5.E	Program	Develop business incentives that can be used to attract new businesses (e.g., fee deferral program, use of public financing when appropriate) and performance criteria to ensure that benefits are generated in line with incentives provided.	O	The type of incentive is addressed on a case-by-case basis.	City Manager's Office Economic Development Division
Side Econ. Development						

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Citywide Citywide Econ. Development	2.5.F	Program	Continue to maintain and update an economic development strategy which focuses on both the acquisition of new businesses and retention of existing businesses.	O	The Economic Development Board and City Council adopted an Economic Development Strategy in 2007. This was updated in 2012 by the Economic Development Board and City Council with the adoption of the Business Action Development Plan (March 2012). In 2015 the City Council adopted the Benicia Industrial Park Marketing Plan which highlighted the need to target industrial manufactures. In 2020 the City plans to initiate a RFP for an Economic Development Strategy for the decade of 2020's.	City Manager's Office Economic Development Division
	2.5.G	Program	Continue to implement the programs and actions proposed in the City's latest Economic Development Strategy.	O	Ongoing.	City Manager's Office Economic Development Division
	2.5.H	Program	Develop an "economic development web page" for Benicia with pertinent economic and demographic information, and profiles of key development sites and vacant buildings available for new businesses.	PC/O	An entirely new website was launched in 2013. See www.BeniciaBusiness.com . This website will be refreshed and more mobile friendly. This website was redeveloped and a new site went live in August 2019.	City Manager's Office Economic Development Division
	2.5.I	Program	Conduct a bi-annual review of fee burdens for key land uses in Benicia and competing jurisdictions in the region to ensure that Benicia's fees are sufficient and competitive and do not create a deterrent to beneficial development.	1	Fees were evaluated to a fee study (2017) and subsequent analysis (2019). Fees for peer jurisdictions were evaluated and a final recommendation is forthcoming in 2020.	Community Development Dept. and Finance Dept.
	2.5.J	Program	Expand the City's economic development strategy to address the potential for eco-tourism (e.g., related to marshlands), recreation, artists, cultural, and historic elements. Conduct a study of the relative merits and strengths of each of these assets in Benicia.	PC/O	Tourism is a key component of the new Economic Development (ED) Strategy; a marketing consultant was retained in October 2009 to being promoting the City's assets more fully. In March 2012, the City adopted the Business Development Action Plan, which updates the ED Strategy and focuses on economic recovery from the Great Recession. Focus of City resources should be on the Industrial Park. No eco-tourism focus to date. In January 2018 the City's VisitBenicia website was refreshed.	City Manager's Office Economic Development Division
Development	2.6	Goal	Attract and retain a balance of different kinds of industrial uses to Benicia.			
	2.6.1	Policy	Preserve industrial land for industrial purposes and certain compatible "service commercial" and ancillary on-site retail uses.			
	2.6.2	Policy	Other land uses should not adversely affect existing industrial and commercial land uses.			
	2.6.A	Program	Where General Plan amendments propose to convert industrial land to non-industrial or non-commercial uses, require the preparation of a fiscal and economic impact analysis to ensure that the conversion does not adversely affect the city's long-term economic development, or the economic vitality of existing industrial/commercial uses.	O	This would be required at the time of a development application or through a city-initiated amendment to the General Plan. No current amendments are proposed at this time.	Community Development Planning Division
	2.6.B	Program	Develop criteria for evaluating whether a proposed nonindustrial/non-commercial use would impact the viability of existing industrial/commercial uses. Use the criteria to evaluate non-industrial and non-commercial projects proposed in the Industrial Park.	O	The Section BMC 17.32.020, Note "L" of the Zoning Ordinance sets forth four specific criteria that must be met in order to grant a Use Permit or Variance for nonindustrial/non-commercial projects in the Industrial Zones.	Community Development Planning Division
	2.6.3	Policy	Facilitate continued development of the Industrial Park. Especially encourage general industrial uses to locate in the basin northeast of Downtown (around Industrial Way between East Second and the freeway).			

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Industrial	2.6.C	Program	For lands designated limited industrial, reduce the length of time and number of steps required for development proposals to proceed, consistent with CEQA, community development policies and ordinances, and the design review process for general industrial lands.	C/O	In November 2013, an ordinance limiting the design review process and the discretionary authority over certain land uses in the Industrial Zoning Districts was adopted. These amendments were developed in conjunction with Benicia Industrial Park Association (BIPA) and the Chamber of Commerce.	Community Development Planning Division
	2.6.4	Policy	Link any expansion of Industrial land use to the provision of infrastructure and public services that are to be developed and in place prior to the expansion.			
Industrial Development	2.6.D	Program	Continue to update the overall capital improvements program and infrastructure financing plan for the Industrial Park and other major industrial areas.	O	Update is conducted as a regular part of the Capital Improvement Program process. The Industrial Park Bus Hub project is under construction and the grand opening took place in 2019. It includes a new 24-inch waterline in Park Road to Sulphur Springs Creek. The Public Works Division is currently in the design phase of repairing and repaving Industrial Way from Teal to Lake Herman. Additionally, \$145,000 has been secured annually in solid waste franchise fee for streets in the Industrial Park. The Division is currently exploring different funding options to raise revenue for street maintenance.	Public Works Engineering Division
	2.6.E	Program	Develop Industrial Park infrastructure and public services standards, as approved by the City Council. (See also Program 2.28.A.)	PC	Included in Engineering Standards, \$250K traffic circulation study (aka Transportation and Employment Center (TEC) plan) was completed in 2017.	Public Works Engineering Division and Community Development Planning Division
	2.6.5	Policy	Establish and maintain a land buffer between industrial/commercial uses and existing and future residential uses for reasons of health, safety, and quality of life.			
	2.6.F	Program	Use topography, landscaping, and distance as a buffer between Industrial Park uses and residential uses.	PC/O	a. The General Plan Land Use Diagram indicates a 200-foot buffer, in the form of Open Space Zoning, between lands owned by Valero and adjacent residential uses. The buffer extends from East 2nd above Tennys Drive, to the north past Rose Drive and north of the industrial area along West Channel Road. b. The City continues to closely consider the mix of uses in the Industrial Park, both in terms of buffers and compatibility.	Community Development Planning Division
	2.7	Goal	Attract and retain industrial facilities that provide fiscal and economic benefits to - and meet the present and future needs of - Benicia.			
	2.7.1	Policy	Attempt to attract high-wage and high-revenue producing companies to Benicia.			
	2.7.A	Program	Conduct a study of the City's competitiveness for high-wage businesses. Based on the results, determine which types of high-wage businesses could realistically be attracted to Benicia and develop an appropriate business attraction strategy.	C	The industrial/office market and the jobs-workers imbalance are part of the Economic Development Strategy.	City Manager's Office Economic Development Division
	2.8	Goal	Maintain the viability of the Port now and in the future to benefit the City of Benicia.			
	2.8.1.	Policy	Avoid encroachment by future incompatible uses, and where possible, reduce encroachment from existing incompatible uses, in concert with Policy 2.11.1.			

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Port Development	2.8.A	Program	Ensure that definitions of "water-related industrial" and "waterfront" land uses are consistent with "water dependent "uses as defined in the Seaport Plan.	C	The San Francisco Bay Area Seaport Plan (prepared in partnership by the Bay Conservation and Development Commission and the Metropolitan Transportation Commission) was adopted in 1996, and last amended in January 2012. The Plan designates the Port of Benicia as an active 3-berth "marine terminal". This use and associated ancillary uses such as ship repair, supportive ground transportation, marine related services, and trucking and railroad yards are permitted uses in Benicia's Water-Related Industrial Zoning District.	Community Development Planning Division
	2.9	Goal	Ensure adequate land for port activity.			
	2.9.A	Program	Work with the Port to evaluate the future level of port activity and need for land in order to sustain an economically viable Port operation.	O	This effort is part of the City's Economic Development Division's work plan. The City worked with the Port to assess site specific climate change vulnerabilities as part of the Adaptation Plan.	City Manager's Office
	2.9.1	Policy	Encourage and create opportunities and methods for cooperative planning of the Port, Arsenal, and Pine Lake.			
	2.10	Goal	Provide for carefully-defined visual and physical public access where security and safety considerations permit.			
	2.10.A	Program	Explore the feasibility of public access to and providing recreation use in the Port in a manner which does not compromise the economic viability or safe operation of the Port.	C/O	Currently addressed by way of development projects requiring BCDC review.	Parks & Community Services Dept. and Community Development Planning Division
Historic Arsenal	2.11	Goal	Encourage the retention and continued evolution of the lower Arsenal into a historic/cultural/commercial/industrial center of mutually compatible uses.			
	2.11.1	Policy	Retain and expand the mix of compatible and balanced uses in the lower Arsenal area.			
	2.11.2	Policy	Continue to allow live/work uses in the lower Arsenal where it can be demonstrated that adequate buffers exist, including noise buffers, and that the presence of residents would not significantly constrain industrial operations, including the flow of goods and materials.			
	2.11.3	Policy	Support the development of the Pine Lake area as an attractive, aesthetic gateway with a water feature.			
2.11.A	Program	Require protection of dramatic views of the strait and the incorporation of a gateway/water feature into any development plans for the Pine Lake area.	C/O	The gateway/water feature element was evaluated as part of the Use Permit application for outdoor storage at 2000 Park Road (former Pine Lake). The application was withdrawn; however, the City of Benicia has been in communication with the property owner, Benicia Industries, regarding the status of the gateway feature.	Community Development Planning Division	
Downtown	2.12	Goal	Strengthen the Downtown as the City's central commercial zone.			
	2.12.1	Policy	Emphasize retail sales and service businesses along First Street, preferring retail commercial on the street level and encouraging other commercial, office, and housing as important supporting uses on upper floors.			
	2.12.A	Program	Consider improvements to Solano Square to make it more pedestrian friendly.	PC/O	Completed grant funded improvements to the intersection of First Street and Military including enhanced crossings to Solano Square and installation of new sidewalk along driveway entrance to Solano Square in 2014. In addition, Solano Square is part of Benicia's Downtown Priority Development Area, which will make Solano Square eligible and more competitive to receive grants for additional planning improvements.	Public Works Engineering Division and Community Development Planning Divisions

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Downtown	2.12.B	Program	Work to attract economically viable businesses that will create night-life Downtown such as restaurants, cafes, movie theaters, and other entertainment uses.	O	The City, through the Office of Economic Development, will deploy economic development incentives, such as fee deferral agreement, and/or award of economic development grants to incentivize or aid in attracting businesses.	City Manager's Office	
	2.12.C	Program	Continue business recruitment and marketing efforts for Downtown. Provide promotional information on Benicia's economic and demographic profile, available sites and building space, a directory of support services, and an expedited approvals program.	O	Ongoing.	City Manager's Office	
	2.12.D	Program	Develop public/private partnerships to implement financing mechanisms such as a Business Improvement District to fund capital improvements and repairs to Downtown.	O	Downtown merchants created a Business Improvement District (BID) in 2012 for the primary purpose of installing and maintaining decorative tree lights. In 2017 the BID was renewed for 10 additional years.	City Manager's Office	
	2.12.E	Program	Retain a permanent Main Street Program.	O/2	The current budget allocates \$110,000 annually toward the Main Street Program.	Parks & Community Services	
	2.12.F	Program	Promote additional civic and compatible public and private uses in the Civic Center area.	3	The Civic Center Park bocce ball courts were expanded and the library landscape was renovated in 2017. Public art in honor of Benicia's Sister City Tula, Hidalgo Mexico, was added to the south facade of the Library in 2019.	City Manager's Office, Community Development Dept. and Parks &	
	2.12.2	Policy	Permit a mix of residential and commercial uses including detached single-family homes and live/work quarters in the first row of blocks east and west of First Street. Allow small retail commercial businesses on parcels closest to First Street, and small, less intense uses (such as offices, personal services, and bed-and-breakfast establishments) anywhere within the block.				
	2.12.G	Program	Review and modify the zoning ordinance, as needed, to accommodate a mix of uses in the blocks immediately east and west of First Street.	C	In 2007, the Downtown Mixed Use Master Plan was adopted. The focus of the plan was to accommodate a mix of uses along First Street and ensure the historic character of the downtown was maintained through new development standards. In 2018, the City of Benicia adopted an amendment to the Downtown Municipal Code and the Benicia Municipal Code to permit outdoor entertainment in the downtown and regulate noise in a manner consistent with the General Plan Noise Element.	Community Development Planning Division	
	2.12.3	Policy	Seek to make Downtown a thriving and vigorous community center offering a variety of activities and attractions for residents and visitors.				
	2.12.H	Program	Continue to promote special events in the Downtown such as a farmers' market, street fairs, art and music festivals. Encourage events that remain open in the early evening. (See policies in Noise section.)	O	The City collaborates with Benicia Main Street to ensure the continuation and expansion of such events.	City Manager's Office	
	2.12.I	Program	Work with existing restaurants and cafes to provide sidewalk food service where the service will not impede pedestrian flow and where adequate sidewalk space exists.	C/O	The City allows sidewalk table seating with an encroachment permit through the Engineering Division.	City Manager's Office and Public Works Engineering Division	
2.12.J	Program	Maintain public parks, streets, and sidewalks located Downtown in a clean and safe condition.	O	Works with Parks and Community Services Dept. This is done as part of existing City maintenance programs.	Parks & Community Services Dept. and Public Works Dept.		
Downtown							

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Downtown	2.12.K	Program	As the budget allows, provide amenities such as additional benches along First Street and in adjacent public areas; drinking fountains, public art, shade trees and arbors.	2	The Urban Waterfront Enhancement and Master Plan, which was adopted in 2014, provides comprehensive park development between First Street and the Marina Entry Channel, south of B Street. In 2019, the City completed tree well improvements and public art was installed on public and private lands.	Public Works Engineering Division, Community Development Planning Division and Parks & Community Services Dept.
	2.12.4	Policy	Create a social, recreational, and economic anchor at the waterfront end of First Street.			
	2.12.L	Program	Use the Urban Waterfront Restoration Plan to guide the planning and development of public waterfront improvements; when siting private development; and when designing public access between commercial uses and the waterfront.	O/2	The Urban Waterfront Restoration Plan was negated by Measure C in 2005 with the rezone from a Waterfront Commercial to Open Space Zoning District. The City received a grant from the Coastal Conservancy to develop the Benicia Urban Waterfront Enhancement and Master Plan for the area. The Master Plan was adopted in 2014. Detailed design and engineering is partially funded, but on hold pending full funding availability.	Community Development Planning Division and Parks & Community Services Dept.
	2.12.M	Program	Investigate the feasibility of a multi-use Community Center.	C	The new Community Center, formerly the Mills Elementary School, was renovated and opened in 2011.	Community Development Planning Division and Parks & Community Services Dept.
Downtown	2.12.N	Program	By the end of the year 2000, decide on the feasibility of restoring three City-owned structures - the former Southern Pacific Railway Depot and Jurgensen's Saloon, and the Von Pfister Adobe.	PC/3	Jurgensen's Saloon has been fully restored and moved to the corner of First Street and West E Street. The Depot was partially restored and has received a conceptual plan for comprehensive improvements, but there is no funding to implement it. The Depot was listed on the National Register of Historic Places in 2017. A landscape plan was completed, and installation should begin in spring 2019. The Von Pfister Adobe has not been restored; the Parks department worked with the Benicia Historical Society to place the Adobe on the National Register of Historic Places in 2015.	City Manager's Office and Parks & Community Services Dept.
Downtown	2.12.O	Program	Establish a permanent public green on the waterfront south of B Street at Second Street.	O/PC/1	Improvements on the west side have been implemented. City Council took legislative action to preserve this area for public open space. This land is within the Open Space Zoning District. The Urban Waterfront Enhancement and Master Plan for the entire area south of B Street was completed and adopted by City Council in 2014. Partial funding has been allocated for detailed design/engineering.	Parks & Community Services Dept.
	2.12.P	Program	Investigate the possibility of developing a west-side marina.	3	No work has been done to date.	City Manager's Office
	2.12.Q	Program	Develop a tourist oriented web page that includes photos and information about Benicia as a tourist destination, such as information on lodging, historic places, restaurants, artists galleries and studios, and recreational and natural resources.	C	The site has been completed and is maintained and updated regularly. www.visitbenicia.org	City Manager's Office

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	2.12.R	Program	Continue to support promotional maps for visitors that identify locations of restaurants, services, specialty retail, recreational, and other facilities that cater to visitors and tourists.	2/O	The City continues to make available information on many attractions and collaborates with Benicia Main Street to further this endeavor. Directional signage was installed in 2009. Staff began updating the wayfinding signs in 2019 and will complete the project in 2020.	City Manager's Office
Other Commercial Development	2.13	Goal	Support the economic viability of existing commercial centers.			
	2.13.1	Policy	Direct new commercial ventures first, towards Downtown, and to other existing economic centers (instead of dispersing resources to new areas).			
	2.13.A	Program	As part of the Business Attraction, Expansion, and Retention Program, maintain an available commercial space and site database with information on size, lease rates, tenant improvements, etc., and make it readily available to prospective businesses.	O	Commercial listings are integrated with the City's Economic Development webpage.	City Manager's Office
	2.13.2	Policy	Preclude extension of the existing commercial development east along Military East and south along East Fifth Street.			
Circulation	2.14	Goal	Enhance Benicia's small-town atmosphere of pedestrian-friendly streets and neighborhoods.			
	2.14.1	Policy	Give priority to pedestrian safety, access, and transit over automobile speed and volume.			
	2.14.A	Program	Reexamine City standards to allow the development of local streets with the minimum pavement width needed in residential areas, at the same time assuring that emergency access is maintained and that pedestrian and vehicular safety are preserved.	C	This is incorporated into existing and new development as well as addressed with the City Neighborhood Traffic Calming Program toolbox. Complete Streets Resolution adopted in January 2016 so City can apply for One Bay Area Grant funding. City standards still require updating.	Public Works Engineering Division
	2.14.B	Program	Consider physical and operational changes to reduce speeds (e.g., narrow lane widths and signal timing), and increase traffic speed enforcement.	O	Staff works with the Traffic, Pedestrian and Bicycle Safety Committee; efforts are part of the City's Neighborhood Traffic Calming Program. Recent successes include the Downtown Intermodal Project and Western Gateway Intermodal Project in 2014.	Public Works Engineering Division and Police Dept.
	2.14.C	Program	Consider residential streets with textured pavements and parallel parking.	O	Implemented as part of the development review process. Examples include Harbor Walk along First Street, 221 First Street Mixed Use Project, at Kearney & McAllister in front of Water's End Park. Also included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.14.D	Program	Where feasible redesign corner radii to corners with tight radii to slow vehicles and alert drivers to pedestrians in crosswalks.	O	Examples include Military/West 2nd, East 4th/J, East 5th/L, First & K Streets. Included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.14.E	Program	Consider reducing lane widths, as one method of both slowing traffic and making room for parking, wider sidewalks, or bike lanes.	O	Examples include Downtown & Western Gateway Intermodal Projects. Part of the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.14.F	Program	Where feasible, provide pedestrian sidewalks in all residential areas along both sides of the street.	O	Implemented as part of the development review process. Also included in the City's Neighborhood Traffic Calming Program. City was awarded a Highway Safety Improvement Program (HSIP) grant for East 5th Street Roadway Improvements. These improvements were designed in FY 18-19 and it is anticipated that construction will be	Public Works Engineering Division

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Circulation	2.14.G	Program	Evaluate the feasibility of finishing sidewalks along streets where they are currently lacking	O	Examples include East 5th Street and St. Dominic's & Robert Semple Safe Route to Schools Projects in 2014. Also included in the City's Neighborhood Traffic Calming Program. The Benicia Industrial Park Transportation & Employment Center Plan (2017) calls for new sidewalk on Stone Road and E. 2nd Street, and Class I facilities on E. 2nd Street, Park Road, and Industrial Way.	Public Works Engineering Division
	2.14.H	Program	Identify areas where sight distance for vehicle drivers and pedestrian safety can be improved with signs, tree placement, landscaping, parking policy, building design, and streetscape. Prepare a program and schedule for implementing these improvements.	O	Examples include intersections of Military/West 3rd, East 5th/L Street, N St/O'Hare Drive. Also included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.14.I	Program	Identify areas where crosswalk safety can be improved through better lighting and striping, prohibiting right turns on red at specific intersections, installing pedestrian-activated push buttons for signals, installing a textured or raised paving material, and employing crossing guards for school children. Prepare a program and schedule for implementing these improvements.	O	Examples include: Military/East 2nd electronic pedestrian crossing sign, Military West/West 7th electronic pedestrian crossing signs, East 2nd/Riverhill Lighted Crosswalk. In 2014, flashing beacons were installed in front of the Middle School and crosswalks/landings were constructed on Dempsey in front of Matthew Turner School. Also included in the City's Neighborhood Traffic Calming Program and Safe Routes to School projects.	Public Works Engineering Division
	2.14.2	Policy	Discourage street widenings and the removal of on-street parking to ease traffic flow.			
	2.15	Goal	Provide a comprehensive system of pedestrian and bicycle routes which link the various components of the community: employment centers, residential areas, commercial areas, schools, parks, and open space.			
	2.15.1	Policy	Make pedestrian and bicycle circulation, and safety improvements a high priority for transportation funding, utilizing locally generated revenues and State and federal grants.			
Circulation	2.15.A	Program	Construct public improvements that accommodate and enhance pedestrian and bicycle access.	O	Examples include those mentioned in Program 2.14.I - plus, improvements to East 3rd Street Pedestrian Tunnel. Included in the City's Neighborhood Traffic Calming Program toolbox.	Public Works Engineering Division
	2.15.B	Program	Provide additional trails along the shoreline.	O	Shoreline trails were included in the 2014 Urban Waterfront Enhancement Plan, including a short Bay Trail/Ridge Trail segment. The Delta Protection Commission designated the shared Bay/Ridge Trail alignment for the Great California Delta Trail in 2017, and is currently working on a Delta Trail Master Plan that will include shoreline segments in Benicia. Staff has been participating in a multi-agency collaborative planning effort for the Carquinez Strait Scenic Loop Trail. Staff continues to seek funding and opportunities to provide trails along the Benicia shoreline. The Planning Division enforces public access on development applications within 100 feet of the mean high tide, as required.	Community Development Planning Division and Parks & Community Services Dept.
	2.15.C	Program	Provide proper signing for improved trails, fire break trails, and interpretive trails.	O	As trails are developed signage is provided. The Bay Area Ridge Trail updated their trail signage throughout Benicia in 2018-19.	Parks & Community Services Dept.

