

# AGENDA

## VALLEJO CITY COUNCIL HOUSING AUTHORITY JOINT SPECIAL MEETING OF THE CITY COUNCIL, REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

**MAYOR**  
Anthony Intintoli, Jr.

**CITY COUNCIL**  
Gary Cloutier, Vice Mayor  
Gerald Davis  
Tony Pearsall  
Tom Bartee  
Hermie Sunga  
Stephanie Gomes



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

**APRIL 17, 2007**

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the City Council without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law. The Vallejo City Council meets on Tuesdays at 7:00 p.m. weekly unless otherwise posted.

Those wishing to address the Council on any matter for which another opportunity to speak is not provided on the AGENDA but which is within the jurisdiction of the Council to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA. Those wishing to speak on a "PUBLIC HEARING" matter will be called forward at the appropriate time during the public hearing consideration.

Copies of written documentation relating to each item of business on the AGENDA are on file in the Office of the City Clerk and are available for public inspection. Information may be obtained by calling (707) 648-4527, TDD (707) 649-3562, or at our web site: <http://www.ci.vallejo.ca.us/>

The Vallejo Sanitation & Flood Control District is located at 450 Ryder Street, (707) 644-8949. A public agenda book is available at the District Office during regular business hours for those desiring additional information on agenda items.



Vallejo City Council Chambers is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

*NOTICE: Members of the public shall have the opportunity to address the City Council concerning any item listed on this notice before or during consideration of that item. No other items may be discussed at this special meeting.*

### **VALLEJO HOUSING AUTHORITY - REGULAR MEETING** **6:45 P.M. CITY COUNCIL CHAMBERS**

- 1. CALL TO ORDER**
- 2. ROLL CALL – (HOUSING AUTHORITY)**

**3. CONSENT CALENDAR ITEMS**

- A. APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT AN APPLICATION FOR A HOMEOWNERSHIP PROGRAM TO THE CALIFORNIA HOUSING FINANCE AGENCY (CHFA).

PROPOSED ACTION: Adopt the resolution authorizing the Executive Director to submit an application for funding to CHFA.

**4. ADJOURN TO JOINT SPECIAL MEETING OF THE VALLEJO CITY COUNCIL, THE VALLEJO REDEVELOPMENT AGENCY AND THE VALLEJO HOUSING AUTHORITY**

**1. ROLL CALL – (REDEVELOPMENT AGENCY AND CITY COUNCIL)**

**2. ADMINISTRATIVE ITEM**

- A. APPROVAL OF RESOLUTION AUTHORIZING THE CITY MANAGER, THE EXECUTIVE DIRECTOR OF THE REDEVELOPMENT AGENCY OF THE CITY OF VALLEJO, AND THE EXECUTIVE DIRECTOR OF THE HOUSING AUTHORITY OF THE CITY OF VALLEJO TO SIGN THE PETITION TO RENEW THE PROPERTY BASED IMPROVEMENT DISTRICT KNOWN AS THE DOWNTOWN VALLEJO MANAGEMENT DISTRICT, TO CAST AN ASSESSMENT BALLOT IN FAVOR OF RENEWING THE DISTRICT, AND SIGN SUCH OTHER DOCUMENTS NECESSARY TO ALLOW THE RENEWAL OF THE DISTRICT TO BE HEARD BEFORE THE CITY COUNCIL AT A FINAL HEARING.

PROPOSED ACTION:

Vallejo City Council

Adopt resolution authorizing the City Manager of the City of Vallejo to sign the petition to renew the Property Based Improvement District known as the Downtown Vallejo Management District, to cast an assessment ballot in favor of renewing the District, and sign such other documents necessary to allow the renewal of the District to be heard before the City Council at a final hearing.

Vallejo Redevelopment Agency

Adopt resolution authorizing the Executive Director of the Redevelopment Agency to sign the petition to renew the Property Based Improvement District known as the Downtown Vallejo Management District, to cast an assessment ballot in favor of renewing the District, and sign such other documents necessary to allow the renewal of the District to be heard before the City Council at a final hearing.

