



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

# AGENDA

## VALLEJO CITY COUNCIL

### SEPTEMBER 25, 2007

VALLEJO SANITATION & FLOOD CONTROL DISTRICT – 6 P.M.

MAYOR  
Anthony Intintoli, Jr.

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

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.

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/>



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 the notice before or during consideration of that item. No other items may be discussed at this special meeting.*

#### **VALLEJO CITY COUNCIL** **SPECIAL MEETING – CLOSED SESSION** **4:45 P.M. CITY COUNCIL CHAMBERS**

- A. CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (ONE POTENTIAL CASE)
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: CRAIG WHITTON, SUSAN MCCUE, TOM SINCLAIR, AND JERRY RAMIZA, REGARDING THE NEGOTIATION OF PRICE AND TERMS OF PAYMENT WITH TOURO UNIVERSITY, CONCERNING NORTH MARE ISLAND, REUSE AREA 1-A, PURSUANT TO GOVERNMENT CODE SECTION 54956.8
- C. CONFERENCE WITH LEGAL COUNSEL -INITIATION OF LITIGATION AND PENDING LITIGATION: CITY OF VALLEJO V. INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1186, C.S.M.C.S CASE NO. ARB-06-0703 (Reduced Staffing Levels); PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) and (c)

- D. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6. NEGOTIATORS: JOSEPH TANNER, DENNIS MORRIS, FREDERICK SOLEY, JEFFREY SLOAN, TIMOTHY YEUNG AND SCOTT KENLEY; EMPLOYEE ORGANIZATIONS: INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1186 (IAFF)
- E. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: CITY OF VALLEJO V. VALLEJO POLICE OFFICERS ASSOCIATION, C.S.M.C.S CASE NO. ARB-06-0599 (2007); PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)
- F. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6. NEGOTIATORS: JOSEPH TANNER, DENNIS MORRIS, FREDERICK SOLEY, JEFFREY SLOAN, TIMOTHY YEUNG AND SCOTT KENLEY; EMPLOYEE ORGANIZATIONS: VALLEJO POLICE OFFICERS ASSOCIATION (VPOA)

**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 - NONE**
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. **APPROVAL OF MINUTES OF JUNE 7, JUNE 12 AND SEPTEMBER 11, 2007 MEETINGS**

PROPOSED ACTION: Approve the Minutes.

- B. **APPROVAL OF A RESOLUTION APPROVING FISCAL YEAR 2006/2007 FEDERAL CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

PROPOSED ACTION: Adopt the resolution approving the CAPER.

- C. **APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2007/2008 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET**

PROPOSED ACTION: Adopt the resolution of intention to amend the Fiscal Year 2007/2008 Federal CDBG Program Budget.

- D. **APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2007/2008 HOME INVESTMENT PARTNERSHIPS PROGRAM BUDGET**

PROPOSED ACTION: Adopt the resolution of intention to amend the Fiscal Year 2007/2008 Federal HOME Investment Partnerships Program Budget.

- E. **UPDATE ON CONTINUING EFFORTS TO IMPROVE CITY DEVELOPMENT-RELATED PERMIT PROCESSES**

PROPOSED ACTION: None. Information item.

- F. APPROVAL OF A RESOLUTION TO AWARD A CONTRACT TO SYAR INDUSTRIES, INC., FOR THE PURCHASE OF ROAD AND HIGHWAY CONSTRUCTION MATERIALS FOR FISCAL YEAR 2007/2008

PROPOSED ACTION: Adopt the resolution awarding a contract to Syar Industries, Inc., for the purchase of road and highway construction materials for fiscal year 2007/2008.

- G. CONSIDERATION OF A RESOLUTION TO AMEND THE FISCAL YEAR 2007-2008 NORTHGATE BENEFIT DISTRICT 93-1 FUND BUDGET BY INCREASING APPROPRIATIONS IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) FOR THE BLUE ROCK SPRINGS TRAIL CROSSING

PROPOSED ACTION: Adopting the resolution to amend the Northgate Benefit District 93-1 Fund budget to cover costs for the Blue Rock Springs Trail crossing.

- H. APPROVAL OF A RESOLUTION AWARDED THE PRELIMINARY ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES CONTRACT FOR THE TRANSIT CENTER PROJECT AT CURTOLA AND LEMON TO STANTEC, INC. (FORMERLY CHONG PARTNERS INC.) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STANTEC, INC.

PROPOSED ACTION: Adopt the resolution awarding the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners, Inc.) and authorizing the City Manager to enter into a contract with Stantec, Inc.

- I. APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2007-2008 WATER ENTERPRISE FUND BUDGET BY INCREASING APPROPRIATIONS FOR THE WATER MAINS CAPITAL IMPROVEMENTS PROJECT FISCAL YEAR 2006-2007

PROPOSED ACTION: Adopt the resolution of intention to amend the Fiscal Year 2007-2008 Water Enterprise Fund budget by increasing appropriations for the Water Mains Capital Improvement Project FY 06-07.

7. PUBLIC HEARINGS - NONE

8. POLICY ITEMS - NONE

**9. ADMINISTRATIVE ITEMS**

- A. APPROVAL OF A RESOLUTION AWARDING THE ENGINEERING AND CONSULTING SERVICES CONTRACT FOR THE DOWNTOWN BUS TRANSIT CENTER TO DMJM HARRIS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DMJM HARRIS, OAKLAND, CALIFORNIA

One of the most important elements of the Waterfront Master Plan is the creation of the Vallejo Station -- a multi modal transit hub that includes both private and public components. A major element of the Vallejo Station project is the relocation of the City's existing downtown bus Transit Center. This contract provides for final design services to create the new bus Transit Center located adjacent to Vallejo Station

PROPOSED ACTION: Adopt the resolution awarding the Engineering and Consulting Services Contract for the Downtown Bus Transit Center to DMJM Harris and authorizing the City Manager to enter into a contract with DMJM Harris.

- B. CONSIDERATION OF THE APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF VALLEJO, BRADDOCK & LOGAN, AND THE GREATER VALLEJO RECREATION DISTRICT REGARDING THE DEDICATION OF THE PARK LAND AND IMPROVEMENTS TO HIGHLAND PARK.

Braddock & Logan, a real estate developer, received approval to construct 434 single-family homes on 178 acres east of Columbus Parkway in an area known as Bordoni Ranch. Pursuant to City ordinance and development conditions of approval, Braddock & Logan is obligated to dedicate park land and/or pay park fees in conjunction with the approval of the Bordoni Ranch project. A three-party agreement has been negotiated between Braddock & Logan, Greater Vallejo recreation District (GVRD) and the City for the redevelopment, improvement and dedication of Highlands Park to satisfy the Conditions of Approval for the development of the Bordoni Ranch project.

PROPOSED ACTION: Adopt the Resolution authorizing the City Manager to execute the three-party agreement between the City of Vallejo, GVRD and Braddock & Logan for the land dedication and construction of the new improvements in Highlands Park, and to execute any other document or instrument, and take any additional action, including an amendment to the terms of this agreement, that does not require the expenditure of City funds as may be necessary to carry out the purpose of the agreement.

**10. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - NONE**

**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**

**VALLEJO CITY COUNCIL**  
**555 Santa Clara Street**  
**Vallejo, CA 94590**

**MINUTES**  
**June 7, 2007**

A special meeting of the Vallejo City Council was held on the above date in the Council Chambers of the Vallejo City Hall. The meeting was called to order at 7:00 p.m. by Mayor Anthony J. Intintoli, Jr.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Present: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers Bartee, Davis, Gomes, Pearsall and Sunga

Absent: None

Staff: Assistant City Manager Joseph Tanner  
City Attorney Fred Soley  
Acting City Clerk Mary Ellsworth

3. ADMINISTRATIVE ITEMS

A. FY 2007/2008 BUDGET STUDY SESSION

Rob Stout, Finance Director, reported that the total budget is \$256.6 million dollars of which the General Fund is \$85.8 million; Enterprise Fund \$63.8 million; Community Development \$41.4 million; Public Works \$12 million; other programs, including debt service and capital are \$53.2 million. Salaries and benefits represent eighty percent of the General Fund budget

Craig Whittom, Assistant City Manager-Community Development, introduced the budget for the Community Based Organizations. He stated the proposed budget includes two categories: groups that provide contractual services: Library, Recreation District, Humane Society, Meals on Wheels; and the second group includes the Vallejo Convention & Visitors Bureau, Senior Center, Mare Island Historic Parks Foundation, Police Activities League, Vallejo Naval & Historical Museum, Vallejo Symphony and Youth and Family Services. Mr. Whittom explained the process and criteria used. He stated that staff's recommendation is to fund the groups that provide contractual and municipal services at the same level as in 2006-2007. Staff's recommendation for the other groups is to fund at 70 percent of the 2006-2007 level. Those groups are the Senior Center, the Community Arts Foundation, and the Naval and Historical Museum. The groups staff is recommending at 40 percent of the current funding level include the Vallejo Convention and Visitors Bureau, PAL, and Youth and Family Services. No funding is recommended for the Vallejo Symphony.

City Manager Joseph Tanner stated that he met with representatives from the Vallejo Convention and Visitors Bureau and there will probably be a separate recommendation on this group, namely that they not be included with the CBOs in the future. The VCVB is in the process of bringing a proposal to the City to become self-funding.

The following speakers addressed the Council on behalf of their organizations: Jim Kern, Vallejo Convention and Visitors Bureau, Peter Wilson, Benicia Vallejo Humane Society, David Sadie, Benicia Vallejo Humane Society, Rosemary Thurston, Vallejo Symphony Association,

Kay Bo sick, Youth and Family Services, Mike Kollar, Vallejo PAL, Joyce Scarf, donnio, Vallejo Naval & Historical Museum, Vicki Conrad, Florence Douglas Senior Center, Thomas Snyder, Vallejo Naval & Historical Museum, Mel Orville, Vallejo Naval & Historical Museum, JoAnne van der Bruggen, Florence Douglas Senior Center, Jim Lyon, Vallejo Police Activities League, Doug Darling, Friends of Lake Chabot, Carolyn M. Hall, Friends of Lake Chabot, Judith H. Brown, Vallejo Music Theatre, Ken Williams, PAL, HFC United German Soccer, Thomas Weak, Vallejo, Community Arts Foundation and Vallejo Naval & Historical Museum, Adrienne Waterman, Vallejo Community Arts Foundation, Dr. Roger Petrie, Vallejo PAL, Amber Scott, PAL, Ramona Sampayan, Vallejo Community Arts Foundation, Bruce Christensen, Mare Island Historic Park Foundation, Juanita McCoy, Vallejo Convention and Visitors Bureau, Nader Elkabbany, Courtyard by Marriott, Robert Rowe, J. D. Miller, Diana Lange, Diji Christian, Darrell Edwards, Joanne Schivley.

Mayor Intintoli stated that he believes the seniors and children come first, and he believes strongly in the arts. The reality is the City is in the process of laying off firefighters and policeman. Public safety is extremely important to all citizens. The City is trying to come to an agreement with the Public Safety unions and if that succeeds there should be additional funding available to restore all of the groups; if that fails, it will be dealt with on June 26 and it will include deep cuts to the budget. Mayor Intintoli stated that once this matter has been settled, he would ask the City Manager to bring back to the Council no later than the first or second week of August with a recommendation as to whether at that point here are sufficient funds to restore the Community Based Organizations to the full funding that they had in the past year. He cannot make that commitment tonight because the issue of layoffs has not been completed.

Councilmember Barteo requested that the Vallejo Convention and Visitors Bureau be funded in the amount of \$110,000; that the Douglas Senior Center, Community Arts Foundation, PAL, the Vallejo Naval & Historical Museum and Youth & Family Services be funded at the same level as last year. He recommended that the Vallejo Symphony received \$10,000, and leave the Chamber of Commerce as proposed. He requested that the City Manager see what can be done about the funding for Mare Island Historic Parks Foundation. The CVBD should be considered on a different basis, and a contract for the Senior Center is a good idea as well. He also supports having a guaranteed percentage of the General Fund allocated toward community organizations.

Councilmember Gomes stated that as much as she would like to fund the organizations, the City doesn't have the money. We have a certain amount of money and we cannot over spend. She stated that Public Safety is due \$4.2 million in raises on July 1. She suggested asking the public safety groups to give \$200,000 of the raises to cover some of the organizations. She believes we should look more closely at the Mare Island Historic Park Foundation. She addressed and clarified the services provided by the Humane Society noting that this is a health and safety issue. She asked the citizens to get involved in the budget process to "help us help you."

Councilmember Sunga stated that all the organizations do good things for the City of Vallejo. He asked if there was an agreement that the Transient Occupancy Tax (TOT) would be spent for tourist type organizations, stating that he is concerned about potential liability if the City is not providing the funds. Mr. Whittom replied that there have been agreements over the years with the VCVB but there is no contractual obligation on the part of the City that he is aware of to dedicate a portion of the TOT funds to tourists—it is a general fund revenue source.



He said he would talk to the VCVB to confirm this.

Councilmember Sunga asked if it was financially possible to fund the CBOs at the level Councilmember Bartee is recommending. Mr. Tanner stated that in order to fund the CBOs at the full amount it would take either an increase in revenue or a reduction of expenditures. Staff will review this again and will finalize the recommendation before the Council adopts the budget on June 26.

Councilmember Sunga asked for the answer to that question in writing before June 26 so he can make an informed decision on the issue.

Councilmember Pearsall stated that last year when the budget was adopted, there were \$4 million in cuts that didn't happen. The City is now in a state of possible bankruptcy next year. All the organizations are worthy of receiving funding. He believes we should be assisting organizations to become self-funding.

Mayor Intintoli stated that he supports the staff's recommendation at a minimum. Whatever the final action is of the Council with respect to the budget, he would like this to come back to Council in August at the latest to consider whether there has been sufficient funds identified to enable putting back some of the monies.

## 2. ADMINISTRATIVE ITEMS

Mr. Stout presented the Administration Budget which includes the Legislative Branch (\$250,000), City Manager (\$1 million), City Attorney (\$831,000), Human Resources (\$796,000) and Finance (\$1,295,000), totaling \$4,231,000.

Councilmember Davis asked how much was spent on outside legal counsel. Fred Soley, City Attorney, replied that he will have the figure for Council before June 26. Last year \$1.1-\$1.3 million was spent on outside legal counsel. That amount is budgeted this year.

Mr. Stout responded to a question of Councilmember Bartee concerning the elimination of the Business License clerk and how those responsibilities will be allocated.

Mr. Whitton introduced each of the Department Program Directors, Brian Dolan, Planning Services Director, Susan McCue, Economic Development Director, and Laura Simpson, Housing Program Director, who presented information on their departments which included the services budget for the coming year, accomplishments from the past year, 2007-08 initiatives, and future financial issues that may be coming forward during the coming year.

Ms. McCue explained the new market tax credit program contemplated for the Empress Theatre which will generate \$250,000 in seed money for the Grow Vallejo fund, in response to a question of Vice Mayor Cloutier concerning where the one million dollars comes from for the loan program.

Vice Mayor Cloutier referred to the Community Development goals which included an emphasis on commercial on Mare Island, noting former Interim City Manager Thompson's opinion that the Mare Island Reuse Plan being obsolete, particularly the industrial portion of the plan. He suggested reviewing this in the next year to determine if portions of the plan are obsolete.

Mr. Whittom responded to Vice Mayor Cloutier's comment stating that reviewing this will be an on-going process, and staff will be working closely with Lennar and other developers as they sell properties to determine how we can maximize the jobs and investments coming out of the large facilities.

Councilmember Sunga asked Mr. Dolan if the single point permit process has been implemented, stating that this is very important to the business community. Mr. Dolan replied that the process began on June 4. Councilmember Sunga asked Ms. McCue about the technical assistance to business program provided by the Economic Development Division and is this known to the business community. Ms. McCue and Mr. Whittom responded to a question of Councilmember Sunga concerning what the expenditure of one million dollars is for the leasing funds for Mare Island, and is the \$13,500 a month that is being paid by the Mare Island Historical Foundation a part of that. Mr. Whittom replied that the \$13,500 is not part of that. Councilmember Sunga asked if there was any particular type of business that was allowed to use the one million dollars.

Councilmember Bartee stated that he believes it is important to keep the reuse plan flexible because of the changing economic environment, citing an example of the developer proposal for the Flower Mart and Convention Center in Building 680. He complimented Mr. Dolan and his staff for implementing the permit streamlining process. He also complimented the Asset Manager, Mr. England.

4. ADJOURNED

The meeting was adjourned at 10:10 p.m.

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ANTHONY J. INTINTOLI, JR., MAYOR

ATTEST:

\_\_\_\_\_  
MARY ELLSWORTH, ACTING CITY CLERK

**VALLEJO CITY COUNCIL  
MINUTES  
JUNE 12, 2007**

**1. CALL TO ORDER**

A regular meeting of the Vallejo City Council was held on the above date in the Council Chambers of the Vallejo City Hall. The meeting was called to order at 7:01 p.m. by Mayor Anthony J. Intintoli, Jr.

**2. PLEDGE OF ALLEGIANCE – was led by Mayor Intintoli.**

**3. ROLL CALL**

Present: Mayor Intintoli, Vice Mayor Pearsall, Councilmembers Cloutier, Bartee, Sunga, Gomes

Absent: Davis (excused)

Staff: City Manager Joseph Tanner  
City Attorney Fred Soley  
Acting City Clerk Mary Ellsworth

**4. PRESENTATIONS AND COMMENDATIONS**

**A. Presentation of Certificates of Appreciation for Veterans' Memorial Plaques**

Mayor Intintoli described the background of the Veterans' Memorial Plaques and explained that the plaques were stolen in 2006. The POW MIA Riders, a motorcycle club, placed a story on their website about the theft and donations came in from all over the country. He said Mr. John White coordinated the effort and the Vallejo Veterans Building Council also raised funds along with the POW MIA Riders club in the amount of \$4,000. The total cost of the replacement plaques is estimated to be \$12,000, donations were still being received, and he presented temporary plaques made by local artist Thomas Wojack, which display the names of fallen soldiers.

In addition, Mayor Intintoli said the work that went into retrieving each of the plaque names was attributed to Mike Remus, the National Archives, the National Memorials for each War and the Vallejo Naval and Historical Museum. Mayor Intintoli then presented Certificates of Appreciation to City employees Joe Bates, Tom Davenport, Rich Flores and Sam Gonzales; Vallejo Veterans Building Council Paul Ball and Mike Remus; Veterans of Foreign Wars representatives Robert Huches and Gary Farr; artist Thomas Wojack; John White and Gary Foread.

Mayor Intintoli said the City of Vallejo received national recognition by being designated a Tree City USA from the Arbor Day Foundation. In addition, the Division of Forestry awarded Vallejo with recognition, a plaque and a grant of \$500,000 for the upkeep of the urban forest. He presented the plaque to City employee Joe Bates. Mr. Bates discussed Vallejo being a recipient, the criteria for the award, the total of 150 Tree City USA cities, and said Vallejo would receive roads signs and a Tree City USA flag.

B. Presentation of Certificates of Appreciation to Mothers' Day Portrait Project Participants

Joe Horton said when a group of friends first developed the Mothers' Day Portrait Project they presented it to the Vallejo Camera Club, and over the last three years have had students in advanced photography classes in Vallejo set up picture-taking at the Farmer's Market for two Saturdays before Mother's Day. He said anyone with a mother could receive a 5x7 portrait. Businesses in Vallejo help pay for them and the program has been successful and a lot of fun.

Mayor Intintoli presented Certificates of Appreciation to students Bill Anderson, Joseph Epilosio, Kyle Carpenter, Tory Elsey, Natalie Espinosa, Isabel Estrella, Ariel Heineke, Travis Jones, Jadlan Lund, Andrea Moore, Melissa Miller, Desiree Miranda, Hannah Natos, Rebecca Perez, James Pimentero, Jivan Sallele, Alissa Santos, Serella Shorter, Tracy Verano and Aldo Retudez.

5. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS - None

6. CONSENT CALENDAR AND APPROVAL OF AGENDA

Councilmember Sunga requested removal of Item 6.F. to be heard as Item 6.1 and Councilmember Pearsall requested removal of Item 6.A to be heard as Item 6.2.

- B. RESOLUTION NO. 07-135 N.C. APPROVAL OF THE SALE OF 200 SURPLUS GLASS DIELECTRIC TUBES TO OZONE SYSTEM SERVICES GROUP, INC., OF MORROW, OHIO.
- C. RESOLUTION NO. 136 N.C. CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2007, FOR THE PURPOSE OF ELECTING MUNICIPAL OFFICERS AND CONSOLIDATING SAID ELECTION WITH THE GOVERNING BOARD MEMBER ELECTION OF THE VALLEJO CITY UNIFIED SCHOOL DISTRICT
- D. RESOLUTION NO. 07-137. N.C. AWARDED EIGHT CONTRACTS AND EXTENDING ONE EXISTING CONTRACT FOR SUPPLY OF CHEMICALS FOR APPLICATION TO AND TREATMENT OF WATER FOR FISCAL YEAR 2007/2008
- E. RESOLUTION NO. 07-138 N.C. AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR JOINT SOLANO EMERGENCY COMMUNICATIONS ACTIVITIES ("SECA")
- G. RESOLUTION NO. 07-139 N.C. APPOINTING MOTEL OPERATOR REPRESENTATIVE TO THE VALLEJO TOURISM BUSINESS IMPROVEMENT DISTRICT'S ADVISORY BOARD
- H. RESOLUTION NO. 07-143 N.C. AUTHORIZING THE CITY MANAGER TO 1) ISSUE A PURCHASE ORDER TO FLOORTEC FOR THE REPLACEMENT OF CARPET ON THE THIRD FLOOR OF CITY HALL UTILIZING THE CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS); AND 2) ISSUE A PURCHASE ORDER TO CHIPMAN RELOCATION SERVICE FOR FURNITURE RELOCATION NECESSARY TO SUPPORT ITEM NO. 1

- I. RESOLUTION NO. 07-144 N.C. ACCEPTING THE RESIGNATION OF JOE ATHEY AND SARAH NICHOLS FROM THE BEAUTIFICATION ADVISORY COMMISSION
- J. RESOLUTION NO. 07-145 N.C. AUTHORIZING USE OF REVENUE SHARING FUNDS FROM SIX FLAGS DISCOVERY KINGDOM
- K. RESOLUTION NO. 07-146 N.C. AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT BETWEEN THE METROPOLITAN TRANSPORTATION COMMISSION AND THE CITY OF VALLEJO FOR THE 2007 SPARE THE AIR/FREE TRANSIT CAMPAIGN.
- L. RESOLUTION NO. 07-147 N.C. AMENDING THE CAPITAL BUDGET FISCAL YEAR 2006/2007 FOR THE ADMIRAL CALLAGHAN LANE IMPROVEMENT PROJECT (ADDING TIMF FUNDS), AND  
  
RESOLUTION NO. 07-148 N.C. AWARDING A CONTRACT TO J. A. GONSALVES & SON CONSTRUCTION INC., FOR THE ADMIRAL CALLAGHAN LANE IMPROVEMENT PROJECT
- M. RESOLUTION NO. 07-149 N.C. AWARDING FOUR CONTRACTS FOR LANDSCAPE MAINTENANCE IN FISCAL YEAR 2007/2008 AS FOLLOWS: COAST LANDSCAPE MANAGEMENT FOR REGIONS ONE AND SIX, D & H LANDSCAPING FOR REGION THREE AND NORTH BAY LANDSCAPE MANAGEMENT FOR THE SEAVIEW LANDSCAPE MAINTENANCE DISTRICT (LMD)
- N. RESOLUTION NO. 07-150 N.C. AUTHORIZING THE PURCHASE OF EIGHT (8) VEHICLES FROM CORNELIUS FORD OF VALLEJO, CALIFORNIA FOR \$208,884.40 AND ONE (1) VEHICLE FROM WONDRIES FLEET GROUP OF ALHAMBRA, CALIFORNIA FOR \$30,576.11

The above resolutions were approved by the following vote (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

Items Removed for Discussion:

- F. (Item 6.1) APPROVAL OF RESOLUTIONS 1) AUTHORIZING THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH MUNICIPAL AUDITING SERVICES FOR BUSINESS LICENSE TAX DISCOVERY AND AUDIT SERVICES AND 2) DESIGNATING MUNICIPAL AUDITING SERVICES AS AN AUTHORIZED CITY REPRESENTATIVE TO EXAMINE SALES AND USE TAX RECORDS.