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead	
Circulation	2.15.D	Program	Improve safety and pedestrian movement by building curb extensions that narrow the overall width required by pedestrians to cross the street at major pedestrian waiting areas at street intersections, sidewalks, and landscaped areas.	O	Examples include Military/West 2nd Street, East 5th/J Street, East 5th/L Street, and Youth Center Crosswalk, Benicia High School Traffic Signal Project, Downtown & Western Gateway Intermodal Projects. Included in the City's Neighborhood Traffic Calming Program. City was awarded a HSIP grant for East 5th Street Roadway Improvements. These improvements were designed in FY 18-19 and it is anticipated that construction will be completed in Summer 2020.	Public Works Engineering Division	
	2.15.E	Program	Identify areas where adequate lighting for pedestrians in urban areas is needed. Install additional lighting as appropriate.	O	Examples include pedestrian lighting installed on Military, First, and West 2nd Streets with the Downtown & Western Gateway Intermodal Projects in 2014.	Public Works Engineering Division	
	2.15.F	Program	Widen the Rose Drive/State Park Road at I-780 overpass to accommodate pedestrians and bicycle traffic.	C	This project was completed in October 2011 and received an American Public Works Association Project of the Year Award.	Public Works Engineering Division	
	2.15.G	Program	Create a protected landscaped sidewalk for West 7th Street between I-780 and Military West.	PC	Sidewalk safety repairs related to erosion are completed with safety fencing installed.	Public Works Engineering Division	
	2.15.2	Policy	Encourage the development of pedestrian paths in hill areas as a way to link neighborhoods to schools, parks, employment centers, and convenience commercial destinations.				
	2.15.H	Program	Continue to implement the pedestrian pathway system in the City's Parks, Trails and Open Space Master Plan especially linkages between the City's residential neighborhood and commercial districts.	O	Examples include the pathway between Community Park and Lake Herman Regional Park, the proposed Waterfront Park Bay Trail alignment, and Park Road Improvement Project. This project continues to be ongoing. Additional elements are being considered in the Active Transportation Plan that is currently in development under the leadership of Solano Transportation Authority.	Public Works Engineering Division and Parks & Community Services Dept.	
	2.15.I	Program	Facilitate the connection of future Benicia-Martinez Bridge pedestrian/bike lanes to the city pedestrian/bike network. Connect paths from existing and proposed regional trail systems to the Boundary Hills and Benicia-Martinez Bridge.	PC	Construction of bike lanes and sidewalk has been completed between the bridge and Adams Street, but the gap from Adams to E. 5th remains. Plans to close Ridge Trail gap between Benicia SRA and Vallejo-Benicia Open Space Buffer to be included in the Rose Drive/Columbus Parkway project. This project is partially completed and ongoing.	Public Works Engineering Division & Parks & Community Services Dept.	
	2.15.J	Program	Improve pedestrian and bike access between Downtown and Southampton.	O	Rose Drive Traffic Calming installed bike lanes/Sharrows from McAllister to Cambridge. Rose Drive/Columbus Parkway project will close gaps in Ridge Trail and Rose Drive bikeway from Southampton to waterfront.	Public Works Engineering Division	
	2.16	Goal	Ensure access needs of individuals with disabilities.				
	2.16.1	Policy	Provide for adequate public access in all forms (walks, buildings, transportation) in conformance with the Americans for Disabilities Act (ADA).				
	2.16.A	Program	In places that accommodate the public, remove barriers to access or provide alternative services when barriers cannot be removed.	O	Examples include SolTrans' Paratransit Program, and walkway and bike projects mentioned in Program 2.15.J.	Public Works Engineering Division	
	2.16.B	Program	Require that publicly sponsored programs, activities and transportation facilities are accessible to individuals with disabilities (including employees).	O	Examples include: the annual pedestrian curb ramp program, ADA improvements to City Hall and SolTrans' Paratransit Program.	Public Works Engineering Division and Parks & Community Services Dept.	

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Circulation	2.16.2	Policy	Encourage private entities to maintain places of business that are physically accessible to all.			
	2.16.C	Program	Assess the cost and feasibility of Policy 2.16.2, including any changes in opportunities or costs for businesses to occupy historic structures.	3	Staff continues to pursue long-term tenants to occupy the Commanding Officer's Quarters.	City Manager's Office
	2.17	Goal	Provide an efficient, reliable, and convenient transit system.			
	2.17.1	Policy	Continue to provide transit service to all—and subsidized paratransit service to all qualified—potential users, including youth, the elderly and the disabled, modifying routes and schedules as demand changes.			
	2.17.A	Program	Preserve the personal service provided by Dial-a-Ride.	O/2	Through SOLTRANS JPA and County of Solano, Benicia residents have access to: Intercity Taxi Scrip (ADA Paratransit Riders); SolTrans Local Taxi Scrip (Medicare, seniors 65+, persons w/disabilities); and Benicia-only Dial-a-Ride Bus Service except Sundays and certain Holidays.	Finance Dept.
	2.17.B	Program	Subsidize transit at a level justified by a cost/benefit study.	O	SolTrans evaluates the performance of the transit system on a monthly basis, and provides these details and opportunities for input through its Technical Advisory Committee. Goals for financial sustainability were also set as part of the 2013 SolTrans Short Range Transit Plan (SRTP).	Finance Dept.
	2.17.C	Program	Institute a continuing program to evaluate the transit system to ensure it meets the public's needs.	C/O	Since 2011, SolTrans has provided transit service in the former Benicia Breeze and Vallejo Transit service areas. SolTrans completed a Short-Range Transit Plan in June 2013. SolTrans received public comment in Spring of 2019 regarding initial route and service changes. As a result of the public comment, SolTrans implemented two phases of changes for specific routes and services, including Benicia's Dial-a-Ride program. SolTrans continues to monitor and research efficiencies in routes and services within Benicia.	Finance Dept.
	2.17.D	Program	Allow preferential parking for public transit vehicles.	C/O	This is provided throughout the City.	Public Works Engineering Division
	2.17.E	Program	Set local priorities and needs for future service, taking into account funding uncertainties for Benicia's and other transit systems.	C/O	Since 2011, SolTrans has provided transit service in the former Benicia Breeze and Vallejo Transit service areas. SolTrans completed a Short Range Transit Plan in June 2013, which establishes transit service priorities. http://www.soltransride.com/	Finance Dept.
	2.17.F	Program	Improve inter-modal coordination of transit services.	C/O	Since 2011, SolTrans has provided transit service in the former Benicia Breeze and Vallejo Transit service areas. SolTrans completed a Short Range Transit Plan in June 2013. http://www.soltransride.com/	Finance Dept.
2.17.G	Program	Provide attractive and pedestrian-friendly transit stops and buses, including bike racks on buses.	O	In 2014, the city worked with Solano Transportation Authority on a new bus hub project located at Park Road and Industrial Way. A grand opening for the bus hub was held in 2019.	Community Development Planning Division and Public Works Engineering Division	

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Circulation	2.17.H	Program	Provide transit shelters with good visibility and benches, thus enhancing the pedestrian-transit interface.	PC /1	New shelters have been installed in City Park across from Solano Square. Also, 3 new shelters have been installed on West Military as part of the Intermodal Projects. New development projects may be required to provide bicycle parking as outlined in the Zoning Ordinance. In addition, the City seeks ways to improve existing shelters, e.g. new bus shelter along East 5th, north of Military East. Bus Shelters are proposed as part of the Industrial Park bus hub project for the Fairfield and Suisun Transit (FAST) bus stop on Park Road.	Community Development Planning Division and Public Works Engineering Division
	2.17.2	Policy	Consider nontraditional use of the existing transit system for tours, shuttles, and special events, (e.g., First Street shuttle, First Street to Community Park shuttle, First Street to Arsenal shuttle, State Park shuttle).			
	2.17.I	Program	Optimize the use of existing transit equipment.	O	This program not operational. All assets transferred to SolTrans JPA.	Finance Dept.
	2.17.J	Program	Consider a shuttle service between large commercial centers.	O	The Benicia Rocket Service, between the Industrial Park and downtown, was introduced for a trial period. Despite heavy advertising, the usage was minimal and the service was discontinued. SolTrans continually examines opportunities for service that attract new riders.	Finance Dept.
	2.17.3	Policy	Coordinate transit service and trip reduction efforts with other agencies.			
	2.17.K	Program	Provide intercity bus service to Vallejo and Fairfield commensurate with available funding.	O	SolTrans currently provides direct intercity bus service between Benicia and the Vallejo Ferry Terminal and Vallejo Transit Center to the west and to the Walnut Creek and Pleasant Hill BART Stations via the Yellow line. Fairfield and Suisun Transit (FAST) provides direct service from Benicia to Fairfield and Sacramento to the East, and to Pleasant Hill BART via the Blue Line route. Program continues to be ongoing.	Finance Dept.
	2.17.L	Program	Coordinate school district/city bus schedules for optimum efficiency.	C/O	SolTrans coordinates with the School District to provide regularly scheduled fixed-route service that serves schools during peak hours.	Finance Dept.
	2.17.M	Program	Coordinate transit planning with the Contra Costa Transportation Authority (CCTA) and Solano County, and coordinate future mass transit planning with all other regional efforts.	O	SolTrans continually strives to coordinate its transit operations with other agencies throughout the region. SolTrans service in Benicia is now primarily structured around linkage to BART stations in Contra Costa and WETA ferry service in Vallejo.	Finance Dept.
	2.17.N	Program	Participate in Major Investment Studies (MIS) to assure that transit alternatives are fully considered.	O	This is researched as part of Short Range Transit Plan updates.	Finance Dept.
	2.18	Goal	Encourage the provision of convenient rail service to Benicia with a station near the Benicia Bridge.			
2.18.1	Policy	Work with BART, Caltrans, BCDC, the Solano Transportation Authority, and MTC in planning a rail station near the Benicia-Martinez Bridge.				
2.18.A	Program	Consider mixed use, commercial and industrial uses that compliment the train station.	3	In 2015, the City Council voted to not include the train station in the Solano County Rail Facilities Plan and Comprehensive Transportation Plan.	Community Development Planning Division and Public Works Engineering Division	

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Circulation	2.18.B	Program	Plan for convenient auto and transit access to and auto parking at the train station to encourage its use.	3	In 2015, the City Council voted to not include the train station in the Solano County Rail Facilities Plan and Comprehensive Transportation Plan.	Community Development Planning Division and Public Works Engineering Division
	2.19	Goal	Promote a regional (San Francisco, Oakland, Alameda) and local (Martinez, Port Costa, and Crockett) ferry service.			
	2.19.1	Policy	Work with MTC to establish ferry service. Communicate regularly with them regarding plans and funding for ferry service.			
	2.19.A	Program	Identify ferry service market potential and terminal location options.	3	"Solano Transportation Authority released a feasibility study in July 2019 that discussed options between Benicia-Vallejo and Benicia-Martinez. The study determined that there may be future opportunities for ferry service between Benicia-Vallejo and Benicia-Martinez, however, the current "travel-time penalty" by car was still too high for a current project. The City continues to research opportunities for ferry service market potential. (Updated 2019)"	City Manager's Office and Finance Dept.
	2.20	Goal	Provide a balanced street system to serve automobiles, pedestrians, bicycles, and transit, balancing vehicle-flow improvements with multi-modal considerations.			
	2.20.1	Policy	Maintain at least Level of Service D on all city roads, street segments, and intersections.			
	2.20.A	Program	Identify areas where it would be beneficial to reduce and divert through vehicular traffic from local residential streets. Implement appropriate neighborhood traffic control programs in these areas.	O	Input from Traffic, Pedestrian, and Bicycle Safety Committee. Examples include West K Street and Hastings Drive traffic controls. Included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.20.B	Program	Locate new development where there is adequate existing or planned future road and highway capacity and where local residential streets will not be significantly impacted.	C/O	Benicia's adopted Level of Service (LOS) is "D". Traffic impacts of new development are evaluated as part of the project review process. If warranted, a project specific traffic study is prepared and if the project exceeds a LOS of D, then appropriate mitigation measures are required. The Vehicle Miles Traveled (VMT) standard is the established metric for the future.	Community Development Planning Division and Public Works Engineering Division
	2.20.C	Program	Encourage use of alleys for commercial loading activities when it will not block driveways or mid-block access to the street.	C/O	This occurs during the development review process. Staff recommends this approach to deliveries where appropriate.	Community Development Planning Division
	2.20.2	Policy	Seek alternatives to road widenings.			
	2.20.D	Program	Continue to identify and implement acceptable alternatives to in-town roadway widening, extensions, and large intersections.	O	Examples include East 2nd/Military signal modifications and East 2nd/HWY780 freeway signal project. Included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.20.E	Program	Identify streets where traffic should be slowed.	O	Input from Traffic, Pedestrian, and Bicycle Safety Committee. Examples include Hastings Drive, West K Street, East 5th Street, and Military West at Benicia High School and in front of City Park with corrective actions taken place at each location. Included in the City's Neighborhood Traffic Calming Program.	Public Works Engineering Division
	2.20.F	Program	Consider lane narrowing, driver education, traffic speed alert trailers, and other traffic calming remedies.	O	Continue to use radar trailers and utilize two motor traffic officers, as well as constant reminders and motorist education through social media effort.	Public Works Engineering Division and Police Dept.
2.20.G	Program	Advertise the use of transit, bicycling, and walking for commuting, shopping, recreation, and school trips.	O	Administered by the Solano Transportation Authority.	Public Works Engineering Division	

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead	
Circulation	2.20.H	Program	Reserve right-of-way for new alternate transportation facilities that contribute to street and roadway congestion relief.	O	The City currently retains many existing unimproved alley and street rights-of-way for future uses. Release of these rights-of-way only occurs if it can be clearly determined that no future use is required for transportation purposes.	Public Works Engineering Division	
	2.20.I	Program	Coordinate traffic signal improvements and synchronization and continue to implement timing changes.	O	Examples include East 2nd/HWY780 Signal Project, West 7th/HWY780 Signal Project, and West 7th Street and East 2nd Street Signal Synchronization Projects.	Public Works Engineering Division	
	2.20.J	Program	Develop adequate funding for keeping streets, alleys and sidewalks in good repair.	O	Annual street maintenance is included in the City's budget process. If approved by the City Council then Measure C could provide funding for pavement management.	Public Works Engineering Division	
	2.20.K	Program	Identify and prioritize transportation facilities maintenance projects for roadways, sidewalks, and off-street trails and paths.	O	This program is always part of the City's Capital Improvement Program and Pavement Management Program.	Public Works Engineering Division and Parks & Community Services Dept.	
	2.20.L	Program	Identify areas of the city that are pedestrian-unfriendly and develop corrective plans.	O	The Solano Transportation Authority's Countywide Pedestrian Plan listed the top priority as the State Park Road Bike/Ped Path, which was completed in October 2010. First Street Streetscape Project was the second priority project. Additional corrective plans may be included in the Active Transportation Plan that is being developed.	Public Works Engineering Division and Parks & Community Services Dept.	
	2.20.3	Policy	Maintain Lake Herman Road as a rural, two-lane, curving scenic route.				
2.21	Goal	Encourage Benicia residents and employees to use alternatives to the single-occupant automobile.					
2.21.1	Policy	Provide and promote a range of travel alternatives to the use of the private automobile.					
Circulation	2.21.A	Program	Advertise the benefits of Transportation Demand Management (TDM) measures and conduct public outreach programs to educate the public about options available within the city.	O	Administered by the Solano Transportation Authority (SolTrans) and Solano Napa Commuter Information (SCNI). The City assists SCNI to promote Bike to Work, Commuter Challenge, and other programs that promote alternatives to the private automobile. The City has partnered with Solano Transportation Authority to promote the first/last mile and Lyft program that encourages transit usage to employment areas.	Public Works Engineering Division and Community Development Planning Division	
	2.21.B	Program	Implement Transportation Control Measures (TCMs) appropriate to Benicia.	O	Ongoing.	Public Works Engineering Division	
	2.21.2	Policy	Encourage new development patterns that facilitate bicycling, walking, and transit for commute, shopping, recreation, and school trips.				
	2.21.C	Program	Consider denser, mixed-use developments, particularly in the Downtown area.	C/O	The city has a designated Priority Development Area (PDA) for the Downtown which focuses on denser, mixed-use development. This also occurs through the implementation of the Downtown Mixed Use Master Plan with accompanying form-based development regulations. The plan allows for mixed-uses and employs zero lot lines and limited setbacks to achieve greater densities than previously permitted. In 2019, the City Council authorized a grant application for SB2 Funding to establish a mixed-use zone at Military East and East 5th Street.	Community Development Planning Division	
	2.21.D	Program	Consider the feasibility of extending East Second Street from East "L" Street to East "K" Street.	C	Reviewed during facility planning of the Police Department and determined not feasible or desirable.	Public Works Engineering Division	

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Circulation	2.22	Goal	Alleviate traffic congestion near school sites.			
	2.22.1	Policy	Work closely with the School District in addressing traffic congestion near schools.			
	2.22.A	Program	Develop a plan jointly with the School District for reducing traffic congestion at and near school sites.	O	Implemented jointly by the City, Benicia Unified School District Liaison Committee, and the Traffic, Pedestrian, and Bicycle Safety Committee. Included in the Neighborhood Traffic Calming Program - and Solano Transportation Authority Safe Routes to School Program.	Public Works Engineering Division
	2.22.B	Program	Encourage the School District to continue the comprehensive crossing guard program.	O	Implemented jointly with the Benicia Unified School District Liaison Committee. Included in the City's Neighborhood Traffic Calming Program - and Solano Transportation Authority Safe Routes to School Program.	Public Works Engineering Division
	2.22.C	Program	Adjust phasing/timing of signal lights on routes to schools, and consider providing increased crossing guards and/or police direction of traffic.	O	Implemented jointly by the Police Dept. and the City, Benicia Unified School District (BUSD) with direction from the BUSD Liaison Committee. Separate school resource officers are assigned to Benicia High School and Middle School. New safe route to school maps completed. Also included in the City's Neighborhood Traffic Calming Program - and Solano Transportation Authority Safe Routes to School Program. In 2016, received Active Transportation Program Grant for SR2S Projects at five schools.	Public Works Engineering Division
	2.22.D	Program	Encourage the School District to implement citywide busing and promote carpools for trips to school.	O	Implemented jointly with the Benicia Unified School District Liaison Committee. Also included in the City's Neighborhood Traffic Calming Program - and Solano Transportation Authority Safe Routes to School Program.	Public Works Engineering Division
	2.22.E	Program	Promote School District provision of adequate off-street parking, drop-off and pickup facilities, and designated carpool parking at each school.	O	Implemented jointly with the Benicia Unified School District Liaison Committee. Also included in the City's Neighborhood Traffic Calming Program - and Solano Transportation Authority Safe Routes to School Program.	Public Works Engineering Division
	2.22.F	Program	Study the need for and feasibility of a pedestrian bridge linking the middle school and high school.	3	The benefits of the project do not exceed costs; therefore, the City is unlikely to receive grant funding. The project was removed from Solano County Comprehensive Transportation Plan.	Public Works Engineering Division
	2.23	Goal	Ensure adequate parking while maintaining aesthetic landscape features.			
	2.3.1	Policy	Provide adequate on-street and off-street parking.			
	2.23.A	Program	Continue to allow on-street parking where needed for abutting uses (e.g., Military East).	O	This is allowed and discussed with applicants in affected areas. The Zoning Ordinance allows uses smaller than 2,000 sq. ft. to potentially have reduced parking and the Downtown Mixed Use Master Plan allows on street parking to count towards parking requirements. In 2014, two commercial development projects were approved in the Downtown Mixed Use Master Plan area where on-street parking was used to meeting the off-street parking requirement.	Community Development Planning Division and Public Works Engineering Division
	2.23.B	Program	Preserve and improve the East Second and "E" Street parking lot. Consider double-deck parking if need warrants.	O	In March 2018, City Council identified and prioritized the development of a hotel on the E Street Lot as a top priority for the City. Staff is working to develop a process to solicit qualified developers to purchase or lease the property to construct a hotel facility with sufficient parking that meets the needs of the hotel use and sensitive to City special events.	Economic Development Division