Vallejo Housing Authority

Adopt resolution authorizing the Executive Director of the Housing Authority to sign the petition to renew the Property Based Improvement District known as the Downtown Vallejo Management District, to cast an assessment ballot in favor of renewing the District, and sign such other documents necessary to allow the renewal of the District to be heard before the City Council at a final hearing.

**3. ADJOURNMENT**

**VALLEJO CITY COUNCIL**  
**REGULAR MEETING**  
**7:00 P.M. CITY COUNCIL CHAMBERS**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of Proclamation Declaring April 15-21, 2007 as Public Schools Week in the City of Vallejo
- B. Presentation of Proclamation for Vallejo Numismatic Society's Annual Coin and Collectibles Show on May 6, 2007.

**5. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS**

*Members of the public wishing to address the Council on Consent Calendar Items are requested to submit a completed speaker card to the City Clerk. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.02.310. Requests for removal of Consent Items received from the public are subject to approval by a majority vote of the Council. Items removed from the Consent Calendar will be heard immediately after approval of the Consent Calendar and Agenda.*

**6. CONSENT CALENDAR AND APPROVAL OF AGENDA**

*All matters are approved under one motion unless requested to be removed for discussion by a Councilmember, City Manager, or member of the public subject to a majority vote of the Council.*

- A. **ADOPTION OF A RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 3 WITH VANGUARD CONSTRUCTION FOR ADDITIONAL IMPROVEMENTS FOR THE FISCAL YEAR 2004/2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM SIDEWALK, CURB AND GUTTER AND CURB RAMP INSTALLATION PROJECT AND FINAL CONTRACT ACCEPTANCE**

**PROPOSED ACTION:** Staff recommends adopting the resolution approving Contract Change Order No. 3, accepting the work as complete for the CDBG Curb, Gutter, Sidewalk and Curb Ramp Installation Project, and authorizing the City Clerk to file a Notice of Completion in the Office of the Solano County Recorder.

- B. **APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE, ACCEPT A DEED OF TRUST AND ASSIGNMENT OF RENTS AND DIRECTING THE CITY MANAGER TO EXECUTE ESCROW INSTRUCTIONS RELATED TO TRIAD COMMUNITIES' SUBDIVISION COMMONLY KNOWN AS THE GROVE AT HIDDENBROOKE**

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to execute a substitution of trustee and full reconveyance, accept a deed of trust and assignment of rents and directing the City Manager to execute escrow instructions related to Triad Communities' subdivision commonly known as The Grove at Hiddenbrooke.

- C. APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 2006-07 TO ACCEPT A GRANT FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION IN THE AMOUNT OF \$208,333 AND TO APPROPRIATE THE SAME AMOUNT FOR THE IMPLEMENTATION OF THE GRANT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AWARD AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR THE SOLANO COUNTY PAROLEE REENTRY AND COMMUNITY SAFETY PROGRAM

PROPOSED ACTION: Adopt the resolution of intention to amend the Police Department Fiscal Year 2006-07 budget to accept a Grant from the California Department of Corrections and Rehabilitation in the amount of \$208,333 and to appropriate the same amount for the implementation of the Grant and authorizing the City Manager or his designee to execute the grant agreement between the Vallejo Police Department and the California Department of Corrections and Rehabilitation.

- D. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH LAK ASSOCIATES, LLC, TO PROVIDE CONTRACT PLANNING SERVICES FOR PROCESSING THE PROPOSED WALMART PROJECT AND TO EXECUTE A REIMBURSEMENT AGREEMENT BETWEEN WALMART AND THE CITY FOR SAID CONTRACT PLANNER SERVICES

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to enter into two agreements: 1) a consultant and professional services agreement between the City of Vallejo and LAK Associates, LLC, and 2) a reimbursement agreement with WalMart.

- E. APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2006/2007 HOME INVESTMENT PARTNERSHIPS PROGRAM BUDGET AND UPON BUDGET APPROVAL AUTHORIZES HE CITY MANAGER TO EXECUTE LOAN AMENDMENTS AND RELATED DOCUMENTS BETWEEN THE CITY OF VALLEJO AND VALLEJO NEIGHBORHOOD HOUSING SERVICES FOR THE GRAHAM GARDENS PROJECT

PROPOSED ACTION: Adopt the resolution of intention allocating HOME funds for the Graham Gardens Project.