Councilmember Sunga voiced concern about the consultant fee stating that regardless of whether the City decides to collect or not, it was responsible in paying the consultant 50 percent in contingency fees or \$5,000, whichever is less.

Finance Director Robert Stout said the fees would eventually be recovered through businesses.

RESOLUTION NO. 07-140 N.C. offered by Mayor Intintoli, approving the Consultant and Professional Services Agreement with Municipal Auditing Services for Business License Tax Discovery and Audit Services, and authorize the City Manager to execute the agreement on behalf of the City.

RESOLUTION NO. 07-141 N.C. offered by Mayor Intintoli, Designating Municipal Auditing Services as an Authorized City Representative to Examine Sales and Use Tax Records.

The above resolutions were approved by the following vote (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

- A. (Item 6.2) APPROVAL OF RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH DESIGN, COMMUNITY & ENVIRONMENT TO PROVIDE ENVIRONMENTAL REVIEW SERVICES FOR THE KB HOME PROJECT AND TO EXECUTE A REIMBURSEMENT AGREEMENT BETWEEN KB HOME AND THE CITY OF VALLEJO FOR SAID SERVICES.

Councilmember Pearsall stated that in the scope of work under Recreation there is no mention of a neighborhood park.

Assistant City Manager Craig Whittom said the CEQA impacts were somewhat different than the project description and said it was the intention of the applicant to propose the inclusion of a neighborhood park. He said the arrangement was somewhat complex, said staff would be bringing it forward to Council for consideration, and noted the arrangement would be a land swap. The scope of work under CEQA analysis describes the project and explains the proposal, but it will also identify the impacts of the new population that the City will be accommodating as well as park needs.

Councilmember Pearsall questioned the location of the park and Mr. Whittom said he was not sure of its location, that KB Homes has proposed it be located near the middle of the development.

RESOLUTION NO. 07-135 N.C. offered by Councilmember Pearsall, authorizing the City Manager to enter into a consultant and professional services agreement between the City of Vallejo and Design, Community & Environment for environmental review services and authorizing the City Manager to execute a reimbursement agreement between KB Home and the City of Vallejo for said services.

The above resolution was approved by the following vote (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

## 7. PUBLIC HEARINGS

- A. APPROVAL OF A RESOLUTION AMENDING THE DOWNTOWN SPECIFIC PLAN AND HOLDING ON FIRST READING AN ORDINANCE AMENDING THE DOWNTOWN MASTER PLAN (ORD. NO. 1533 N.C. 2d) INCORPORATING TEMPORARY LAND USE REGULATIONS FOR SPECIFIED NON-RETAIL USES OCCUPYING THE GROUND FLOOR ALONG THE GEORGIA STREET CORRIDOR IN THE DOWNTOWN VALLEJO SPECIFIC PLAN AREA WITH A REEVALUATION AFTER TWELVE MONTHS.

Councilmember Bartee recused himself from participating on the matter due to real property interests.

The Mayor opened the public hearing.

Planning Manager Don Hazen introduced Annette Taylor, Senior Economic Development Analyst, who played a key role in helping build consensus downtown among the various stakeholders. He stated that in April, the Council addressed the issue through a Resolution of Intention and staff met with the Planning Commission on June 4, 2007. He said the request pertains to the Georgia Street Corridor, the issue of developing temporary land use regulations to bridge the gap of what the retail market can support on the ground floor. This measure would allow for some interim relief from those regulations.

He said the uses generally proposed on the ground floor give broad land use categories with code references to the zoning ordinance for more clarification and expanded descriptions of uses. Those uses have not changed since the initial public hearings.

He addressed the structure of the ordinance stating that the timeline is for a two-year period of opportunity for allowing non-retail occupants on the ground floor the key provision for a re-evaluation of the market and implementation of the regulations after 12 months. On July 26, 2008 the two years would expire and unless there were modifications approved by the Council, staff would proceed to the two year period ending on July of 2009, at which time no additional non-retail tenants would be allowed to occupy the ground floor. Then, there would be an additional six year period of occupancy that those tenants established in the first two years and would be allowed to continue to July of 2015. In 2015 tenants would then be told their occupancy has expired and they would revert back to the Specific Plan regulations unless modified at some point during that timeframe.

Mayor Intintoli confirmed with Mr. Hazen that the regulation would not affect pre-existing non-retail tenants, which were permanently grandfathered in. Mr. Hazen said the Planning Commission reviewed the proposal on June 4, 2007 and are recommending approval. There was discussion expressed about establishing minimum operating hours and distributed under separate cover were the minutes from the meeting. He said the key concern was that the Planning Commission wanted to ensure those businesses would help to contribute to the vitality of the downtown. Ultimately, the City Attorney expressed concerns whether this was possible and that if the Council required this measure, that it be considered as a separate matter and that it return to the Council.

Mayor Intintoli noted that the Planning Commission's emphasis at the meeting was targeted more toward daytime businesses, but Mr. Hazen said staff's position is that it sees the measure as assisting economic development, and that between now and 2015 the City would be encouraging evening activities, as well, such as restaurants and the theatre.

Mr. Hazen explained the resolutions included in the packet.

Mayor Intintoli confirmed the Council would need to consider the resolutions, which would implement the policy and sets the first reading for the amended ordinance and future second reading.

Speakers: Michael Wilson, business owner spoke in support of the recommendation. David Fischer, business owner. Mr. Fischer stated that although he thought this was a step in the right direction, he felt there were serious flaws in the proposal and requested it be slightly reworked. John Sylvain, President of the Downtown Association, asked that Mr. Fischer's comments be taken into consideration. Judy Schilling urged the Council to pass the resolutions, agreed with comments of Mr. Fischer. Bill Haines what was needed was a vision on how to cohesively present all of downtown. Gail Manning urged the Council to pass the resolution tonight.

Mayor Intintoli closed the public hearing.

Councilmember Pearsall referred to the outdated uses stating that things had changed dramatically over time. The revitalization of the downtown is a high priority and asked that it be done right. He said he could still not support the resolution until the list was better defined and narrowed down as to the types of businesses that should go into the downtown.

Councilmember Gomes agreed with Councilmember Pearsall, added her support of Mr. Fischer's comments, said she could not support the resolution as proposed, and asked to incorporate language to require a code inspection in order to secure a non-retail use. If they do not pass the inspection a certain amount of time can be given to comply. She felt the buildings would then also be improved and not simply being filled.

Vice Mayor Cloutier questioned the possibility of incorporating code violation inspections, and Mr. Hazen said he assumed these would be building code requirements and he was not sure this should be limited; the upgrades should be done prior to the City entering into a land use agreement for a tenant, so the tenant would bear some of this responsibility. He suggested that before the City signs, upgrades would need to be done, but he would not necessarily turn away a tenant if there is an agreement to share some of that responsibility. Mayor Intintoli confirmed with Mr. Hazen that the City could construct the ordinance so that if the improvements were made by the landlord, the tenant must make them in order to sign the lease, and Mayor Intintoli supported doing this before the matter is voted on.

Mr. Whittom felt this was a good idea and suggested the Council direct staff to modify the agreement in the packet to address the issue, so that code issues are resolved prior to occupancy. Regarding amending the definitions, Mr. Whittom said it was typical of zoning ordinances to provide the basic framework for various uses, but he was hearing downtown deserves a more restrictive approach, and he suggested including what the Council would absolutely not want to have considered such as methadone clinics, so that the City still retains some flexibility.

Councilmember Sunga referred to Planning Commission comments regarding specific businesses and asked if staff would suggest adding any others. Mr. Hazen said the discussion in the minutes states that it was his responsibility to interpret a proposed use and determine whether it is an accepted use or not. The minutes reflect some



hypothetical uses which could and could not be proposed, but there was no other subsequent discussion on this. The Planning Commission was comfortable with the uses, although those singled out were problematic, such as the massage, tattoo, drug recovery centers, and staff was not conclusive as to whether these would be permitted or not based on wording in the Municipal Code.

Councilmember Sunga asked if there would be any legal challenges by specifying certain uses, and Mr. Hazen said the findings contained in the resolution and ordinance center around the fact that it was intended that the Georgia Street corridor generate vitality, a pedestrian-oriented focus, so the temporary regulations excluding certain uses would help further this objective. He said in the earlier versions of the ordinance, it was felt the conditional use permit process was cumbersome. Staff made the change to require only an administrative permit and if specific uses are not prohibited, staff would not have the ability under the administrative permit process to pick and choose at the staff level. So, he said if the administrative permit process is kept in place, the Council would need to declare tonight what uses staff should not allow. Or, Council could require some to have a use permit and this process allows for staff to review these on a case-by-case basis.

Councilmember Sunga also felt staff could take each one of the use categories and expand on those, based on further direction from the Council, they could identify which things they should be prohibited outright, while keeping the administrative process simple. Staff could then hold a hearing at the Planning Commission, allow the downtown business owners to comment on those expanded use descriptions and then bring it back to Council. He said staff could take this to the Planning Commission on July 16, 2007.

Mr. Whitton said an alternate approach to sending it back to the Planning Commission is to receive the input tonight from the Council and request approval of first reading of an ordinance with certain changes and provide direction on further refinements to be presented at the second reading. Councilmember Sunga felt this was a better approach and supported it.

Councilmember Pearsall said he would support the resolution with the amendment to modify the agreement to require that all code issues are resolved prior to occupancy; however, he was not sure about specifically excluding medical offices, and asked about other exclusions. Mr. Hazen said they could incorporate the modification to code issues into tonight's action and in terms of the uses, he suggested incorporating into the resolution prohibitive uses or uses that would require a use permit, and give direction to staff to further evaluate the uses between now and the final reading.

Mr. Whitton felt what the Council could not do is direct staff to make changes or recommendations and return next time and then adopt them. He felt if Council has amendments it could be done tonight and then hold the ordinance, as amended on first reading, and then adopt it two weeks from tonight. If it goes back to staff and they bring back solutions on June 26<sup>th</sup>, these would be held on first reading, which alters the timeframe.

Councilmember Gomes agreed to solutions being brought back on June 26 for a first reading, felt it was a compromise for her but said Triad had not yet started and the Council needs to figure out how to bridge the gap.

Mr. Hazen asked the Council for direction on uses and said he has heard concerns from Council about methadone clinics, tattoo and massage. Mayor Intintoli said rather than

prohibit "medical services", which was broad, he felt it would be better to specifically indicate, "Methadone clinic" and/or require more than an administrative permit for any medical services so they can get a full review.

Mr. Hazen felt the Conditional Use Permit process would allow the most flexibility for the City, and recommended assigning the categories for CUP of medical services and medical offices. Mr. Whittom suggested the Council consider Vice Mayor Cloutier's recommendation, changing the medical services and medical offices to a use permit process, determine if there was a willingness by the Council to move forward on first reading tonight, and if not, staff could craft something and return.

Councilmember Gomes confirmed with Mr. Hazen that the CUP would be heard by the Planning Commission only and on appeal, the City Council would hear it.

Vice Mayor Cloutier offered an amendment to the resolution that, as a condition of renting, either the landlord must bring the property up to Code or the tenant must be required to undertake the necessary improvements to comply with any pertinent code requirements. In addition, he offered an amendment to require that the use of medical services will require a CUP and must be heard before the Planning Commission. Mr. Hazen said staff would be amending Exhibit A of Attachment A for the change to "medical services" and "medical offices" use. Regarding the issue of the Code, staff would be amending the draft land use agreement, which is an attachment to the Planning Commission staff report. He said staff will determine whether the code issue would need to be brought back, as it was only included in the Planning Commission packet of information.

Councilmember Gomes requesting adding that Council be informed of those applications for CUP's so they know what types of medical services businesses are going to be considered by the Planning Commission.

RESOLUTION NO. 07-155 N.C. offered by Mayor Intintoli, approving a resolution amending the Downtown Specific Plan, as amended to read that 1) As a condition of renting, either the landlord must come up to Code or the tenant must be required to undertake the necessary improvements to comply with any pertinent code requirements;

The above amendment to the resolution was approved by the following vote (5-0-2):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: Davis (excused)  
RECUSED: Bartee

2) To amend Exhibit A of Attachment A to require that the use of "medical services" and "medical offices" require a CUP before the Planning Commission;

The above resolution was approved by the following vote (5-0-2):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: Davis (excused)  
RECUSED: Bartee

3) To amend the resolution that the Council be informed of such "medical services" and "medical offices" CUP applications that are heard before the Planning Commission;

The above resolution was approved by the following vote (4-1-2):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Gomes and Pearsall  
NOES: Sunga  
ABSENT: Davis (excused)  
RECUSED: Bartee

4) Holding on first reading an ordinance amending the Downtown Master Plan (Ord. No. 1522 N.C., 2d) incorporating temporary land use regulations for specified non-retail uses occupying the ground floor along the Georgia Street Corridor in the Downtown Vallejo Specific Plan area with a reevaluation after twelve months.

The above action was approved by the following vote (5-0-2):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: Davis (excused)  
RECUSED: Bartee

**B. CONSIDERATION OF A RESOLUTION APPROVING THE ENGINEERS REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN FOURTEEN (14) IMPROVEMENT ACT OF 1911 LANDSCAPE MAINTENANCE DISTRICTS**

Hold a public hearing to take public comments regarding Fiscal Year (FY) 2007/2008 assessments within the following fourteen (14) ad valorem Landscape Maintenance Districts, formed pursuant to the Improvement Act of 1911: Cimarron Hills/Madigan; College Hills; Costa Del Rio (Seaview); Somerset Highlands I/II; Hunter Ranch I/II; Monica Place; Ridgecrest; Somerset Highlands III; Springtree/Fleming Hill; summit II; Town and Country I; Woodridge; and Glen Cove I/II. The 1911 Act requires annual determination of each district's costs and allocation of those costs by means of annual assessments to the parcels within each district. Assessments for the 1911 act districts are determined by applying the established assessment rate to each one hundred dollars (\$100.00) of assessed value of each parcel.

Four (4) districts are recommended to remain at the same rate as assessed in FY 2006/2007. Staff is recommending an increase for ten (1) districts in FY 2007/2008.

Councilmember Bartee returned to the dais to participate in the remainder of the meeting. Councilmember Sunga recused himself from participating on the matter due to a conflict of interest.

Mayor Intintoli opened the public hearing.

Public Works Director Gary Leach introduced Sam Gonzales, Assistant Maintenance Superintendent, Bill Moses from MuniFinancial, and John Cerini, Maintenance Superintendent.

Maintenance Superintendent John Cerini said the action is to conduct a public hearing to obtain input regarding the annual financial report and engineer's report for 14 landscape maintenance districts, to obtain Council approval of Engineer's reports and to order the levy and collection of the FY 2007/08 assessments. The City has 26 landscape maintenance districts, the 14 districts considered tonight were formed under the 1911 Act, and 12 were formed under the Landscape and Lighting District Act of 1972.

Mr. Cerini presented a map showing the 14 Districts, stating the 14 districts have been prepared by MuniFinancial as the engineer of work, and the reports identify all assessable parcels in the district, the projected annual cost for the maintenance and improvements found necessary in each. Previous Council action formed the districts at which time a maximum annual assessment rate was established by parcel owners, and each rate is applied to each \$100 of assessed valuation of each parcel. The total assessment for all 14 districts for 2006/07 was \$984,000.

Mr. Cerini stated that based on projections, it is recommended the rate be increased for 10 of the 14 districts, which were Cimarron Hills, Greenmont Seaport Hills, Somerset III, Summit II, Glen Cove I/II, College Hills, Monica Place, Springtree Fleming, Town and County I and Hunters Ranch I/II. He said proposed assessments were significantly less than the maximum allowable tax for each district and thus is exempt from any further Proposition 218 procedures. He said the proposed increase will fund increased costs in landscape maintenance services, tree maintenance services, ornamental landscape rehabilitation and fire prevention. The total assessment for FY 2007/08 is projected to be \$1,343,000, which will result in an increase of \$359,000. He said the City of Vallejo has also conducted a cost allocation study which has resulted in an increase in administrative charges to each district, which has been included in the 2007/08 budget process. The study is intended to allow the City to properly assess city services and the allocation for 2007/08 was based on the direct cost associated with each LMD.

He said staff was also currently evaluating two additional methods of allocating charges; one is to track actual hours and apply charges based on the prior year's activity and the second method is to track actual hours and apply charges based ultimately on a five-year average.

There were no public speakers and Mayor Intintoli closed the public hearing.

RESOLUTION NO. 07-151 N.C. offered by Councilmember Pearsall, approving the Engineers Report and ordering the levy and collection of assessments within fourteen (14) Landscape Maintenance districts for FY 2007/2008.

The above resolution was approved by the following vote (5-0-2):

AYES: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers  
Gomes and Pearsall  
NOES: None

ABSENT: Davis (excused)  
RECUSED: Sunga

C. CONSIDERATION OF A RESOLUTION APPROVING THE ENGINEER'S ANNUAL LEVY REPORT AND A RESOLUTION ORDERING THE LEVY AND COLLECTION OF FISCLA YEAR 2007/2008 ASSESSMENTS WITHIN TEN (10) LANDSCAPE MAINTENANCE DISTRICTS

Hold a public hearing pursuant to the Landscaping and Lighting Act of 1972 and take public comments regarding Fiscal Year 2007/2008 assessments within the following ten (10) Landscape Maintenance Districts: Carriage Oaks, Garthe Ranch, Glen Cove III, Hunter Ranch III, Marine World/Fairgrounds, Marinview, Sandpiper Point, South Vallejo Business Park, Town and Country II-V, and Northeast Quadrant. Adopt resolutions that conclude the process for establishing the Fiscal Year 2007/2008 assessments within the above referenced Districts.

Councilmember Sunga recused himself from participating on the matter due to a conflict of interest.

Mayor Intintoli opened the public hearing.

Maintenance Superintendent John Cerini said the action was to conduct a public hearing to obtain public input regarding the annual financial report and Engineer's Report for ten (10) 1972 Act Landscape Maintenance Districts, to obtain Council approval of the Annual Engineer's Report and also to obtain Council approval to order the levy and collection of Fiscal Year 2007/08 assessments. The Districts being considered were formed in accordance with the Landscape and Lighting Act of 1972, Part II, Division XVI of the Streets and Highway Code and they conform to Proposition 218.

Mr. Cerini presented the LMD map, said Hiddenbrooke LMD was not being considered in this action and would be handled under a separate action. He also noted that Garthe Ranch Estates was formed for 2007/08 in an earlier action.

Mr. Cerini said the Engineer's Report has been prepared by MuniFinancial as the Engineer of Work for each district and identifies all parcels within the district and projected annual costs for maintenance and improvement found necessary in each. All districts, with the exception of the Northeast Quadrant LMD as formed, do not allow for inflationary adjustment to their assessments. Therefore, Hunter's Ranch III and Marinview are projected to have a negative fund balance by the end of Fiscal Year 2006/07. Additionally Garthe Ranch, Glen Cove III, Town and Country II-V are projected to have a negative fund balance by the end of 2007/08 and Carriage Oaks, Marine World/Fairgrounds, Sandpiper Point and South Vallejo Business Park are projected to have a negative fund balance by the end of FY 2008/09.

The fiscal year 2006/07 shortfall will be covered by the use of LMD reserve funds, although staff will recommend action be taken during FY 2007/08 to begin the voting process pursuant to Proposition 218 to increase the assessments of the affected LMD's as well as including the provision for inflationary adjustment. Services will be significantly reduced and in some cases eliminated if approval is not obtained to increase the assessments. He also said the City of Vallejo has also conducted a cost allocation study which has resulted in an increase in administrative charges to each district, which has been included in the 2007/08 budget process. The study is intended

to allow the City to properly assess city services and the allocation for 2007/08 was based on the direct cost associated with each LMD.

He said staff was also currently evaluating two additional methods of allocating charges; one is to track actual hours and apply charges based on the prior year's activity and the second method is to track actual hours and apply charges based ultimately on a five-year average.

There were no public speakers and Mayor Intintoli closed the public hearing.

RESOLUTION NO. 07-152 N.C. offered by Mayor Intintoli, adopting a resolution approving the Engineer's Annual Levy Report.

RESOLUTION NO. 07-153 N.C. offered by Mayor Intintoli, adopting a resolution ordering the levy and collection of assessments within ten (10) Landscape Maintenance Districts for Fiscal Year 2007/2008.