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Circulation	2.23.C	Program	Allow flexible parking requirements for uses smaller than 2,000 square feet.	C	Passed by the City Council in 2001, Ordinance 01-6 allows the Community Development Director to consider deviations from the parking requirement for uses less than 2,000 sq. ft. if certain circumstances warrant approval. BMC 17.74.020 "K".	Community Development Planning Division
	2.23.D	Program	Update parking requirements based on actual local parking generation studies wherever, appropriate, and consider parking proximity to transit corridors.	PC/O/3	The Downtown Mixed Use Master Plan, adopted in 2007, provided more flexible parking requirements in the newly created Zones: Town Core, Town Core Open, Neighborhood General, Neighborhood General Open. The Department recommends revising parking requirements throughout the rest of the City as resources (funding) become available.	Community Development Planning Division
Circulation	2.23.2	Policy	Reduce the visibility of parking lots.			
	2.23.E	Program	Allow future parking to be divided into smaller lots with generous internal and perimeter landscaping.	C/O	The Zoning Ordinance requires parking lots to be landscaped. Staff evaluates the applicability of this program during project review. There are no objections to breaking large parking lots into smaller lots as long as parking requirements are met.	Community Development Planning Division
	2.23.F	Program	Recommend parking to be located behind or alongside (but not in front of) buildings, where possible.	C/O	In downtown, the development standards require parking to be located behind buildings. This program is also reflected in the Objective Planning Standards for Mixed Use and Multi-Family Development, adopted in 2019.	Community Development Planning Division
	2.24	Goal	Continue to provide safe and direct access to the Industrial Park.			
	2.24.1	Policy	Continue to ensure public access to private roads in the industrial and Port areas.			
	2.24.A	Program	Investigate establishment of Industrial Park bus service.	C/O	A bus hub has been completed and FAST (Fairfield and Suisun Transit) provides express bus service to the Industrial Park from Pleasant Hill BART, Fairfield, Davis, and Sacramento. This program is completed but ongoing monitoring.	Finance Dept.
	2.24.B	Program	Investigate alternate routes that would better accommodate access from the freeway to the Port and Industrial Park.	C	As part of the traffic impact fee program update, various projects to be funded by the program were analyzed. One of those was the East 2nd/Park Road connector, which is intended as a future alternate entryway into the Industrial Park from East 2nd Street.	Public Works Engineering Division
	2.24.C	Program	Identify solutions to circulation problems associated with truck traffic by maintaining a database of truck-related citizen or business complaints in combination with truck counts and accident data.	O	Review of the situation created by truck traffic in the City is conducted annually as part of the Citywide Accident Review process.	Public Works Engineering Division
	2.25	Goal	Improve auto and non-auto access into the Old Arsenal, without disrupting existing neighborhood, historic, and environmental values.			
	2.25.1	Policy	Consider alternative modes of transportation to the auto in planning new access and in improving existing routes into the Arsenal.			
	2.25.A	Program	Improve access into the Arsenal from I-680.	O	The second Benicia-Martinez Bridge was built in 2006 and the I-680 at I-780 Interchange was rebuilt. A connection from I-680 to the Lower Arsenal is unlikely to happen and is not included in Solano Transportation Authority's Comprehensive Transportation Plan.	Public Works Engineering Division

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Circulation	2.25.B	Program	Depending on City's determination of need and impacts, decide whether to connect the Lower Arsenal with the Downtown, such as through East "H" Street, including bike, pedestrian, and emergency access.	3	The connection of the Lower Arsenal to the downtown is identified in Solano Transportation Authority's Countywide Bicycle Transportation Plan for pedestrian and bicycle access. The Draft Lower Arsenal Mixed Use Specific Plan (not yet adopted) calls for improved bicycle connectivity to the Arsenal from Downtown through East H Street by way of a new "West Edge B21:G21Path" to Jackson Street (pg. 2-5 Draft Lower Arsenal Mixed Use Specific Plan); however, the plan has been on hold since 2009.	Community Development Planning Division and Public Works Engineering Division and Parks & Community Services
	2.26	Goal	Ensure that scenic and environmental amenities of I-680 and I-780 are not compromised.			
	2.26.1	Policy	Promote the use of freeway right-of-way for alternative commute methods (e.g. car pool lanes, transit, and off-road bike paths).			
	2.26.2	Policy	Encourage the preservation of I-780 as four lanes, but support spot widenings at selected locations (e.g., the approach to the Benicia-Martinez Bridge on/off merge lanes) to address future capacity problems while still maintaining a four-lane mainline freeway.			
	2.26.3	Policy	Support Caltrans' Benicia-Martinez Bridge project, advocating the following: (1) continued toll collection in the northbound direction with the toll plaza located at the southern end of the bridge; (2) elimination of existing lane merge problems at the I-680/I-780 interchange; (3) retaining direct access to existing interchanges at East 2nd and East 5th Streets, (4) accommodating rail transit on the bridge in the future, and (5) only widen I-680 upon evaluation of alternatives.			
	2.26.4	Policy	Ensure that the Benicia-Martinez Bridge project adequately reflects the community's concerns.			
	2.26.A	Program	Continue to monitor and comment on Caltrans planning activities and documentation as the bridge planning process continues.	C	New span of the Benicia-Martinez Bridge has been completed in 2006.	Public Works Engineering Division
	2.27	Goal	Ensure an active community deliberation process in response to Caltrans proposals now and in the future.			
	2.27.1	Policy	Monitor Caltrans' planning process for I-680 and I-780 improvements and communicate the City's concerns and priorities to Caltrans.			
	2.27.2	Policy	Ensure the continuation of the following City policies in discussions with Caltrans about changes to I-680 and I-780: A) Preserve the Lake Herman interchange vista look-out and rest area. B) Relocate the Industrial interchange northbound off-ramp and southbound on-ramp from the south end of the Sulphur Creek overcrossing at Bayshore Road to the north end at Industrial Way. C) Use the existing toll building at the existing Benicia-Martinez Bridge for a passenger train station for the UP rail line. Provide adequate access to and automobile parking at the station. Provide for the station to accommodate a light rail passenger line on the new bridge. D) Preserve direct access to and from I-780 at East Second and East Fifth Streets. E) Preserve the existing westbound exit from I-780 at Columbus Parkway and ensure that existing commercial buildings are not removed. F) Keep I-780 four lanes. Support spot widenings at selected locations (e.g., the approach to the Benicia-Martinez Bridge on/off merge lanes) to address future capacity problems while still maintaining a four-lane mainline freeway. G) Only support the widening of I-680 to six lanes upon evaluation of alternatives. H) Do not permit sound walls or retaining walls along I-780; Permit sound walls and retaining walls that the community believes would provide benefits that outweigh drawbacks.			
2.27.3	Policy	Ensure that the Benicia residential and business community is informed about Caltrans' project planning activities, and solicit public input on Caltrans projects.				
2.27.A	Program	Review existing plans and work with Caltrans to develop proposals that reflect the consensus.	O	Examples of recent success included 2nd span of Benicia-Martinez Bridge, Park Road Sidewalk Project. In 2015, Caltrans began giving quarterly project status reports to the STA Technical Advisory Committee.	Public Works Engineering Division	
2.28	Goal	Improve and maintain public facilities and services.				
2.28.1	Policy	Require that new development not reduce the levels of service in existing neighborhoods below City standards.				

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Public & Quasi-Public	2.28.A	Program	Establish standards for city services and facilities, as approved by the City Council (see also Program 2.6.E).	C	Standards have been established and are updated as required. The Department enforces engineering and construction standards, safety standards, and water/wastewater treatment standards, which are either published by the City or an outside regulatory agency. Many of the standards, such as water/wastewater, are thresholds of service and water quality.	Public Works Engineering Division
	2.29	Goal	Provide for churches to locate where conflicts with adjacent land uses will be minimized.			
	2.29.1	Policy	Inside the Urban Growth Boundary, allow churches outright in community commercial zones and as a conditional use in other zones. Make every effort to provide lands for needed religious assembly when planning large new projects in these zones.			
	2.29.2	Policy	Encourage the location and design of church facilities to be compatible with neighboring properties.			
	2.29.3	Policy	In any future developments, consider earmarking land for quasi-public uses.			
Parks and Recreation	2.30	Goal	Maintain and improve existing parks and recreation programs.			
	2.30.1	Policy	Enhance existing city recreation facilities and programs.			
	2.30.A	Program	Develop programs that promote higher and better use of Benicia's recreation facilities and programs. [Recreation facilities include parks and buildings.]	O	The Community Services Division continually creates and implements ongoing programs that use facilities and parks.	Parks & Community Services Dept.
	2.30.B	Program	Conduct periodic surveys about ways to improve City recreation facilities and programs	O	Ongoing.	Parks & Community Services Dept.
	2.30.C	Program	Direct the Parks, Recreation & Cemetery Commission to annually audit and recommend additions to and updates of the Parks Master Plan.	O/2	The Parks and Community Services Department has requested funding to update the 1997 Parks, Trails & Open Space Master Plan, but funding has not yet been provided.	Parks & Community Services Dept.
	2.30.D	Program	Establish cooperative relationships with public agencies and applicable public interest groups in developing plans for parks and recreation programs.	O	The Parks and Community Services Department regularly works with partner agencies and stakeholder groups to develop plans, programs, and facilities.	Parks & Community Services Dept.
	2.30.E	Program	Distribute special park features (e.g., gazebos, bandstands, fountains, sculpture, overlooks, etc.) at key locations in neighborhood and community parks to enhance neighborhood character, provide a focus for a park, or create a place for viewing.	O	Opportunities for overlooks and other special features are assessed on a project by project basis, but will be comprehensively reassessed when the Parks, Trails & Open Space Master Plan is updated.	Parks & Community Services Dept.
	2.30.F	Program	Continue to share City park facilities with the School District and consolidate park and school lands wherever feasible.	O	Staff provides facility requests per the Joint Use Agreement; works with School District to expand availability of facilities.	Parks & Community Services Dept.
	2.30.G	Program	Develop a process to evaluate existing facilities and determine their utilization.	O	With input from staff, the Parks Recreation and Cemetery Commission, and the community facility utilization is evaluated by staff.	Parks & Community Services Dept.
	2.30.2	Policy	Increase resident awareness of the available recreational opportunities in the city.			
	2.30.H	Program	Develop public information materials (including a color map and table of citywide recreation facilities), and a comprehensive sign system about parks and recreational opportunities.	O	A brochure is distributed three times a year promoting programs and facilities. Staff utilizes a Public, Educational, Governmental channel, the city website, and a Facebook page to provide information and promote programs. A dog access brochure and regional trail signage program are under development. When funded, the Parks, Trails & Open Space Master Plan update is expected to modernize signage and wayfinding.	Parks & Community Services Dept.
	2.30.3	Policy	Incorporate water conservation into park planning and design.			

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Parks and Recreation		2.30.I	Program	Use primarily native plant species and other drought tolerant plants in all parks and open space areas.	O	Where possible, native and drought tolerant plants are used to replace depleted plantings and for new plantings. New landscapes recently installed at the library and SP Depot are low water, low maintenance landscapes. The City has partnered with Benicia Tree Foundation to plant oaks, buckeyes, and redbuds from locally sourced seed at Lake Herman Regional Park.	Parks & Community Services Dept.	
		2.30.J	Program	Use drip irrigation and other water efficient irrigation methods in all parks.	O	Both Drip Irrigation and Water-Efficient Irrigation methods are used. An evapotranspiration controller system has been installed at 17 sites. Staff received grant money from CSC in 2014 and expanded the evapotranspiration system. Staff also completed design for drip irrigation along East 2nd Street and Rose Drive and in front of the Library. The removal of turf and installation of drought tolerant plant material in front of the Library was completed in 2017.	Parks & Community Services Dept.	
		2.30.4	Policy	Protect plant and animal life as part of any park improvement project involving sensitive habitat areas of local or regional significance.				
		2.30.5	Policy	Design park improvements to facilitate accessibility and maintenance.				
		2.30.K	Program	Regulate concessions stands in park and recreation areas consistent with the Parks, Trails, and Open Space Master Plan.	O	Staff continues to work with the user groups to encourage them to provide healthy choices at their concession areas.	Parks & Community Services Dept.	
		2.30.6	Policy	Continue to establish appropriate uses and programs for Lake Herman Regional Park that (a) preserve and maintain its natural condition and scenic value while providing for increased, passive, low impact recreational opportunities and (b) maintain and/or enhance Lake Herman's wetlands to attract a variety of wildlife to the area; (c) preserve rock outcroppings and creekside vegetation.				
		2.31	Goal	Maintain safety at parks/open space.				
		2.31.1	Policy	Improve and maintain safety in existing parks and design park improvements to facilitate security and policing.				
	Parks and Recreation		2.31.A	Program	Continue coordination with the City police department to provide mobile patrol of parks and open space areas.	O	Ongoing.	Parks and Community Services Dept. and Police Dept.
			2.31.B	Program	Continue coordination with the City Fire Department regarding fire season warning and control, emergency vehicle access, support facilities, and response.	O	Ongoing.	Parks and Community Services Dept. and Fire Dept.
		2.31.C	Program	Continue to coordinate with neighborhood watch programs to provide added security at parks, along trails, and in the open space areas.	O	Added community cameras at four locations to add safety (locations are City Park, Community Park, Lake Herman Park, and bottom of First Street). This program remains ongoing.	Parks and Community Services Dept. and Police Dept.	
		2.31.D	Program	Coordinate with the Benicia Unified School District regarding safety concerns at joint use facilities.	O	Ongoing.	Parks & Community Services Dept.	
		2.32	Goal	Expand the City's park system to accommodate future community needs.				
		2.32.1	Policy	Establish new parks/recreation areas.				
		2.32.A	Program	Ensure that lands dedicated for park land are of sufficient in size to accommodate the uses and facilities proposed, graded for those uses, and free of hazardous and toxic waste materials for each park site.	O	Staff continually works on this. In addition, the General Plan provides standards for three categories of City Parks: Regional (10 acres per 1,000 people), Community (2.5 acres per 1,000 people), and Neighborhood (3.5 acres per 1,000 people).	Parks & Community Services Dept.	

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Parks and Recreation	2.32.B	Program	Regularly monitor County, State, and federal funding sources and apply for loans and grants to acquire, develop, and rehabilitate park land and facilities.	O	An interdepartmental City Grant Team regularly reviews grant opportunities for all City projects, including current and proposed park projects.	Parks & Community Services Dept.
	2.32.C	Program	Identify and incorporate the needs of neighborhoods in developing new parks and facilities.	O/3	The Parks Master Plan designates future park sites based on needs determined at the time the plan was prepared (completed July 1997). However, park needs have changed as neighborhood demographics shift. The Parks Master Plan should be updated every 5 years to determine if identified park needs have changed in neighborhood areas. Currently there is no funding to update the Parks Master Plan.	Parks & Community Services Dept.
	2.32.2	Policy	Continue to develop and enhance recreational benefits of the shoreline and seek public access along the waterfront.			
	2.32.D	Program	Explore public access on private waterfront through collaborative planning or a development review process.	O	Staff collaborates with Planning Division staff when a project along the waterfront triggers a public access requirement and permit from the Bay Conservation and Development Commission. A short but key gap in the downtown waterfront trail was recently completed south of C Street.	Parks & Community Services Dept.
	2.33	Goal	Assure long-term maintenance of the State Parks.			
	2.33.A	Program	Develop a Strategic Plan for addressing State park issues.	O	Staff convene quarterly meetings with State Parks and other local stakeholder agencies to support Benicia State Recreation Area and Benicia Capitol State Historic Park.	Parks & Community Services Dept.
	2.33.B	Program	Work with the State to maintain and improve both parks and identify needed improvements. [For example, utility lines that cross the State Recreation Area should be re-routed.]	O	The City has a limited maintenance agreement with State Parks for maintenance of the Benicia Capitol State Historic Park lawn and landscapes fronting First Street and West G Street.	Parks & Community Services Dept.
	2.33.C	Program	Work with the State to keep the State Recreation Area open to the public for day use.	O	The seven agency Solano State Parks Committee continues to meet quarterly and advocates for both Benicia State Parks. Multiple Committee members have entered donor and/or maintenance agreements with State Parks, with the City and Benicia State Parks Association involved in both state parks. The City is evaluating climate change related risks (sea level rise) to the State Recreation Area (SRA) as part of the City's Climate Adaptation Plan. The SRA is currently open to the public for daily use, with recent investments in core park infrastructure by the State and partners.	Parks & Community Services Dept.
	2.33.D	Program	Work with the State to assure that the Capitol maintains maximum opening hours for public enjoyment and use.	O	City has continued the successful maintenance agreement to maintain the Capitol grounds. Benicia State Parks Association has an agreement to assist in the operation of the Capitol and Fisher Hanlon House. The Capitol State Historic Park is now open to the public four days per week.	Parks & Community Services Dept.
	Parks and Recreation	2.34	Goal	Ensure adequate school facilities to serve all residential areas.		
2.34.1		Policy	Approve new residential projects only if adequate school facilities are available or will be available when needed.			
2.34.A		Program	Continue to work with the School District to identify appropriate sites if needed for future expansion and new construction of public schools.	C/O	Staff enforces this program with any large residential application through the environmental review process, which, among other things, evaluates impacts on school capacities. In addition, the City Manager regularly meets and coordinates with the Benicia Unified School District.	Community Development Planning Division and City Manager's Office

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Schools	2.35	Goal	Cooperate with the School District to provide opportunities for citizen use of the schools.			
	2.35.1	Policy	Continue to seek innovative ways for the City to use school facilities and grounds jointly with the School District.			
	2.35.A	Program	Continue to maintain and implement the joint-use agreement between the City and BUSD.	O	Ongoing.	Parks & Community Services Dept.
	2.35.B	Program	Maintain zoning that, in the event any schools are closed or relocated, will support the reuse of closed school sites for public or quasi-public uses.	C/O	The General Plan Zoning Map designated existing school sites with a Public and Semi-Public Zoning District.	Community Development Planning Division
Water	2.36	Goal	Ensure an adequate water supply for current and future residents and businesses.			
	2.36.1	Policy	Approve development plans only when a dependable and adequate water supply to serve the development is assured.			
	2.36.2	Policy	Continue to pursue and secure adequate water sources of the highest quality available.			
	2.36.A	Program	Pursue use of reclaimed wastewater—especially for major industrial users—where feasible.	3	A feasibility study of the Water Reuse Project was completed in June 2017. The U.S. Bureau of Reclamation is in the process of preparing a Biological Assessment and Finding of No Significant Impact (FONSI) to comply with U.S. Fish and Wildlife Service requirements. This must be completed to receive federal grant funding. Three of the four State Prop 1 funding packages have been submitted to the State. The financial package is outstanding. The Water Reuse Project would provide approximately 2,000 acre-feet per year of recycled water for Valero's cooling tower. Recycled water would also be available for use by City landscape irrigation customers located near the pipeline route from the wastewater treatment plant to the refinery. The project could potentially reduce the City's potable water demand by 20-25%.	Public Works Waste Water Division
	2.36.3	Policy	Implement measures to reduce water consumption.			
	2.36.B	Program	Initiate water conservation programs and conduct drought contingency planning.	O	The City continues to encourage conscientious water practices and will maintain compliance with the State's impending permanent regulations. The City replaced all of its aging meters and has rolled out WaterSmart/Water Insight to all residential accounts to help monitor consumption.	Public Works Water Quality Division
	2.36.C	Program	Continue to implement City-adopted water conservation Best Management Practices (BMP). (see Glossary)	O	The City piggybacks on Solano County Water Agency-sponsored water conservation programs and complies with State Water Resources Control Board mandates.	Public Works Water Quality Division
	2.36.D	Program	Continue to require development to utilize adopted City standards for low-water-use landscaping.	O	Program implemented as part of development review and approval process. Funding (10 million) now available from agreement with Valero. New State Water Efficient Landscape Standards became effective January 2010.	Community Development Dept. Planning Division
	2.36.4	Policy	Encourage public and private uses to minimize water use and to recycle processed water whenever and wherever feasible.			
	2.36.E	Program	Promote the retrofitting of public buildings with water conservation features.	O	Water saving retrofits have been completed in most City facilities. Low water landscape retrofits have been completed outside several City buildings, as part of current PCS standard practice.	Community Development Dept. and Parks & Community Services Dept.
	2.36.F	Program	Assist hospitality-related businesses to actively promote water conservation.	O	Program is implemented through the Public Works Water Quality Division.	Public Works Water Quality Division
	2.37	Goal	Identify and preserve groundwater resources.			

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Water	2.37.1	Policy	Work with the RWQCB to protect groundwater quality.			
	2.37.2	Policy	Ensure the cleanup of groundwater contamination resulting from the IT Panoche Hazardous Waste Facility.			
	2.38	Goal	Protect water quality.			
	2.38.1	Policy	Continue to require the use of feasible and practical Best Management Practices (BMP) to protect receiving waters from adverse effects of construction and urban runoff.			
	2.38.A	Program	Continue the Storm Water Pollution Prevention Program (SWPPP) and the Industrial Pretreatment Program and continue to implement the Erosion Control Ordinance.	O	Ongoing and implementing new Phase II Storm Water Requirements (2014 - 2018). The City is currently in the last year of the permit and will stay abreast of any developments with the permit renewal.	Public Works Water Quality and Engineering Divisions
	2.39	Goal	Provide safe drinking water and improve its taste and odor.			
	2.39.1	Policy	Ensure that water quality goals are consistently met.			
	2.39.A	Program	Continue to cooperate in regional efforts by organizations such as the CALFED Program to improve the quality of the City's source water.	O	Implemented through both the Water Treatment Division and Solano County Water Agency.	Public Works Water Division
	2.39.B	Program	Continue to optimize treatment operations in conjunction with the implementation of the City's five- and 10-year Capital Improvements Programs.	O	Ongoing (with approved funding.)	Public Works Wastewater and Water Divisions
	2.39.C	Program	Educate the public about City efforts to improve the taste and odor of its drinking water.	O	The City prepares an annual water quality report by July 1st. Customers are notified via postcard that the report is available on-line or a paper copy can be mailed upon request.	Public Works Water Division
2.40	Goal	Ensure adequate wastewater treatment capacity to serve all development shown in the General Plan.				
2.40.1	Policy	Approve changes in land use designations for new development only if adequate wastewater treatment capacity is assured.				
2.40.2	Policy	Promote use of reclaimed wastewater where feasible.				
Water	2.40.A	Program	Prepare, adopt, and implement a sewer maintenance and replacement program.	O	As a result of the River Watch Settlement, the CCTV (Closed Circuit Television) critical Condition Assessment within 200 feet of waterways was completed in September 2017. Total system condition assessment is ongoing. The adopted sewer rates for Fiscal Year 16/17 through 20/21 provide funding for maintenance and repair of sewer lines.	Public Works Wastewater and Field Maintenance Divisions
	2.40.B	Program	Continue to implement the City's Wet Weather Management Plan.	O	Ongoing (there is an on-going effort to identify and eliminate inflow and infiltration.)	Public Works Wastewater Division
	2.40.3	Policy	Encourage developments with projected high strength discharges to reduce pollutants directly to the City's wastewater system.			
	2.40.C	Program	Educate developers about recycling and other technological methods where feasible.	O	Managed by the City Manager's Office, supported by Fire Dept., in conjunction with solid waste and recycling contractor.	Fire Dept.
	2.40.D	Program	Continue to pursue the City's Pollution Prevention Program for all users of the City's wastewater system including commercial, industrial, and residential.	O	Ongoing.	Public Works Water Quality Division
	2.40.E	Program	Continue to pursue the City's pretreatment program for industrial dischargers.	O	Ongoing.	Public Works Water Quality Division
	2.41	Goal	Minimize WWTP operational upsets, potential discharge of inadequately treated wastewater, and the emission of odor and noise.			
2.41.1	Policy	Continue efforts to replace the gaseous chlorine system with a less hazardous chemical (such as a liquid chlorine system) that will address the potential safety impacts to the neighborhood surrounding the WWTP.				