- F. APPROVAL OF A RESOLUTION TO AMEND THE CITY'S FISCAL YEAR 2006/2007 BUDGET BY INCREASING THE MARE ISLAND CONVERSION FUNDS'S BUDGET REVENUE AND EXPENDITURE AUTHORIZATION LIMITS

PROPOSED ACTION: Approve the attached resolution authorizing the City Manager to amend the City's Fiscal Year 2006/2007 budget by increasing the

Mare Island Conversion Program's (Fund 107) budget revenue and expenditure limits by an additional \$2,173,000.00 each.

- G. APPROVAL OF CITY COUNCIL MINUTES FOR THE MEETINGS OF FEBRUARY 14, 2006, MARCH 27, 2007, AND APRIL 3, 2007

PROPOSED ACTION: Approve the minutes.

- H. APPROVAL OF A LEASE AGREEMENT BETWEEN THE CITY OF VALLEJO AND OMNIPOINT COMMUNICATIONS, INC. REGARDING USE OF CITY-OWNED PROPERTY AT 32 CLEARPOINTE DRIVE WITHIN THE P. G. & E. POWER LINE EASEMENT AREA

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to execute a lease with Omnipoint Communications, Inc., with any changes recommended by the City Attorney or Risk Manager, and to take such further actions, including execution of any documents, determined to be necessary to carry out the purposes of the resolution.

- THE I. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AND SUBMIT AN ALLOCATION REQUEST FOR ENVIRONMENTAL PHASE TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR REGIONAL MEASURE 2 FUNDS FOR THE PARKING/BUS TRANSFER FACILITY AT LEMON STREET AND CURTOLA PARKWAY

PROPOSED ACTION: Approve resolution authorizing the City Manager or his designee to submit an allocation request to the Metropolitan Transportation Commission for Regional Measure 2 funds in the amount of \$705,275, for the parking/bus transfer facility at Lemon Street and Curtola Parkway.

## 7. PUBLIC HEARINGS

- A. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S FAILURE TO APPROVE USE PERMIT #06-0011 AND USE PERMIT #06-0012 FOR THE CONSTRUCTION OF A 5,563 SQUARE FOOT SINGLE FAMILY HOME (2,996 SQUARE FEET LIVING AREA) AT 913 WILSON AVENUE AND A 5,026 SQUARE FOOT SINGLE FAMILY HOME (3,167 SQUARE FEET LIVING AREA) AT 915 WILSON AVENUE

On September 18, 2006, the Planning Commission held a public hearing to consider Use Permit #06-0011 and Use Permit #06-0012 for the construction of two single-family homes at Wilson Avenue. Two motions were offered by the Commission with both failing. The original motion would have limited the livable square footage to 3,000 square feet for both homes. The substitute motion would have limited the livable square footage for both homes to 1,900 square feet; height to 25 feet and restrict the non-living area to becoming living space.

On September 28, 2006, Dana Dean, on behalf of Clayton Ranch Developers and Harold Boex, filed an appeal of the Planning Commission's denial of Use Permit #06-0011 and Use Permit #06-0012. Since the Planning Commission hearing, Planning staff and the City Attorney have determined that the proposed

homes are not consistent with the requirements of the Waterfront Commercial Zoning District.

PROPOSED ACTION: Deny the Applicant's appeal of the Planning Commission's denial of Use Permits 06-0011 and Use Permit 06-0012 based on the findings contained in the staff report.

**8. POLICY ITEMS**

- A. APPROVE OF A RESOLUTION OF INTENTION DIRECTING STAFF TO PREPARE AN AMENDED DOWNTOWN VALLEJO SPECIFIC PLAN ALLOWING TEMPORARY USE REGULATIONS WITHIN THE GEORGIA STREET CORRIDOR OF THE DOWNTOWN VALLEJO SPECIFIC PLAN AREA AND THE MASTER PLAN FOR DOWNTOWN VALLEJO TO ACCOMMODATE THOSE AMENDMENTS EXPRESSING ITS INTENT TO AMEND ORDINANCE. 1553 N.C. (2D),

PROPOSED ACTION: Approve a resolution of Intention to authorize staff to prepare a Resolution amending the Downtown Vallejo Specific Plan to permit specified non-retail land uses to occupy the ground floor along the Georgia Street Corridor for a specified time period; and to prepare a draft Ordinance amending the Downtown Master Plan. The draft resolution and ordinance will be forwarded to the Planning Commission for their consideration and recommendation to the City Council within the next 60 days.