The above resolutions were approved by the following vote (5-0-2):

AYES:	Mayor Intintoli, Vice Mayor Cloutier, Councilmembers Gomes and Pearsall
NOES:	None
ABSENT:	Davis (excused)
RECUSED:	Sunga

**8. POLICY ITEMS - NONE**

**9. RECESS TO JOINT SPECIAL MEETING WITH THE REDEVELOPMENT AGENCY**

The joint special Redevelopment Agency/City Council meeting was called to order at 8:35 p.m. by Mayor Anthony J. Intintoli, Jr. Councilmember Sunga returned to the dais to participate in the meeting.

**1. CALL TO ORDER**

**A. ROLL CALL**

Present: Mayor Intintoli, Vice Mayor Pearsall, Councilmembers Cloutier, Barteo, Sunga, Gomes

Absent: Davis (excused)

**2. CONSENT CALENDAR**

**A. CONSIDERATION OF A RESOLUTION AUTHORIZING USE OF REVENUE SHARING FUNDS FROM SIX FLAGS DISCOVERY KINGDOM**

RESOLUTION NO. 07-12 N.C., offered by Vice Mayor Cloutier, authorizing use of revenue sharing funds from Six Flags Discovery Kingdom consistent with Recommended Repayment Plan (Note: This action is unrelated to the recently announced decision of Six Flags Discovery Kingdom to exercise their purchase option).

The resolution was approved by the following vote: (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

**3. ADMINISTRATIVE ITEM**

**A. CONSIDERATION OF A SECOND AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY OF VALLEJO AND EMPRESS THEATRE ASSOCIATES, LLC AND CONSIDERATION OF AN AGREEMENT TO TERMINATE OPTION AGREEMENT BETWEEN THE CITY AND EMPRESS THEATRE ASSOCIATES (JOINT WITH CITY COUNCIL)**

Over the last several years, the Redevelopment Agency and the City have entered into agreements regarding the renovation of the historic Empress Theatre and subsequent operation and management of the Empress Theatre by the nonprofit Vallejo Community Arts Foundation. The Owner Participation Agreement between the City of Vallejo and Empress Theatre Associates was entered into on March 22, 2004, and amended by a First amendment to the Owner Participation Agreement, dated May 11, 2006. It provides for the rehabilitation and reconstruction by Empress Theatre Associates LLC (the "Participant") of the Empress Theatre, an historic structure, and certain adjacent property.

The renovation of the Empress Theatre is nearing completion and the Participant's obligations under the OPA along with additional improvements committed by the Participant should be completed by the end of the month. The Participant has presented the City with a proposal to utilize two federal tax credit programs that will provide additional funds to complete the renovation work on the Project, provide certain community benefits, as well as reimburse a portion of the Participant's investment to date on the Project beyond the original scope and budget. Participation in the tax programs requires some minor changes to the existing Owner Participation Agreement and related documents.

Susan McCue, Economic Development Program Manager, introduced Iris Yang, Redevelopment Counsel, Bonnie Robinson-Lipscomb, Senior Economic Development Analyst, and Scott Rhody, Director with the National Development Council.

Bonnie Robinson-Lipscomb, presented a brief PowerPoint presentation, on the background of the Empress Theatre Feasibility Study done on July 29, 2003. The study found that the theatre was suitable as a performing arts center, it will help fill an existing deficit and will serve as a stimulus for downtown revitalization. Ms. Robinson Lipscomb said on March 22, 2004 an OPA was executed, and amended May 2006. On October 3, 2006, the Council approved the Lease Agreement with Option to Purchase between the City and the Vallejo Community Arts Foundation (VCAF).

Ms. Robinson Lipscomb noted the renovation fits with Redevelopment Agency/Council goals and objectives, she discussed the renovation timeline and projected costs, said the construction budget has increased since the OPA budget was approved in June of 2005 and the actual cost to complete the renovation is \$4.9 million. Costs to date over budget have been borne by the participant at \$1.65 million, and this does not include the additional amount spent not part of the budget on administration, including financing costs. The participant has presented the City with a proposal to utilize two federal tax

credits programs that will provide additional funds to complete the remaining renovation, provide certain community benefits and reimburse a portion of the participant's investment on the project. She discussed the federal tax credits programs and benefits offered through participation in the programs.

Regarding changes to existing agreements, Ms. Robinson-Lipscomb said participation in the new market tax credits (NMTC) requires some minor changes to the OPA, Vallejo Community Arts Foundation lease and the current option to purchase the theatre must be terminated. The most significant change required by the NMTC program is that neither the City nor the Agency nor VCAF can own the theatre during the seven-year tax credit period. At the end of the tax credit period, the City would obtain the Theatre through a Put/Call Option Agreement with US Bancorp CDC who is the equity investor. The City would then either lease or sell the property directly to VCAF, upon the assumption by the VCAF of a promissory note for \$3 million, under substantially the same terms and conditions as exist today.

Ms. Robinson Lipscomb stated that the primary document changes affecting the City/Agency are the changes describing the NMTC transition which is in the second amendment to the OPA. It is also terminating the existing option agreement between the city and participant. Since the City currently has the option to purchase the theatre presently, it will be replaced by a new Put/Call option agreement between the City and US Bancorp that would take effect after the end of the seven-year tax credit period. Also, a new operating sub-lease between the VCAF and Triad entity during the seven-year period, including an operating agreement between the City and Triad entity will occur in order for the City to have oversight ability during the seven-year period. And, a revised agreement to lease will be in effect between the City and VCAF after the seven-year tax credit period, with the Agency Note and Deed of Trust.

Regarding the fiscal impact, the proposed transactions will not result in any additional financial obligations for the Agency, City or VCAF. The City's and Agency's costs for preparing the additional documentation will be paid for out of the NMTC proceeds, and there is a net benefit of the Grow Vallejo Program for the first two years and \$350,000 in guaranteed interest payments to the City during the seven-year period tax credit period.

Regarding the next steps, pending approval tonight, staff will move forward with participation in the NMTC program and is currently scheduled to complete the transaction by the end of the month. The participant will complete the remaining theatre improvements including the lighting and power and the revised agreement to lease between the City and VCAF will be brought to Council/Agency next month along with the remaining OPA related documents. The Empress Theater will be open for several fundraising events over the summer and will officially open in the late summer or early fall with a limited program focusing mainly on film, with a full mixed-use performing arts schedule beginning in early 2008.

Speakers: Gail Manning, Vallejo Community Arts Foundation President, and Randy Bobst-McKay, Manager of the Empress Theatre, asked for support of approval of both resolutions and expressed support for the new market tax credit proposal.

Vice Mayor Cloutier asked if the operator did the booking for theatre acts, and Mr. Bobst-McKay said they would be responsible for management of the facility itself and also booking for produced events and rentals for local and community based events. He noted produced events were series that the operator would show, i.e., a film series, a performing arts series or a music series.



Councilmember Gomes said the Grow Vallejo Program talks about small, start-up businesses and she asked if these businesses would focus on retail. Ms. Robinson-Lipscomb said they hope to be able to do 4-5 substantial loans and staff would like to target the funds to attract businesses in the retail categories where they have gaps and to maximize the use of dollars.

Councilmember Gomes referred to substantial cuts in the budget, and wanted to dispel some misconceptions that the City is spending money on a theatre when it must cut transportation and public safety and asked for a summary on this. Ms. Robinson-Lipscomb said there is no new Agency/City money investment that will result from participation in the new market tax credits. In fact, she said the proceeds generated through the program will pay for the new loan program the City will be leveraging in the downtown, as an added benefit. She said through the agreement, the National Development Council staffs that effort, so the City is getting this incentive and program without having to add any additional burden to staff or bring in any additional staff, as well.

RESOLUTION NO. 07-13, N.C. offered by Mayor Intintoli, approving and authorizing the execution of a Second Amendment to the Owner Participation Agreement between the Redevelopment Agency and Empress Theatre Associates, LLC; and

The resolution was approved by the following vote: (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

RESOLUTION NO. 07-154 N.C. offered by Councilmember Gomes, approving and authorizing the execution of a Second Amendment to the Owner Participation Agreement between the Redevelopment Agency and Empress Theatre Associates, LLC, and authorizing the execution of an Agreement to Terminate Option Agreement between the City and Empress Theatre Associates.

The resolution was approved by the following vote: (6-0-1):

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

**B. AUTHORIZATION TO EXECUTE THE AGREEMENT FOR CONSULTING SERVICES BETWEEN THE REDEVELOPMENT AGENCY AND THE NATIONAL COUNCIL FOR COMMUNITY DEVELOPMENT, DBA AS THE NATIONAL DEVELOPMENT COUNCIL, TO PROVIDE A RANGE OF CONSULTING SERVICES AND TO PROVIDE SEED MONIES FOR THE GROW VALLEJO FUND FOR ELIGIBLE SMALL BUSINESSES**

Senior Community Development Analyst Bonnie Robinson-Lipscomb said a few other benefits in addition to the Grow Vallejo fund and the benefit of completing the Empress Theatre is that the National Development Council has a lot of internal capacity to assist the Agency with staff to look at additional financing,

training opportunities for economic and redevelopment staff, they are able to leverage \$250,000 to create a substantial business loan program, and MDC also manages the loan program. Also, staff notes that NDC has discussed with staff that their expertise, tax credits and their access to them allows staff to possibly structure more kinds of deals as opportunities arise. She felt the relationship is great and staff was looking forward to working with them.

There were no public speakers.

RESOLUTION NO. 07-14 N.C., offered by Councilmember Pearsall, authorizing the Executive Director to execute the Agreement for Consulting Services between the Redevelopment Agency and the National Council for Community Development, dba as The National Development Council.

The resolution was adopted by the following vote: (6-0-1)

AYES: Mayor Intintoli, Vice Mayor Cloutier,  
Councilmembers Bartee, Gomes, Pearsall, Sunga  
NOES: None  
ABSENT: Davis (excused)

**4. ADJOURN TO SPECIAL MEETING OF THE MARINE WORLD JOINT POWERS AUTHORITY**

The special meeting of the Marine World Joint Powers Authority was called to order at 9:01 p.m. by Mayor Anthony J. Intintoli, Jr.

**3. ADJOURN TO CITY COUNCIL MEETING**

The Mayor adjourned the Special Marine World Joint Powers Authority meeting at 9:02 p.m. to the regular City Council meeting.

**11. RECONVENE CITY COUNCIL MEETING**

Mayor Intintoli reconvened the regular City Council meeting at 9:02 p.m.

**12. ADMINISTRATIVE ITEMS (CONTINUED)**

**B. STUDY SESSION REGARDING FEE STUDY AND PROPOSED UPDATE TO BUILDING AND DEVELOPMENT PROCESSING FEES**

Mayor Intintoli said this matter was continued from a previous meeting.

Assistant City Manager Craig Whitton introduced Jeff Wakefield, Project Manager Suzanne Schweitzer from the Community Development Department, Development Services Manager Brian Dolan and Finance Director Rob Stout. He said the purpose of the presentation was to review current initiatives regarding enhancements to the permitting process, discuss the goals and objectives of the study, review methodology and review the results and staff recommendations. He noted the Council received the individual recommended fee changes in the packet and input would be received only, with no action requested. Staff posted notices in preparation for returning the item as a component of budget actions on June 26, 2007 for adoption. There is state legislation

that requires that the fees would not go into effect for 60 days after that time; however, code enforcement fees would go into effect on July 1<sup>st</sup> if approved.

Development Services Manager Brian Dolan said several items were discussed when reviewing the proposed budget for Development Services and all initiatives accompany the fee study. He briefly described each initiative, which included: 1) the single point of entry, 2) website improvements, 3) reduction in backlog, 4) improved submittal process and 5) performance standards.

Suzanne Schweitzer said it had been several years since the last time an update was done and in February, staff recommended Council award a contract with Public Resource Management to work with staff, which had been done and she introduced Jeff Wakefield. She briefly discussed the goals of the study, specific objectives, presented the decision-making matrix prepared by Public Resource Management, the methodology used, the Cost Allocation Plan, and the analysis for the new structure for use permits.

Mr. Dolan said staff and the consultant thoroughly examined each fee the City had, listed the various tasks and identified staff involved. Regarding Code Enforcement, Mr. Dolan said staff had been compliance-driven for code enforcement and would forgive fees in the past. More recently, staff has been more aggressive with revenue collection; however, they were still not recommending 100 percent collection in code enforcement costs, which is common among other cities. Staff therefore is recommending recouping 50% of actual costs, leaving a 50 percent subsidy for code enforcement fees.

Ms. Schweitzer said currently Engineering recovers 42 percent of costs, there are about 53 different fee categories, several are recommended to be collapsed for grading and public improvement projects, the time the engineering staff spends on some of the permits where fees are collected by the Building and Planning Departments, staff included these hourly estimates in the fee charts. So, Planning and Building will be fully collecting for costs across the board. A new Engineering fee recommended would be to maintain the survey benchmarks embedded in City sidewalks. In comparing other cities, it was important to note that it was simply a market basket approach and not necessarily the apples to apples comparison one might expect because staff is not able to go back and look into their fees to determine which ones they chose to subsidize, if their services are identical to what we provide or how recently their fees were updated. They looked at 9 other jurisdictions' fees, which are presented in the report, staff chose to sample those most commonly processed or had the greatest revenue impact and it was important to acknowledge the fees staff was recommending would be at the high end of the range.

She said staff also looked at how the new fees would compare with the current budget and the proposed FY 2007 budget includes the new fees. With the slowed housing market, staff does not see an immediate upturn and revenues would be forecast at lower than what the study would project at \$5.1 million if they were back in a typical year with typical volumes. Staff also was advised by the building community that they would support funding some improvements to their technology as part of the fee update because they felt it would provide efficiencies to staff and to themselves as customers. A surcharge would be proposed for engineering permits, a web page fee calculator was a common theme they heard, GIS maintenance, software/hardware improvements ranging from laptops in vehicles for building inspectors, and there was a strong desire to have a second floor credit card payment kiosk.

Mr. Dolan referred to outreach to customers, they have met twice with the Chamber of Commerce's Economic Development Committee and held two meetings where they

invited frequent customers of city services. Regarding issues, given the current fiscal environment and the value added to customers, they asked the consultant to pursue a 100% cost recovery fee structure, they have identified some areas where they think it was reasonable not to pursue 100% cost recovery, such as a 50% reduced fee if the City Engineering work requires the use of an outside third party, and the recommended fee subsidies suggested are in Planning and Code Enforcement and none were recommended for Engineering or Building.

He noted staff was available for questions, he acknowledged Rob Stout, Gary West, Don Hazen and David Kleinschmidt who were integral to the fee study.

Finance Director Rob Stout said the fee study and cost allocation was important to meet the Council's goal of financial stability to the general fund, the Council has approved the lighting and landscaping assessments, and said the cost allocation scheme also ensured compliance with federal guidelines.

Councilmember Gomes questioned the comments from the Chamber and customers and Mr. Whittom said there was an acknowledgement that fees were currently low, there was an understanding they would increase and the focus was more on service and what the customer would receive for the increases. Feedback received continuously was how long the process would take, would it allow the City to add staff, as the City was at about a 50% staffing level typical of a city's building and planning activities, and staff has attempted to put in place improvements to the current system and accountability in terms of processes. He said they were clearly recommending fees at the high end of the range, were transparent in it and believe that, given improvements in efficiency and accountability, the fees would not be a disincentive for investing in Vallejo. An E-mail was received from the Building Industry Association requesting the fees be phased over a period of time.

Councilmember Gomes said page 5 of the staff reports indicates there could be a policy to establish fees at a level that permits lower income groups to participate in services, and she asked if there was any indication that the proposed fees would prevent people of lower income to be able to participate in projects. Mr. Whittom said there had not been any direct analysis relative to code enforcement fees and income categories and their effect. He believed the 50 percent recommendation on code enforcement speaks to this, as it was not fair to impose the full cost recovery on those fees. Regarding the other fees that are more property based, staff did not factor in income levels of applicants and does not have that data.

Mr. Hazen explained the reason why staff was proposing 50 percent in cost recovery.

Councilmember Gomes questioned why 100 percent is not being recovered for projects five acres or less. Mr. Hazen explained how the fees are calculated and stated that in some cases for commercial projects the cost can exceed \$20,000.

Councilmember Sunga said he felt it was important to raise fees and improve services. He questioned the proposed reduction in staff, and the effect it will have overall on services.

Mr. Hazen responded to a question of Councilmember Sunga concerning outreach and whether input received would affect or impact development.

Councilmember Sunga questioned the rationale for the 50 percent in reduced fees for engineering work if done by a third party, and City Engineer David Kleinschmidt said this particular task is generally at the request of the developer asking for expedited services. He explained the process and stated that staff is doing less work in reviewing the process because an outside firm augments staff in performing the work.

Councilmember Sunga noted the slow housing market, and he asked how close staff was projecting in its revenues for the budget. Mr. Whittom said staff and the consultant team estimated the amount of work to be done next year and applying the new fee schedule to it, noting it was about a \$300,000 increase in what it would have been at the estimated work versus the old fee structure.

Vice Mayor Cloutier felt the increase from 22 percent to 50 percent of fee recovery in code enforcement was appropriate. He felt some sort of additional cost recovery should be identified for repeat offenders, such as absentee landlords. He agreed with the policy for no subsidies for Engineering and Building and felt it was prudent to adopt the appeal fees cap at double what they are currently.

Councilmember Bartee said the process would be a true benefit to citizens and economic development, agreed that people would be willing to pay more to be able to have a streamlined and less encumbered process, but did not want to have rates that were the highest in the Bay Area in multiple categories and asked if the proposed rates were equitable with the other 9 jurisdictions. Mr. Whittom said the categories that are in the high range are for projects that are complex and very high value, but felt it was still a relatively small portion of the cost of development. He said when staff returns on June 26, the assessment can be refined in the staff report and more information on comparison with other cities can be provided.

Councilmember Bartee referred to performance standards and reviews and stated he hoped for a mechanism for the Council to be informed as to how the City was doing, and he also suggested doing a baseline analysis of services prior to implementation. Mr. Whittom said the single point of entry started on the June 4 and staff's target for performance standards was August 1 and he agreed with using the existing baseline. Mr. Whittom said the City would be posting their August 1 start of performance standards on their website and they commit to producing a public report every six months, which can be brought to the Council.

Councilmember Bartee referred to the 5-acre threshold, felt it was too many acres for a threshold, suggested it be between 1-3 acres, and acknowledged staff would re-visit this. He asked that in conjunction with the acreage threshold that a square footage or floor area ratio feature be identified which would more help define fees, and Mr. Whittom agreed this could be done.

Councilmember Bartee agreed with Vice Mayor Cloutier's comments about focusing more energy on code enforcement in additional cost recovery and program expansion and complimented staff on their efforts in moving forward with the updated fee study.

13. **APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - None**
14. **WRITTEN COMMUNICATIONS – None**
15. **CITY MANAGER'S REPORT - None**

16. CITY ATTORNEY'S REPORT - None
17. COMMUNITY FORUM - None
18. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL

Councilmember Gomes reported that comments have been made that the City was not contributing to the 4<sup>th</sup> of July parade and noted the City was, in fact, contributing \$19,000 in value for police and public works staffing. Also, she suggested that the Council help raise funds, and noted she was working on the committee and to date has raised \$4,000 for the parade.

19. CLOSED SESSION - None
20. ADJOURNMENT

The meeting adjourned at 10:00 p.m.

\_\_\_\_\_  
ANTHONY J. INTINTOLI, JR., MAYOR

Attest: \_\_\_\_\_  
MARY ELLSWORTH, ACTING CITY CLERK

VALLEJO CITY COUNCIL

MINUTES  
SEPTEMBER 11, 2007

The City Council met in closed session on the following matters: Conference with Legal Counsel – pending litigation: DARMAL v. City of Vallejo , et al, Court of Appeal State of California, First Appellate District, Case No. A118295, Pursuant to Government Code Section 54956.9(a). The closed session was called to order at 6:30 p.m. by Mayor Anthony J. Intintoli, Jr. All Councilmembers were present. No action was taken.

1. CALL TO ORDER

A regular meeting of the Vallejo City Council was held on the above date in the Council Chambers of the Vallejo City Hall. The meeting was called to order at 7:00 p.m. by Mayor Anthony J. Intintoli, Jr.

2. PLEDGE OF ALLEGIANCE - was led by Mayor Intintoli

3. ROLL CALL

Present: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers Barteo, Davis, Gomes, Pearsall and Sunga

Absent: None

Staff: City Manager Joseph Tanner  
Assistant City Attorney John Nagel  
City Clerk Mary Ellsworth

4. PRESENTATIONS AND COMMENDATIONS – None

A. REPORT OF THE PRESIDING OFFICER

Mayor Intintoli announced that the new Vallejo Campus of Solano Community College will be opening soon. He introduced Pam Keith and Marie Young, Boardmembers, Solano Community College. Ms. Keith addressed the opening of the new Vallejo Campus noting that this project has been planned for 12 years and acknowledged the work of the late Boardmembers Bill Thurston and Willie McKnight, who worked hard to get a campus in Vallejo. She announced that the opening is September 15, 2007 from 10 a.m. until 2 p.m., and extended an invitation to the Council and the public.

Marie Young stated that the theme for the opening is "Coming Home to Vallejo," noted the dedication and hard work of the late Bill Thurston, and invited all to the opening.

5. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS - None

6. CONSENT CALENDAR AND APPROVAL OF AGENDA

At the request of Mayor Intintoli, Item 17, Report of the Presiding Officer and Members of the City Council was moved to be heard as Item 4A; and the Joint Special meeting of the Redevelopment Agency and the City Council was canceled.