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	2.41.2	Policy	Continue to work with neighbors to implement programs that minimize odor, noise, and potential safety impacts to the neighborhood surrounding the WWTP.			
Recycling	2.42	Goal	Enhance the recycling of solid waste.			
	2.42.1	Policy	Strive to accomplish the mandated objectives of the California Integrated Waste Management Act.			
	2.42.A	Program	Adopt and implement a Source Reduction and Recycling Plan (SRRP) and Hazardous Household Waste Plan (HHWP) which include components for waste characterization, source reduction, recycling, composting, special waste diversion, education, public information, disposal facility capacity, funding, and the safe use, disposal, and recycling of household hazardous materials.	C	Completed	Fire Dept.
	2.42.B	Program	Encourage local recycling facilities to be available to the public.	C	Completed	Fire Dept.
	2.42.C	Program	Pursue establishment of curbside service that would pick up and compost yard waste and make it available to City residents for a reasonable cost.	C	Completed	Fire Dept.
Utilities	2.43	Goal	Allow installation of telecommunications equipment and distribution networks that maintain and protect health, safety, and quality of life and avoid visual clutter.			
	2.43.1	Policy	Minimize the visual impacts of siting exposed commercial antenna structures in scenic corridors and residential and historic districts.			
	2.43.A	Program	Establish design requirements for commercial antennas and associated equipment and distribution networks.	C/O	Benicia's Wireless Telecommunications Ordinance was adopted in 2006 and sets forth requirements for design.	Community Development Planning Division
Historic Preservation	3.1	Goal	Maintain and enhance Benicia's historic character.			
	3.1.1	Policy	Encourage reuse of historic buildings; if feasible, encourage relocation rather than demolition.			
	3.1.A	Program	Continue to maintain a current inventory of historic and architectural resources in the city.	C/O	An updated Historic Resources Inventory was approved in 2009 by the City Council. In addition, a grant funded Historic Context Statement was adopted in 2011. In 2013 and 2016 City Council approved the addition of 251 West G Street and 818 First Street as contributing buildings to the Downtown Historic Overlay District, respectively.	Community Development Planning Division
	3.1.2	Policy	Enhance the economic potential of historic and architectural assets.			
	3.1.3	Policy	Preserve historic trees and landscapes. (Refer to the Arsenal Historic Conservation Plan, November 1993, for guidance on historic trees and landscaping.)			
	3.1.B	Program	Become a Certified Local Government (CLG) by applying to the State Department of Historic Preservation.	C	Benicia was granted CLG status in 2007 and currently maintains its status and submits required annual reports to the State Office of Historic Preservation.	Community Development Planning Division
	3.1.C	Program	Define the boundaries necessary to preserve the historical significance of the Camel Barn complex.	3	Not part of the current work program. May require outside resources.	Community Development

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Historic Preservation	3.1.D	Program	Continue to work and cooperate with the Benicia Historical Society on historic preservation issues.	O	Staff regularly coordinates and continues involvement with and from the Benicia Historical Society. Staff supported the Historical Society's successful nomination of the Von Pfister General Store and Southern Pacific Depot to the National Register of Historic Places. In 2019, the City established a standing meeting with Historical Society representatives to review matters relating to historic preservation and coordinated directly on multiple projects including the Accessory Dwelling Unit (ADU) ordinance, Objective Planning Standards and Downtown Design Guidelines.	Community Development Dept. Planning Division and Parks & Community Services Dept.
	3.1.4	Policy	Promote the preservation and enhancement of historic neighborhoods, commercial areas, and governmental districts.			
	3.1.5	Policy	Permit new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan.			
	3.1.6	Policy	Promote restoration of public and privately-owned historic and architecturally significant properties.			
Historic Preservation	3.1.E	Program	Develop a program for inspections of historic structures.	O	City staff conducts annual inspections of historic homes that are under a Mills Contract Agreement with the City. All other structures are not inspected. Regular inspections of city facilities for protection and maintenance are customary. No funds to develop a Historic Structures Report.	Community Development Planning Division and Parks & Community Services Dept.
	3.1.F	Program	Seek public and private funding for historic preservation and maintenance.	O	Staff actively researches funding opportunities to implement historic preservation efforts.	Community Development Planning Division and Parks & Community Services Dept.
	3.1.G	Program	Develop a program for property tax incentives.	C/O	Benicia established a Mills Act Program for owners of historic properties in 2003. In 2016, two new contracts were approved for a total of 39 properties that are participating in the Mills Act Program.	Community Development Planning Division
	3.1.H	Program	Consider waiving or reducing building permit fees for qualified work necessary to rehabilitate or restore historic structures.	O	Implemented on a case-by-case basis as determined by the Community Development Director. A comprehensive program would require outside resources.	Community Development Planning Division
	3.1.I	Program	Publicize opportunities and incentives for historic preservation to owners of historic buildings.	C/O	In 2014, the Historic Preservation Review Commission (HPRC) and staff created a brochure highlighting the City's historic preservation program. The City participates in and supports National Preservation Month in May, has attended Benicia's Farmers Market to distribute information, and routinely collaborates with Benicia Main Street, Benicia Historical Society, and Benicia Historical Museum to promote historic preservation.	Community Development Planning Division
	3.1.J	Program	Continue to assist owners of historic homes in lower-income areas with low interest loans through Community Development Block Grants (CDBG), when available.	O	Benicia has a Housing Rehabilitation Loan Program for eligible property owners to assist with home repairs. The City is currently finalizing a CDBG grant application for Benicia Housing Authority to fund improvements to its senior living facility, Casa de Villarassa.	Community Development Planning Division

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Historic Preservation	3.1.K	Program	Establish a Historic Preservation Commission.	C	A Historic Preservation Committee was established in 2001. A blended Commission (Design Review and Historic Preservation) was established in 2005. This resulted in a new (blended) Historic Preservation Review Commission (HPRC) and has been operating since.	Community Development Planning Division
	3.1.L	Program	Adopt and maintain a landmarks ordinance.	3	Regulations for landmarks are embedded in the Zoning Ordinance (BMC 17.54 H Overlay), but a separate, stand-alone, ordinance is currently not part of the Department's work program and there is no budget for it.	Community Development Planning Division
	3.1.M	Program	Inform title companies that properties in Benicia may be affected by historic preservation regulations.	PC/3	A complete list of historic properties by address and parcel number has been compiled. The HPRC is discussing the best way to inform title companies and realtors of this list.	Community Development Planning Division
Archaeology	3.2	Goal	Protect archaeological (including underwater) sites and resources.			
	3.2.1	Policy	Ensure the protection and preservation of artifacts in known, and as yet unidentified, areas.			
	3.2.A	Program	Work with the California Archaeological Inventory to develop an inventory of existing and potential archaeological sites.	3	Not part of the current work program.	Community Development Planning Division
	3.2.B	Program	Refer development proposals that may adversely affect archaeological sites to the California Archaeological Inventory.	O	Staff implements this program as needed/required.	Community Development Planning Division
	3.2.C	Program	Develop City regulations regarding inspections, code enforcement, and regulation of pot hunters.	3	Not part of the work program. Depending on other department priorities, may require outside consultant resources.	Community Development Planning and Building Divisions, Fire Dept.
	3.2.D	Program	Require that all sites with archaeological resources likely to be disturbed by a proposed project be analyzed by a qualified archaeologist and an appropriate program developed to mitigate any impacts from the project.	O	Staff implements this program as needed/required.	Community Development Planning Division
Cultural	3.3	Goal	Increase public awareness of cultural resources and activities.			
	3.3.1	Policy	Preserve and enhance cultural organizations, resources and activities.			
	3.3.A	Program	Utilize the City's web page and other information sources to advertise cultural activities.	O	Information is found on the Library's website and on the homepage of the Arts & Culture Commission.	Library Dept.
	3.3.B	Program	Continue City funding of cultural activities and the Camel Barn Museum.	O	Ongoing.	Library Dept.
	3.3.C	Program	Require periodic reports of the results of City funding.	O	Six nonprofit organizations received funds in 2015-2016 and 2016-2017, and five received funds in 2017-2018.	Library Dept.
3.3.D	Program	Investigate the creation of a City-appointed cultural commission.	C	The Arts & Culture Commission was established in 2009 through City Council passage of Ordinance 09-15. Their charge is to support and promote art and cultural programs and activities.	Library Dept.	

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Cultural	3.3.E	Program	Develop promotional materials that increase community awareness of the Camel Barn museum.	O	The Library works closely with the Historical Museum to provide information on its programs and services. In 2015, the Museum became part of the Library's "This Pace Has History" project. In addition, the Museum provides passes that can be checked out at the Library, allowing free access to the Museum.	Library Dept.
	3.3.F	Program	Expand the museum to include other historic buildings.	O	Ongoing.	Parks & Bldg. Maintenance
	3.4	Goal	Support the library and the services it provides to the community.			
	3.4.1	Policy	Maintain and expand library services.			
	3.4.A	Program	Keep the library up-to-date with electronic and other technological developments.	O	Ongoing. The Library now provides 1 gigabyte of access through the CalREN/CENIC network to public computers. A variety of digital materials are available, including downloadable audio-books, magazines, and books. E-readers and Playaway digital readers are also available. In 2017, the Library added Link+ borrowing to provide access to materials from libraries throughout California.	Library Dept.
	3.4.B	Program	Plan for expanding library services into existing unfinished lower level, with space allocated according to the needs of the community.	3	On hold pending funding.	Library Dept.
	3.4.2	Policy	New development will be required to underwrite additional materials.			
	3.4.C	Program	Maintain an adequate "book fee." (See Glossary for definition.)	O	Joint jurisdiction with Finance Dept. In 2010, the library book fee was increased to \$235.00	Library Dept., Finance Department
	3.5	Goal	Promote events with wide community attraction.			
	3.5.1	Policy	Support community-wide and special events, such as arts in the park, a farmers' market, and open studios.			
	3.5.2	Policy	Plan special events while keeping in mind the need to minimize noise and traffic congestion.			
	3.6	Goal	Support and promote the arts as a major element in Benicia's community identity.			
	3.6.1	Policy	Attract and retain art-related businesses.			
	3.6.2	Policy	Continue to allow and encourage live/work spaces for artists.			
Art	3.6.A	Program	Evaluate where live/work spaces are allowed and what restrictions are placed on them.	PC/3	The Zoning Ordinance identifies locations where work/live units are allowed by zoning district. Further evaluations for work/live and accompanying regulations were done during the development of the Downtown Mixed Use Master Plan (adopted 2007) and the Draft Lower Arsenal Specific Plan (not adopted). Adoption of the statewide streamlined housing legislation in 2017 (SB35) eliminated discretionary review processes in certain circumstances, resulting in a changes to the way that the City of Benicia could evaluate land use compatibility for work/live units in the Limited Industrial (IL) District. As a result, in April 2018 the City Council imposed a temporary moratorium on work/live housing in order to allow time for the Planning Division to evaluate land use compatibility considerations and propose amendments to the Zoning Ordinance.	Community Development Planning Division

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
	3.6.B	Program	Encourage expansion of art retailing on First Street.	PC/3	The City continues to be the lead in our annual Art Walk program where the City highlights are local First Street Galleries on the Second Saturday during the summer months. This event is also sponsored by the Downtown Benicia Alliance.	City Manager's Office
	3.6.3	Policy	Enhance public places with art.			
	3.6.C	Program	Work with developers and builders to incorporate public art into projects, where applicable.	O/3	The potential for public art is evaluated in concert with project applications, e.g. recent projects include the Waterfront Enhancement and Master Plan approved by City Council in December 2014, which incorporated public art in the plan. There is currently no budget to create a comprehensive program and funding mechanism.	Community Development Planning Division, Parks & Community Services Dept. and Library Dept.
Visual Character	3.7	Goal	Maintain and reinforce Benicia's small-town visual characteristics.			
	3.7.1	Policy	Ensure that new development is compatible with the surrounding architectural and neighborhood character.			
	3.7.2	Policy	Encourage "place-making"—the arrangement of built elements to create indoor or outdoor spaces that are recognizable and suitable for a specific function or functions.			
	3.7.A	Program	Develop design guidelines for public works and private development that encourage place-making.	O	Adopted plans with guidelines for private property include: Downtown Historic Conservation Plan (guidelines only), Downtown Mixed Use Master Plan (place-making zoning requirements), Arsenal Historic Conservation Plan (guidelines), and Industrial Design Guidelines. Public realm is addressed by the Downtown Streetscape Plan. The City has received grant funding from the California Office of Historic Preservation to prepare an update to the design guidelines of the Downtown Historic District. The draft of the design guidelines was completed in 2018 and is pending City Council approval following further revision.	Community Development Planning Division and Public Works Engineering Division
	3.7.B	Program	Prepare a citywide urban design plan that addresses landscaping, street trees, landmarks, gateway definitions, vista preservation/enhancement, and protection of shoreline and hillsides.	3	Not part of the current work program. Depending on other Department priorities, may require outside consultant resources.	Community Development Planning Division, Public Works Engineering Divisions and Parks & Community Services Dept.
	3.7.C	Program	Develop citywide requirements for screening service entrances and equipment.	PC/3	Zoning Ordinance contains regulations requiring mechanical screening. There are not requirements to screen service entries and there is currently no budget, nor part of the current work program.	Community Development Planning Division
	3.7.D	Program	Develop a schedule and financing plan for undergrounding power and telephone lines.	O	Designated Rule 20A monies are utilized to incorporate undergrounding projects into Capital Infrastructure Projects when major arterials are reconstructed.	Public Works Engineering Division
	3.7.3	Policy	Encourage consistent street tree planting, other types of landscaping, and neighborhood gardens.			
	3.7.E	Program	Advertise the existence of guidelines for tree preservation, planting, and removal guidelines.	O	Ongoing.	Parks & Community Services Dept.
	3.7.4	Policy	Where feasible, install and maintain landscape (planter) strips that separate sidewalks from the streets.			

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Visual Character	3.7.F	Program	Establish an adequate minimum width for landscape strips so that plant materials (especially trees) do not damage the sidewalk, curb, or gutter.	C	The Zoning Ordinance sets design standards for parking lots adjoining street property lines, including minimum widths for landscape strips.	Community Development Planning Division
	3.7.G	Program	Modify the City's street improvement standards to accommodate landscape strips.	PC	Included in the City Neighborhood Traffic Calming Program toolbox.	Public Works Engineering Division
	3.7.5	Policy	Preserve the grid pattern of Benicia streets.			
	3.7.H	Program	Require that land use and circulation plans for property along arterials minimize the need for sound walls.	C/O	Development applications are reviewed for consistency with General Plan policies and programs. This program would apply to large-scale projects with the potential to generate considerable noise from stationary or non-stationary noise sources.	Community Development Planning Division and Public Works Engineering Division
	3.8	Goal	Preserve First Street as the community focal point of Benicia.			
3.8.1	Policy	Design new and renovated buildings along First Street to accommodate ground level retail commercial.				
Visual Character	3.8.A	Program	Develop urban design improvements to unify Solano Square with City Park and the Civic Center.	PC/1	Grant funded improvements to the intersection of First Street and Military have been completed; includes enhanced crossings to Solano Square and installation of new sidewalk along driveway entrance to Solano Square. In addition, Solano Square is part of Benicia's Priority Development Area, which will make the area eligible and more competitive to receive grants for future planning endeavors.	Community Development Planning Division and Public Works Engineering Division
	3.8.2	Policy	In the transition areas east and west of First Street, encourage the adaptive re-use, rather than replacement, of existing residential structures.			
	3.9	Goal	Protect and enhance scenic roads and highways.			
	3.9.1	Policy	Preserve vistas along I-780 and I-680.			
	3.9.A	Program	Inventory scenic resources along I-780 and I-680.	3	Not part of current work program. Depending on other Department priorities, may require outside consultant resources.	Community Development Planning Division
	3.9.B	Program	Investigate and apply for State Scenic highway designation of Interstate Highways I-780 and I-680.	C	Based on Caltrans criteria, both I-680 and I-780 are most likely not eligible to be designated. However, I-780 has been designated a "Landscape Freeway".	Public Works Engineering Division
	3.9.C	Program	Develop a sign enforcement program along the freeways.	3	An electronic billboard was permitted with a use permit in 2018, together with a City Council-approved lease agreement. The lease was part of a larger strategy towards decreasing the number of billboards along the freeway. Sign enforcement occurs through a complaint-based approach.	Community Development Planning Division and City Attorney's Office
	3.9.2	Policy	Work with the State to complete and maintain landscaping of I-680 and I-780.			
	3.9.D	Program	Preserve the trees on the northern edge of former Pine Lake.	C/O	Some of the trees are dead, though some are still alive. Improved plantings might be required in conjunction with the current development application for this property. The City of Benicia was in communication with the landowner, Benicia Industries, regarding the condition of landscaping at Pine Lake in 2018.	Community Development Planning Division and Parks & Community Services Dept.
	3.9.3	Policy	Orient individual building/business signage toward city streets, not toward I-780.			

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Visual Character	3.9.4	Policy	Develop the City's five identified gateways to provide a sense of entry and exit.			
	3.9.E	Program	Prepare land use and design guidelines to direct the nature and character of development at the city's five gateways.	3	The Planning Commission evaluated the city's gateways (2011); developed a process and recommendation to Council; for use when funding becomes available.	Community Development Planning Division
	3.9.5	Policy	Establish definable neighborhoods in future development and revitalization projects.			
	3.10	Goal	Enhance the streetscape along Military East and West.			
	3.10.A	Program	Develop a concept and streetscape plan for Military.	PC/O	Three significant projects have been completed: Western Gateway, Benicia High School Signal, and Downtown intermodal, all of which include improvements along this major west-east spine of Benicia.	Community Development Planning Division and Public Works Engineering Division
	3.11	Goal	Enhance the East Side.			
	3.11.1	Policy	Focus public investment toward undergrounding utilities, completing sidewalks, adding walking paths, park amenities, landscaping, and street trees on the East Side.			
	3.12	Goal	Improve the appearance of the Industrial Park.			
	3.12.1	Policy	Encourage additional attractive, quality development in industrial areas.			
	3.12.A	Program	Continue to implement and revise as necessary the Industrial Design Guidelines.	C/O	Adopted in 1989. The Planning Division routinely enforces these guidelines with industrial development applications. Wholesale revision of the guidelines is not part of the current work program and would likely require outside consultant resources.	Community Development Planning Division
Visual Character	3.12.B	Program	Adopt an ordinance establishing minimum standards for outdoor storage and yard maintenance within public view.	C	Outdoor storage is regulated in the Zoning Ordinance. For yard maintenance, the City regulates through its Neighborhood Nuisance Code, Weed and Rubbish Code, Property Maintenance Code; and landscape standards require all landscaped areas to be permanently maintained.	Community Development Planning Division
	3.13	Goal	Improve urban design qualities of the waterfront and public access to the shoreline.			
	3.13.1	Policy	Enhance waterfront vistas.			
	3.13.A	Program	Incorporate public visual areas in new development.	C/O	This is implemented at the time of application submittal. Planning staff coordinates with the Bay Conservation and Development Commission (BCDC) to ensure public access is provided as set forth in Special Area Plan No. 3: Benicia Waterfront, San Francisco Bay Plan (adopted 1977). Recent projects where the city collaborated with BCDC include: 127-131 First Street (Tannery Building).	Community Development Planning Division
	3.13.2	Policy	Improve pedestrian amenities along waterfront streets and walkways.			
	3.13.3	Policy	Take advantage of water orientation for recreation and industrial uses.			