**9. ADMINISTRATIVE ITEMS**

- A. CONSIDERATION OF TWO RESOLUTIONS AUTHORIZING THE CITY MANAGER TO EXECUTE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENTS WITH: 1) EVANS McDONOUGH COMPANY, INC. AND 2) THE LEW EDWARDS GROUP FOR CONDUCTING PUBLIC OPINION SURVEYS TO DETERMINE THE FEASIBILITY OF VARIOUS BALLOT MEASURES AND ELECTION ADVISORY SERVICES

The purpose of this report is to request the Council adopt resolutions approving professional services agreements to obtain the necessary expertise to assist the City with determining the feasibility of various ballot measures and election advisory services.

PROPOSED ACTION: 1) Adopt a resolution approving the Consultant and Professional Services Agreement with Evans McDonough Company, Inc., for conducting public opinion surveys to determine the feasibility of various ballot measures, and authorize the City Manager to execute the agreement on behalf of the City. 2) Adopt a Resolution approving the Consultant and Professional Services Agreement with The Lew Edwards Group for election advisory services, and authorize the City Manager to execute the agreement on behalf of the City.

- B. CONSIDERATION OF A RESOLUTION OF INTENTION DIRECTING THE CITY MANAGER TO SUBMIT AN ORDINANCE FOR FIRST READING TO AMEND SECTION 2.02.360 OF THE VALLEJO MUNICIPAL CODE RELATING TO THE PAYMENT OF CLAIMS

The purpose of this report is to request the Council adopt a resolution of intention to amend Vallejo Municipal Code section 2.02.360, which governs the payment of claims. The current ordinance is drafted ambiguously as to whether the payment of claims requires prior City Council approval.

PROPOSED ACTION: Adopt a resolution of intention directing the City Manager to submit an ordinance for first reading to amend section 2.02.360 of the Vallejo Municipal Code relating to the payment of claims.

C. **CONSIDERATION OF PERFORMANCE BASED SALARY ADJUSTMENT FOR THE CITY ATTORNEY AND THE FIFTH AMENDMENT TO HIS EMPLOYMENT AGREEMENT**

Mr. Soley completed five and one-half years of service as the City Attorney on January 1, 2007. Mr. Soley's received his last salary increase on January 1, 2003. On December 19, 2006 and January 9, 2007, the City Council conducted a closed session performance evaluation concerning Mr. Soley. The Council will consider authorizing the Mayor to sign the Fifth Amendment to Mr. Soley's employment agreement as recommended by the Council Committee to provide a five percent (5%) salary increase.

PROPOSED ACTION: Approve the resolution authorizing the Mayor to sign the Fifth Amendment of the City Attorney's Agreement (as previously amended) amending his salary with a five percent (5%) increase.

**10. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

A. **APPOINTMENT TO ARCHITECTURAL HERITAGE & LANDMARKS COMMISSION**

Applicants were interviewed on March 13, 2007.

PROPOSED ACTION: Appoint members to the Architectural Heritage & Landmarks Commission.

**11. WRITTEN COMMUNICATIONS**

*Correspondence addressed to the City Council or a majority thereof, and not added to the agenda by the Mayor or a Council member in the manner prescribed in Government Code, Section 54954.2, will be filed unless referred to the City Manager for a response. Such correspondence is available for public inspection at the City Clerk's office during regular business hours.*

**12. CITY MANAGER'S REPORT**

**13. CITY ATTORNEY'S REPORT**

**14. COMMUNITY FORUM**

*Anyone wishing to address the Council on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Council to resolve, is requested to submit a completed speaker card to the City Clerk. When called upon, each speaker should step to the podium, state his /her name, and address for the*

*record. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.*

**15. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL**

**16. CLOSED SESSION:** *May recess to consider matters of pending litigation (GC 54956.9), personnel (GC 54957), labor relations (GC 54957.6), and real property negotiations (GC 54956.8). Records are not available for public inspection.*

**17. ADJOURNMENT**