Hearing no further additions, corrections or deletions, the agenda was approved as amended and the following resolutions and minutes were offered by Vice Mayor Cloutier:

- A. RESOLUTION NO. 07-229 N.C. RATIFYING THE PAYMENT OF CLAIMS FOR THE TIME PERIOD OF AUGUST 1, 2007 TO AUGUST 29, 2007
- B. APPROVAL OF MINUTES OF AUGUST 7, 14, AND 28, 2007 MEETINGS
- C. RESOLUTION NO. 07-230 N.C. AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACTOR AND PROFESSIONAL SERVICES AGREEMENT WITH FIGHTING BACK PARTNERSHIP TO PROVIDE SERVICES AND PROGRAMS TO PAROLEES
- D. RESOLUTION NO. 07-231 N.C. AMENDING THE FISCAL YEAR 2007-2008 WATER ENTERPRISE FUND BUDGET BY INCREASING APPROPRIATIONS FOR THE HIGHWAY 12 JAMESON CANYON PIPELINE RELOCATION PROJECT TO BE REIMBURSED BY LB/L-DUC SCALLY RANCH LLC AND AUTHORIZING CHANGE ORDER NO. 1 TO MOUNTAIN CASCADE TO PERFORM THE SCALLY RANCH UNIT 1 PIPELINE RELOCATION AS ADDITIONAL WORK UNDER THE EXISTING CONTRACT FOR THE HIGHWAY 12 JAMESON CANYON PIPELINE RELOCATION PROJECT
- E. RESOLUTION NO. 07-232 N.C. AMENDING THE CLASSIFICATION PLAN AND OTHER ACTIONS REGARDING THE CREATION OF A BUILDING PERMIT TECHNICIAN I AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE CITY OF VALLEJO AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 2376, AFL-CIO TO PLACE THE CLASSIFICATION INTO THE BARGAINING UNIT IN ACCORDANCE WITH ARTICLE VIII, SECTION 801 OF THE CITY CHARTER
- F. RESOLUTION NO. 07-233 N.C. AMENDING THE CLASSIFICATION PLAN AND OTHER ACTIONS REGARDING THE CREATION OF A BUILDING PLANS ENGINEER AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE CITY OF VALLEJO AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 2376, AFL-CIO TO PLACE THE CLASSIFICATION INTO THE BARGAINING UNIT IN ACCORDANCE WITH ARTICLE VIII, SECTION 801 OF THE CITY CHARTER
- G. RESOLUTION NO. 07-234 N.C. AMENDING THE CLASSIFICATION PLAN AND OTHER ACTIONS REGARDING THE CREATION OF A SENIOR BUILDING PLANS ENGINEER AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE CITY OF VALLEJO AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 2376, AFL-CIO TO PLACE THE CLASSIFICATION INTO THE BARGAINING UNIT IN ACCORDANCE WITH ARTICLE VIII, SECTION 801 OF THE CITY CHARTER
- H. RESOLUTION NO. 07-235 N.C. AMENDING THE CLASSIFICATION PLAN AND OTHER ACTIONS REGARDING THE CREATION OF A MEDIA



SERVICES SPECIALIST AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE CITY OF VALLEJO AND THE CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL, AND PROFESSIONAL ASSOCIATION OF VALLEJO (CAMP) TO PLACE THE CLASSIFICATION INTO THE BARGAINING UNIT IN ACCORDANCE WITH ARTICLE VIII, SECTION 801 OF THE CITY CHARTER

- I. RESOLUTION NO. 07-236 N.C. AMENDING THE CLASSIFICATION PLAN AND OTHER ACTIONS REGARDING THE CREATION OF A DEPUTY MAINTENANCE SUPERINTENDENT AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE CITY OF VALLEJO AND THE CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL, AND PROFESSIONAL ASSOCIATION OF VALLEJO (CAMP) TO PLACE THE CLASSIFICATION INTO THE BARGAINING UNIT IN ACCORDANCE WITH ARTICLE VIII, SECTION 801 OF THE CITY CHARTER
- J. RESOLUTION NO. 07-237 N.C. ACCEPTING THE RESIGNATION OF SHERRIE CONNELLY FROM THE HUMAN RELATIONS COMMISSION
- K. RESOLUTION NO. 07-238 N.C. AUTHORIZING THE CITY MANAGER TO EXECUTE THE CACHE MAIN WATER LINE EASEMENT BRIDGE JOINT USE AGREEMENT BETWEEN THE CITY OF VALLEJO AND THE SUISUN VALLEY DEVELOPMENT COMPANY
- L. RESOLUTION NO. 07-239 N.C. TO AMEND THE SOLID WASTE FUND BUDGET
- M. RESOLUTION NO. 07-240 N.C. OF INTENTION TO AMEND THE FISCAL YEAR 2007-2008 NORTHGATE BENEFIT DISTRICT 93-1 FUND BUDGET BY INCREASING APPROPRIATIONS IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) FOR THE BLUE ROCK SPRINGS TRAIL CROSSING

The resolutions and minutes were adopted by the following vote:

AYES:	Mayor Intintoli, Vice Mayor Cloutier, Councilmembers Bartee, Davis, Gomes, Pearsall and Sunga
NOES:	None
ABSENT:	None
ABSTAINING:	None

7. PUBLIC HEARINGS - None

8. POLICY ITEMS - None

9. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO FORWARD THE CITY'S RESPONSE TO GRAND JURY REPORT CONCERNING MARE ISLAND'S SAINT PETER'S CHAPEL AND OTHER HISTORIC PROPERTIES

The 2006/2007 Solano County Grand Jury received two complaints concerning Mare Island's Saint Peter's Chapel. One concerned the physical condition of the Chapel and the other concerned the operational and accounting practices of the Mare Island Historic Park Foundation. The Grand Jury elected to investigate the complaints and to expand its investigation to include a review of all historic real and personal properties managed by the Foundation. On June 12, 2007 the Grand Jury issued its report. City staff has reviewed the findings and recommendations and responded to each.

Mayor Intintoli asked for a moment of silence in respect and remembrance of the victims of 9-11.

Craig Whitton, Assistant City Manager, Economic Development, introduced Susan McCue, Economic Development Manager, and Gil Hollingsworth, Mare Island Conversion Manager.

Ms. McCue acknowledged and thanked the members of the Historic Park Foundation for their 12-year partnership with the City. She made a power point presentation on the background of the Grand Jury Investigation which included complaints regarding the preservation and use of St. Peters Chapel and the operating and accounting practices of the Mare Island Historic Park Foundation. The report included three areas of consideration, facilities, management structure and capability, and financial burden. She stated that staff responded to the findings and recommendations which included nine findings and 16 recommendations.

Ms. McCue stated that staff's recommendation is that by October 31, 2007 the Mare Island Historic Park Foundation develop a comprehensive plan for preservation, restoration and on-going maintenance for the historic buildings: St. Peters Chapels, Museum, Quarters A & B, and Building 215 (a storage building which is not historic) and commence implementing the plan by December 30, 2007. Staff has requested a plan of action for hiring experienced professional-trained executive director to be received by December 31, 2007 and the executive director to be on the job by July 1, 2008.

Ms. McCue addressed the financial burden stating that in the response to the Grand Jury report, staff acknowledged that the Foundation has been bearing a financial burden since they leased the property. In the recommendation, Staff's intent is to provide initial relief to the Foundation (in the past both the City and Lennar have provided \$30,000 and \$80,000 in relief to the Foundation); One of the recommendations is to amend the Community Facilities District which would spread the dollar amount to the other existing members of the CFD. This would require 66.6 percent of registered Mare Island voter's approval. A third party pay MIHPF an annual levy; and ask the MIHPF to voluntarily relinquish a portion of their leased property.

Ms. McCue stated there is a dredge pond settlement agreement that has \$250,000 available for capital needs. Lennar and the City both have given consent for the use of the funds.

Ms. McCue noted that the resolution has been amended to allow the City Manager to make any format changes. Staff is also asking that Council authorize staff to execute the recommendations presented in the report.

Ms. McCue further stated that staff had originally discussed having a study session to focus on the Community Facilities District, however, they hope that this discussion could be incorporated into the broader Grand Jury Report.

Speakers: Bruce Christenson, member of the Historic Park Foundation, speaking tonight on behalf of the Mare Island Navy Yard Association. He believes the response by the City to the Grand Jury Report generally covers the items well. There are areas that do not address the issue, and in some cases suggest that there is a problem. He addressed the funding issue and the personnel issue and what the City does and does not agree with. He stated in response to the Report's finding about the facilities being accessible to the public, for security reasons, the doors are not left unlocked but the buildings are accessible to the public.

Ken Zadwick stated that the same complaints were made to the City three years ago. At that time they responded to the complaints and were told by the City that the response was complete and required no further action. He explained the background of the historic properties. It is important that the public access to the properties is available and that is the goal of the Foundation. They have prepared their own response to the Grand Jury report.

Myrna Hayes, representing Arc Ecology, referred to a report that was published in 2005 regarding the conditions at St. Peter's Chapel and their concerns about the deterioration of the Chapel, particularly the stained glass collection. They are looking for a path forward for not only the repair of the windows and the restoration of the building but for long-term sustainable use of funding for the property. She stated for the record, in the March 2007 breakage analysis completed by a consultant hired by Lennar, there was a total of 387 cracks in Tiffany stained glass windows, estimated value between \$25-\$30 million. She urged Council to take aggressive measures to protect the property and the peoples' assets.

Mayor Intintoli described his understanding of the City's original arrangement to preserve certain assets on Mare Island. The hope was that the Foundation would over time become strong enough financially to raise sufficient funds to be able to maintain the buildings in the manner they should be maintained. He stated that given the current status of the artifacts through no ill will or fault of the Foundation, we are unable to maintain the building and assure the proper preservation of the artifacts. There is real danger that if the City doesn't take steps to remedy the situation, we will lose the artifacts—the navy will demand to have them back. There also could be irreversible damage to the Chapel, its windows, etc. We need to make changes in the way we are dealing with this. He believes the staff's recommendation are a beginning.

Councilmember Davis asked if the repair and restoration of the Chapel would be paid for from the \$250,000 dredge pond settlement agreement fund. He stated that it appears from the staff report that there have been studies completed to determine what needs to be done to the Chapel and asked if staff was in a position to hire contractors to get the work done.

Mr. Whittom stated that the repairs are a capital improvement and would require City Council approval as well as Lennar's consent. Mr. Whittom further stated that there have been several studies done with varying recommendations. The most recent study

considered the entire building versus just the windows. The City has a lease with the Mare Island Historic Park Foundation and the Foundation is not in default of their lease and it is their obligation to pursue the maintenance of the facility. Staff's recommendation is that in a short period of time, based on the studies, the MIHPF develop a plan of improvements to the facilities. Staff has acknowledged that the \$250,000 that was negotiated as part of the settlement is something that can be contributed; Lennar has expressed a willingness to contribute that toward the capital improvements. The City is looking to the Foundation as its tenant to propose a course of action. Staff will come back to the Council in January 2008 with a report on the progress.

Councilmember Davis encouraged Mr. Zadwick and the Foundation to proceed as quickly as possible, particularly on the Chapel.

Councilmember Bartee asked for Staff's opinion on a report that was done by a firm that was hired by the Foundation which states that the removal of the windows would cause more damage than to repair them, and it was suggested that the repair, which may cost nearly \$500,000 would be best delayed for up to 25 years. Ms. McCue replied that there were a number of reports that were done to characterize the condition of the windows and there were varying remedies or approaches to the preservation of the windows. They are asking the Foundation to do their best to suggest a plan for moving forward quickly on the restoration of the windows.

Councilmember Bartee stated that it appears that the study that was conducted would be significant proof that this is the right approach, unless Staff is discounting the veracity of the report. Ms. McCue replied that there are dueling approaches and reports. Mr. Zadwick has excellent ideas about convening the experts to discuss this matter with the City to get a consensus on an approach. Councilmember Bartee asked what kind of detail staff is looking for to be received by October 31. Ms. McCue stated that they would like information on what some of the differences are in the approaches and is there a blending of the approaches and a path forward. Staff's expectation was not that anyone has to do a characterization, but come to terms with what needs to be done with the information going forward. The report is focused primarily on the Chapel and not on the other buildings. They are basing the October 31 deadline on the volume of data that is currently available about the condition of the building and the windows.

Councilmember Bartee noted that he requested a study session on the Historic Park Foundation several weeks ago and expressed disappointment that staff did not take his request seriously. He stated that he does not think we are doing justice to a very important subject and he feels uncomfortable pushing this through particularly when staff has had 90 days to work on it. He also noted that the Grand Jury Report states that a response is not required from the City. However, we are placing deadlines and dates on the Foundation to review information the City put together at the last minute and he feels uncomfortable with how this has been handled. He thanked Mr. Zadwick and the members of the Foundation for their hard work and the accomplishments they've made over the years, including the retrofitting of Building 46. He hopes we can work as partners with the Foundation to move forward on this project.

RESOLUTION NO. 07-241N.C. offered by Mayor Intintoli authorizing the City Manager to forward the City's Grand Jury Report Response and to implement the recommendations presented in the staff report.

The resolution was adopted by the following vote:

AYES: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers Bartee,  
Davis, Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: None  
ABSTAINING: None

- B. CONSIDERATION OF RESOLUTION OF INTENTION TO AMEND THE FIRE DEPARTMENT BUDGET FOR FISCAL YEAR 2007-2008 TO ACCEPT THE SOLANO COUNTY OFFICE OF EMERGENCY SERVICES GRANT IN THE AMOUNT OF \$23,872.52 AND TO APPROPRIATE THE SAME AMOUNT FOR THE PURCHASE OF EQUIPMENT, MATERIALS, SUPPLIES AND INSTRUCTOR SERVICES FOR THE CITIZEN PREPAREDNESS TRAINING PROGRAM

Fire Chief Don Parker stated that this is an additional grant to one that has already been accepted. This grant is from the County and gives the City the ability to buy supplies for the program to be successful and to pay the instructors. He further stated that the Program Manager, Capt. Ann Cavanaugh, could not be here tonight because she is teaching the first ALERT program.

RESOLUTION NO. 07-242 N.C. offered by Mayor Intintoli to amend the Fire Department Fiscal Year 2007-2008 budget to accept the Solano County Office of Emergency Services Grant in the amount of \$23,872.52 and to appropriate the same amount for the purchase of equipment, training materials, supplies and instructor services for the ALERT Program.

The resolution was adopted by the following vote:

AYES: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers  
Bartee, Davis, Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: None  
ABSTAINING: None

- C. CONSIDERATION OF A RESOLUTION AUTHORIZING 1) THE CITY MANAGER TO EXECUTE A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF VALLEJO AND RICHARD BOTTARINI FOR THE PROVISION OF CONTRACT PLANNING SERVICES; AND 2) AUTHORIZE THE CITY MANAGER TO EXECUTE A REIMBURSEMENT AGREEMENT BETWEEN LOWE'S AND THE CITY OF VALLEJO FOR SAID PROFESSIONAL SERVICES

Don Hazen, Planning Manager, stated that the contract would not be an expense to the City; Lowe's will reimburse the City for the services. He addressed the CEQA process, stating that the preliminary indications are that the project might be processed as a mitigated negative declaration as opposed to an Environmental Impact Report. If the mitigated Negative Declaration is used, it would reduce the entitlement process by six months. And if this is the appropriate process, staff would conduct a public outreach,

scoping session and would allow any environmental documents to be available for public review for 30 days as opposed to the state minimum of 21 days. Mr. Hazen noted changes to the resolution which were the sixth and seventh "Whereas" paragraphs were inserted in error. This contract would not allow for the reimbursement of legal expenses incurred by the City. This is currently being discussed with Lowe's and expect it to be resolved by the time the environmental contract move forward. He recommended Council adopt the resolution with the deletion of paragraphs six and seven.

In response to a question of Assistant City Attorney John Nagel concerning whether the City Attorney's Office had seen the revisions to the resolution, Mr. Nagel asked Mr. Hazen what comments Assistant City Attorney Claudia Quintana made with regard to the issue. Mr. Hazen stated that staff talked to Lowe's about the City's preference to have them (Lowe's) enter into an agreement for reimbursement of legal costs. Although Lowe's did not consent to it for this contract, they are currently considering it for the environmental contract. Therefore, it needs to be removed from the resolution. Mr. Nagel agreed with the change.

Councilmember Gomes asked what the criteria was for selecting Mr. Bottarini, and did staff consider the cost for all the applicants. Mr. Hazen replied that the costs were nearly the same. Staff based their selection on the applicants' past experience with these types of project, the ability to turn projects around on a short time frame and general coordination with staff.

Councilmember Gomes quoted from the staff report "It is staff's intention to satisfy the CEQA analysis with a Mitigated Declaration". She stated that she considers this predetermining the outcome. She stated that what should happen is the initial study should determine the type of CEQA document that is prepared. Not the desire of the City or the Developer to speed up the timeline.

Mr. Hazen stated that the consultant would need to conduct the initial study and that would indicate which one of the processes we would follow. Further, there would probably be two scopes of services in the next contract—one for an EIR the other for a Mitigated Negative Declaration. Councilmember Gomes stated that she wants to be sure that staff is not predetermining what type of analysis is going to be needed.

RESOLUTION NO. 07-243 N.C. offered by Mayor Intintoli authorizing the City Manager to execute a professional services agreement between the City of Vallejo and Richard Bottarini for planning consultant services and authorize the City Manager to execute a reimbursement agreement between Lowe's and the City of Vallejo for said contract.

The resolution was adopted by the following vote:

AYES: Mayor Intintoli, Vice Mayor Cloutier, Councilmembers  
Bartee, Davis, Gomes, Pearsall and Sunga  
NOES: None  
ABSENT: None  
ABSTAINING: None

10. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - None

11. ADJOURN TO JOINT MEETING WITH THE VALLEJO REDEVELOPMENT AGENCY

This meeting was cancelled.

12. RECONVENE CITY COUNCIL MEETING
13. WRITTEN COMMUNICATIONS - None
14. CITY MANAGER'S REPORT - None
15. CITY ATTORNEY'S REPORT - None
16. COMMUNITY FORUM – No speakers.
17. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL

Mayor Intintoli addressed SB 976 concerning the operation of the City's Ferry Service in the San Francisco Bay and an effort to consolidate ferry service on the Bay to better respond to emergency situations. This legislation would replace the San Francisco Water Transit Agency with a new agency which would consolidate Vallejo and Alameda Ferry Service into a new organization with the authority to operate all ferry service on the Bay with the exception of the Golden Gate Bridge activity. He read a letter he wrote to Senator Don Perata who drafted the legislation, expressing the City's concerns over the potential impact of the bill(s) on the successful Baylink water transportation operation and the economic health of the city. Copies were sent to Councilmembers, City Staff, Daryl Halls, Solano Transportation Authority, Assemblymember Noreen Evans and Senator Patricia Wiggins. A copy will also be sent to MTC.

Councilmember Gomes expressed concern about the recent death of a giraffe at Animal Kingdom due to a fire. She would like to work with the City Manager, City Attorney's office to prepare for Council consideration an ordinance that requires any commercial entity that houses animals have at a minimum a fire alarm and possibly a sprinkler system. If the building is too old, it should not be housing animals. The ordinance should also include the requirement of regular safety inspections.

Councilmember Sunga reported that training for the Disaster Preparedness Program started today. Another six-week class will begin on September 13. A mock disaster training will be held later in the year. Travis Air Force Base has a very organized disaster response team and they have agreed to assist us in assuring that our program is very effective. He invited the public to get involved. He thanked the Vallejo ALERT team.

18. CLOSED SESSION:
19. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

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ANTHONY J. INTINTOLI, JR., MAYOR

ATTEST: 

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MARY ELLSWORTH, CITY CLERK



COUNCIL COMMUNICATION

Date: September 25, 2007

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager/Community Development *CW*  
Robert V. Stout, Finance Director *RVS*  
Laura J. Simpson, Housing and Community Development Manager *LJS*

SUBJECT: APPROVAL OF A RESOLUTION APPROVING THE FISCAL YEAR (FY) 2006/2007 FEDERAL CONSOLIDATION ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

BACKGROUND AND DISCUSSION

Staff has prepared the draft Consolidated Annual Performance and Evaluation Report ("CAPER") for the second year of the City's Consolidated Plan. The Consolidated Plan is a five-year planning document required by the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan for FY 2005/2006 through FY 2009/2010 was adopted by the City Council on April 26, 2005. The Consolidated Plan establishes priority housing and community development needs, primarily for the use of Federal funds, and is available on the City's Housing and Community Development Division web page at <http://www.ci.vallejo.ca.us/GovSite/>. This report describes the City's performance in achieving the objectives in the Consolidated Plan for the second year period, (July 1, 2006 to June 30, 2007). The CAPER must be submitted to HUD by September 30, 2007. The CAPER is attached as Attachment "B".

A related document is the Housing Element of the City's General Plan, which is required by the State of California. The Housing Element is a detailed statement of the City's housing goals, objectives, policies, and programs. The City's Housing Element is scheduled to be updated by 2009. The current Housing Element is also on the City's Housing and Community Development Division web page at <http://www.ci.vallejo.ca.us/GovSite/>.

The Community Development Commission (CDC) held a public hearing to receive comments on the CAPER at its regular meeting on September 6, 2007. No public comments were received. After reviewing the CAPER, the CDC adopted a resolution recommending the City Council approve the report and forward it to HUD.

Written comments on the CAPER were requested by the City of the public from September 4 through September 18, 2006. If any written comments are received, staff will provide them to the City Council, and its response, at this meeting.

The CAPER compares the City's FY 2006/2007 Consolidated Plan goals with actual performance. This report is broken into several categories. Many of the goals for the FY 2006/2007 reporting period were achieved or exceeded.



The Consolidated Plan has established the following priority groups for programs and assistance:

**#1 Priority Groups:**

Very low income renters; very low and low income existing homeowners; homeless persons; and non-homeless persons with special needs, i. e., persons living with HIV/AIDS, severe mental illness, or substance abuse addictions

**#2 Priority Group:**

Very low and low income first time homebuyers

A summary of each of the major program categories is provided below.

**Housing Objectives**

Rental Assistance

The City established an annual goal of providing rental assistance to 2,000 very low income persons, through the provision of Housing Choice Vouchers. As of June 30, 2007, the City leased vouchers to 2,041 clients. These vouchers were administered by the Vallejo Housing Authority. The Housing Authority continued to undertake efforts to maintain its lease-up rate on behalf of voucher holders.

Rental Rehabilitation

The City and the Vallejo Redevelopment Agency loaned funds to Marina Tower Associates for the rehabilitation of 155 rental units for very low income seniors at Marina Tower Apartments. BRIDGE Housing Corporation, a private non-profit housing developer, acquired this property in partnership with the John Stewart Company. The renovation of the building, including seismic upgrades, was completed in December, 2006.

During the reporting period, the City also issued a Request for Qualifications (RFQ) for the development of an affordable rental housing project. In FY 2007/2008, the City will work with Eden Housing, inc. to assess the feasibility of the acquisition and rehabilitation of existing housing in Vallejo for an affordable rental or homeownership project.

New Construction

A five-year goal in the Consolidated Plan is the construction of 113 new units for very low income renters. The City has largely achieved this goal through the construction of 87 multifamily units at Avian Glen Apartments. This development was completed in May 2007.

### Existing Homeowners

The City's Consolidated Plan, and Housing Element, identify a need for the rehabilitation of housing units. Vallejo has a more than 30-year history of conserving the existing, mostly older housing stock through low interest loans to low and moderate income households.