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Visual Character	3.13.B	Program	Develop a plan for public and pedestrian access to and along the waterfront and shoreline.	PC/1	Both the Downtown Streetscape Master Plan and the Special Area Plan No. 3: Benicia Waterfront, San Francisco Bay Plan provide guidance and direction to ensure public access is provided. The Urban Waterfront Enhancement and Master Plan for the area between First Street and the Marina was adopted in 2014. The Transportation Employment Center Plan of 2017 includes plans for enhanced shoreline access in the Benicia Industrial Park. Staff are currently working with regional trail partners to develop signage and wayfinding for the shared shoreline trail alignment.	Parks & Community Services Dept. and Community Development Planning Division
	3.13.C	Program	Complete the pathway system from Point Benicia along the entire shoreline to the intersection of West Second and G Street.	3	Not part of the current work program. May require outside resources to develop a plan and determine legal and liability issues. C Street Park and the Tannery pathway were both completed in 2016, completing the shoreline pathway from C Street to the Peninsula Pier.	Community Development Planning Division and Parks & Community Services Dept.
	3.13.D	Program	Use privately dedicated walkways to link to the waterfront.	3	Not part of the current work program. May require outside resources to develop a plan and determine legal and liability issues. Projects where private walkways link to waterfront include Anderson Lane and Semple Crossing housing developments.	Community Development Planning Division
Regional/Subregional Open Space/Trails	3.14	Goal	Provide a buffer between Benicia and adjacent Communities.			
	3.14.1	Policy	Continue to implement the provisions of the Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation and the 1979 Benicia/Vallejo Memorandum of Understanding to Preserve the Buffer (often referred to as the Benicia-Vallejo Open Space Buffer).			
	3.15	Goal	Provide buffers throughout the community.			
	3.15.1	Policy	Preserve and protect, through a variety of methods, a pattern of open space buffers and greenbelts throughout the Planning Area.			
	3.15.A	Program	Identify and evaluate open spaces (by function, location, size, connectivity, and views of open space).	C/O	The City's shared GIS software with Solano County provides mapping and data capabilities for each parcel in Benicia, including all land zoned Open Space.	Community Development Planning Division and Parks & Community Services Dept.
	3.15.B	Program	Adopt an open space preservation program aimed at acquiring or assisting in acquiring rights to open space within the Planning Area.	O/3	This is not part of the current work program. Not budgeted. However, the Sky Valley Open Space Committee meets when necessary to discuss other implementation options, e.g. CA Rangeland Trust assistance with conservation easements.	Community Development Planning Division and Parks & Community Services Dept.
	3.15.C	Program	Utilize existing land trusts.	O/3	Staff continues to collaborate as needed with the Solano Land Trust.	Community Development Planning Division and Parks & Community Services Dept.
	3.15.2	Policy	Preserve public views of public open space and maintain existing vistas (including the Northern Area vistas) wherever possible.			
	3.15.D	Program	Where applicable, require that new developments include view corridors that allow viewing open space from public roadways and public use areas.	C/O	This program is implemented at the time of a development application.	Community Development Planning Division

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Regional/Subregional Open Space & Trails	3.15.3	Policy	Avoid creating difficult-to-use residual open space in new development areas.			
	3.15.E	Program	Evaluate each proposed open space area to ensure it is large enough to meet its intended purpose.	O	Ongoing as needed.	Parks & Community Services Dept.
	3.15.4	Policy	Use open space as a buffer against natural or man-made hazards.			
	3.15.F	Program	Require open space buffers around known hazardous areas, such as the Exxon Refinery and the IT site.	C/O	The General Plan Land Use Diagram indicates a 200-foot buffer, in the form of Open Space Zoning, between lands owned by Valero and adjacent residential uses. The buffer extends from East 2nd above Tennys Drive, to the north past Rose Drive and north of the Water's End subdivision. Open Space buffers are shown around the IT site as the surrounding area is outside of the City limits.	Community Development Planning Division
	3.15.5	Policy	Encourage the landscaping of existing open spaces, and landscape new open spaces with native plants.			
	3.15.6	Policy	Restore and maintain natural landscapes in a natural manner.			
	3.15.G	Program	Develop a landscape master plan for open space areas.	3	Not part of the current work program. This will require outside resources. May be able to move this forward as one element of the proposed update of the Parks, Trails & Open Space Master Plan.	Parks & Community Services Dept. and Community Development Planning Division
	3.16	Goal	Preserve key land forms which separate Benicia physically and visually from adjacent communities.			
	3.16.1	Policy	Maintain visual and physical separation from Vallejo and Fairfield.			
	3.16.A	Program	Use the westernmost parcels designated as open space to provide a buffer with Vallejo.	C	Parcels along the western edge of City Limits are zoned Open Space.	Community Development Planning Division
	3.16.2	Policy	Work with Vallejo to minimize visible development along the Boundary Hills			
	3.16.3	Policy	Allow no additional access roads between Columbus Parkway and Lake Herman Road.			
	3.17	Goal	Link regional and local open spaces.			
	3.17.1	Policy	Attempt to link existing regional and local open spaces using trails and open space corridors.			
	3.17.A	Program	Acquire open space corridors that link existing regional and local open spaces, where feasible.	PC/3	Dedicated linkages exist amongst a majority of local, regional open space areas. However, there is no budget to formally acquire all of these areas; the linkages that do exist within City boundaries are protected through zoning land use limitations. Continued partnerships with regional non-profits will be key to extending regional trail linkages through the Urban Growth Boundary, State, County, and land trust lands.	Community Development Planning Division and Parks & Community Services Dept.
	3.17.B	Program	Construct trails in open space corridors linking regional and local open spaces.	O/3	Additional connector trails in open space may be considered when the Parks, Trail, and Open Space Master Plan is updated.	Parks & Community Services Dept.
	3.18	Goal	Protect agricultural use.			
	3.18.1	Policy	Preserve rangeland north of Lake Herman Road.			
3.18.A	Program	Investigate land trusts and other mechanisms to ensure continuity of agricultural uses in the northern portion of the Planning Area.	O/3	The Sky Valley Open Space Committee was established in 2004 to protect agricultural uses and the watershed north of Lake Herman Road through conservation easements and land acquisition. The Committee meets quarterly to discuss this issue. The Committee has worked with the California Rangeland Trust and the Solano Land Trust to ensure protection of open space, particularly in the form of conservation easements. This effort depended largely on property owner interest and consent. However, there is no interest and no budget for acquisition.	Community Development Planning Division	
es	3.19	Goal	Preserve and enhance habitat for special-status plants and animals.			

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead	
Biotic Resources	3.19.1	Policy	Protect essential habitat of special-status plant and animal species.				
	3.19.A	Program	Require biological assessments in sensitive habitat areas as part of environmental review of proposed development.	C/O	The Planning Division routinely enforces this program with projects that may impact sensitive habitat areas. Typically, a separate biological report is required, which may be incorporated into an Initial Study or Environmental Impact Report. In 2014, the property owner at 127-137 First Street (Tannery Building) conducted a biological assessment as required under the environmental review for the construction of the BCDC Bay Trail.	Community Development Planning Division	
	3.19.B	Program	Require retention of essential habitat for special status species. If infeasible, require adequate mitigation for loss of special status species and/or habitat in compliance with State and federal regulations.	C/O	The Planning Division routinely enforces this program with projects that may impact sensitive habitat areas. Staff routinely consults with the Department of Fish and Wildlife and the US Fish and Wildlife Service on these types of projects regarding necessary mitigation measures to avoid or compensate for any impacts to sensitive habitats caused by the project.	Community Development Planning Division	
Biotic Resources	3.20	Goal	Protect and enhance native vegetation and habitats.				
	3.20.1	Policy	Protect native grasslands, oak woodlands, and riparian habitat.				
	3.20.2	Policy	Restore native vegetation, such as birch grasses and oaks, wherever possible for open spaces of existing developed areas.				
	3.20.A	Program	Encourage community groups to carry out native plant restoration efforts.	3	The California Native Plant Society, Solano County Chapter, "Willis Linn Jepson" is active in the efforts of native plant restoration throughout Solano County, and established the Forrest Deaner Native Plant Botanic Garden at the Benicia State Recreation Area, which is now managed by the Benicia State Parks Association. PCS has partnered with Benicia Tree Foundation to plant native oaks and buckeyes in the Lake Herman Regional Park open space. A comprehensive program with funding is not part of the current work program, and may require outside resources.	Community Development Planning Division and Parks & Community Services Dept.	
	3.20.B	Program	Limit the loss of native vegetation or require mitigation, or both.	C/O	Planning staff routinely enforces this program with projects that may remove vegetation. The City is currently assessing the extent to which marshland/vegetation could be lost do to sea level rise and the final Adaptation Plan included strategies to address this issue.	Community Development Planning Division	
	3.20.C	Program	Require native and compatible non-native plant species, especially drought-resistant species, to the extent possible in landscaping new development and public areas.	3/O	The City does not have mandates to require plants to be native/drought-tolerant; however, with the 2015 State Model Landscape Ordinance (updated from 2010), this is encouraged through development review process. PCS continues to prioritize drought tolerant plantings in new and restored landscapes in City parks and facility landscapes.	Community Development Planning Division and Parks & Community Services Dept.	
	3.20.3	Policy	Encourage preservation of existing trees. Especially preserve and protect mature, healthy trees whenever practicable, particularly where such trees are of significant size or are of significant aesthetic value to the immediate vicinity or to the community as a whole.				
	3.20.D	Program	Strive to incorporate existing mature, healthy trees into proposed developments.	C/O	The Planning Division routinely enforces this program with projects that may impact mature trees. In the event trees must be removed, replacement trees are a required condition of approval. In addition, the City has a Trees and Street Trees Ordinance that requires a Tree Removal Permit and complete compliance with the Ordinance.	Community Development Planning Division	

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GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead	
Biotic Resources	3.20.4	Policy	Require protection of movement corridors.				
	3.20.E	Program	Require preservation of open space corridors between Lake Herman, Sulphur Springs Mountain, the Northern Area, the northeast hills, the Benicia State Recreation Area, and the marshlands east of I-680.	3	Not part of the current work program. May require outside resources, including legal counsel. Would require land purchase or purchase of conservation easements to secure corridors, possibly by partner agencies or non-profit organizations.	Community Development Planning Division and Parks & Community Services Dept.	
	3.21	Goal	Permanently protect and enhance wetlands so that there is no net loss of wetlands within the Benicia Planning Area.				
	3.21.1	Policy	Encourage avoidance and enhancement of sensitive wetlands as part of future development.				
	3.21.A	Program	Continue to require wetland delineation and mitigation as part of environmental review of proposed development.	C/O	The Planning Division routinely enforces this program with projects that may impact wetlands. Staff consults with Department of Fish and Wildlife and the US Fish and Wildlife Service on these types of projects regarding necessary mitigation measures to avoid or compensate for any impacts to wetlands caused by the project.	Community Development Planning Division	
	3.21.2	Policy	Require replacement for wetlands eliminated as a result of development at a higher wetlands value and acreage than the area eliminated.				
	3.21.B	Program	Continue to coordinate with the California Department of Fish and Game, United States Fish and Wildlife Service, and the United States Army Corps of Engineers in reviewing proposed wetland modifications.	C/O	Staff routinely consults with these entities on applicable projects.	Community Development Planning Division	
	3.21.3	Policy	Encourage development of a Suisun Marsh interpretive center near the I-680/Lake Herman Road interchange.				
	3.21.C	Program	Work with responsible agencies to develop the Suisun Marsh interpretive center near Lake Herman Road and I-680.	3	Not part of the current work program. May require outside resources.	Community Development Planning Division and Parks & Community Services Dept.	
	3.21.4	Policy	Restore and increase marshland areas.				
	3.21.D	Program	Prepare a Local Protection Program (LPP) for the portion of the Suisun Marsh Secondary Management Area within the Benicia General Plan Planning Area.	3	Not part of the current work program. May require outside resources.	Community Development Planning Division	
	3.21.E	Program	Identify small wetlands and require their protection, restoration, and enhancement as part of open space dedication in proposed development and in citywide open space improvements.	C/O	Staff routinely enforces this program with any development application that may affect wetlands. Similarly, if a wetland were in an area being dedicated for open space, it would be preserved and protected. If this program requires a separate study to identify wetlands, a consultant would need to be retained.	Community Development Planning Division and Parks & Community Services Dept.	
	Biotic Resources	3.22	Goal	Preserve water bodies.			
		3.22.1	Policy	Avoid development that will degrade existing lakes and streams.			
3.22.A		Program	Require that all development in watersheds flowing into lakes and unchannelized streams include features to preserve run-off water quality.	C/O	Staff routinely enforces this program with development applications and if necessary, require preparation of a Stormwater Pollution Prevention Plan, including incorporating Best Management Practices.	Community Development Planning Division	

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Water	3.22.B	Program	Require a minimum setback of 25 feet from the top of bank of streams and ravines. Do not allow development within the setback.	C/O	City Council passed Ordinance 01-6 in 2001 making this a requirement in the Zoning Ordinance, BMC 17.70.340. The regulations were updated in 2018 to clarify definitions for "development" and "top of bank" in concert with the General Plan glossary.	Community Development Planning Division
	3.23	Goal	Preserve Lake Herman as a municipal water resource.			
	3.23.1	Policy	Ensure the biological, chemical, and physical integrity of Lake Herman.			
	3.23.A	Program	Continue to monitor water quality in Lake Herman and at upstream sources of potential pollution.	O	Ongoing. City staff tests for coliform weekly.	Public Works Water Quality Division
	3.23.2	Policy	Prohibit uses that would adversely affect water quality (such as motorized boats or swimming).			
	3.24	Goal	Protect watersheds.			
	3.24.1	Policy	Identify the Benicia watersheds to preserve.			
Mineral Resources	3.25	Goal	Conserve and, where appropriate, develop the mineral resources of regional significance within the Planning Area.			
	3.25.1	Policy	Maintain in open space the mineral resource area of regional significance designated on Sulphur Springs Mountain until mineral resource extraction and reclamation plan that addresses all potentially significant impacts of extraction has been approved by the responsible agencies.			
	3.26	Goal	Minimize environmental impacts of mineral production.			
	3.26.1	Policy	Minimize exposure of the quarry face from residential areas.			
	3.26.2	Policy	Allow extraction of mineral resources within the Planning Area but beyond the currently permitted quarry area on Sulphur Springs Mountain, only upon approval by the appropriate agencies.			
	3.26.3	Policy	Maintain a variable ridgeline and natural landform representative of the scenic character of the Planning Area.			
	3.26.A	Program	Work with adjacent jurisdictions to establish mineral resource management measures.	O/3	The City reviews and responds to projects within its Planning Area and in 2013 collaborated with Solano County to review and comment on the proposed Syar Quarry Expansion project.	Community Development Planning Division
	3.26.4	Policy	Prohibit extraction of mineral resources outside the State-designated mineral resource area, and permit extraction of mineral resources inside the State-designated mineral resource area only if applicable policies, mitigation measures, performance standards, rules, and regulations are met.			
	3.26.5	Policy	Require mitigations, setbacks, buffers, and screening.			
3.26.6	Policy	Require that residential buildings to be constructed within 2,000 feet of the ultimate mineral extraction boundary be analyzed by a qualified engineer to ensure economically feasible measures that minimize the amplification of ground vibration.				
Energy	3.27	Goal	Improve energy efficiency.			
	3.27.1	Policy	Promote energy conservation in all new development and during rehabilitation of existing homes.			
	3.27.A	Program	Distribute information on weatherization and energy conservation.	C/O	A multitude of brochures and information is available at the Planning Counter. The City also distributes information on SustainableBenicia.org and through existing water/energy programs like the Benicia Home Efficiency Program.	Community Development Planning and Building Divisions
3.27.B	Program	Implement State energy conservation requirements in new housing.	C/O	The Building Division requires compliance with these requirements for all building permit applications. The California Green Building Standards Code, 2016 Edition, was adopted by reference in Title 15 of the Municipal Code in 2016.	Community Development Building Division	
	4.1	Goal	Make community health and safety a high priority for Benicia.			
	4.1.1	Policy	Strive to protect and enhance the safety and health of Benicians when making planning and policy decisions.			
	4.1.2	Policy	Promote a wide range of health-related services.			

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Healthy Community	4.1.A	Program		Develop a citizen input planning process with the Human Services Fund Board to address locally identified community health and health-related concerns.	O	Note: Human Services Fund Board is now called the Human Services Board. The Request For Funding (RFF) process is an opportunity for the public to apply and provide feedback on community health and health-related concerns.	City Manager's Office	
	4.1.3	Policy	All City departments should attempt to address the underlying causes of health, social, and safety issues.					
	4.1.B	Program		Promote measurable health goals and work with health-related agencies to monitor their implementation.	3/O	Developed on an as needed basis with city employees.	Human Resources Division	
	4.1.4	Policy	Compile available information pertinent to the health and safety of Benicians.					
	4.1.C	Program		Require the Human Services Fund Board to report annually to the City Council and public on the health, well-being, and safety of the community, along with recommendations for improvements.	O	To be reviewed.	City Manager's Office	
	4.1.5	Policy	Clarify City role in providing health services.					
	4.1.D	Program		Inventory health needs, identify holes in the network, and focus on those issues not being addressed.	3/O	Day-to-day basis with city employees.	Human Resources Division	
	4.1.E	Program		Delegate a formal group (e.g., Human Services Fund Board) to be responsible for community health promotion, and require the group to coordinate with a broad range of community representatives.	O	Ongoing.	City Manager's Office	
	4.1.F	Program		Expand the role of the City staff person liaison to the Human Services Fund Board, as needed to support additional tasks assigned to the Board.	O	Ongoing.	City Manager's Office	
	4.2	Goal	Improve access to medical, mental health, and social services for all Benicians, including the elderly and low-income.					
	4.2.1	Policy	Fully utilize and coordinate available resources and efforts through the City's Human Services Fund Board and other governmental and non-governmental agencies.					
	4.2.A	Program		Work with existing health care providers, neighboring cities, and the county, State and federal governments.	3/O	On an as-needed basis.	Human Resources Division	
	4.2.B	Program		Provide and maintain affordable transportation services to and from health facilities (in and out of town), especially for the elderly and disabled.	C/O	SolTrans Paratransit, General Public Dial-a-Ride, and Route 20 provide transit within Benicia, and SolTrans' Yellow Line and FASTs Blue Line provide transit connections from Benicia to BART and the Vallejo Ferry Terminal.	Finance Dept.	
	4.3	Goal	Attract additional health services to Benicia.					
4.3.1	Policy	Promote preventive health care in line with the Child and Adult Preventive Care Guidelines published by the US Public Health Service (1994).						
4.3.A	Program		Support the development of a "Center for Human Services".	O	On Hold Pending Resource.	Finance Dept.		
4.3.2	Policy	Evaluate the need for and feasibility of new medical facilities in Benicia including a branch of the County Health and Social Services Department.						
4.3.B	Program		Promote prenatal care, health care for children, teen activities, education and counseling, and intergenerational activities.	O	Several health-related/nutritional courses offered by Community Services.	Parks & Community Services Dept.		
Healthy Community	4.2	Goal	Improve access to medical, mental health, and social services for all Benicians, including the elderly and low-income.					
	4.2.1	Policy	Fully utilize and coordinate available resources and efforts through the City's Human Services Fund Board and other governmental and non-governmental agencies.					
	4.2.A	Program		Work with existing health care providers, neighboring cities, and the county, State and federal governments.	3/O	On an as-needed basis.	Human Resources Division	
	4.2.B	Program		Provide and maintain affordable transportation services to and from health facilities (in and out of town), especially for the elderly and disabled.	C/O	SolTrans Paratransit, General Public Dial-a-Ride, and Route 20 provide transit within Benicia, and SolTrans' Yellow Line and FASTs Blue Line provide transit connections from Benicia to BART and the Vallejo Ferry Terminal.	Finance Dept.	
	4.3	Goal	Attract additional health services to Benicia.					
	4.3.1	Policy	Promote preventive health care in line with the Child and Adult Preventive Care Guidelines published by the US Public Health Service (1994).					
	4.3.A	Program		Support the development of a "Center for Human Services".	O	On Hold Pending Resource.	Finance Dept.	
	4.3.2	Policy	Evaluate the need for and feasibility of new medical facilities in Benicia including a branch of the County Health and Social Services Department.					
	4.3.B	Program		Promote prenatal care, health care for children, teen activities, education and counseling, and intergenerational activities.	O	Several health-related/nutritional courses offered by Community Services.	Parks & Community Services Dept.	

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Healthy Community	4.3.C	Program	Investigate the feasibility of utilizing existing City buildings to deliver health-related services, and expand the scope of the buildings' uses in conjunction with established neighborhood groups.	C	The Community Center (formerly Mills Elementary School) offers CPR classes, a myriad of physical fitness courses, and nutritional/healthy cooking classes to the community.	City Manager's Office
	4.3.3	Policy	Promote establishment of demonstration gardens at schools, churches, fire stations, and other sites.			
	4.3.D	Program	Consider utilizing vacant City property for gardening of fruits and vegetables.	O	Since 2000, the City has had a lease agreement with Heritage Presbyterian Church to allow the Swenson Community Garden to be worked and managed by Benicia Community Gardens, Inc. Subsequently, the City has also partnered with BCG to provide insurance for the Downtown community garden.	City Attorney's Office
	4.4	Goal	Reduce the incidence of substance abuse and strive for a drug-free community.			
	4.4.1	Policy	Support the development of the education of all age groups in the prevention of substance abuse.			
	4.4.A	Program	Include law enforcement, the School District, and proprietors of nicotine, alcohol, and prescription drugs in planning and operating substance abuse prevention programs.	O	The department conducts education and "sting" operations to reduce the availability of ATOD and works with Solano County's ATOD Reducing Rates Strategic Plan. In 2018, the City received additional tobacco enforcement and educational grant through the Department of Justice, including creating an interactive educational trailer "Hidden in Plain Sight" that teaches and guardians about tobacco and other drug use in children. In 2019, a new tobacco ordinance and tobacco retail fee were successfully passed by council.	Police Dept.
	4.4.B	Program	Identify at-risk populations and work to develop programs and services to address their needs.	O	Implementation through Family Resource Center and a family intervention counselor to work with at-risk families. In 2018, the Police Department implemented a homeless outreach coordinator as an ancillary duty. The office works closely with Solano County Homeless Intervention Team to address county-wide homeless issues. In 2019, the City went into contract with Shelter Solano to ensure a guaranteed bed each month for Benicia. The program remains ongoing.	Police Dept.
	4.4.2	Policy	Promote safe driving by youth.			
	4.5	Goal	Establish after-school programs and other constructive activities for youth.			
	4.5.A	Program	Work with the School District on appropriate after-school youth activities.	O	Ongoing.	Parks & Community Services Dept.
	4.6	Goal	Prevent and reduce crime in the community.			
	4.6.1	Policy	Encourage building designs that help to reduce crime.			
	4.6.A	Program	Review the design of new and rehabilitated buildings for ways to increase resident safety.	O	Staff attends Project Review Group meetings scheduled by the Planning Division to review proposed projects. Police Officer(s) are provided training in "Crime Prevention Through Environmental Design" (CPTED).	Police Dept. and Community Development Dept.
	4.6.2	Policy	Develop a corrective action plan to deal with high crime areas.			
4.6.B	Program	Strengthen and expand neighborhood watch programs. Include businesses.	O	Continue working to expand the City's Neighborhood Watch Program. Working closely with local business organizations (i.e. Benicia Chambers of Commerce, Benicia Main Street, and Benicia Industrial Park Association). This program remains ongoing.	Police Dept.	

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	4.6.C	Program	Promote the education of citizens on how not to be a victim.	O	Continue to expand a robust social media presence, which includes public education to avoid and deter crime. The Police Department joined Nextdoor in 2019 to focus on dispersing information specifically to Benicia residents. Host classes to the public as needed. This program remains ongoing.	Police Dept.
	4.6.3	Policy	Maintain an adequate officer-to population ratio in all areas, as approved by the City Council.			
	4.7	Goal	Ensure that existing and future neighborhoods are safe from risks to public health that could result from exposure to hazardous materials.			
	4.7.1	Policy	Actively recruit industries and businesses that sustain environmental quality and have sound, responsible environmental practices and policies, such as "best available control technology" (BACT), source reduction, reduced use of hazardous materials in production, and reduced waste.			
	4.7.2	Policy	Establish a "Community Right-to-know" program to promote general public understanding of Benicia's toxics problems as they affect current and future generations.			
Community Hazards	4.7.A	Program	Using documents that are already publicly available, make available in the Library a list of all known contaminated sites in Benicia, their chemical contents and conditions, and how contamination occurred.	C	There is not a comprehensive list of all contaminated sites at the Benicia Library. Reports on past projects such as Braito Landfill, Tourtelot, and monitoring of the Valero Refinery are available at the Library and on the Planning Division Webpage.	City Attorney's Office and Community Development Dept.
	4.7.B	Program	Provide readers with easy directions on how to access information about contaminated sites in Benicia.	O		Library Dept.
	4.7.C	Program	Consider establishing an ad hoc environmental task force to collect and disseminate information on environmentally sensitive sites in Benicia.	3	Not part of the current work program. No budget.	Community Development Dept.
	4.7.D	Program	Identify, inventory, and then update sources of hazards in Benicia.	O	Joint jurisdiction with Solano County Environmental Management. Part of the fire code inspection program and County program.	Fire Dept.
	4.7.E	Program	Assess and evaluate Benicia's preparedness to respond to hazard emergencies.	O	Continual evaluation of response priorities by the Fire Department.	Fire Dept.
	4.7.3	Policy	Protect existing and future development from contaminated sites, hazardous landfill waste and debris, chemical spills, and other hazards including unexploded ordnance and explosive waste.			
	4.7.F	Program	Work with state and federal agencies to require that unauthorized hazardous substances be removed from neighborhoods or that other appropriate measures are taken to ensure that such substances do not present health risks to the neighborhood.	O	The Fire Department is involved as requested. An example would be the Dept.'s involvement in the cleanup of the Tourtelot property.	Fire Dept.
	4.7.4	Policy	Promote enforcement of regulatory requirements over the entire term of monitoring of identified hazardous sites within the City Limits, especially sites located in residential neighborhoods and near school playing fields and parks.			
	4.7.5	Policy	Require that all sites known or suspected to have unexploded ordnance and/or a toxic history be tested and remediated before any development can occur.			
	4.7.6	Policy	Prohibit residential development on any land formerly operated as landfill or dump, including land formerly owned or used by the military for military wastes, until the waste and contamination is removed with proper agency oversight, or remediated as required by the appropriate regulatory agencies.			

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Community Hazards	4.7.7	Policy	Where environmental testing has been required by State regulatory agencies but is not yet completed withhold City approvals for site grading and other construction activities until a site evaluation is available that provides a reasonable basis for determining that it is safe to commence such activities.			
	4.8	Goal	Protect sensitive receptors from hazards.			
	4.8.A	Program	Identify sensitive receptors in the community and develop methods of protection.	3	Not part of the current work program. May require consultant resources and partnership with other public agencies. Note: Page 175 of the General Plan identifies major sensitive receptors in the community with regards to noise exposure.	Community Development Planning Division
	4.8.B	Program	Establish guidelines to separate sensitive receptors from those who carry, use, process, store or generate hazardous material, including ordnance.	O	Implemented through fire code enforcement program.	Fire Dept.
	4.8.1	Policy	Evaluate potential hazards and environmental risks to sensitive receptors before approving development.			
	4.9	Goal	Ensure clean air for Benicia residents.			
	4.9.1	Policy	Establish whether a significant air pollution problem exists in Benicia and the City's role in resolving it.			
	4.9.A	Program	Prepare a review of existing air quality information and data sources, the quality and extent of this data, and existing regulatory requirements.	PC/O	In 2007, the City Council authorized a baseline emissions inventory, a forecast, and adopted emission reduction targets. In 2009, a Climate Action Plan (CAP) was adopted by the Council; it contains strategies to reduce greenhouse gas emissions at both city and community-wide levels. The City is also engaged with the Air District and Valero to determine City-specific air quality and emissions levels and develop a method for reporting that information to the public.	Community Development Planning Division
	4.9.B	Program	Consult with the staff of the BAAQMD and prepare recommendations for actions that the City will take to reduce identified air quality problems toward meeting ambient air quality standards.	PC/O	Excellent air quality is overarching goal in the Climate Action Plan. A 2003 Settlement Agreement with Valero Refinery required Valero to conduct specific air quality monitoring; a 2010 Amendment to that agreement requires continuing/ additional monitoring; reports are generated by Valero and Valero Advisory Panel. In addition, there is an air quality monitoring station that could generate reports about Benicia air quality; Valero and the City are currently assessing best management practices. A 2010 greenhouse gas emissions (GHG) inventory was completed in 2013. The City accepted an Adaptation Plan in 2016 that identifies resiliency strategies that also improve air quality. In 2018, the City of Benicia initiated an update to the GHG inventory, which will be provided for City Council consideration in 2019.	Community Development Planning Division
	4.10	Goal	Support improved regional air quality.			

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Community Hazards	4.10.A	Program	Coordinate air quality planning efforts with other local, regional, and State agencies.	O	With the passage the Global Warming Solutions Act (AB32), and specifically with SB375 (Sustainable Communities Strategy and Climate Protection Act), the Planning Division closely coordinates regional planning efforts with ABAG/MTC, specifically in preparing a Sustainable Communities Strategy for the 9 county Bay Area. The City participated in programs offered by ABAG/MTC, such as FOCUS and the designation of (two) Priority Development Areas. The City supports the reduction of greenhouse gas emission and does it part through sustainable planning. In addition, the City adopted a Climate Action Plan and implementation is underway. The City also coordinates with BAAQMD to determine if funds are available for community air monitoring programs and meets with the air district when necessary. City participated and provided feedback to the ARB when it updated the AB 32 Scoping Plan.	Community Development Planning Division
	4.10.B	Program	Require that projects with identified significant air quality impacts include all feasible mitigation measures needed to reduce impacts to less than significant levels.	C/O	Staff routinely enforces this program with any development application by requiring the development to comply with and provide Best Available Management Practices. An example of this is the extensive air quality mitigations required of the Valero VIP project.	Community Development Planning Division
Community Hazards	4.10.2	Policy	Encourage designs and land use strategies that reduce automobile use and promote mixed use, jobs/housing balance, telecommuting, bicycle, and pedestrian facilities, and transit.			
	4.11	Goal	Minimize harm from geologic hazards.			
Community Hazards	4.11.A	Program	Require geotechnical engineering reports to address site stability and building foundation integrity for projects involving substantial grading.	O	Soils reports are required as part of the tentative parcel map. For other projects, staff requires on an as needed basis.	Community Development Planning Division and Public Works Engineering Division
	4.11.B	Program	Develop guidelines for site-specific geologic and geotechnical reports.	3	Regulated by the Subdivision Map Act and local standards.	Public Works Engineering Division
	4.11.C	Program	Require peer review of geotechnical engineering reports if it is determined that City staff does not have the technical expertise to review such reports.	O	Staff requires on an as needed basis. On-call Geotechnical engineers have been established since 2015.	Community Development Planning Division and Public Works Engineering Division
Community Hazards	4.11.D	Program	Prepare a planning-level geologic hazards map of the Planning Area as needed.	3	Not part of the current work program. May require outside resources. However, FEMA's HAZUS-MH Map series program regularly updates geologic conditions, e.g. earthquake, liquefaction, flood, and is readily available online. The City received a Coastal Conservancy grant to assess local hazards that will be exacerbated by climate change. A list of hazards was included in the Vulnerability Assessment portion of the Adaptation Plan accepted in 2016.	Community Development Dept. Planning Division and Public Works Engineering Division

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Community Hazards	4.11.E	Program	Update the geologic hazards map as new information becomes available.	C/3	Not part of the current work program. May require outside resources. However, FEMAs HAZUS-MH Map series program regularly updates geologic conditions, e.g. earthquake, liquefaction, flood, and is readily available online.	Community Development Planning Division and Public Works Engineering Division	
	4.11.F	Program	Develop a Planning Area data base of geologic information for use when making planning decisions and as a resource for the community.	C/3	Not part of the current work program. May required outside resources. However, FEMAs HAZUS-MH Map series program regularly updates geologic conditions, e.g. earthquake, liquefaction, flood, and is readily available online.	Community Development Planning Division and Public Works Engineering Division	
	4.11.G	Program	Continue and expand the Unreinforced Masonry Building Program (URM).	3	Chapter 15.60 of the Municipal Code describes the measures taken by the City to identify URM buildings within the City and the URM owners' required responsibilities to inform future tenants, owners, and occupants. This section of the Code was incorporated in 1989 and does not require buildings to be retrofitted. The 2016 CA Building Code addresses requirements for voluntary retrofits or triggered when certain occupancy classifications are changed. When reroofing 25% or more of a URM roof, it triggers parapet retro fitting. Expansion of this program is not budgeted nor part of work program at this time. The Local Hazard Mitigation Plan (LHMP) calls for an URM ordinance.	Community Development Building Division	
	4.11.H	Program	Consider financial assistance for retrofitting of unreinforced masonry buildings.	3	No budget, not part of work program.	Community Development Building Division	
	4.11.1	Policy	Promote public awareness of earthquake-related hazards and safety that includes training the populace to provide stop-gap emergency services following earthquakes.				
Community Hazards	4.11.I	Program	Consider implementing a citizen earthquake response system based on the San Francisco model.	O	The Fire Department manages the Benicia Community Emergency Response Team (CERT). This is a current and active community outreach program; since 2001 the program has trained over 500 residents. Community classes are offered. As part of the adaptation planning process, staff and consultant team held a public workshop to educate the public about climate related hazards including earthquakes, fire, flooding, sea level rise, and temperature change. The City maintains a webpage where the public can review information and be alerted to upcoming classes.	Fire Dept.	
	4.12	Goal	Accommodate runoff from existing and future development.				
	4.12.1	Policy	Regulate runoff from new development so that post-development site peak flow rates are no greater than pre-development levels.				
	4.12.2	Policy	Upgrade existing drainage facilities as necessary to correct localized drainage problems.				
	4.12.3	Policy	Ensure that new development pays its fair share cost of drainage system improvements.				

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Community Hazards		4.12.A	Program	Prepare a new citywide storm drain master plan.	PC	Will be completed in FY 2018/2019 and funded through Measure C.	Public Works Engineering Division
		4.12.B	Program	Adopt a combination of drainage improvement fees and other mechanisms to fund drainage improvements.	C/O	Revised inspection fees were adopted in 2017. Revenue generating options are currently being explored.	Public Works Engineering Division and Community Development Building Division
		4.12.C	Program	Accelerate implementation of the existing Storm Drain Master Plan.	O	City Council approved the creation of a storm improvement fund for implementation of Measure C storm water management plan and the construction of needed drainage system improvements. Funding available for the St. Augustine Project for construction in 2017.	Public Works Engineering Division
		4.12.4	Policy	Where practicable, discourage the use of storm drain systems, and promote stormwater management strategies which maximize opportunities for absorption of rainfall, overland conveyance of runoff, non-reservoir surface storage, and other measures that reduce development-induced impacts on peak flow rates.			
		4.13	Goal	Prevent property damage caused by flooding.			
		4.13.1	Policy	Continue to implement the floodplain management policy currently followed by the City.			
		4.13.A	Program	Require all potential developers in the Sulphur Springs Creek floodplain to provide flood hazard mitigation measures that ensure the subject properties are not at risk of flooding during the FEMA-designated 100-year base flood.	C/O	Staff routinely enforces this program and would require any development occurring in this area to be built (i.e. raised) above the floodplain. The Adaptation Plan identifies additional strategies that developers could use to mitigate flooding.	Community Development Planning Division
		4.13.2	Policy	Promote non-structural solutions to flood problems, where feasible.			
		4.13.B	Program	Where appropriate, promote the use of stormwater retention basins rather than standard engineering modifications to natural channels.	C/O	Staff routinely enforces this program with applicable development applications. On-site filtration treatment is the preferred methodology. The City operates under the Water Board's Phase II NPDES Permit that require these.	Public Works Engineering Division and Community Development Planning Division
		4.13.C	Program	Encourage use of meandering drainage channels in all new developments and wherever channels are replaced.	C/O	Staff considers this option as part of its review of development applications. On-site filtration is the preferred methodology. The City operates under the Water Board's Phase II Stormwater Permit.	Public Works Engineering Division and Community Development Planning Division
		4.14	Goal	Prevent ground and surface water contamination.			
		4.14.A	Program	Inform businesses and the public of current technology and standards for preventing ground and surface water contamination, and regulations governing hazardous material use, storage, and disposal, plus agency reporting requirements.	O	Ongoing as part of Phase II Stormwater Permit	Public Works Engineering Division

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Community Hazards	4.14.B	Program	Continue to communicate with State, regional, and local agencies and legislatures to relay information on Benicia's current and potential water quality contamination concerns, particularly regarding hazardous waste sites, existing and closed landfills, new and existing waste-generating industries and commercial operations, and City waste disposal and water/sewage treatment facilities.	O	Ongoing. This is part of the Adaptation planning process; local, regional, and state agencies will be made aware of the findings related to contamination issues and the vulnerability of the wastewater treatment plant.	Public Works Water Quality and Wastewater Divisions
	4.14.1	Policy	Implement non-point source pollution strategies.			
	4.14.C	Program	Provide information to the public on provisions of the City's Stormwater Pollution Prevention Plan (SWPPP) program and preparation of SWPPPs for all construction projects of five acres or more. Implement Best Management Practices (BMPs) for stormwater runoff and erosion controls for all development.	O	Implemented through MS4 Phase II NPDES Storm Water Permit which established a minimum threshold of 2,500 square feet. In addition, the Planning Division is charged with distributing information to applicants of all development projects.	Public Works Water Quality and Wastewater Divisions and Community Development Planning Division
	4.14.D	Program	Conduct an outreach program to industry and residents on how to reduce storm water-related pollution.	O	Implementing through public education outreach and Bay Area Stormwater Management Agencies Association Phase II Group.	Public Works Engineering Division
	4.15	Goal	Reduce fire hazards.			
	4.15.1	Policy	Promote the creation and maintenance of natural and artificially constructed firebreaks between development and open space areas through the use of fire resistive landscaping, weed abatement, discing, and other methods.			
	4.15.A	Program	Develop a Fire Hazards Response Plan for the urban wild land interface area.	C	The response to urban/wildland areas was modified in 2009.	Fire Dept.
	4.15.B	Program	Conduct a fire-hazard outreach program to neighborhood groups, the elderly, and the handicapped.	O	Continue annual efforts to provide public education on fire safety and defensible space.	Fire Dept.
	4.15.C	Program	Continue and expand routine fire inspections for businesses for compliance with the Uniform Fire Code and the California Fire Code.	O	Fire Inspector of Fire and Life Safety Division along with a company inspection program conducts fire and life safety inspections.	Fire Dept.
	4.15.D	Program	Continue the yearly vegetation management program.	O	This program is administered by the Fire Dept.	Fire Dept.
	4.15.2	Policy	Promote the use of fire-resistant landscaping in public and private developments.			
	4.16	Goal	Require hazardous materials and hazardous waste management handling and disposal procedures that are protective of human health and the environment.			
City Hazards	4.16.1	Policy	Support the Solano County Hazardous Waste Management Plan and its goals, policies, and implementation guidelines for hazardous waste reduction, hazardous waste facility siting, hazardous waste handling and disposal, public education and involvement, and program coordination with regulatory requirements.			
	4.16.A	Program	As part of the permitting process, ensure that the County reviews the design and operating plans for handling and disposal of hazardous wastes for existing and proposed new businesses.	O	Joint jurisdiction with Solano County Environmental Management.	Fire Dept.

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Community Hazards	4.16.B	Program	Contact the Solano County Environmental Management Department annually to confirm that hazardous waste generators in Benicia have been granted permits for handling hazardous substances in compliance with federal and State laws, that they dispose of their wastes in accordance with applicable laws, and that they have filed Hazardous Materials Management Plans and Risk Management and Prevention Plans.	O	Joint jurisdiction with Solano County Environmental Management.	Fire Dept.
	4.16.C	Program	Continue reviewing monitoring records for new and existing hazardous waste storage areas for compliance with federal and State law.	O	Joint jurisdiction with Solano County Environmental Management. The Fire Dept. works closely with County staff through inspections of these sites.	Fire Dept.
	4.16.2	Policy	Continue, promote, and expand the City's Household Hazardous Waste Program.			
	4.16.D	Program	Promote use of Benicia's and Pacheco's [now Republic Services] "drop-off" facilities.	O	The Public Work's Department administers this program and works in conjunction with Republic Services.	Public Works Admin Division
	4.16.3	Policy	Control water runoff that comes from hazardous substance handling or that enters hazardous substance handling areas.			
	4.16.E	Program	Investigate the potential for the collection and testing of industrial area surface runoff prior to discharge to prevent discharge of hazardous substances into the environment.	O	Part of the City's Storm Water Management Program.	Public Works Engineering Division
	4.17	Goal	Minimize hazardous waste generation.			
	4.17.1	Policy	Ensure enforcement of Title 22, §67100 of the California Code of Regulations regarding preparation and implementation of source reduction plans by hazardous waste generators.			
	4.17.A	Program	Contact the Solano County Environmental Management Department each September to confirm that new businesses have filed their source reduction plans, if applicable.	O	In cooperation with Solano County Environmental Management.	Fire Dept.
	4.17.B	Program	Situate all new hazardous material storage and handling areas to minimize the possibility of environmental contamination in the event of an accidental spill.	O	Through the Fire Dept.'s inspection program and in cooperation with Solano County Environmental Management. The City is developing strategies to reduce this risk as part of the Adaptation Plan process.	Fire Dept.
	4.17.C	Program	Enclose areas where hazardous liquids are handled to minimize any rain or moisture coming into contact with hazardous substances.	O	Through the Fire Dept.'s inspection program.	Fire Dept.
	4.18	Goal	Ensure the proper and thorough clean-up of hazardous waste sites including the Rose Drive/Braitto landfill area.			
	4.18.1	Policy	Monitor and participate in the remedial planning process for major hazardous waste sites within the City and monitor implementation of any selected remedial actions to ensure that human health and the environment are protected over the long term.			
	4.18.A	Program	Continue to work with the California Department of Toxic Substances Control (DTSC) to expedite the proper and thorough clean-up of waste in the Rose Drive area.	C	Cleanup of Rose Drive was completed in 2002.	City Attorney's Office
	4.19	Goal	Ensure the best possible closure of IT, considering the long-term health effects upon sensitive receptors in the community.			
	4.19.A	Program	For the IT site, continue to communicate Benicia's position that the only acceptable closure plan is a groundwater-divide-based alternative (i.e., a closure plan based on removing waste and contamination that lie outside the main site drainage).	O/2	The City continues to retain an outside consultant who serves as the City's liaison for monitoring, and oversees IT operations.	Community Development Dept. and City Manager's Office

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Community Hazards	4.20	Goal	Reduce health and safety hazards associated with hazardous materials users, hazardous waste generators, and hazardous waste disposal sites and toxic air contaminants.			
	4.20.1	Policy	Establish buffer zones between sensitive land uses and those land uses which involve the significant use, storage, or disposal of hazardous materials, hazardous waste, or toxic air contaminants.			
	4.20.A	Program	Maintain and designate land along East Second Street for nonresidential purposes.	C	Lands west of East 2nd Street are within the Limited Industrial Zoning District and further bounded by land zoned Open Space, which serves as a buffer. Lands to the east of East 2nd Street are within the General Industrial Zoning District, which meets the City Limit Line.	Community Development Planning Division
	4.20.B	Program	Follow siting criteria for Treatment, Storage, and Disposal (TSD) facilities contained in the Solano County Hazardous Waste Management Plan. (22 California Code of Regulations (CCR)§66260-18; State Health and Safety Code §25201.)	O	Joint jurisdiction with Building Division and Solano County Environmental Management	Fire Dept.
	4.20.C	Program	Evaluate the potential for requiring risk assessment for any new TSD facility, and if indicated by the risk assessment, require a larger buffer zone that will be protective of human health.	O	Joint jurisdiction with Building Division. If an application for a TSD facility is received by the City, it would be routed to the various involved City departments for review and comment. During this stage of the application review process, environmental review and the need for a formal risk assessment would be determined. Mitigations to remedy environmental impacts or reduce the degree of risk to the community would be imposed as conditions of project approval.	Fire Dept.
	4.20.D	Program	Review building applications for any proposed Treatment, Storage, and Disposal (TSD) facilities to ensure that the requirements of the Solano County Hazardous Waste Management Plan are met.	O	Implemented through fire code enforcement program.	Fire Dept.
	4.20.E	Program	Coordinate with Solano County Environmental Management Department to ensure enforcement of community Right-to know laws (Chapter 6.95 of the Health and Safety Code, §25500, et seq.).	O	Ongoing.	Fire Dept.
	4.20.F	Program	Enforce the Hazardous Waste Property and Border Zone Property Law (Health and Safety Code, Article 11, §25520 through §25241).	O	Joint jurisdiction with the Building Division	Fire Dept.
	4.21	Goal	Reduce significant hazards associated with pipelines, and high voltage transmission lines.			
	4.21.A	Program	Continue to implement existing adopted policies governing development near pipelines.	C/O	Staff routinely enforces this program with any development application in the vicinity of either the Valero Refinery pipelines or the City's water transmission line. Examples of this are the conditions imposed by the City on the Kinder Morgan Pipeline project, a portion of which was located adjacent to the City's water transmission line.	Community Development Planning Division
4.21.B	Program	Set back all residential uses, schools, and public buildings at least 150 feet from the edge of 230 kilovolt electric transmission line easements.	C/O	The City Council adopted Ordinance 01-6 in 2001 setting this standard in place within the Zoning Ordinance, 17.70.330.	Community Development Planning Division	
4.22	Goal	Update and maintain the City's Emergency Response Plan.				
4.22.1	Policy	Provide an early community alert and notification system and safe evacuation plan for emergency incidents.				