The City has established a five-year goal of providing rehabilitation loans to 25 households. During FY 2006/2007, three rehabilitation loans were provided. Through two years of the Consolidated Plan period, six loans have been provided. The rehabilitation loan program was administered by Vallejo Neighborhood Housing Services, Inc. (VNHS), a local non-profit agency, using Federal Community Development Block Grant (CDBG), HOME Investment Partnerships Program, and other funds.

### Homeownership Assistance

In recent years, the City and the Housing Authority have supported homeownership programs for very low and low income residents. Homeownership is also an important goal of HUD. The City has established a five-year goal to provide homeownership for 25 households. In FY 2006/2007, four households were assisted with down payment assistance loans and closing cost grants. Through two years of the Consolidated Plan period, seven loans have been provided. VNHS administers the program regarding these loans.

In addition, the City has allocated a portion of its HOME Program funds to VNHS for the construction of Graham Gardens, which will consist of 22 for-ownership units, located at Mini and Stanford Drives. Eleven (11) of these homes will be affordable to low and moderate income families. This project is scheduled to be completed in FY 2007/2008.

### Other Housing Activity

In FY 2006/2007, the City completed a background study on inclusionary housing zoning, and drafted an ordinance. This ordinance is scheduled to be considered by the City Planning Commission and the City Council in FY 2007/2008.

### **Homeless Objectives**

The City established an annual goal to provide emergency supportive services (emergency shelter, food, rental assistance, counseling, etc.) to 500 homeless persons. A total of 1,129 homeless persons were served in FY 2006/2007 at the Christian Help Center.

The City has also allocated funding toward the rehabilitation of the Reynaissance Family Center. When completed, this sixteen-bed facility will provide transitional housing with supportive services to homeless families. This project is scheduled to be completed by or before December 31, 2007.

**Community Development Objectives**

In the areas of public infrastructure and facility improvements, curb ramps, and social services, the following was accomplished during the reporting period:

Public infrastructure and facility improvements in the lowest income neighborhood target areas: The five-year goal is to invest (receive and expend) \$2,000,000. A total of \$670,629 was expended on public improvements during the reporting period. Through two years of the Consolidated Plan period, \$1,046,894 has been invested.

Curb ramps, City-wide: The five-year goal is to invest \$500,000 in curb ramps. No funds were expended on the installation of curb ramps during the reporting period. Through two years of the Consolidated Plan period, \$166,225 has been invested.

Social Services: 2,244 low and moderate income persons were assisted in FY 2006/2007. The City's goal is to assist 1,000 persons with social services each year for five years. These residents were served through Agreements with such organization as Area Agency on Aging, The House of Acts, Hope Haven Transitional Shelter, and the Global Center for Success on Mare Island.

**Non-homeless Special Needs Objectives**

The City established a goal to rehabilitate and open an eight-bed sober living transitional housing facility for women, using CDBG funds. The rehabilitation of this facility, operated by The House of Acts, was completed in a prior reporting period. It will begin providing housing and supportive services in FY 2007/2008.

The Consolidated Plan has also adopted an annual goal to provide emergency support services and facilities provided through non-profit agencies, using financial assistance from a variety of private, State, and Federal sources, to 250 persons with special needs. This goal was accomplished during the reporting period through programs operated by Bi-Bett, Inc., Genesis House, and Caminar Solano.

Finally, the Plan has established an annual goal to provide rental assistance for up to ten months to 45 persons who are living with HIV/AIDS, through the use of HUD Housing Opportunities for Persons with AIDS (HOPWA) funding, by a non-profit agency. This goal was met in FY 2006/2007 by Planned Parenthood, using Housing Opportunities for Persons with AIDS (HOPWA) funds from HUD.

**Investment of Available Resources**

The City is required to report the amount of funding devoted to Consolidated Plan activities. An estimated total of nearly \$30 million was invested during the reporting period in private, Federal, and State funds; of this amount, a large majority (over \$28 million) was Federal funds.

<u>Source</u>	<u>Approx. Amount Invested</u>
Federal	\$28,400,00
State	800,000
Private	+ 150,000
Total	\$29,350,000

### Conclusions Regarding FY 2006/2007 Performance

The City of Vallejo was successful in meeting many of its goals in the program areas of assistance to homeless persons and persons with special needs, as well as supporting affordability for very low-income renters.

### Fiscal Impact

The submission of the CAPER is one of the requirements associated with the CDBG and other Federal programs. By submitting this document, the City meets this requirement and maintains its eligibility for CDBG, HOME, and other Federal housing and community development program funding.

### RECOMMENDATION

Authorize staff to forward the CAPER to HUD for its approval.

### ALTERNATIVES CONSIDERED

An annual CAPER is mandated by HUD. Therefore, no other alternatives were considered.

### ENVIRONMENTAL REVIEW

There is no environmental impact associated with this action.

### PROPOSED ACTION

Adopt the enclosed resolution approving the CAPER.

### DOCUMENTS AVAILABLE FOR REVIEW

Attachment "A" - Resolution

Attachment "B" - FY 2006/2007 Consolidated Annual Performance and Evaluation Report

Attachment "C" - Notice of Public Hearing and Public Notice Mailing List

PREPARED BY/CONTACT:

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Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or [gricca@ci.vallejo.ca.us](mailto:gricca@ci.vallejo.ca.us).

**RESOLUTION NO. \_\_\_\_\_ N.C.**

BE IT RESOLVED by the Council of the City of Vallejo as follows:

THAT WHEREAS, the U. S. Department of Housing and Urban Development (HUD) requires that cities receiving Federal Community Development Block Grant (CDBG) Program, HOME Investment Partnerships Program, and other Federal housing program funds submit a Consolidated Annual Performance and Evaluation Report (CAPER).

WHEREAS, the City must submit the CAPER to HUD by September 30, 2007.

WHEREAS, the Community Development Commission (CDC) of the City of Vallejo held a public hearing on September 6, 2007 to receive comments on the draft CAPER.

WHEREAS, after reviewing the CAPER, the CDC voted unanimously, 7-0-0, to recommend approval of the report by the City Council.

NOW THEREFORE BE IT RESOLVED that the Vallejo City Council hereby approves the CAPER for Fiscal Year 2006/2007; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to submit the CAPER for Fiscal Year 2006/2007 to the U. S. Department of Housing and Urban Development (HUD); and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to revise the CAPER for Fiscal Year 2006/2007 as needed; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to forward revisions to the CAPER for Fiscal Year 2006/ 2007 to the Community Development Commission upon request.

ADOPTED by the Council of the City of Vallejo at a regular meeting held on September 25, 2007 with the following vote:

**ATTACHMENT "B"**

**CITY OF VALLEJO  
FEDERAL  
CONSOLIDATED ANNUAL PERFORMANCE  
AND  
EVALUATION REPORT  
(CAPER)**

**FISCAL YEAR (FY) 2006 / 2007**

**(JULY 1, 2006 – JUNE 30, 2007)**

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**INTEGRATED DISBURSEMENT  
AND INFORMATION SYSTEM  
(IDIS) REPORTS**

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PROJECT NAME: PROGRAM ADMINISTRATION PROJECT ID: 2005/0001, 2006/0018  
 ACTIVITY NO. 512, 567 MATRIX CODE: 21A REGULATORY CITATION: 570.206  
 ACCOMPLISHMENTS / STATUS:  
 2006/2007 Budget Appropriation: \$341,203.00. \$304,992.34 expended.  
 101-2102-463.01-01 to 101-2102-463.36-03.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	DISBURSED					UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL THROUGH PROGRAM YEAR	TOTAL IN PROGRAM YEAR	
					WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC					AMERICAN / ALASKAN NATIVE
JUL 06	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	\$341,203.00	\$304,992.34	\$304,992.34

PROJECT NAME: CONTINENTALS OF OMEGA FACILITY PROJECT ID: 2005/0032  
 ACTIVITY NO. 552 MATRIX CODE: 03 REGULATORY CITATION: 570.201C  
 ACCOMPLISHMENTS / STATUS:  
 2006/2007 Budget Appropriation: \$20,000.00. No funds expended. Project may be completed in 2007/2008.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	DISBURSED					UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL THROUGH PROGRAM YEAR	TOTAL IN PROGRAM YEAR	
					WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC					AMERICAN / ALASKAN NATIVE
JUL 06	LMC	0	0	0	0	0	0	0	0	0	\$0.00	\$20,000.00	\$0.00	\$0.00

PROJECT NAME: CURBS/GUTTERS/SIDEWALKS, CURB RAMP CONSTRUCTION

PROJECT ID: 2005/0009

ACTIVITY NO. 520 MATRIX CODE: 03, 10

REGULATORY CITATION: 570.201C, 570.201K

ACTIVITY NAME, LOCATION & DESCRIPTION:

Installation of missing curbs/gutters/sidewalks in CDBG target areas, and curb ramps at various locations throughout Vallejo.

101-2104-463.40-18, 101-2104-463.40-21.

ACCOMPLISHMENTS / STATUS:

2006/2007 Budget Appropriation: \$593.00. No funds expended. Project completed in prior program year.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JULY 06	LMA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	\$481,099.00	\$480,506.00	\$0.00

PROJECT NAME: FLORENCE DOUGLAS SENIOR CENTER REHAB.

PROJECT ID: 2004/0010, 2005/0011

ACTIVITY NO. 490, 522 MATRIX CODE: 03

REGULATORY CITATION: 570.500(c)

ACTIVITY NAME, LOCATION & DESCRIPTION:

Replacement of roof at senior center.

ACCOMPLISHMENTS / STATUS:

2006/2007 Budget Appropriation: \$147,432.00. \$141,114.00 expended. Project substantially completed.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMC	6,800	5,304	1,486	1,486	4,371	1,103	574	752	752	0	3,605	\$0.00	\$150,000.00	\$143,662.00	\$141,114.00

PROJECT NAME: REYNAISSANCE FAMILY CENTER - PURCHASE/REHAB. PROJECT ID: 2005/0031  
 ACTIVITY NO. 551 MATRIX CODE: 14G REGULATORY CITATION: 570.202  
 ACTIVITY NAME, LOCATION & DESCRIPTION: ACCOMPLISHMENTS / STATUS:  
 Acquisition/rehabilitation of 16-bed transitional housing facility for homeless persons for up to a 2-year stay. 2006/2007 Budget Appropriation: \$657,862.00. \$264,446.56 expended. Project will be completed in 2007/2008.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	TOTAL	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMC	0	0	0	0	0	0	0	0	0	0	0	\$0.00	\$820,362.00	\$526,946.56	\$264,446.56

PROJECT NAME: PUBLIC WORKS STAFF COSTS PROJECT ID: 2006/0009  
 ACTIVITY NO. 565 MATRIX CODE: 03 REGULATORY CITATION: 570.201(c)

ACTIVITY NAME, LOCATION & DESCRIPTION: ACCOMPLISHMENTS / STATUS:  
 Staff and overhead costs for engineering, design, inspection, and contract administration of CDBG public improvement projects by City staff and consultants. 2006/2007 Budget Appropriation: \$94,250.00. \$25,194.39 expended.  
 101-2104-463.40-58.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	TOTAL	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	\$94,250.00	\$25,194.39	\$25,194.39

PROJECT NAME: VNHS - FIRST TIME HOME BUYERS

ACTIVITY NO. 525, 557 MATRIX CODE: 13

ACTIVITY NAME, LOCATION & DESCRIPTION:

Provides down payment assistance loans and closing cost grants to low and moderate income first time homebuyers. 101-2104-463.40-01.

PROJECT ID: 2005/0014, 2006/0002

REGULATORY CITATION: 570.201N

ACCOMPLISHMENTS / STATUS:

2006/2007 Budget Appropriation: \$300,833.00. \$177,466.04 expended. Two down payment assistance loans and two closing cost grants provided.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM	YEAR
JUL 06	LMH	2	2	0	0	1	0	0	1	1	0	0	\$0.00	\$300,833.00	\$177,466.04	\$177,466.04	

PROJECT NAME: CONTINGENCY

ACTIVITY NO. 523, 564

MATRIX CODE: 22

PROJECT ID: 2005/0012, 2006/0008

REGULATORY CITATION: N/A

ACTIVITY NAME, LOCATION & DESCRIPTION:

This account is used for public improvement and facility projects if additional funds are needed. 101-2104-463.40-56.

ACCOMPLISHMENTS / STATUS:

2006/2007 Budget Appropriation: \$33,350.00. No funds expended.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM	YEAR
JUL 06	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	\$33,350.00	\$0.00	\$0.00	

CAPER 2006 / 2007

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PROJECT NAME: VNHS - PAINT GRANTS

ACTIVITY NO. 555 MATRIX CODE: 14A

ACTIVITY NAME, LOCATION & DESCRIPTION:  
Provides exterior house paint grants for low and moderate income homeowners.  
101-2104-463.40-03.

PROJECT ID: 2006/0001

REGULATORY CITATION: 570.202

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$89,500.00. \$81,792.33 expended.  
26 paint grants provided.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ASIAN/PACIFIC ISLANDER	NATIVE AMERICAN/ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM YEAR
JUL 06	LMH	26	9	17	2	21	2	1	0	13	\$0.00	\$89,500.00	\$81,792.33	\$81,792.33

PROJECT NAME: VNHS - REHABILITATION LOANS

ACTIVITY NO. 524, 559 MATRIX CODE: 14A

ACTIVITY NAME, LOCATION & DESCRIPTION:  
Provides low interest loans to low and moderate income residents for rehabilitation of homes.  
101-2104-463.40-04.

PROJECT ID: 2005/0013, 2006/0003

REGULATORY CITATION: 570.202

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$64,037.00. \$64,037.00 expended.  
One owner-occupied rehabilitation loan provided.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ASIAN/PACIFIC ISLANDER	NATIVE AMERICAN/ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM YEAR
JUL 06	LMH	1	0	1	0	1	0	0	0	1	\$0.00	\$64,037.00	\$64,037.00	\$64,037.00

PROJECT NAME: AAA - ESCORT PROGRAM

ACTIVITY NO. 574 MATRIX CODE: 05A

ACTIVITY NAME, LOCATION & DESCRIPTION:  
Provides 1,500 escorted one-way trips during the year to 100 frail, older residents.  
101-2104-463.40-31.

PROJECT ID: 2006/0017

REGULATORY CITATION: 570.201E

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$20,000.00. \$20,000.00 expended.  
3,074 trips provided to 106 clients.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM YEAR
JUL 06	LMC	106	10	96	72	17	4	13	0	106	68	\$0.00	\$20,000.00	\$20,000.00	\$20,000.00	

PROJECT NAME: CATHOLIC SOCIAL SERVICE

ACTIVITY NO. 573 MATRIX CODE: 05

ACTIVITY NAME, LOCATION & DESCRIPTION:  
480 hours of counseling to victims of domestic violence.  
101-2104-463.40-51

PROJECT ID: 2006/0016

REGULATORY CITATION: 570.201E

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$28,359.00. \$28,359.00 expended.  
982 hours provided to 394 clients.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM	IN PROGRAM YEAR
JUL 06	LMC	394	34	360	131	141	93	23	6	394	89	\$0.00	\$28,359.00	\$28,359.00	\$28,359.00	



PROJECT NAME: CHRISTIAN HELP CENTER PROJECT ID: 2006/0015  
 ACTIVITY NO. 572 MATRIX CODE: 05 REGULATORY CITATION: 570.201E  
 ACCOMPLISHMENTS / STATUS:  
 2006/2007 Budget Appropriation: \$20,000.00. \$20,000.00 expended.  
 69,625 units of service provided to 1,129 clients.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM IN YEAR
JUL 06	LMC	1,129	0	1,129	498	407	141	51	42	1,129	84	\$0.00	\$20,000.00	\$20,000.00

PROJECT NAME: HOPE HAVEN TRANSITIONAL SHELTER PROJECT ID: 2006/0014  
 ACTIVITY NO. 568 MATRIX CODE: 05 REGULATORY CITATION: 570.201E  
 ACCOMPLISHMENTS / STATUS:  
 2006/2007 Budget Appropriation: \$57,600.00. \$57,600.00 expended.  
 25 clients served.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC	NATIVE AMERICAN / ALASKAN	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM IN YEAR
JUL 06	LMC	25	0	25	11	12	2	0	0	25	0	\$0.00	\$57,600.00	\$57,600.00

PROJECT NAME: HOUSE OF ACTS

PROJECT ID: 2006/0013

ACTIVITY NO. 571 MATRIX CODE: 05F

REGULATORY CITATION: 570.201E

ACTIVITY NAME, LOCATION & DESCRIPTION:

Project provides supportive services to 30 recovering substance abusers  
substance abusers who are residents of the House of Act's men's  
Facility and their families.  
101-2104-463.40-41.

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$29,646.00. \$29,226.00 expended.  
57 clients served.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMC	57	0	57	57	27	15	8	4	3	57	0	\$0.00	\$29,646.00	\$29,646.00	\$29,226.00

PROJECT NAME: POLICE ACTIVITIES LEAGUE

PROJECT ID: 2006/0012

ACTIVITY NO. 570

MATRIX CODE: 05D

REGULATORY CITATION: 570.201E

ACTIVITY NAME, LOCATION & DESCRIPTION:

Provides academic and boxing instruction to 80 low and moderate income at-risk youth ages 8 to 18.  
101-2104-463.40-50.

ACCOMPLISHMENTS / STATUS:  
2006/2007 Budget Appropriation: \$20,000.00. \$19,166.50 expended.  
81 youth served.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMC	81	28	53	7	42	25	7	0	81	23	\$0.00	\$20,000.00	\$19,166.50	\$19,166.50	

PROJECT NAME: THE SUCCESS CENTER

ACTIVITY NO. 569

MATRIX CODE: 05

PROJECT ID: 2006/0011

REGULATORY CITATION: 570.201E

ACTIVITY NAME, LOCATION & DESCRIPTION:

Provides supportive services and rental assistance to 375 homeless individuals.  
101-2104-463.40-52.

ACCOMPLISHMENTS / STATUS:

2006/2007 Budget Appropriation: \$25,000.00. \$22,593.22 expended.  
452 clients served.

TOTAL NUMBER OF PERSONS ASSISTED:

DATE FUNDED	NATIONAL OBJECTIVE	LOW INCOME	MODERATE INCOME	LOW INCOME	EXTREMELY LOW INCOME	WHITE	BLACK	HISPANIC	ISLANDER	PACIFIC ISLANDER	ASIAN / PACIFIC ISLANDER	NATIVE AMERICAN / ALASKAN NATIVE	TOTAL	FEMALE HEAD OF HOUSEHOLD	UNLIQUIDATED OBLIGATIONS	TOTAL AUTHORIZED	TOTAL DISBURSED THROUGH PROGRAM YEAR	IN PROGRAM YEAR
JUL 06	LMC	452	0	452	191	189	37	24	1	452	52	\$0.00	\$25,000.00	\$22,593.22	\$22,593.22			

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CITY OF VALLEJO  
SUMMARY OF COMMUNITY DEVELOPMENT ACCOMPLISHMENTS  
CDBG EXPENDITURES BY PRIORITY AND CATEGORY  
FISCAL YEAR 2006/2007

PRIORITY NEED CATEGORY	ACTIVITIES UNDERWAY		ACTIVITIES COMPLETED	
	#	\$	#	\$
<b>PUBLIC FACILITIES</b>				
SENIOR CENTERS (03A)	1	143,682.00	0	0
HANDICAPPED CENTERS (03B)	0	0	0	0
HOMELESS CENTERS (03C)	0	0	0	0
YOUTH CENTERS (03D)	1	0	0	0
NEIGHBORHOOD FACILITIES (03E)	0	0	0	0
CHILD CARE CENTERS (03M)	0	0	0	0
PARKS AND/OR RECREATIONAL FACILITIES (03F)	0	0	0	0
HEALTH FACILITIES (03P)	0	0	0	0
PARKING FACILITIES (03G)	0	0	0	0
ABUSED/NEGLECTED FACILITIES (03Q)	0	0	0	0
AIDS FACILITIES (03S)	0	0	0	0
OTHER PUBLIC FACILITIES	1	526,946.56	0	0
FIRE STATION EQUIPMENT (03O)	0	0	0	0
<b>PUBLIC IMPROVEMENTS</b>				
SOLID WASTE IMPROVEMENTS (03H)	0	0	0	0
FLOOD DRAIN IMPROVEMENTS (03I)	0	0	0	0
WATER AND SEWER IMPROVEMENTS (03J)	0	0	0	0
STREET IMPROVEMENTS (03K)	0	0	0	0
SIDEWALK IMPROVEMENTS (03L)	0	0	0	0
ASBESTOS REMOVAL (03R)	0	0	0	0
OTHER INFRASTRUCTURE IMPROVEMENTS (03N)	0	0	0	0
OTHER PUBLIC FACILITIES OR IMPROVEMENTS (03)	0	0	0	0

CITY OF VALLEJO

	ACTIVITIES UNDERWAY		ACTIVITIES COMPLETED	
	#	\$	#	\$
<b>PUBLIC SERVICES</b>				
SENIOR SERVICES (05A)	0	0	1	20,000.00
HANDICAPPED SERVICES (05B)	0	0	0	0
YOUTH SERVICES (05D)	0	0	1	19,166.50
TRANSPORTATION SERVICES (05E)	0	0	0	0
SUBSTANCE ABUSE SERVICES (05F)	0	0	2	86,826.00
EMPLOYMENT TRAINING (05H)	0	0	0	0
CRIME AWARENESS (05I)	0	0	0	0
FAIR HOUSING COUNSELING (05J)	0	0	0	0
TENANT/LANDLORD COUNSELING (05K)	0	0	0	0
CHILD CARE SERVICES (05L)	0	0	0	0
HEALTH SERVICES (05M)	0	0	0	0
OTHER PUBLIC SERVICES (05, 05C, 05G, 05N THROUGH 05T)	0	0	3	70,952.22
<b>ACCESSIBILITY NEEDS</b>				
(10 REMOVAL OF ARCHITECTURAL BARRIERS)	0	0	0	0
<b>OTHER COMMUNITY DEVELOPMENT SERVICES</b>				
ENERGY EFFICIENCY IMPROVEMENTS (14F)	0	0	0	0
LEAD-BASED PAINT HAZARDS (14I)	0	0	0	0
CODE ENFORCEMENT (15)	0	0	0	0
HISTORIC PRESERVATION (16A, 16B)	0	0	0	0