General Plan Implementation; January 1 - December 31, 2019		Appendix A					
Priority: 1 = Currently Budgeted; 2 = Request for Future Funding; 3 = Not Budgeted; C = Completed; O = Ongoing; PC = Partially Completed							
GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead	
Community Hazards	4.22.A	Program	Provide the public with information and training on what to do until help arrives in emergency situations.	O	Part of the community outreach program and Benicia Community Emergency Response Training (CERT); the City is also informing/training the public on strategies to reduce climate change related risks like flooding, sea level rise, and temperature increases. An update to the City's Emergency Operations Plan (EOP) is in progress with community education and engagement.	Fire Dept.	
	4.22.B	Program	Develop a siren system to alert and notify the community in an emergency.	C	The City installed the CAN system in February 2001. Two additional sirens were located and installed in 2004 along with other miscellaneous upgrades. Upgrades to the system were completed in 2016.	Fire Dept.	
	4.22.C	Program	Request voluntary donations from identified sources of hazards to implement the Emergency Response Plan.	C	The City installed the CAN system in February 2001; includes CAN system support.	Fire Dept.	
	4.22.D	Program	Consider a City radio station to inform residents in the event of an emergency.	C	The City completed this in February 2001. With technological challenges and insufficient resources, this is no longer operational. This technology has been replaced with a more robust community alerting system, Alert Solano, utilizing the Everbridge platform.	Fire Dept.	
	4.22.2	Policy	Develop at least two exit routes, where feasible, for new developments. One of the exits could be a pedestrian route.				
	4.22.3	Policy	Provide the public with information on specified emergency evacuation routes.				
	4.22.E	Program	Provide an evacuation route from the Arsenal in addition to Military East.	1	The City has hosted several town hall meetings on this subject and established evacuation routes in this area. A pamphlet and digital materials area being created to community this information to the public.	Fire Dept.	
Noise	4.23	Goal	Reduce or eliminate the effects of excessive noise.				
	4.23.1	Policy	Evaluate the compatibility of proposed projects with respect to existing and future transportation noise levels by utilizing Tables 4-3 and 4-4.				
	4.23.A	Program	Investigate and implement techniques to reduce traffic noise.	O	Part of the City's Traffic Calming Program.	Public Works Engineering Division	
	4.23.2	Policy	Use noise dampening building standards, site design, landscaping, and setbacks instead of sound walls, wherever possible.				
	4.23.3	Policy	Use available techniques such as building insulation, berms, building design and orientation, buffer yards, and staggered operating hours to minimize noise at the source.				
	4.23.4	Policy	Control development of noise-sensitive land uses in areas exposed to existing or projected noise which exceed the levels specified in Tables 4-3 and 4-4 unless the project includes specific, effective mitigation measures to reduce interior and exterior noise levels to those specified in Tables 4-3 and 4-4.				
	4.23.B	Program	Investigate conditioning construction of live/work units with a requirement to record a "notice of special restrictions" which would acknowledge the noisy nature of existing adjacent industrial uses.	O	The applicability of this program would be evaluated at the time of development review.	Community Development Planning Division	

General Plan Implementation; January 1 - December 31, 2019		Appendix A				
Priority: 1 = Currently Budgeted; 2 = Request for Future Funding; 3 = Not Budgeted; C = Completed; O = Ongoing; PC = Partially Completed						
GP Section	No.	General Plan Statement Type	Statement	Priority	Status	Lead
Noise	4.23.5	Policy	Accommodate roadway improvement projects for build-out of the General Plan by recognizing that existing noise-sensitive uses may be exposed to increased noise levels from roadway repairs, increased traffic, and increased travel speeds. When it is not practical to reduce traffic noise levels to those in Table 4-4, the following criteria will be used as a test of significance for the environmental review of roadway improvement projects: (a) Where existing noise levels are less than 60 dB Ldn at the outdoor activity area of a noise-sensitive use, a 5 dB Ldn increase in noise levels due to a roadway improvement project will be considered significant; (b) Where existing noise levels range between 60 and 65 dB Ldn at the outdoor activity area of a noise-sensitive use, a 3 dB Ldn increase in noise levels due to a roadway improvement project will be considered significant; and (c) Where existing noise levels are greater than 65 dB Ldn at the outdoor activity area of a noise-sensitive use, a 1.5 dB Ldn increase in noise levels due to a roadway improvement project will be considered significant.			
	4.23.C	Program	If needed, revise the City's noise ordinance and consider incorporating the noise level performance standards in Table 4-4.	C	In February 2017, the City Council provided direction to City staff regarding outdoor music in the downtown area following a determination that the adoption of the DMUMP in 2007 resulted in a zoning inconsistency. The proposed text amendments to the Benicia Municipal Code and Downtown Mixed Master Plan to modify the noise regulations were adopted in 2018, and the performance standards of Table 4-4 were included in the amendment to the Noise Regulations.	Community Development Planning Division
	4.23.6	Policy	Attempt to reduce noise in areas already highly impacted by excessive noise.			
	4.23.D	Program	Identify sources of noise in the community (such as flight patterns, construction noise, traffic, railroads, industrial, and amplified sound). Develop measures to reduce excessive noise to acceptable levels.	C/O	The Noise Element of the General Plan identified noise sources and established standards for maintaining acceptable noise environments for existing and new development. Title 24 addresses noise between shared tenant spaces in attached units by requiring sound transmission measures to be installed between units to reduce noise from neighbors. In addition, there are requirements for exterior sound transmission control from sources such as highways and airports.	Community Development Planning and Building Divisions

Please Start Here

General Information	
Jurisdiction Name	Benicia
Reporting Calendar Year	2019
Contact Information	
First Name	Bradley
Last Name	Misner
Title	Community Development Director
Email	
Phone	(707) 746-4280
Mailing Address	
Street Address	250 East L Street
City	Benicia
Zipcode	94510

Submittal Instructions

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System (Preferred)** - This enters your information directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. **Email** - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title)

Jurisdiction	Benicia
Reporting Year	2019 (Jan. 1 - Dec. 31)

Note: + Optional field
 Cells in grey contain auto-calculation formulas

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Unit Types		Affordability by Household Incomes - Completed Entitlement							Affordability by Household Incomes - Building Permits											
1				2	3	4							5	6	7							8		
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	
Summary Row: Start Data Entry Below																								
	89021290	686 W. J Street	16BLD-00582	16BLD-00582	ADU	O																3	1	7/25/2018
	88153120	445 E. K Street	18BLD-00453	18BLD-00453	ADU	O																1		8/22/2018
	86312050	430 Mills Drive	18BLD-01144	18BLD-01144	ADU	O																1		6/5/2018
	88021330	45 Corte Dorado	19BLD-00160	19BLD-00160	SFD	O																	1	3/23/2018

Affordability by Household Incomes - Certificates of Occupancy																				
9	10							11	12	13	Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes
# of Units Issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)*	Number of Demolished/Destroyed Units*	Demolished or Destroyed Units*	Demolished/Destroyed Units Owner or Renter*	Notes*
4																				
1											N	Y			Benicia Housing Element					
1											N	Y			Benicia Housing Element					
1											N	Y			Benicia Housing Element					
1											N	Y								

(CCR Title 25 §6202)

Jurisdiction	Benicia	
Reporting Year	2019	(Jan. 1 - Dec. 31)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs. Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2								3	4	
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	94			1							1	93
	Non-Deed Restricted												
Low	Deed Restricted	54	1									1	53
	Non-Deed Restricted												
Moderate	Deed Restricted	56										11	45
Above Moderate	Non-Deed Restricted	123	2	1	8	1	5					17	106
Total RHNA		327											
Total Units 44			3	1	9	4	13					30	297

Note: units serving extremely low-income households are included in the very low-income permitted units totals
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Benicia	
Reporting Year	2019	(Jan. 1 - Dec. 31)

Note: + Optional field
 Cells in grey contain auto-calculation formulas

Table C

Sites Identified or Rezoned to Accommodate Shortfall Housing Need

Project Identifier				Date of Rezone	Affordability by Household Income				Type of Shortfall	Sites Description							
1				2	3				4	5	6	7	8	9	10	11	
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Date of Rezone	Very-Low Income	Low-Income	Moderate Income	Above Moderate Income	Type of Shortfall	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Benicia
Reporting Year	2019 (Jan. 1 - Dec. 31)

Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1.01	Work/Coordinate with the Housing Authority	2015-2023	The City and Housing Authority coordinated on the Housing Element update. The City has been responsive to Housing Authority needs and concerns when presented. The City of Benicia is in ongoing coordination with the Housing Authority and local housing advocates on development of Objective Planning Standards. The City is in the process of finalizing a CDBG grant agreement to support affordable senior housing within the community.
Program 1.02	Support the Benicia Housing Authority in their administration of the Section 8 housing voucher program.	2015-2023	This is an ongoing effort between the City and the Benicia Housing Authority whereby the City provides support when eligible.
Program 1.03	Consider joining a consortium for source of funding, mortgage revenue bonds/credit certificates, to develop affordable housing and first time homebuyer assistance.	2015-2023	The City began to investigate the feasibility, however, when staff resources were reduced this effort was placed on hold. Investigating the feasibility of joining a housing consortium will continue.
Program 1.04	Leverage financial resources and partner with the development community to assist first-time homebuyers with down payments. Apply for Community Development Block Grant (CDBG) funding annually for this purpose.	2015-2023	This is an ongoing effort and the City will continue to seek CDBG funding as eligible.
Program 1.05	Work with Public Works Department (City's water and sewer provider) in order to ensure adequate services to accommodate the housing needs.	2015-2023	Ongoing.
Program 1.06	Provide information at City Hall, other public locations, and on the City's website (www.ci.benicia.ca.us) to promote private, State, and federal homebuyer assistance programs to the public.	2015-2023	Ongoing, the information available through the City directs inquires to the Benicia Housing Authority.

Program 1.07	Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expedition manner possible.	2015-2023	Ongoing, pre-application review of all development projects including those pertaining to housing is regularly provided and coordinated through the Planning Division staff.
Program 1.08	Continue to educate the public on affordable housing through annual reporting to the Planning Commission and City Council.	2015-2023	Ongoing; the Housing Element annual report and General Plan Annual Report are presented to the Planning Commission and City Council each year prior to submittal to state agencies by the April 1 deadline. Periodic updates are provided to the Planning Commission and City Council regarding changes to State housing law (ex: ADUs, SB35).
Program 1.09	Amend the Zoning Ordinance to comply with changes in the State Density Bonus law.	Completed November 2016	Ordinance 16-10 was adopted November 1, 2016 amending the Affordable Housing Density Bonus section, 17.70.270, to be consistent with State law.
Program 1.10	To encourage the development of second units, amend the Zoning Ordinance for second units (accessory dwelling units) and reduce fees.	2015-2023	The City adopted an update to the Accessory Dwelling Unit (ADU) ordinance in January 2019. A subsequent amendment was initiated in summer 2019 to address public comment; these amendments and further updates in compliance with State law are under consideration and anticipated for adoption in early 2020.
Program 1.11	Investigate the feasibility of developing second unit prototype or model plans for homeowners to use.	2015-2023	This program has not yet been completed.
Program 1.12	Amend the Benicia Municipal Code to include language directing the City Council to consider waving or reducing fees when a project provides affordable housing units.	Dec-22	The Community Development Department and Economic Development Division work closely with the development community. This is an ongoing effort subject to the specifics of individual development proposals.
Program 1.13	Provide developer incentives such as expedited permit processing and fee deferrals for low-income units.	2015-2023	The Community Development Department and Economic Development Division work closely with the development community. This is an ongoing effort subject to the specifics of individual development proposals.
Progra, 2.01	Evaluate the inclusionary ordinance and consider changes that would encourage the construction of affordable housing units; such as expedited permit processing and fee deferrals for units that are affordable to lower income households.	2018	Planning Staff will continue to work on evaluation of the inclusionary ordinance as time and resources permit.
Program 2.02	Include SB375 in General Plan Update for high density near transit.	Next GP Update	The City adopted the Climate Action Plan in 2009 which established the community goal to reduce greenhouse gas emissions 10% below 2000 levels by year 2020. This program will further implemented as the City's next General Plan update.
Program 2.03	Maintain a housing trust fund for inclusionary housing in-lieu fees.	2015-2023	The housing trust fund has been established and its maintenance is ongoing.
Program 2.04	Consider affordable housing linkage fee to support the development of workforce housing.	2022	Evaluation of the program determined that use regulations in the CG zone do not present a constraint to accommodate affordable housing. This program was removed from the 2015-2023 Housing Element update.
Program 2.05	Evaluate the sites inventory to ensure available land to accommodate the RHNA.	Annually	Planning staff continues to monitor development activity to ensure our ability to accommodate the RHNA.
Program 2.06	Monitor funding sources for the development of second- and third story residential units along First Street in downtown.	2015-2023	The City continues to monitor available funding sources and updates the contact information as necessary. This is an ongoing effort.
Program 2.07	Apply for financial assistance for projects in the Priority Development Areas.	2007-2014	In 2019 the City adopted local policies in support of maintaining the Downtown PDA, which will position Benicia for funding opportunities in the future.

Program 3.01	Amend Zoning Ordinance to allow for emergency shelters by right.	Completed January 2015	This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 to allow emergency shelters by right.
Program 3.02	Amend the Zoning Ordinance for transitional and supportive housing.	Completed January 2015	This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 for transitional and supportive housing.
Program 3.03	Adopt a reasonable accommodations ordinance.	Completed November 2016	This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 to address reasonable accommodations.
Program 3.04	Provide assistance to the Community Action Council.	2015-2023	The City has engaged CAC and Benicia Housing Authority promoting their services on the City's website and will continue to provide information as requested.
Program 3.05	Refer persons in needs of transitional housing assistance to the Community Action Council.	Annually	Ongoing; the City will continue to work with the CAC to identify housing needs and ensure that social services are provided.
Program 3.06	Provide social services in all City funded affordable housing projects.	2015-2023	There are currently no city-funded affordable housing projects; however, social services would be provided if such a project were to happen in the future.
Program 3.07	Facilitate the establishment of shared housing.	2015-2023	Ongoing; the City will continue to work with the development community to provide shared housing.
Program 3.08	Encourage housing for persons with disabilities.	2015-2023	Ongoing; the City will continue to coordinate with agencies such as North Bay Regional Center, North Bay Housing Coalition, and other local agencies to pursue funding to maintain housing affordability for persons with disabilities.
Program 4.01	Expand the use of existing Housing Rehabilitation Loan Program.	2015-2023	Ongoing; Staff has been able to maintain the program, but has lacked the resources to expand.
Program 4.02	Implement procedures applicable to inclusionary for sale units.	2015-2023	Ongoing; City staff continues to monitor inclusionary housing to maintain affordability. In addition, any development project which includes inclusionary housing is reviewed for such requirements.
Program 4.03	Work with Benicia Housing Authority to prevent conversion of affordable housing.	2015-2023	Ongoing; staff continues to coordinate with the Housing Authority as necessary.
Program 4.04	Work with mobile home parks to ensure maintenance, upkeep, and compliance with State regulations.	Completed December 2016	This program was completed. Outreach was conducted in December 2016 in the form of a "Future Plans and Status" survey and was followed up in early 2017.
Program 4.05	Investigate ways to meet housing needs through rehabilitation and preservation of existing units.	2015-2023	This is an ongoing effort subject to the specifics of individual development proposals.
Program 4.06	Maintain a record of affordable housing units.	2015-2023	Ongoing; the City maintains a record and reports this information as part of the annual report.
Program 5.01	Implement the complaint referral process.	2015-2023	Ongoing; the City Attorney's Office manages this program and maintains this information in their office and on the City's website.
Program 5.02	Continue to provide brochures on universal design for the public.	2015-2023	Ongoing; the City will continue to provide brochures and consider writing development standards to encourage use of universal design in home design, such as the brochure completed in 2013.
Program 6.01	Implement the California Green Building Standards Code, 2013 edition.	2015-2023	Ongoing; the City adopts updated Building Codes on a 3-year cycle. The Code is implemented by the Building Division during the building permit process.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Benicia	
Reporting Period	2019	(Jan. 1 - Dec. 31)

Note: + Optional field
 Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Very Low Income	Low Income	Moderate Income	Above Moderate Income ⁴	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

This table is optional. Jurisdictions may list (for informational purposes only) units that do not count toward RHNA, but were substantially rehabilitated, acquired or preserved. To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields. Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in Government Code section 65583.1(c)(2).

Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1 ⁺
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Total Units by Income									

Jurisdiction	Benicia	
Reporting Year	2019	(Jan. 1 - Dec. 31)

Permitted Units Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units 44		0

Note: units serving extremely low-income households are included in the very low-income permitted units totals

Entitlement Summary	
Total Housing Applications Submitted:	0
Number of Proposed Units in All Applications Received:	13
Total Housing Units Approved:	13
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

MINUTES OF THE
REGULAR MEETING – PLANNING COMMISSION
FEBRUARY 13, 2020
7:00 P.M.

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape. These are action minutes; a full video is available online at www.ci.benicia.ca.us/agendas.

1) CALL TO ORDER

Chair Birdseye called the meeting to order at 7:01 P.M.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL OF COMMISSIONERS

Present: Chair Birdseye, Commissioners Catton, Dravnieks Apple, Mollica, and Macenski
Absent: Commissioner Stock

Staff Present: Brad Misner, Community Development Director
Suzanne Thorsen, Principal Planner
Danielle Crider, Associate Planner
Nira Doherty, Assistant City Attorney
Mario Giuliani, Economic Development Manager

4) REFERENCE TO FUNDAMENTAL RIGHTS OF PUBLIC

5) ADOPTION OF AGENDA

On motion of Commissioner Macenski, seconded by Commissioner Dravnieks Apple, the Commission approved the agenda on a roll call by the following vote:

Ayes: Commissioners Catton, Dravnieks Apple, Mollica, Macenski, and Chair Birdseye
Noes: (None)

6) OPPORTUNITIES FOR PUBLIC COMMENTS

7) WRITTEN

7.A Written Comment from Cathy Hampton, 1/28/2020

[Written Comment - Cathy Hampton](#) 

8) PUBLIC COMMENTS

Chuck Maddux, a Benicia resident, complained about a city tax related call he found coercive.

Will Emes, a Benicia resident, spoke about voter education and turnout

9) CONSENT CALENDAR

9.A January 9, 2020 Draft Minutes

[January 9, 2020 Draft Minutes](#) 

On motion of Commissioner Dravnieks Apple seconded by Commissioner Catton, the Commission approved the consent calendar on a roll call by the following vote:

Ayes: Commissioners Catton, Dravnieks Apple, Mollica, Macenski, and Chair Birdseye
Noes: (None)

10) REGULAR AGENDA ITEMS

10.A Lake Herman Road Solar Project

[PC Staff Report - Lake Herman Solar](#) 

1. [Draft ISMND MMRP and Errata Sheet](#) 

2. [Written Correspondence from Bill Everett](#) 

Mandy Kang, M-Group, consultant for the City of Benicia, provided a presentation on the proposed project. The purpose of this agenda item is to receive public comments on the draft Initial Study/Mitigated Negative Declaration.

Angela DaRosa, Raney Planning and Management, project environmental consultant for the City of Benicia, provided a presentation on the draft environmental document.

The following commissioners disclosed ex parte communications:

Commissioner Macenski attempted to schedule a site visit with the applicant.

Commissioner Dravnieks Apple went on a site visit with the applicant on February 6 for approximately 30 minutes to discuss the project.

Commissioner Catton attended a site visit with the applicant and requested information on defensible space and materials to be used on the site.

Aaron Halimi, project applicant, provided a presentation on the proposed project and clarified the long-term power purchase agreement with Marin Clean Energy, studies performed for the project, and proposed landscape improvements.

Commissioners asked about the construction timeframe, requested clarification about the proposed zoning text amendment, environmental impacts, the useful life of the solar panels, utility requirements, traffic construction management, water consumption,

public safety services, battery storage, noise impacts, visual impacts, biological resources and the cumulative effects of the zoning text amendment.

PUBLIC COMMENT:

Marilyn Bardet, a Benicia resident, spoke in opposition to the proposed zoning amendment and spoke regarding open space preservation, housing need, and solar development on roofs.

Bob Berman, a Benicia resident, requested further analysis of the cumulative impacts that would result from the text amendment, clarification in the aesthetic impact section of the Initial Study, vegetation survivability, and the analysis relating to land use and planning.

Chuck Maddux, a Benicia resident, stated that native plants should be chosen and should be located further from Lake Herman Road.

Donald Dean, a Benicia resident, agreed with comments regarding cumulative impacts for the zoning text amendment and requested that images of similar solar arrays be provided. He stated that the Land Use and Planning section of the Initial Study is inadequate, especially as it pertains to the General Plan.

DISCUSSION:

Commissioner Catton, a member of the California Native Plants Society (CNPS), stated that the proposed plants are native to Solano County. She spoke about the fire resistance, habitat potential and visual impact of the trees. She is concerned about City policies and how to separately address solar production and open space.

Commissioner Dravnieks Apple expressed concern that the proposed vegetation would be planted but not properly cared for and requested further analysis of watering and plant survivability.

Commissioner Mollica acknowledged solar electricity to combat climate change. In reference to consistency with the General Plan and Zoning Ordinance, he stated that this property is adjacent to the watershed, and that he believes the intent of this parcel being designated for open space was for the purpose of natural resource conservation. If this parcel is intended for conservation, then he is not confident that the text amendment is consistent with the General Plan. He agreed that cumulative impacts should be further analyzed.

Commissioner Macenski stated that he supports renewable energy but has reservations about the amending the zoning ordinance citywide. He requested that a feasibility analysis of all of Benicia's Open Space District for solar production be performed in an effort to provide context and improve the CEQA analysis.

Chair Birdseye asked if the Sky Valley Committee was consulted. Staff stated that this committee was not consulted.

10.B Review of Draft Downtown Parking Study

[Staff Report - Draft Downtown Parking Study](#) 

1. [Draft Downtown Parking Study](#) 

Mario Giuliani, Economic Development Manager, provided background information about the parking study.

Chrissy Mancini, Walker Consultants, presented the draft Downtown Parking Study.

PUBLIC COMMENT:

Chuck Maddux, a Benicia resident, expressed concerns about angled parking on East D Street.

Will Emes, a Benicia resident, suggested eliminating vehicular traffic on First Street.

DISCUSSION:

Commissioner Macenski and Commission Catton stated that they are proponents of parklets.

Commissioners commented in support of parklets, protected bike lanes, the parking ambassador concept, improved pedestrian infrastructure, signage and wayfinding. Concerns were expressed about special event access, lack of bicycle parking, introduction of scooters, ADA parking on First Street, and future use of the E Street Parking Lot.

10.C 2019 General Plan Annual Report

[Staff Report - 2019 General Plan Annual Report](#) 

1. [2019 General Plan Annual Report](#) 

2. [2019 General Plan Programs](#) 

3. [2019 HCD Housing Production Report](#) 

Danielle Crider, Associate Planner, provided a presentation.

Commissioners commented on traffic analysis for a pending cannabis application, the City's progress on meeting its Regional Housing Need Allocation (RHNA), the upcoming Housing Element cycle.

PUBLIC COMMENT:

None

DISCUSSION:

Commissioner Dravnieks Apple inquired about the reported status of General Plan Program 4.7.B.

11) COMMUNICATION FROM STAFF

Ms. Thorsen provided an update on the adoption of the Accessory Dwelling Unit (ADU) ordinance which takes effect on March 5, 2020.

12) COMMUNICATION FROM COMMISSIONERS

Commissioner Macenski commented on the Planning Commission vacancy.

Commissioner Mollica provided an update on training he attended at Sonoma State University regarding hazards planning and commented on the need to plan for wildfire risk in the future.

Chair Birdseye shared that she will attend a League of CA Cities conference in March and will report back on what she learns.

13) ADJOURNMENT

Chair Birdseye adjourned the meeting at 9:44 PM



**AGENDA ITEM
CITY COUNCIL MEETING DATE – SEPTEMBER 1, 2020
BUSINESS ITEMS**

TO: City Council

FROM: City Attorney

SUBJECT: **INTRODUCTION OF AN ORDINANCE AMENDING BENICIA MUNICIPAL CODE CHAPTER 8.04, ADDING A DEFINITION OF “COMMERCIAL BLIGHT” AND DECLARING IT AN ACTIONABLE NUISANCE**

EXECUTIVE SUMMARY:

The proposed ordinance would define “commercial blight” and declare it as a nuisance, allowing the City to pursue nuisance abatement actions against commercial property owners who fail to maintain property in such as manner as to constitute a blight to the community.

RECOMMENDATION:

Move to waive the first reading and introduce an ordinance (Attachment 1) of the City Council amending Benicia Municipal Code Chapter 8.04 (Property Maintenance – Nuisance Abatement) and finding the ordinance exempt under the California Environmental Quality Act.

BUDGET INFORMATION:

There are no financial or budgetary impacts associated with the adoption of this ordinance.

BACKGROUND:

The City currently works to bring building, nuisance and other property maintenance related code violations to the attention of the responsible party. Despite these efforts, there has been and continues to be ongoing nuisances related to maintenance or lack of maintenance of some properties throughout the City in a manner that creates blighted conditions.

To reduce commercial blight in the City of Benicia and thereby foster greater economic development and confidence in the City’s aesthetic environs, this ordinance would allow the City to require commercial property owners to maintain their commercial properties in accordance with the City’s new definition of commercial blight. If the property meets the proposed definition of commercial blight, the City would be authorized to pursue a nuisance abatement action, whereby the property owner would be responsible for shouldering the cost of the abatement.

The ordinance adds the following provisions to the Benicia Municipal Code:

1. Amends Chapter 8.04.020 to add a definition of commercial blight.
2. Amends Chapter 8.04.030 to add a provision allowing the City to pursue nuisance abatement proceedings against commercial buildings it deems meet the definition of commercial blight.

NEXT STEPS:

If passed, consider ordinance at second reading and adopt ordinance.

ALTERNATIVE ACTIONS:

Direct City Attorney to make certain changes and/or amendments to the ordinance.

General Plan	Goal 2.5 – Facilitate and encourage new uses and development which provide substantial and sustainable fiscal and economic benefits to the City and the community while maintaining health, safety, and quality of life.
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Priority Based Budgeting	Strategic City Result Impacted by this Agenda Item
	The City Council and community identified six (6) key “Results” that establish the key goals for which the City of Benicia aspires to achieve with our programs and services. Agenda Items often influence multiple Results, the primary Result impacted by this Agenda Item is (please check one):
	<input type="checkbox"/> Protect Community Health & Safety <input type="checkbox"/> Maintain & Enhance A High Quality of Life <input type="checkbox"/> Preserve & Enhance Infrastructure <input type="checkbox"/> Strengthen Economic & Fiscal Conditions <input type="checkbox"/> Protect & Enhance the Environment <input checked="" type="checkbox"/> High Performing Government
	City Programs Impacted by This Agenda Item (Top 3):
	<ol style="list-style-type: none"> 1. Commercial and Industrial Plan Review and Inspections 2. Building code administration and amendments
	Priority Based Budgeting (PBB) Website:
	Coming soon in Spring 2020 will be a link to the City of Benicia’s PBB website to learn more about these programs and their costs.

CEQA Analysis	The requested action is exempt from CEQA because it will not result in a direct or indirect physical change in the environment and therefore is not a project as defined in CEQA Guidelines Section 15378.
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ATTACHMENT:

1. Ordinance – Commercial Blight

For more information contact: Benjamin Stock, City Attorney

Phone: 415-755-2600

E-mail: bstock@ci.benicia.ca.us

CITY OF BENICIA

ORDINANCE NO. 20-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA AMENDING SECTION 8.04.020 (DEFINITIONS) AND SECTION 8.04.030 (UNLAWFUL PUBLIC NUISANCES – DEFINED) OF CHAPTER 8.04 (PROPERTY MAINTENANCE — NUISANCE ABATEMENT) OF TITLE 8 OF THE BENICIA MUNICIPAL CODE

WHEREAS, the City Council of the City of Benicia seeks to reduce commercial blight in the City of Benicia;

WHEREAS, reducing commercial blight will promote economic development and healthy neighborhoods and will preserve the appearance of Benicia;

WHEREAS, adding a definition of “commercial blight” to Chapter 8.04 (Property Maintenance – Nuisance Abatement) to Title 8 of the Benicia Municipal Code, and allowing the City to pursue nuisance abatement actions pursuant to that definition will aid the City in that goal;

NOW, THEREFORE, the City Council of the City of Benicia does hereby ordain as follows:

Section 1. Sections 8.04.020 and 8.04.030 of the Benicia Municipal Code is hereby amended as set forth in Attachment 1, attached hereto, and incorporated herein by reference, and in which additions are indicated by an underline, and deletions are indicated by a ~~striketrough~~.

Section 2. **Severability.** If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

Section 3. **Compliance with CEQA.** The City Council hereby finds that the action to adopt this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment and pursuant to CEQA Guidelines section 15060, subd. (c)(2), because the ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 4. **Publication.** The City Clerk is hereby ordered and directed to certify the passage of this Ordinance by the City Council of the City of Benicia, California and cause the same to be published in accordance with State law.

Section 5. Effective Date. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

On motion of Council Member _____, seconded by Council Member _____, the foregoing ordinance was introduced at a regular meeting of the City Council on the 1st day of September, 2020, and adopted at a regular meeting of the Council held on the _____ day of _____, 2020, by the following vote:

Ayes:

Noes:

Absent:

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

**ATTACHMENT 1
TO ORDINANCE NO. _____**

Chapter 8.04

PROPERTY MAINTENANCE – NUISANCE ABATEMENT

Sections:

8.04.020 Definitions

8.04.030 Unlawful Public Nuisances – Defined

18.04.020 Definitions.

As used in this chapter:

“Backyard” means that portion of property between the back of the primary residential structure and the rear property line.

“Building” means any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property.

“City” means the city of Benicia.

“City manager” means the city manager or his or her duly authorized representative.

“Commercial blight” means any building that accommodates commercial use that is (1) in a state of disrepair or (2) inadequately maintained. Examples of commercial blight include, but are not limited to: exterior walls and/or roof coverings which have become deteriorated and do not provide adequate weather protections, resulting in termite infestation and/or dry rot; broken or missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers; building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks or other structures on the property which are broken, deteriorated, or substantially defaced, to the extent that the disrepair is visible from any public right of way or visually impacts neighboring public or private property or presents an endangerment to public safety; building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks or other structures on the property which have been repainted in such a manner that the appearance may be further deteriorated or substantially defaced; and/or overgrown, diseased, dead, or decayed trees, weeds or vegetation.

“Costs or expenses to abate the nuisance” means the actual cost of abatement plus all administrative expenses, including direct and indirect personnel costs; costs incurred in documenting the nuisance; the actual expenses and costs of the city in the preparation and dissemination of notices, specifications, and contracts and in inspecting the work; the costs of printing and mailing the required notices; and the costs of imposing a lien, if a lien becomes necessary.

“Enforcement officer” means any individual employed by the city with primary enforcement authority for this chapter, or his or her duly authorized representative, or any city employee or agent of the city with the authority to enforce a provision of this code.

“Front yard” means that portion of property between the abutting frontal street and the primary building or residential structure.

“Hearing officer” means the individual appointed by the city manager under this chapter to hear all timely appeals described in this chapter. The hearing officer can have no pecuniary interest in the outcome of the hearing, or interest in or bias regarding the case. If the appointee is a city employee, the appointee cannot work in the department that is enforcing the code violations, nor can any decision as the hearing officer be made subject to the employee’s performance evaluation in his/her regular job.

“Junk” means any cast-off, damaged, discarded, junked, obsolete, salvaged, scrapped, unusable, worn-out or wrecked object, thing or material, including but not limited to those composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, plaster, plaster of Paris, rubber, terra cotta, wool, cotton, cloth, canvas, wood, wood chips, tree trimmings or cuttings, metal, sand, organic matter or other substance.

“Junkyard” means any property on which any junk is abandoned, bailed, bartered, bought, brought, bundled, deposited, disassembled, disposed of, exchanged, handled, kept, stored or transported, regardless of whether or not such activity is done for profit.

“Owner” and “property owner,” as used herein, and unless otherwise required by the context, shall be deemed to include any person owning, leasing, renting, occupying or having charge or possession of any property in the city to and including any person identified as owning property as shown on the last equalized assessment roll.

“Person,” as used in this chapter, means any individual, partnership, corporation, limited liability company, association, or other organization, however formed, including heirs in possession, executors, administrators, or assigns.

“Property” or “premises” means any lot or parcel of land, including any alley, sidewalk or parkway abutting such lot or parcel of land, or improvements thereon, or portions thereof, as the case may be.

“Public nuisance” means anything which is, or is likely to become, injurious to health or safety, or is offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any public park, square, street or highway. All conditions enumerated in BMC 8.04.030 are public nuisances by definition and declaration, and said enumerated conditions shall in no way be construed to be exclusive or exhaustive.

“Side yard” means that portion of property between the side of the building or residential structure and the property line.

“Vehicle” references the current definition of same contained at Section 670 of the California Vehicle Code, and means any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks. Vehicles do not include wheelchairs.

18.04.030 Unlawful Public Nuisances – Defined.

It shall be unlawful and a public nuisance for any person owning, renting, leasing, occupying or having charge or possession of any real property in the city to maintain, or allow or permit others to maintain, such property in any of the following conditions:

A. The exterior accumulation of vegetation, weeds, dirt, litter, rubbish or debris on the property which is visible from a public street, sidewalk, alleyway, right-of-way or neighboring property. This includes, but is not limited to:

1. Neglected or improperly maintained landscaping, dead, debris laden, weed infested or overgrown vegetation, such as trees, shrubs, hedges, grass and ground covers, or vegetation dying as a result of physical damage, disease, insect infestation or lack of water or any other vegetation;
2. Vegetation likely to harbor rats, vermin and other nuisances or causing detriment to neighboring properties, or out of conformity with neighboring community standards to such an extent as to result in appreciable diminution of property values;
3. Vegetation growing on the roof or compromising the integrity of any structure, except for rooftop gardens designed and constructed to withstand structural load;
4. The removal or failure to maintain in good condition any landscaping required as a condition of any permit or development approval or included in the project plans or application without city approval. “Good condition” means that plant material is alive, irrigated, and otherwise cared for to ensure survival.

The provision as to dead or dying vegetation due to lack of water shall not be enforced during a drought year, as determined by the city. For purposes of this subsection, a lawn area shall be deemed overgrown if 50 percent or more of its area exceeds four inches in height (not including decorative grasses). (See also Chapter 8.08 BMC, Weeds and Rubbish).

B. The accumulation or storage of junk, trash or debris, including but not limited to tires, broken, abandoned or discarded furniture, sinks, toilets, cabinets or other household fixtures, equipment or parts thereof, rubbish, garbage, goods and furnishings, shopping carts, packing boxes, lumber, salvage materials or other materials, accumulations of grease, oil, or petroleum-based products of any kind, animal feces, or other debris and litter, which constitutes a fire hazard or safety hazard and/or is stored or accumulated in such a manner as to constitute visual blight which is visible

from the public street, sidewalk or right-of-way, alley, or adjoining property. This includes the dumping, spillage or storage of solids or liquids which may negatively impact the visual or olfactory nature of the area.

C. Buildings, fences or other structures, the exterior walls or windows of which are visible from a public street, sidewalk or right-of-way, which are cracked, broken, leaning, fallen, decayed, deteriorated or defaced, including but not limited to unpainted or untreated exterior wood surfaces (other than natural decay-resistant wood) on any building (or any portion thereof), or structure in which the condition of the paint has become so deteriorated as to permit decay, excessive checking, cracking, peeling, chalking, dry rot, warping, or insect infestation, including failure to provide adequate weather protection to structures or buildings, including, but not limited to, cracked, peeling, warped, rotted, or severely damaged paint, stucco or other exterior covering.

D. Failure to maintain property, building structure, required fence, driveways, sidewalks or parking areas so that it becomes defective, unsightly, or in such condition of dilapidation or disrepair that it causes or accelerates the deterioration of the property or causes the depreciable diminution of the property values of surrounding properties, or is otherwise materially detrimental to adjacent properties.

E. Building or other structures which are abandoned, partially destroyed, partially constructed or allowed to remain unreasonably in a state of partial construction or neglect.

F. Vacant or abandoned buildings or structures with doorways, windows or other openings left open, unlocked, unsecured or otherwise easily accessible to trespassers, vagrants, vandals or other persons not authorized to enter.

G. Broken windows constituting hazardous conditions, or contributing to neighborhood blight, or resulting in unsecured property inviting trespassers and malicious mischief.

H. Storage or maintenance of packing boxes, storage containers, lumber, pallets, metal storage bins or containers, trash, dirt and other junk deposited or stored for unreasonable periods either inside or outside buildings, visible from the street or nearby property, which constitute visual blight, health and safety issues, are offensive to the senses, or are detrimental to nearby property values.

I. Where visible from a public street, sidewalk or right-of-way, the exterior storage or maintenance of unregistered, dismantled or inoperative vehicles, automotive engines, parts, or machinery of any type or description, unless specifically authorized by city license or permit; building materials or merchandise unless specifically authorized by an active use, building or other city permit; construction equipment or garbage bins except while excavation, construction or demolition operations covered by an active building permit or other city permit are in progress on the subject or adjoining property. (See also Chapter 10.44 BMC, Abandoned, Wrecked, Dismantled or Inoperative Vehicles.)

J. The parking or storage of any vehicle, boat, trailer, camper, camper shell, motor home or other mobile equipment, whether or not motorized, or portions thereof, including accumulation or storage of vehicle parts or other mechanical parts and components of a vehicle, boat, trailer, camper, or motor home, on property used or zoned for residential purposes, on any front lawn, front yard, side yard or rear yard, where visible from the public right-of-way; provided, however, that such parking or storage of a legally registered and operable vehicle, boat, trailer, camper, or motor home shall be allowed on required parking spaces or paved driveways leading directly from approved and permitted curb cuts to required garages, carports or other required off-street parking spaces, if such vehicle, boat, trailer, camper or motor home is located totally within private property and does not extend or block any public right-of-way or interfere with a line of sight from a public right-of-way to the extent that it creates a safety hazard. It shall also be prohibited, and a public nuisance, to park any vehicle on any privately owned property if such vehicle would be prohibited from parking on such property pursuant to BMC 10.16.080 and 10.16.160.

K. Use of property in a residential district for the purpose of performing auto repair for profit. Auto repair including work on any vehicle, boat, trailer, camper, motor home or other mobile or mechanical equipment, whether or not motorized, may be allowed only in accordance with the provisions of BMC 8.32.030. In no instance shall more than two permits be issued and active at any one time for any property located in a residentially zoned district. All such auto repair shall only be allowed on or in the approved driveway, garage, carport or other required off-street parking space.

L. Land, the topography, geology or configuration of which, whether in natural state or as a result of grading operations, excavation or fill, that causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.

M. Once commenced, the failure by private property owners to complete, within a reasonable period of time, exterior physical improvements, visible from the public right-of-way, such as streets, curbs, gutters and other improvements whether or not intended to be dedicated to the city.

N. Obstruction or encroachment upon any public property including, but not limited to, any public street, sidewalk, highway, right-of-way, park or building, without a valid permit. Such obstructions or encroachments include, but are not limited to, overgrown trees and shrubs; building materials; merchandise or other personal property; and buildings or portions of buildings or structures protruding onto public property.

O. Maintain property in a manner which causes a hazard to the public by obscuring visibility of an intersection.

P. An attractive nuisance dangerous to children including, but not limited to, abandoned, broken or neglected equipment; machinery; a refrigerator, freezer or other appliance; or hazardous pool, pond or excavation.

Q. Maintain a building, structure, any artificial alteration of property, any activity or any water that supports the development, attraction or harborage of vectors, or that facilitates the introduction or spread of vectors, or that is a breeding place for vectors. The presence of vectors in their developmental stages on the property is prima facie evidence that the property is a public nuisance. "Vector" means any animal capable of transmitting human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, rodents and other vertebrates.

R. Causing, maintaining or permitting graffiti as defined in BMC 8.38.020: (1) to remain on exterior walls or facades of buildings, fences, walls, or other structures of whatever nature; or (2) to remain upon the exterior of motor vehicles, vans or trucks which are parked on public streets or driveways or are otherwise visible to the public. (See also Chapter 8.38 BMC, Graffiti Control.)

S. Storage of hazardous materials in such a manner as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.

T. The existence of any property condition which is unlawful or declared to be a public nuisance pursuant to any other provision in this code. This subsection shall be construed to place an affirmative duty on property owners and occupants to maintain their property in conformity with all applicable codes. The city shall have the power to require property owners and occupants to bring their property into compliance with applicable codes, regardless of whether the building is occupied.

U. Discharge of any materials other than storm water to the city storm sewer system in violation of Chapter 13.50 BMC.

V. Garbage cans and recycling containers stored in front yards and visible from public streets, other than as permitted by this code.

W. Heavy commercial vehicles, construction equipment, or machinery of any type or description parked or stored without a permit on property where it is readily visible to the general public, except during excavation, construction or demolition operations pursuant to an active building permit in progress on the subject property or on adjoining property.

X. Improper maintenance of signs or sign structures, or signs on property relating to uses no longer conducted or products no longer sold on property more than 60 days after business uses or products sold cease, or signs in violation of this code. This does not include historic signs approved by the city.

Y. The use, in any residential zoning district or residential planned development district of the city, of barbed wire, concertina wire, razor-cut wire or other such similar fencing material, unless specifically approved by the city.

Z. Throwing or depositing any materials into any creek or channel unless authorized by COB, Army Corps and/or DFW.

AA. Any fence which is in a condition of dilapidation or disrepair, including, but not limited to, fences with broken slats and sharp edges, or which severely lean or list more than 15 degrees from perpendicular or are in danger of collapse due to the elements, pest infestation, dry rot, or other damage.

BB. A public nuisance as defined by California Civil Code Section 3479 or 3480.

CC. Any condition recognized in law or in equity as constituting a public nuisance, or any condition existing on property which constitutes visual blight, or is a health or safety hazard to the community or neighboring properties.

DD. Any violation of the Benicia zoning ordinance or any state or county law violation enforced by the city.

EE. Maintaining or failing to maintain a property that accommodates commercial use in such a manner as to create, establish or constitute commercial blight.