CITY OF VALLEJO

	ACTIVITIES UNDERWAY		ACTIVITIES COMPLETED	
	#	\$	#	\$
ECONOMIC DEVELOPMENT				
COMMERCIAL-INDUSTRIAL REHABILITATION (17C)	0	0	0	0
COMMERCIAL-INDUSTRIAL INFRASTRUCTURE (17B)	0	0	0	0
OTHER COMMERCIAL-INDUSTRIAL IMPROVEMENTS (17D)	0	0	0	0
MICRO-ENTERPRISES (18C)	0	0	0	0
OTHER BUSINESSES (18A)	0	0	0	0
TECHNICAL ASSISTANCE (18B)	0	0	0	0
OTHER ECONOMIC DEVELOPMENT (17A)	0	0	0	0
HOUSING REHAB.				
MULTI-UNIT (14B, 14C, 14D)	0	0	0	0
SINGLE FAMILY UNIT (14A)	0	0	1	33,717.00

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CITY OF VALLEJO  
SUMMARY OF COMMUNITY DEVELOPMENT ACCOMPLISHMENTS  
CDBG HOUSING UNITS COMPLETED  
FISCAL YEAR 2006/2007

	ACCOMPLISHMENTS REPORTED FOR ACTIVITIES UNDERWAY	ACCOMPLISHMENTS REPORTED FOR ACTIVITIES COMPLETED
	#	#
<b>HOUSING UNITS</b> (BASED ON ACTUAL ACCOMPLISHMENTS)		
MULTI-UNIT	0	0
SINGLE UNIT	0	1
DIRECT HOMEOWNERSHIP ASSISTANCE (13)	0	2
<b>RACIAL/ETHNIC CATEGORY</b>		
HISPANIC	0	0
NON-HISPANIC		
WHITE	0	1
BLACK	0	1
NATIVE AMERICAN	0	0
ASIAN/PACIFIC ISLANDER	0	1
NON-HISPANIC TOTAL	0	3
TOTAL RACIAL/ETHNIC	0	3

CITY OF VALLEJO  
SUMMARY OF CDBG ACCOMPLISHMENTS, OTHER THAN HOUSING UNITS  
BY PRIORITY NEED CATEGORY  
FISCAL YEAR 2006/2007

	ACCOMPLISHMENTS REPORTED FOR	ACCOMPLISHMENTS REPORTED FOR
	ACTIVITIES UNDERWAY	ACTIVITIES COMPLETED
	#	#
CATEGORY/UNITS		
<b>PUBLIC FACILITIES OR PUBLIC IMPROVEMENTS</b>		
PERSONS SERVED	0	0
HOUSEHOLDS	0	0
BUSINESSES	0	0
ORGANIZATIONS	0	0
PUBLIC FACILITIES	2	0
FEET OF PUBLIC UTILITIES	0	0
OTHER PUBLIC IMPROVEMENTS	0	0
<b>PUBLIC SERVICES OR OTHER CATEGORIES</b>		
PERSONS SERVED	0	2,244
HOUSEHOLDS	0	0
<b>ECONOMIC DEVELOPMENT</b>		
BUSINESSES	0	0
ORGANIZATIONS	0	0
JOBS	0	0

CITY OF VALLEJO  
HOME PROGRAM HOUSING UNITS: EXPENDITURES AND COMPLETIONS  
FISCAL YEAR 2006/2007

HOUSING EXPENDITURES/COMPLETIONS UNDER HOME	\$'s EXPENDED	# UNITS IN COMPLETED ACTIVITY
<b>TENANT-BASED RENTAL ASSISTANCE (TBRA)</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	0	0
51 - 80 % MFI	0	0
<b>TOTAL TBRA</b>	<b>0</b>	<b>0</b>
<b>RENTERS</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	0	0
51 - 80 % MFI	0	0
UNKNOWN/VACANT	0	0
<b>TOTAL RENTERS</b>	<b>0</b>	<b>0</b>
<b>TOTAL TBRA AND RENTERS</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	0	0
51 - 80 % MFI	0	0
UNKNOWN/VACANT	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>
<b>EXISTING OWNERS</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	6,000.00	1
51 - 80 % MFI	50,722.00	1
UNKNOWN/VACANT	0	0
<b>TOTAL EXISTING OWNERS</b>	<b>56,722.00</b>	<b>2</b>
<b>FIRST TIME HOMEBUYERS</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	96,000.00	1
51 - 80 % MFI	39,100.00	1
UNKNOWN/VACANT	0	0
<b>TOTAL FIRST TIME HOMEBUYERS</b>	<b>135,100.00</b>	<b>2</b>
<b>TOTAL OWNERS</b>		
0 - 30 % MFI	0	0
31 - 50 % MFI	102,000.00	2
51 - 80 % MFI	89,822.00	2
UNKNOWN/VACANT	0	0
<b>TOTAL</b>	<b>191,822.00</b>	<b>4</b>

CITY OF VALLEJO  
 HOME PROGRAM HOUSING UNIT COMPLETIONS  
 FISCAL YEAR 2006/2007

<u>RACIAL/ETHNIC CATEGORY</u>			<u># UNITS</u>
HISPANIC			0
NON-HISPANIC			
WHITE			1
BLACK			3
NATIVE AMERICAN			0
ASIAN/PACIFIC ISLANDER			0
NON-HISPANIC TOTAL			4
<b>TOTAL RACIAL/ETHNIC</b>			<b>4</b>

**Financial Summary**  
**Grantee Performance Report**  
 Community Development Block Grant Program

U.S. Department of Housing and Urban Development  
 Office of Community Planning and Development

OMB Approval No. 2506-0077(Exp. 3/31/94)

**Public Reporting Burden** for this collection of information is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2506-0077), Washington, D.C. 20503. Do not send this completed form to either of these addresses.

1. Name of Grantee <b>CITY OF VALLEJO</b>		2. Grant Number <b>B-06-MC-06-0029</b>		3. Reporting Period From <b>07-01-06</b> To <b>06-30-07</b>	
<b>Part I: Summary of CDBG Resources</b>					
1. Unexpended CDBG funds at end of previous reporting period (Balance from prior program years)				\$ <b>1,252,451.08</b>	
2. Entitlement Grant from form HUD-7082				\$ <b>1,215,884.00</b>	
3. Surplus Urban Renewal Funds				\$ <b>-0-</b>	
4. Section 108 Guaranteed Loan Funds (Principal Amount)				\$ <b>-0-</b>	
5. Program income received by:		Grantee (Column A)	Subrecipient (Column B)		
a. Revolving Funds		\$	\$		
b. Other (Identify below. If more space is needed use an attachment)					
		\$ <b>310,964.13</b>	\$		
		\$	\$		
c. Total Program Income (Sum of columns a and b)				\$ <b>310,964.13</b>	
6. Prior Period Adjustment (if column is a negative amount, enclose in brackets)				\$ <b>-0-</b>	
7. Total CDBG Funds available for use during this reporting period (sum of lines 1 through 6)				\$ <b>2,799,299.21</b>	
<b>Part II: Summary of CDBG Expenditures</b>					
8. Total expenditures reported on Activity Summary, forms HUD-4949.2 & 4949.2A				\$ <b>1,256,347.38</b>	
9. Total expended for Planning & Administration, form HUD-4949.2		\$ <b>304,992.34</b>			
10. Amount subject to Low/Mod Benefit Calculation (line 8 minus line 9)		\$ <b>951,355.04</b>			
11. CDBG funds used for Section 108 principal & interest payments				\$ <b>-0-</b>	
12. Total expenditures (line 8 plus line 11)				\$ <b>1,256,347.38</b>	
13. Unexpended balance (line 7 minus line 12)				\$ <b>1,542,951.83</b>	
<b>Part III: Low/Mod Benefit This Reporting Period</b>					
14. Total Low/Mod credit for multi-unit housing expenditures from form HUD-4949.2A				\$ <b>-0-</b>	
15. Total from all other activities qualifying as low/mod expenditures from forms HUD-4949.2 and 4949.2A				\$ <b>951,355.04</b>	
16. Total (line 14 plus line 15)				\$ <b>951,355.04</b>	
17. Percent benefit to low/mod persons (line 16 divided by line 10 this reporting period)				<b>100 %</b>	
This line may be reproduced on local office copiers. Previous editions are obsolete. Retain this record for 3 years		Page ( <b>1</b> ) of ( <b>2</b> )		Form <b>HUD-4949.3</b> (06/24/93) rel Handbook 6510.2	

<b>Part IV: Low/Mod Benefit for Multi-Year Certifications</b> (Complete only if certification period includes prior years)			
Program year (PY) covered in certification	PY <u>2004/2005</u>	PY <u>2005/2006</u>	PY <u>2006/2007</u>
18. Cumulative net expenditures subject to program benefit calculation			\$4,648,159.69
19. Cumulative expenditures benefiting low/mod persons			\$4,648,159.69
20. Percent benefit to low/mod persons (line 19 divided by line 18)			100 %
<b>Part V: For Public Service (PS) Activities Only: Public Service Cap Calculation</b>			
21. Total PS expenditures from column h, form HUD-4949.2A			\$ 196,944.72
22. Total PS unliquidated obligations from column r, form HUD-4949-2A			\$ -0-
23. Sum of line 21 and line 22			\$ 196,944.72
24. Total PS unliquidated obligations reported at the end of the previous reporting period			\$ -0-
25. Net obligations for public services (line 23 minus line 24)			\$ 196,944.72
26. Amount of Program Income received in the preceding program year			\$ 374,613.29
27. Entitlement Grant Amount (from line 2)			\$1,215,884.00
28. Sum of line 26 and line 27			\$1,590,498.29
29. Percent funds obligated for Public Service Activities (line 25 divided by line 28)			12.4 %
<b>Part VI: Planning and Program Administration Cap Calculation</b>			
30. Amount subject to planning and administrative cap (grant amount from line 2 plus line 5c)			\$1,526,848.13
31. Amount expended for Planning & Administration (from line 9 above)			\$ 304,992.34
32. Percent funds expended (line 31 divided by line 30)			19.98 %
<b>Instructions</b>			
<b>Name of Grantee:</b> Enter the grantee's name as shown on the approved Grant Agreement (from HUD-7082) for the most recently completed program year.			
<b>Grant Number:</b> Enter the grant number assigned by HUD to the Community Development Block Grant for the most recently completed program year.			
<b>Period Covered:</b> Enter the beginning date and ending date for the most recently completed program year.			
Form HUD-4949.3 (06/24/93) rel Handbook 6510.2			

FINANCIAL SUMMARY ATTACHMENT

A. PROGRAM INCOME RECEIVED

- 1. Total program income to revolving funds: -0-
- 2. Float-funded activities: N/A
- 3. Other loan repayments by category:

Loan principal and interest repayments to  
Single Family Residential Loan Program: \$ 251,733.10

- 4. Other: \$ 0
- 5. Income received from sale of property: N/A \$ 0

B. PRIOR PERIOD ADJUSTMENTS \$ 0

C. LOANS AND OTHER RECEIVABLES

- 1. Float-funded activities outstanding as of end of the reporting period: N/A
- 2. Total number of loans outstanding and principal balance owed as of end of reporting period:

	<u>No.</u>	<u>Principal Balance</u>
a. Housing rehabilitation loans (amortized):	3	\$ 94,152.40
b. Housing rehabilitation loans (deferred or forgivable):	15	\$563,934.87

- Terms: I. Deferred - 1) Owner-occupied: payment due upon transfer of title or death of property owner.
- 2) Rental: due fifteen (15) years after date of loan
- ii. Forgiven - Loan is forgiven after ten (10) years if:
- 1) property is located in a CDBG Target Area, **and**
- 2) unit was not converted to a condominium.
3. Number and amount of loans in default and for which the balance was forgiven or written off during the reporting period: None.
4. Parcels acquired or improved with CDBG funds that are available for sale as of end of reporting period: None.
5. Lump sum drawdown agreement: N/A.

D. RECONCILIATION OF LINE OF CREDIT (LOC) AND CASH BALANCES TO UNEXPENDED BALANCE OF CDBG FUNDS SHOWN ON CAPER

Unexpended balance shown on CAPER	\$1,542,951.83
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Reconciliation

Add:

IDIS accrued balance:	\$1,526,898.88 as of 06/30/07
Cash on Hand:	
Grantee program account:	\$ 0
Subrecipient program accounts:	\$ 0
Revolving fund cash balances:	N/A
Section 108 cash balances:	N/A

Subtract:

Grantee CDBG Program Liabilities:	\$ 0
Subrecipient CDBG Program Liabilities:	\$ 0
Total Reconciling Balance:	\$1,542,951.83
Unreconciled Difference	\$ 0

E. CALCULATION OF BALANCE OF UNPROGRAMMED FUNDS

Funds available during reporting period:	\$2,799,299.21
Program income expected but not yet realized:	\$ 0
Sub-total	\$2,799,299.21
Deduct: Total budgeted amount	\$2,397,165.00
Unprogrammed Balance	\$ 402,134.21

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**ANNUAL PERFORMANCE REPORT  
- HOME PROGRAM**

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# ANNUAL PERFORMANCE REPORT HOME PROGRAM

U.S. Dept of Housing &  
Urban Development  
Office of Community  
Planning and Development

CMB No. 2501-0013 (exp. 3/30/93)

Public Reporting Burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2501-0013), Washington, D.C., 20503. Do not send this completed form to either of these addresses.

This form is intended to collect numeric data to be aggregated nationally as a complement to data collected through the Cash and Management Information (CMI) System. Participants should enter the reporting period in the first blank. This reporting period is October 1 to September 30. Instructions are included for each section if further explanation is needed.

Submit this form on or before November 30. Send one copy to the appropriate HUD Field Office and one copy to:  
HOME Program, Rm 7178, 451 7<sup>th</sup> Street, S.W., Washington, D.C. 20410.

This report is for period: (mm/dd/yy)  
Starting: 07/01/06      Ending: 06/30/07      Date Submitted: 09/27/07

**Part I: Participant Identification**

1. Participant Number: M-06-MC-06-0223      2. Participant Name: CITY OF VALLEJO

3. Name of Person Completing Report: GUY L. RICCA      4. Phone No. (Include Area Code): (707) 648-4395

5. Address: P.O. BOX 1432      6. City: VALLEJO      7. State: CA      8. Zip Code: 94590

**Part II: Program Income**  
Enter the following program income amounts for the reporting period: in block 1 the balance on hand at the beginning; in block 2 the amount generated; in block 3 the amount expended; and in block 4 the amount for Tenant-Based Rental Assistance.

1. Balance on Hand at Beginning of Reporting Period: 48,606.67	2. Amount Received During Reporting Period: 278,836.61	3. Total Amount Expended During Reporting Period: 215,345.26	4. Amount Expended for Tenant-Based Rental Assistance: 0.00	5. Balance on hand at time of Reporting Period 1 + 2 - 3 = 5 112,098.02
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**Part III: Minority Business Enterprises (MBE) and Women Business Enterprises (WBE)**  
In the table below, indicate the number and dollar value of contracts for HOME projects completed during the reporting period.

	a. Total	Minority Business Enterprises (MBE)			f. White Non-Hispanic	
		b. Alaskan Native or American Indian	c. Asian or Pacific Islander	d. Black Non-Hispanic		e. Hispanic
<b>A. Contract</b>						
1. Number	2	-0-	-0-	0	-0-	3
2. Dollar Amount	\$45,010.00	-0-	-0-	0	-0-	3
<b>B. Sub-Contracts</b>						
1. Number	-0-	-0-	-0-	-0-	-0-	-0-
2. Dollar Amount	-0-	-0-	-0-	-0-	-0-	-0-
	a. Total	b. Women Business Enterprises (WBE)	c. Male			
<b>C. Contracts</b>						
1. Number	3	-0-	3			
2. Dollar Amount	-0-	-0-	0			
<b>D. Sub-Contracts</b>						
1. Number	-0-	-0-	-0-			
2. Dollar Amount	\$45,010.00	-0-	\$45,010.00			

**PART IV: Minority Owners of Rental Property**

In the table below, indicate the number of HOME assisted rental property owners and dollar value of HOME assisted rental properties during the reporting period.

	Minority Property Owners					
	a. Total	b. Alaskan Native or American Indian	c. Asian or Pacific Islander	d. Black Non-Hispanic	e. Hispanic	f. White Non-Hispanic
1. Number	-0-	-0-	-0-	-0-	-0-	-0-
2. Dollar Amount	-0-	-0-	-0-	-0-	-0-	-0-

**Part V: Relocation and Real Property Acquisition**

Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition. The data provided should reflect only displacements and acquisitions occurring during the reporting period.

	a. Number	b. Cost
1. Parcels Acquired	-0-	-0-
2. Businesses Displaced	-0-	-0-
3. Nonprofit Organizations Displaced	-0-	-0-
4. Persons Temporarily Relocated, not Displaced	-0-	-0-

Persons Displaced	Minority Persons					f. White Non-Hispanic
	a. Total	b. Alaskan Native or American Indian	c. Asian or Pacific Islander	d. Black Non-Hispanic	e. Hispanic	
5. Persons Displaced: No.	-0-	-0-	-0-	-0-	-0-	-0-
6. Persons Displaced: Cost	-0-	-0-	-0-	-0-	-0-	-0-

**HOME Match Report**

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

OMB Approval No. 2506-0171  
(exp. 03/31/2005)

**Part I Participant Identification**

1. Participant No. (assigned by HUD) <b>M-06-MC-06-0223</b>		2. Name of Participating Jurisdiction <b>CITY OF VALLEJO</b>		Match Contribution for Federal Fiscal Year (yyy) 07-01-06 to 06-30-07	
5. Street Address of the Participating Jurisdiction <b>P.O. BOX 1432</b>			3. Name of Contact (person completing this report) <b>GUY L. RICCA</b>		
6. City		7. State <b>CA</b>		4. Contact's Phone Number (include area code) <b>(707) 648-4395</b>	
		8. Zip Code <b>94590</b>			

**Part II Fiscal Year Summary**

1. Excess match from prior Federal fiscal year		\$ 504,497.22
2. Match contribution during current Federal fiscal year (see Part III.9)		\$ -0-
3. Total match available for current Federal fiscal year (line 1 + line 2)		\$ 504,497.22
4. Match liability for current Federal fiscal year		\$ 223,440.11
5. Excess match carried over to next Federal fiscal year (line 3 minus line 4)		\$ 281,057.11

**Part III Match Contribution for the Federal Fiscal Year**

1. Project No. or Other ID	2. Date of Contribution (mm/dd/yy)	3. Cash (non-Federal sources)	4. Forgone Taxes, Fees, Charges	5. Appraised Land / Real Property	6. Required Infrastructure	7. Site Preparation, Construction Materials, Donated labor	8. Bond Financing	9. Total Match

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# Second Program Year CAPER

The CPMP Second Consolidated Annual Performance and Evaluation Report includes Narrative Responses to CAPER questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. The Executive Summary narratives are optional.

The grantee must submit an updated Financial Summary Report (PR26).

## GENERAL

### Executive Summary

This module is optional but encouraged. If you choose to complete it, provide a brief overview that includes major initiatives and highlights that were proposed and executed throughout the first year.

Program Year 2 CAPER Executive Summary response:  
None.

### General Questions

1. Assessment of the one-year goals and objectives:
  - a. Describe the accomplishments in attaining the goals and objectives for the reporting period.
  - b. Provide a breakdown of the CPD formula grant funds spent on grant activities for each goal and objective.
  - c. If applicable, explain why progress was not made towards meeting the goals and objectives.
2. Describe the manner in which the recipient would change its program as a result of its experiences.
3. Affirmatively Furthering Fair Housing:
  - a. Provide a summary of impediments to fair housing choice.
  - b. Identify actions taken to overcome effects of impediments identified.
4. Describe Other Actions in Strategic Plan or Action Plan taken to address obstacles to meeting underserved needs.
5. Leveraging Resources
  - a. Identify progress in obtaining "other" public and private resources to address needs.
  - b. How Federal resources from HUD leveraged other public and private resources.
  - c. How matching requirements were satisfied.

Program Year 2 CAPER General Questions response:

1.a. The goals and objectives for the Fiscal Year (FY) 2006/2007 reporting period (July 1, 2006 through June 30, 2007), which are also for the second year of the City's Five Year Consolidated Plan, were substantially achieved, or exceeded.

b. Refer to attached Consolidated Annual Performance and Evaluation Report (CAPER) tables.

c. Not applicable.

2. No program changes are planned by the City of Vallejo at this time. The City is on schedule to meet its objectives within the Five Year Consolidated Plan period, or by June 30, 2010.

3.a. The U. S. Department of Housing and Urban Development (HUD) has approved the City's "Analysis of Impediments to Fair Housing Choice," or its "AI". However, the City intends to update the AI during the Five Year Consolidated Plan period.

b. Not applicable. In addition, there were no court orders, consent decrees, or HUD-imposed sanctions that affected fair housing choice.

4. The major obstacle to meeting under-served housing and community development needs was a lack of sufficient resources to address all of the needs that existed. As an example, a high priority need existed in the City of Vallejo for safe and decent affordable rental housing for large families. The City encouraged and facilitated the creation of affordable rental housing for larger families. However, in this area, the City was primarily dependent on others. This included private non-profit and for-profit housing developers, and HUD.

One method that is directly available to the City to address this need was through the Housing Choice Voucher ("Section 8 Existing" [Housing]) Program. The City of Vallejo Housing Authority has applied for and received additional vouchers in past years. These vouchers have all been issued to clients. As of June 30, 2007, the City was authorized to provide 2,266 vouchers. However, the Housing Authority had a large waiting list, (over 6,000 families).

Another under-served need was transitional housing for the general homeless population. The County of Solano's application, based on a "continuum of care" strategy, for "Super-NOFA" (Notice of Funding Availability) Homeless Assistance Supportive Housing Program (SHP) funds from HUD, approved in 2001, will help to address this need, and other needs, for homeless transitional housing during the Five Year Consolidated Plan period, by providing funding to the Reynaissance Family Center (transitional housing for families). Some of these funds have already been provided to the Global Center for Success, (transitional housing for men).

5.a. Private Resources: Contributions were made by churches, private corporations, non-profit organizations, and private individuals to the Christian Help Center, the emergency homeless shelter in Vallejo for families (a high priority), adult individuals (a medium priority), and teens. A total of 1,129 homeless persons were provided with temporary emergency shelter and meals during the reporting period.

Government Resources:

## Jurisdiction

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Federal - (i) Approximately \$25.6 million in Housing Choice Voucher assistance was provided from HUD through the City of Vallejo Housing Authority to 2,041 very low income families, (0 to 50 percent of the area median income), (a number one priority);

(ii) \$454,370 in HUD Community Development Block Grant (CDBG) Program funds was allocated by the City to Vallejo Neighborhood Housing Services, Inc. (VNHS) to provide various affordable housing programs to 29 low and moderate income households (0 to 80 percent of the area median income). Services included rehabilitation loan and exterior house paint grants (a number one priority), and first time homebuyer loans (a number two priority);

(iii) approximately \$1.2 million in HUD HOME Investment Partnerships Program funds was also allocated by the City to VNHS to provide various housing services to low and moderate income households. This included the development of for-ownership housing (a number two priority), first time homebuyer loans, and rehabilitations loans;

(iv) Federal Emergency Management Agency (FEMA) funds for emergency food and shelter were provided to the Solano Food Bank, Christian Help Center, and Safequest Solano;

(v) funds for facility and support services were provided to Genesis House, a work-based residential treatment facility for approximately 30 extremely low income alcohol and other drug-addicted men and women (a number one priority);

(vi) HUD Housing Opportunities for People with AIDS (HOPWA) formula funds were provided to a non-profit agency to provide rental assistance for up to ten months to approximately 45 extremely low income and low income persons who are living with AIDS, (a number one priority);

(vii) \$29,646 in CDBG funds was allocated by the City of Vallejo to The House of Acts, Inc. to operate an eight-bed residential treatment facility in South Vallejo for men in recovery from substance abuse, (a number one priority).

State - (i) funds through the County of Solano were allocated to Caminar Solano, a community-based mental health agency, to provide facility support and services for approximately 40 severely mentally ill persons in Vallejo who are extremely low income, and low income, (a number one priority);

(ii) funds were provided through the County to Bi-Bett, Inc. to provide detox beds and sober living residency for twelve persons; and funds were provided directly by the State to Bi-Bett to provide three sober living residencies in Vallejo to approximately 30 men, and women and their children, (a number one priority).

All of the above-mentioned projects and services were available to residents of Vallejo, (i. e., City-wide). However, many of the participants in the City's various housing and community development programs also resided in CDBG Target Area neighborhoods. Eligibility for these services was based on a person's income, or presumed income. The City has no areas of low-income concentration.

b. Refer to a. above.

- c. Refer to attached HOME Match Report.

## **Managing the Process**

1. Describe actions taken during the last year to ensure compliance with program and comprehensive planning requirements.

Program Year 2 CAPER Managing the Process response:

The City's housing and community development strategy was implemented by a variety of institutions, including the Community Development Department, the Housing Authority, other City departments, Vallejo Neighborhood Housing Services, Reynaissance Family Center, Marina Tower Associates, Affirmed Housing, the Christian Help Center, and other private, non-profit, and public institutions.

To be effective, housing policies and strategies were consistently monitored and, when necessary, revised. For example, in February 2007 the City allocated an additional \$450,000 in previously unallocated CDBG funds, in the form of a loan, for the rehabilitation of the Reynaissance Family Center, a planned transitional housing facility, in order to ensure that: (1) this project could proceed, and (2) the City's CDBG funds will be expended in a timely manner, and in compliance with program requirements. Construction on this project started on May 1, 2007.

The City conducts monitoring reviews of selected activities, i. e., housing and social service activities, to assess whether its programs are being carried out in accordance with the Consolidated Plan, and in a timely manner. This monitoring is carried out on a regular basis to ensure that statutory and regulatory requirements are being met and that, where appropriate, information that is being submitted to the HUD Integrated Disbursement and Information System ("IDIS") is correct and complete. There are several evaluation tools that the City used to measure the success of its programs in meeting local housing and community development needs. The first were the annual progress reports required by funding sources. HUD required that by September 30, 2006, the City submit an annual report on its performance in carrying out its program goals in the Consolidated Annual Performance and Evaluation Report, (or "CAPER"), for the CDBG and HOME Programs. For the 2005/2006 Fiscal Year, this report was provided to HUD on September 29, 2006. Utilization reports were also required for the Housing Choice Voucher Program to inform HUD of the number of vouchers being used in relation to the number of vouchers available.

The City also compiled, periodically, inventories of current development projects, ascertained vacancy rates, and conducted rent surveys for purposes of determining rent reasonableness.

## **Citizen Participation**

1. Provide a summary of citizen comments.
2. In addition, the performance report provided to citizens must identify the Federal funds made available for furthering the objectives of the Consolidated Plan. For each formula grant program, the grantee shall identify the total amount of funds available (including estimated program income), the total amount of funds

committed during the reporting period, the total amount expended during the reporting period, and the geographic distribution and location of expenditures. Jurisdictions are encouraged to include maps in describing the geographic distribution and location of investment (including areas of minority concentration). The geographic distribution and expenditure requirement may also be satisfied by specifying the census tracts where expenditures were concentrated.

\*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.

Program Year 2 CAPER Citizen Participation response:

1. A public hearing on the CAPER for FY 2006/2007 was held on September 6, 2007 during the regular meeting of the City of Vallejo Community Development Commission. No public comments were received. Written comments on the report are requested by the City from September 4 until September 18, 2007. The version of the CAPER that is submitted to HUD will also be made available on the City's web page. A public notice on the CAPER's availability for review and the September 6, 2007 public hearing has been distributed to over 150 different individuals and organizations. The CAPER is scheduled to be reviewed and approved by the City Council on September 25, 2007.

On November 30, 2007 the Community Development Commission held a public meeting to gather information and receive comments on critical housing and community development needs and issues in Vallejo. At this meeting, several residents spoke on the need for preservation and revitalization in the City Park and Country Club Crest target area neighborhoods.

2. Refer to attached CAPER tables.

## **Institutional Structure**

1. Describe actions taken during the last year to overcome gaps in institutional structures and enhance coordination.

Program Year 2 CAPER Institutional Structure response:

The Community Development Department was responsible for the implementation of Consolidated Plan activities. However, a variety of public and private organizations were involved in administering Plan components. For example, several non-profits provided services for the homeless, and private lenders operated affordable housing loan programs to fund below-market mortgages for low income persons.

The City benefitted from a well-developed network of government agencies, non-profit, and private organizations to carry out its Consolidated Plan. Gaps previously identified in the delivery of services for the homeless, and persons at risk of homelessness, were addressed in part by the City's representation on a County-wide Health Care for the Homeless Advisory Committee, and the Christian Help Center Advisory Board on the Homeless. These efforts have given needed attention to the coordination of services for the general homeless population, and for persons who are not homeless but who have special needs.

## Monitoring

1. Describe how and the frequency with which you monitored your activities.
2. Describe the results of your monitoring including any improvements.
3. Self Evaluation
  - a. Describe the effect programs have in solving neighborhood and community problems.
  - b. Describe progress in meeting priority needs and specific objectives and help make community's vision of the future a reality.
  - c. Describe how you provided decent housing and a suitable living environment and expanded economic opportunity principally for low and moderate-income persons.
  - d. Indicate any activities falling behind schedule.
  - e. Describe how activities and strategies made an impact on identified needs.
  - f. Identify indicators that would best describe the results.
  - g. Identify barriers that had a negative impact on fulfilling the strategies and overall vision.
  - h. Identify whether major goals are on target and discuss reasons for those that are not on target.
  - i. Identify any adjustments or improvements to strategies and activities that might meet your needs more effectively.

Program Year 2 CAPER Monitoring response:

1. Eight CDBG- and HOME-funded subrecipient agencies were monitored in FY 2005/2006. The next monitoring is scheduled for FY 2007/2008.
2. After monitoring in FY 2005/2006, subrecipient agencies were determined to be in substantial compliance with the terms of their Agreements. Follow up was conducted in FY 2005/2006 and FY 206/2007, and all findings and concerns were resolved or addressed.
3. a. The City was successful in FY 2006/2007 in its attempt to balance the need for housing affordability and availability for extremely low income and low income renters, housing rehabilitation, shelters for the homeless, and assistance for persons with special needs. The City regards the priorities it has established in the Consolidated Plan as relative, particularly as they pertain to the resources that were available to assist extremely low income persons, and the homeless.
- b. The strategies and activities pursued by the City during the reporting period made an impact on the needs identified in the Consolidated Plan.
- c. For more detail, refer to the "Housing," "Homeless," "Community Development," and "Non-Homeless Special Needs" sections.
- d. As of June 30, 2007, the City had no slow-moving projects. As of May 2, 2007, the City was below the 1.5 CDBG timeliness expenditure standard, (at 1.46). The City is also in compliance with HOME funding commitment and expenditure requirements.
- e. Refer to a. and c.

f. Refer to c. In addition, since October 1, 2006, the City has used a performance outcome measurement system per HUD Community Planning and Development (CPD) Notice 03-09.

g. Other than an overall shortage of funding resources, the City did not identify any barriers that negatively impacted the accomplishment of its goals. Federal grant expenditures were timely, and actual expenditures did not differ from "Letter of Credit" disbursements from the U. S. Treasury. The City anticipates that all projects and goals set out in the FY 2006/2007 Action Plan that were not completed and achieved will be realized in the Five Year Consolidated Plan period.

h. Refer to g.

i. None.

### **Lead-based Paint**

1. Describe actions taken during the last year to evaluate and reduce lead-based paint hazards.

Program Year 2 CAPER Lead-based Paint response:

Lead-based paint educational materials, inspections, and referrals were made available to tenants and landlords.

## **HOUSING**

### **Housing Needs**

\*Please also refer to the Housing Needs Table in the Needs.xls workbook.

1. Describe Actions taken during the last year to foster and maintain affordable housing.

Program Year 2 CAPER Housing Needs response:

Rental assistance (Housing Choice Vouchers), housing rehabilitation (Marina Tower Apartments, owner-occupied loans), and homebuyer assistance (down payment assistance and closing cost grants) was provided to low and moderate income residents. New construction of affordable rental housing at Avian Glen Apartments was also in progress during the reporting period.

### **Specific Housing Objectives**

1. Evaluate progress in meeting specific objective of providing affordable housing, including the number of extremely low-income, low-income, and moderate-income renter and owner households comparing actual accomplishments with proposed goals during the reporting period.

## Jurisdiction

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2. Evaluate progress in providing affordable housing that meets the Section 215 definition of affordable housing for rental and owner households comparing actual accomplishments with proposed goals during the reporting period.
3. Describe efforts to address "worst-case" housing needs and housing needs of persons with disabilities.

Program Year 2 CAPER Specific Housing Objectives response:

1. Priority #1:

Very low income renters:

Five year goal: Rental assistance to 2,000 units each year

Goal, FY 2006/2007: Rental assistance to 2,000 units

Accomplished, FY 2006/2007: 2,041 units assisted, as follows:

Number of extremely low income (0 to 30 percent of the area median income) rental households assisted: 1,407

Number of very low income (31 to 50 percent of the area median income) rental households assisted: 530

Number of low income (51 to 80 percent of the area median income) rental households assisted: 104

Goal, FY 2005/2006: 2,266 units assisted

Accomplished, FY 2005/2006: 2,266 units assisted

Five year goal: Rehabilitation of 155 units for the elderly at Marina Tower Apartments

Goal, FY 2006/2007: Rehabilitation of 155 units for the elderly at Marina Tower

Accomplished, FY 2006/2007: 155 units

Goal, FY 2005/2006: Rehabilitation of 155 units for the elderly at Marina Tower

Accomplished, FY 2005/2006: 0 units

Five year goal: New construction of 113 multi-family units, 87 of which will be completed at Avian Glen Apartments

Goal, FY 2006/2007: New construction of 87 multi-family units at Avian Glen Apartments

Accomplished, FY 2006/2007: 0 units Estimated completion date: July 2007

Goal, FY 2005/2006: New construction of 87 multi-family units at Avian Glen Apartments

Accomplished, FY 2005/2006: 0 units

Total accomplished: 0 units

Very low and low income existing homeowners:

Five year goal: Rehabilitation of 25 units

Goal, FY 2006/2007: Rehabilitation of five units

Accomplished, FY 2006/2007: Three units

Goal, FY 2005/2006: Rehabilitation of five units

Accomplished, FY 2005/2006: Three units

Total accomplished: Rehabilitation of six units



Other:

During the reporting period, the City also issued a Request for Qualifications (RFQ) for the development of an affordable rental housing project. In FY 2007/2008, the City will work with Eden Housing, Inc. to determine the feasibility of the acquisition and rehabilitation of existing housing in Vallejo for an affordable rental or homeownership project.

2. Priority #2:

Very low and low income first time homebuyers:

Five year goal: First time homebuyer assistance to 25 households

Goal, FY 2006/2007: Five first time homebuyer loans

Accomplished, FY 2006/2007: Four loans provided

Goal, FY 2005/2006: Five first time homebuyer loans

Accomplished, FY 2005/2006: Three loans provided

Total accomplished: Seven loans provided

Five year goal: New construction of 38 units

Goal, FY 2006/2007: New construction of 22 for-ownership units at Mini and Stanford Drives, ("Graham Gardens"), eleven of which will be for low and moderate income households

Accomplished, FY 2006/2007: 0 units Estimated completion date: 12/31/08

Goal, FY 2005/2006: New construction of 22 for-ownership units at Mini and Stanford Drives, ("Graham Gardens"), eleven of which will be for low and moderate income households

Accomplished, FY 2005/2006: 0 units

Total accomplished: 0 units

2. Affordable housing as defined by Section 215 at 42 CFR was provided to 703 rental households. The City did not establish any Section 215 goals.

3. Through the Vallejo Housing Authority Housing Choice Voucher Program, the following strategy is included in its Five Year Plan and Annual Plan: To target available assistance to families with disabilities, through the following: (1) apply for special-purpose Housing Choice Vouchers targeted to families with disabilities, as they become available from HUD, and (2) affirmatively market the Housing Choice Voucher Program to local non-profit agencies that assist families with disabilities, (i. e., Independent Living Resource, Inc.,; North Bay Housing Coalition, Inc.; etc.). The Vallejo Housing Authority also provided reasonable accommodations, upon request, to the disabled, which complied with its Administrative Plan policies, i. e., requests were made in writing, and asked for a specific accommodation. Finally, current admission preferences for assistance from the Housing Authority have established persons with disabilities as the second preference.

The City expended funding toward the rehabilitation of the Reynaissance Family Center, a transitional housing facility for the homeless. When completed, this project will specifically address "worst-case" housing needs, i. e., the needs of persons living in substandard housing, or of persons paying rents that exceed 50 percent of their monthly income. The City did not engage in any activities to address the needs of

persons who were involuntarily displaced. No persons were involuntarily displaced through any City or Federally-funded action.

## **Public Housing Strategy**

1. Describe actions taken during the last year to improve public housing and resident initiatives.

Program Year 2 CAPER Public Housing Strategy response:  
Not applicable.

## **Barriers to Affordable Housing**

1. Describe actions taken during the last year to eliminate barriers to affordable housing.

Program Year 2 CAPER Barriers to Affordable Housing response:

Lack of affordable housing was one of the most critical housing problems in the metropolitan area. During the reporting period, the City of Vallejo reviewed its tax policies, land use controls, zoning ordinances and subdivision regulations, growth limits, building codes, building fees, and charges, and found that these practices did not per se pose significant barriers to affordable housing development. Aging infrastructure and the capacity of the existing sanitation treatment plant may have impeded new affordable housing development; however, the most significant barrier to new development is a lack of suitable building sites, as Vallejo is near "build-out."

Nonetheless, the City of Vallejo utilized several methods to remove or ameliorate the potential negative effects of public policies that might serve as barriers to affordable housing. Some development costs were reduced through housing rehabilitation funding. Costs of active and planned infrastructure improvements in target area neighborhoods were supported through the use of CDBG funds. During the reporting period, two rehabilitation loans were provided to low income homeowners by VNHS with HOME funds. One rehabilitation loan for a low income homeowner was provided to VNHS with CDBG funds.

During the reporting period, the City used \$670,629 in CDBG funds to work toward the completion of public facility improvements (a transitional housing facility rehabilitation, and a senior center rehabilitation) in target area neighborhoods. The City's environmental review planning process for the development of large areas such as the former Mare Island Naval Shipyard resulted in expedited California Environmental Quality Act (CEQA) review for subdivisions and other projects within a Specific Plan area. This expedited review also reduced pre-development carrying costs for projects.

Finally, in FY 2006/2007, the City completed a background study on inclusionary housing zoning, and drafted an ordinance. This ordinance is scheduled to be considered by the City Planning Commission in FY 2007/2008. The adoption of an

inclusionary housing requirement by the City of Vallejo could enhance the City's capacity to address the need for affordable housing.

### **HOME/ American Dream Down Payment Initiative (ADDI)**

1. Assessment of Relationship of HOME Funds to Goals and Objectives
  - a. Evaluate progress made toward meeting goals for providing affordable housing using HOME funds, including the number and types of households served.
2. HOME Match Report
  - a. Use HOME Match Report HUD-40107-A to report on match contributions for the period covered by the Consolidated Plan program year.
3. HOME MBE and WBE Report
  - a. Use Part III of HUD Form 40107 to report contracts and subcontracts with Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs).
4. Assessments
  - a. Detail results of on-site inspections of rental housing.
  - b. Describe the HOME jurisdiction's affirmative marketing actions.
  - c. Describe outreach to minority and women owned businesses.

Program Year 2 CAPER HOME/ADDI response:

1. HOME funds were used by the City of Vallejo for rehabilitation loans, down payment assistance loans and closing cost grants, and pre-development costs for new construction. The City adhered to resale and recapture guidelines, as required at 24 CFR 92.254, that ensure long-term affordability. For more information, refer to CAPER tables, and "Specific Housing Objectives."

2. Attached.

3. Attached.

4.a. Not applicable.

b. The City received inquiries from minority and women-owned businesses and contractors who wish to participate in the City's HOME-assisted rehabilitation loan program, which was provided by VNHS during the reporting period. Since many of the minority and women-owned businesses and contractors who inquired about the City's program have subcontractor's licenses (painters, electricians, drywall plasterers, etc.), they were mailed a copy of the program's general contractors list. They were encouraged to contact each contractor on this list for work.

c. The City's minority outreach efforts included: (1) placing a display advertisement in the Minority Business and Professional Directory; (2) sending copies of all City plans and specifications for Federally-funded public facility improvement projects to the California Small Business Alliance; and (3) including MBE/WBE language in all

CDBG, HOME, Housing Authority, and Public Works public notices and advertisements, including utilizing the local cable access television channel.

## HOMELESS

### Homeless Needs

\*Please also refer to the Homeless Needs Table in the Needs.xls workbook.

1. Identify actions taken to address needs of homeless persons.
2. Identify actions to help homeless persons make the transition to permanent housing and independent living.
3. Identify new Federal resources obtained from Homeless SuperNOFA.

Program Year 2 CAPER Homeless Needs response:

CDBG funds were allocated to the Christian Help Center, the emergency homeless shelter in Vallejo; and to the Global Center for Success, for its facility on Mare Island, which provided supportive services to many of the homeless persons staying at the Christian Help Center, and other homeless individuals. In addition, as mentioned above, supplemental CDBG funds were provided to the sixteen-bed Reynaissance Family Center Transitional Housing Rehabilitation Project for homeless families, in order for this project to be completed during the next reporting period, (FY 2007/2008).

The City is also represented on the Community Action Partnership of Solano, a Joint Powers Authority that deals with homeless and safety net service needs and issues.

Priority #1:

Homeless persons:

Five year goal: Rehabilitation of transitional housing facility, (sixteen beds at the Reynaissance Family Center)

Goal, FY 2006/2007: Rehabilitation of transitional housing facility, (sixteen beds at the Reynaissance Family Center)

Accomplished, FY 2006/2007: 0 beds                      Estimated completion date: 12/31/07

Goal, FY 2005/2006: Rehabilitation of transitional housing facility, (sixteen beds at the Reynaissance Family Center)

Accomplished, FY 2005/2006: 0 beds

Total accomplished: 0 beds

Five year goal: Emergency supportive services (emergency shelter, food, rental assistance, counseling, etc.) for 500 persons each year

Goal, FY 2006/2007: Emergency supportive services for 500 persons

Accomplished, FY 2006/2007: 1,129 persons served

Goal, FY 2005/2006: Emergency supportive services for 500 persons

Accomplished, FY 2005/2006: 897 persons served

2. None.

3. None.

## **Specific Homeless Prevention Elements**

1. Identify actions taken to prevent homelessness.

Program Year 2 CAPER Specific Housing Prevention Elements response:  
Not applicable. There are no specific homeless prevention objectives adopted in the Consolidated Plan.

## **Emergency Shelter Grants (ESG)**

1. Identify actions to address emergency shelter and transitional housing needs of homeless individuals and families (including significant subpopulations such as those living on the streets).
2. Assessment of Relationship of ESG Funds to Goals and Objectives
  - a. Evaluate progress made in using ESG funds to address homeless and homeless prevention needs, goals, and specific objectives established in the Consolidated Plan.
  - b. Detail how ESG projects are related to implementation of comprehensive homeless planning strategy, including the number and types of individuals and persons in households served with ESG funds.
3. Matching Resources
  - a. Provide specific sources and amounts of new funding used to meet match as required by 42 USC 11375(a)(1), including cash resources, grants, and staff salaries, as well as in-kind contributions such as the value of a building or lease, donated materials, or volunteer time.
4. State Method of Distribution
  - a. States must describe their method of distribution and how it rated and selected its local government agencies and private nonprofit organizations acting as subrecipients.
5. Activity and Beneficiary Data
  - a. Completion of attached Emergency Shelter Grant Program Performance Chart or other reports showing ESGP expenditures by type of activity. Also describe any problems in collecting, reporting, and evaluating the reliability of this information.
  - b. Homeless Discharge Coordination
    - i. As part of the government developing and implementing a homeless discharge coordination policy, ESG homeless prevention funds may be used to assist very-low income individuals and families at risk of becoming homeless after being released from publicly funded institutions such as health care facilities, foster care or other youth facilities, or corrections institutions or programs.

- c. Explain how your government is instituting a homeless discharge coordination policy, and how ESG homeless prevention funds are being used in this effort.

Program Year 2 CAPER ESG response:  
Not applicable.

## COMMUNITY DEVELOPMENT

### Community Development

\*Please also refer to the Community Development Table in the Needs.xls workbook.

1. Assessment of Relationship of CDBG Funds to Goals and Objectives
  - a. Assess use of CDBG funds in relation to the priorities, needs, goals, and specific objectives in the Consolidated Plan, particularly the highest priority activities.
  - b. Evaluate progress made toward meeting goals for providing affordable housing using CDBG funds, including the number and types of households served.
  - c. Indicate the extent to which CDBG funds were used for activities that benefited extremely low-income, low-income, and moderate-income persons.
2. Changes in Program Objectives
  - a. Identify the nature of and the reasons for any changes in program objectives and how the jurisdiction would change its program as a result of its experiences.
3. Assessment of Efforts in Carrying Out Planned Actions
  - a. Indicate how grantee pursued all resources indicated in the Consolidated Plan.
  - b. Indicate how grantee provided certifications of consistency in a fair and impartial manner.
  - c. Indicate how grantee did not hinder Consolidated Plan implementation by action or willful inaction.
4. For Funds Not Used for National Objectives
  - a. Indicate how use of CDBG funds did not meet national objectives.
  - b. Indicate how did not comply with overall benefit certification.
5. Anti-displacement and Relocation – for activities that involve acquisition, rehabilitation or demolition of occupied real property
  - a. Describe steps actually taken to minimize the amount of displacement resulting from the CDBG-assisted activities.
  - b. Describe steps taken to identify households, businesses, farms or nonprofit organizations who occupied properties subject to the Uniform Relocation Act or Section 104(d) of the Housing and Community Development Act of 1974, as amended, and whether or not they were displaced, and the nature of their needs and preferences.
  - c. Describe steps taken to ensure the timely issuance of information notices to displaced households, businesses, farms, or nonprofit organizations.
6. Low/Mod Job Activities – for economic development activities undertaken where jobs were made available but not taken by low- or moderate-income persons

- a. Describe actions taken by grantee and businesses to ensure first consideration was or will be given to low/mod persons.
  - b. List by job title of all the permanent jobs created/retained and those that were made available to low/mod persons.
  - c. If any of jobs claimed as being available to low/mod persons require special skill, work experience, or education, provide a description of steps being taken or that will be taken to provide such skills, experience, or education.
7. Low/Mod Limited Clientele Activities – for activities not falling within one of the categories of presumed limited clientele low and moderate income benefit
- a. Describe how the nature, location, or other information demonstrates the activities benefit a limited clientele at least 51% of whom are low- and moderate-income.
8. Program income received
- a. Detail the amount of program income reported that was returned to each individual revolving fund, e.g., housing rehabilitation, economic development, or other type of revolving fund.
  - b. Detail the amount repaid on each float-funded activity.
  - c. Detail all other loan repayments broken down by the categories of housing rehabilitation, economic development, or other.
  - d. Detail the amount of income received from the sale of property by parcel.
9. Prior period adjustments – where reimbursement was made this reporting period for expenditures (made in previous reporting periods) that have been disallowed, provide the following information:
- a. The activity name and number as shown in IDIS;
  - b. The program year(s) in which the expenditure(s) for the disallowed activity(ies) was reported;
  - c. The amount returned to line-of-credit or program account; and
  - d. Total amount to be reimbursed and the time period over which the reimbursement is to be made, if the reimbursement is made with multi-year payments.
10. Loans and other receivables
- a. List the principal balance for each float-funded activity outstanding as of the end of the reporting period and the date(s) by which the funds are expected to be received.
  - b. List the total number of other loans outstanding and the principal balance owed as of the end of the reporting period.
  - c. List separately the total number of outstanding loans that are deferred or forgivable, the principal balance owed as of the end of the reporting period, and the terms of the deferral or forgiveness.
  - d. Detail the total number and amount of loans made with CDBG funds that have gone into default and for which the balance was forgiven or written off during the reporting period.
  - e. Provide a List of the parcels of property owned by the grantee or its subrecipients that have been acquired or improved using CDBG funds and that are available for sale as of the end of the reporting period.
11. Lump sum agreements
- a. Provide the name of the financial institution.
  - b. Provide the date the funds were deposited.

## Jurisdiction

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- c. Provide the date the use of funds commenced.
- d. Provide the percentage of funds disbursed within 180 days of deposit in the institution.

12. Housing Rehabilitation – for each type of rehabilitation program for which projects/units were reported as completed during the program year
- a. Identify the type of program and number of projects/units completed for each program.
  - b. Provide the total CDBG funds involved in the program.
  - c. Detail other public and private funds involved in the project.
13. Neighborhood Revitalization Strategies – for grantees that have HUD-approved neighborhood revitalization strategies
- a. Describe progress against benchmarks for the program year. For grantees with Federally-designated EZs or ECs that received HUD approval for a neighborhood revitalization strategy, reports that are required as part of the EZ/EC process shall suffice for purposes of reporting progress.

Program Year 2 CAPER Community Development response:

1.a. Several of the highest priority need categories identified in the Consolidated Plan received CDBG funds in FY 2006/2007. These categories are as follows: Public Facilities and Improvements: senior centers, homeless facilities  
Social Services: senior services, youth services, substance abuse prevention services

Non-housing community development objectives:

Public infrastructure and facility improvements in the lowest income target area neighborhoods:

Five year goal: Expend \$2,000,000  
Goal, FY 2006/2007: \$400,000  
Accomplished, FY 2006/2007: \$670,629  
Goal, FY 2005/2006: \$400,000  
Accomplished, FY 2005/2006: \$376,265

Total expended: \$1,046,894

Curb ramps, (City-wide):

Five year goal: Expend \$500,000  
Goal, FY 2006/2007: \$100,000  
Accomplished, FY 2006/2007: - 0 -  
Goal, FY 2005/2006: \$100,000  
Accomplished, FY 2005/2006: \$166,225

Total expended: \$166,225

Social services:

Five year goal: Assist 1,000 persons each year  
Goal, FY 2006/2007: 1,000 persons  
Accomplished, FY 2006/2007: 2,244 persons assisted  
Goal, FY 2005/2006: 1,000 persons



Accomplished, FY 2005/2006: 2,037 persons assisted

b. Refer to CAPER tables.

c. All (100 percent) of the CDBG funds used during the reporting period were expended on activities that benefitted low and moderate income persons.

2. No changes in program objectives were made in FY 2006/2007.

3. During the reporting period, the City: (a) pursued all resources that it indicated in its Consolidated Plan it would pursue; (b) provided all requested "Certifications of Consistency" for HUD programs, in a fair and impartial manner, for which the City indicated it would support applications; and (c) did not hinder Consolidated Plan implementation by action or willfull inaction.

4. Not applicable.

5. Not applicable.

6. Not applicable.

7. Not applicable. The City or other entities that provided assistance documented the income eligibility of all persons served.

8.a. Not applicable.

b. Not applicable.

c. Refer to "Financial Summary." Program income was received through repayment of housing rehabilitation loans and down payment assistance loans.

d. Not applicable.

9. Not applicable.

10. Refer to "Financial Summary Attachment."

11. Not applicable.

12. Refer to CAPER tables.

13. Not applicable.

## **Antipoverty Strategy**

1. Describe actions taken during the last year to reduce the number of persons living below the poverty level.

Program Year 2 CAPER Antipoverty Strategy response:

During the reporting period, the City of Vallejo prioritized and supported anti-poverty programs. The City of Vallejo Housing Authority Family Self-sufficiency Program

("FSS") and related supportive services were key components of the City of Vallejo's anti-poverty plan. Coordination with social service organizations that administer programs such as Child Start ("Head Start"), assistance for families in crisis, subsidized child care, Workforce Investment Board ("WIB") activities, and other services was necessary to prevent duplication of effort, and to ensure maximum opportunities for very low income persons.

The City of Vallejo attempted to reduce the number of households with incomes below the poverty level through a combination of direct assistance, and indirect benefit improvement activities, i. e., work on the completion of public facility projects. Services provided included:

(i) support for services and programs that encouraged economic self-sufficiency for clients of the Housing Authority. Effective July 1, 2007 the Housing Authority intended to renew a cooperative Agreement, (Memorandum of Understanding, or "MOU") with the County of Solano Department of Health and Social Services, i. e., the local Temporary Assistance to Needy Families ("TANF") agency, to share information and target supportive services where possible on behalf of Housing Authority clients participating in the FSS Program. The term of the new MOU is expected to expire July 10, 2010. During the reporting period, there were 140 Housing Authority-assisted clients enrolled in FSS;

(ii) support for programs and activities that enhance family functioning, skill development, and educational opportunities for children, young adults, and parents; and

(iii) developing programs and facilities to fill gaps in the continuum of care for the homeless, including homeless prevention and transitional housing. CDBG funds were also allocated for substance abuse prevention and recovery, counseling for victims of domestic violence, and recreational and "mentoring" activities for "at-risk" youth. These programs and activities were intended to assist in removing obstacles to self-sufficiency.

## **NON-HOMELESS SPECIAL NEEDS**

### **Non-homeless Special Needs**

\*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Identify actions taken to address special needs of persons that are not homeless but require supportive housing, (including persons with HIV/AIDS and their families).

Program Year 2 CAPER Non-homeless Special Needs response:

Five year goal: Rehabilitation of sober living transitional housing facility for women, (eight beds)

Goal, FY 2005/2006: An eight-bed sober living transitional housing facility for women will be rehabilitated and opened, using CDBG funds from the City of Vallejo

Accomplished, FY 2005/2006: Rehabilitation of facility completed Estimated opening of facility: 7/1/07

Five year goal: Emergency support services and facilities for 250 persons each year

Goal, FY 2006/2007: 250 non-homeless persons with special needs will receive emergency support services and facilities from non-profit agencies, using financial assistance from a variety of private, State, and Federal sources

Accomplished, FY 2006/2007: Approximately 250 persons served

Goal, FY 2005/2006: 250 non-homeless persons with special needs will receive emergency support services and facilities from non-profit agencies, using financial assistance from a variety of private, State, and Federal sources

Accomplished, FY 2005/2006: Approximately 250 persons served

Five year goal: Rental assistance for up to ten months for 45 persons living with HIV/AIDS

Goal, FY 2006/2007: 45 persons who are living with HIV/AIDS will receive rental assistance for up to ten months through the use of Housing Opportunities for Persons with AIDS (HOPWA) funds by a non-profit agency

Accomplished: Approximately 45 persons assisted

Goal, FY 2005/2006: 45 persons who are living with HIV/AIDS will receive rental assistance for up to ten months through the use of HOPWA funds by a non-profit agency

Accomplished, FY 2005/2006: Approximately 45 persons served

## Specific HOPWA Objectives

\*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. Overall Assessment of Relationship of HOPWA Funds to Goals and Objectives  
Grantees should demonstrate through the CAPER and related IDIS reports the progress they are making at accomplishing identified goals and objectives with HOPWA funding. Grantees should demonstrate:
  - a. That progress is being made toward meeting the HOPWA goal for providing affordable housing using HOPWA funds and other resources for persons with HIV/AIDS and their families through a comprehensive community plan;
  - b. That community-wide HIV/AIDS housing strategies are meeting HUD's national goal of increasing the availability of decent, safe, and affordable housing for low-income persons living with HIV/AIDS;
  - c. That community partnerships between State and local governments and community-based non-profits are creating models and innovative strategies to serve the housing and related supportive service needs of persons living with HIV/AIDS and their families;
  - d. That through community-wide strategies Federal, State, local, and other resources are matched with HOPWA funding to create comprehensive housing strategies;
  - e. That community strategies produce and support actual units of housing for persons living with HIV/AIDS; and finally,
  - f. That community strategies identify and supply related supportive services in conjunction with housing to ensure the needs of persons living with HIV/AIDS and their families are met.
2. This should be accomplished by providing an executive summary (1-5 pages) that includes:
  - a. Grantee Narrative
    - i. Grantee and Community Overview

- (1) A brief description of your organization, the area of service, the name of each project sponsor and a broad overview of the range/type of housing activities and related services
  - (2) How grant management oversight of project sponsor activities is conducted and how project sponsors are selected
  - (3) A description of the local jurisdiction, its need, and the estimated number of persons living with HIV/AIDS
  - (4) A brief description of the planning and public consultations involved in the use of HOPWA funds including reference to any appropriate planning document or advisory body
  - (5) What other resources were used in conjunction with HOPWA funded activities, including cash resources and in-kind contributions, such as the value of services or materials provided by volunteers or by other individuals or organizations
  - (6) Collaborative efforts with related programs including coordination and planning with clients, advocates, Ryan White CARE Act planning bodies, AIDS Drug Assistance Programs, homeless assistance programs, or other efforts that assist persons living with HIV/AIDS and their families.
- ii. Project Accomplishment Overview
- (1) A brief summary of all housing activities broken down by three types: emergency or short-term rent, mortgage or utility payments to prevent homelessness; rental assistance; facility based housing, including development cost, operating cost for those facilities and community residences
  - (2) The number of units of housing which have been created through acquisition, rehabilitation, or new construction since 1993 with any HOPWA funds
  - (3) A brief description of any unique supportive service or other service delivery models or efforts
  - (4) Any other accomplishments recognized in your community due to the use of HOPWA funds, including any projects in developmental stages that are not operational.
- iii. Barriers or Trends Overview
- (1) Describe any barriers encountered, actions in response to barriers, and recommendations for program improvement
  - (2) Trends you expect your community to face in meeting the needs of persons with HIV/AIDS, and
  - (3) Any other information you feel may be important as you look at providing services to persons with HIV/AIDS in the next 5-10 years
- b. Accomplishment Data
- i. Completion of CAPER Performance Chart 1 of Actual Performance in the provision of housing (Table II-1 to be submitted with CAPER).
  - ii. Completion of CAPER Performance Chart 2 of Comparison to Planned Housing Actions (Table II-2 to be submitted with CAPER).

Program Year 2 CAPER Specific HOPWA Objectives response:  
Not applicable.

## OTHER NARRATIVE

Include any CAPER information that was not covered by narratives in any other section.

Program Year 2 CAPER Other Narrative response:  
None.

**PUBLIC NOTICE**

**CITY OF VALLEJO**

**NOTICE OF PUBLIC HEARING:  
FEDERAL CONSOLIDATED ANNUAL PERFORMANCE  
AND EVALUATION REPORT (CAPER)**

The City of Vallejo is preparing a draft Consolidated Annual Performance and Evaluation Report (CAPER) for the second year of its Consolidated Plan. The Consolidated Plan is a five-year planning document required by the U. S. Department of Housing and Urban Development (HUD). The Consolidated Plan concerns housing and community development needs. This report describes the City's performance in achieving the objectives in the Consolidated Plan for the period July 1, 2006 to June 30, 2007.

The Community Development Commission of the City of Vallejo will hold a public hearing to receive comments on the draft performance report. This hearing is scheduled for September 6, 2007 after 7:30 p. m. in the Council Chambers of the City Hall, at 555 Santa Clara Street, Vallejo. Anyone interested in commenting on this report is invited to attend this public hearing. Written comments on the report may also be submitted, until close of business (4:00 p. m.), on September 18, 2007 to: Guy L. Ricca, Senior Community Development Analyst, City of Vallejo, P. O. Box 1432, 200 Georgia Street, Vallejo, CA 94590, or sent via e-mail to [gricca@ci.vallejo.ca.us](mailto:gricca@ci.vallejo.ca.us)

The Vallejo City Council is scheduled to consider approval of the CAPER on September 25, 2007. HUD requires that the CAPER be submitted by September 30, 2007.

Copies of the draft CAPER will be available for public review beginning September 4, 2007 at the Vallejo Housing Authority Office, Housing and Community Development Division, at 200 Georgia Street, and the City Clerk's Office at City Hall at 555 Santa Clara Street. A copy will also be available at JFK Library at 505 Santa Clara Street.

If you have any questions or comments concerning this report, please call the Housing and Community Development Division at (707) 648-4507.

The City of Vallejo provides its programs  
and services in a non-discriminatory manner,  
and is an Equal Opportunity Employer.

The City of Vallejo also encourages minority and women-owned businesses  
to submit bids and proposals for CDBG contracts.

For further information, contact the  
Housing and Community Development Division at (707) 648-4507.

For further information on this public notice,  
the hearing-impaired may call the California Relay Service at 1-800-735-2922 without a TTY/TDD,  
or 1-800-735-2929 with a TTY/TDD.

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David Kleinschmidt  
Public Works Dept.

Fighting Back Partnership  
c/o JFK Library

Councilmember Cloutier  
(c/o City Mgr's Ofc)

Bob Raymond  
Channel 28  
(c/o City Mgr's Ofc)

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Leatrice Knox  
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Vallejo, CA 94589

Pearl Diggs  
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Vallejo, CA 94589

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Children's Nuturing Project  
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Suisun City, CA 94585

Arc-Solano  
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Gloria Lessier  
2525 Flosden Road, Suite #4  
American Canyon, CA 94553

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Mark Erwin  
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Jim Andoh  
City of Benicia  
250 East "L" Street  
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Ted Correy  
Washington Park N. A.  
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Highway Touch of Love  
150 Shady Lane  
Vallejo, CA 94591

Dorothy Richardson  
Highway Church of God In Christ  
527 Lincoln Road West  
Vallejo, CA 94590

Maxine Laidlaw  
223 Page St.  
San Francisco, CA 94102

Ms. Patricia Scott  
169 DePaul Drive  
Vallejo, CA 94589

Cynthia Mack  
Milestones of Development  
1 Florida Street  
Vallejo, CA 94590

Executive Director  
Solano Habitat for Humanity  
110 Railroad Ave., Suite A-3  
Suisun City, CA 94585

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**COUNCIL COMMUNICATION**

**Date:** September 25, 2007

**TO:** Mayor and Members of the City Council

**FROM:** Craig Whittom, Assistant City Manager/Community Development *CW*  
Robert V. Stout, Finance Director *RS*  
Laura J. Simpson, Housing and Community Development Manager *LJS*

**SUBJECT:** APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR (FY) 2007/2008 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BUDGET

**BACKGROUND AND DISCUSSION**

In 2006, the City of Vallejo approved Federal Community Development Block Grant (CDBG) Program activities for Fiscal Year (FY) 2006/2007 (July 1, 2006 through June 30, 2007). CDBG funds are received by the City from the U. S. Department of Housing and Urban Development (HUD). Some of the FY 2006/2007 activities are completed and may be closed out. Other projects may be in progress or are not yet underway, and may be carried over. Funds for some projects may also be reallocated to other activities.

At the end of each fiscal year, the Community Development Commission (CDC) and the City Council review the status of each CDBG-funded activity.

The CDC considered this item at its regular meeting on September 6, 2007. The Commission voted unanimously, 7-0-0, to recommend that the City Council adopt the carry over, close out, or reallocation of CDBG activities as shown in Attachment "B". The Commission and staff also recommend that some funds be reallocated to the Contingency Account, and that unallocated funds be dedicated to the project delivery of public improvements on the 100 Block of Benson Avenue.

**CDBG Activity Categories**

The City's CDBG activities typically fall into one of the following categories:

- (1) an activity that has been completed, ("closed out");
- (2) an activity that is not completed, but its funding authorization did not expire on June 30. This type of activity involves an existing, multi-year Agreement with a non-profit agency to provide services, such as the Renaissance Family Center, Inc.;

- (3) an activity that is not completed, but its funding authorization expired June 30. This type of activity may be closed out, or the activity may be approved again (reauthorized) in Fiscal Year 2007/2008;
- (4) an activity that may be revised, including changing the amount budgeted for the activity. This is usually accomplished through the reallocation of unspent funds from one activity to another activity, or the use of unallocated funds that may be available to allocate to an existing or for a new project.

### (1) Completed Activities

A completed activity is an activity that has been finished or delivered. In some cases, an activity is completed and all the budgeted funds are expended. In others, activities are completed under budget.

“Completed activity” also refers to activities with written agreements that expire at the end of the fiscal year, on June 30. All CDBG social service activities expire on June 30 and may not be carried over from one fiscal year to another, pursuant to HUD’s CDBG Program regulations. Any CDBG social service funds unspent as of June 30 become available for eligible activities in the next fiscal year.

In the past, a portion of unspent balances have been placed in the Contingency Account. The Contingency Account is used for projects that may need additional funding in order to be completed. For example, these funds may be used to pay for any shortfall between the cost estimate for a public or facility improvement project (the budgeted amount), and the actual lowest responsible bid received.

The Commission and staff believe it is prudent to maintain a contingency of approximately \$50,000 to \$75,000, if possible. As of June 30, 2007 the balance in the Contingency Account was \$33,350.

The CDC and staff recommend that the following Fiscal Year 2006/2007 CDBG activities be closed out, and any remaining balance be placed in the Contingency Account:

Public Improvements: Curb Ramps Project

Social Services:     Area Agency on Aging  
                          Catholic Social Service  
                          Christian Help Center  
                          Hope Haven Transitional Shelter  
                          House of Acts  
                          Police Activities League  
                          Success Center

Program Administration

If the Commission and staff's recommendation is approved, the total estimated amount that would be added to the Contingency Account from closed out activities shown above is \$40,105. This would increase the Contingency budget to \$73,455. These funds would become available to allocate in Fiscal Year 2007/2008 to projects that may need additional funding in order to be completed.

(2) Activities in Progress

There are some activities that are not completed, but the funding authorization did not expire on June 30. For these activities the City has multi-year Agreements with non-profit organizations, or general contractors completing a public improvement or facility project. The City is therefore obligated to honor these contracts, and carry over the unspent funds for these activities into Fiscal Year 2007/2008. These activities are:

	<u>Amount</u>
Facilities: Continentals of Omega Boys and Girls Club	\$ 20,000
Reynaissance Family Center Rehab.	393,415
Vallejo Senior Citizens Council, Florence Douglas Senior Center Rehab.	+ 6,318
Total:	<u>\$419,733</u>

(3) Activities Not Completed

Some activities are still in progress, but the contract has expired; so, the City may authorize the carry over of funds to the next fiscal year. For example, some programs that were delivered by Vallejo Neighborhood Housing Services, Inc. (VNHS) during Fiscal Year 2006/2007 have also received funding in FY 2007/2008. The CDC and staff recommend the carry over of unspent program balances to Fiscal Year 2007/2008 through an amendment to the new Agreement between VNHS and the City.

As of June 30, VNHS had a total unspent balance of \$131,075 in CDBG funds, as follows: \$123,367 for Home Buyer Loans, and \$7,708 for Paint Grants.

The Commission and staff recommend that the following FY 2006/2007 activities be reauthorized in FY 2007/2008, i. e., the funds carried over as shown in Attachment " B":

- Housing: VNHS
- Contingency
- Public Works Staff Costs, Benson Avenue Project Delivery



(4) Revised Activities

The Commission and staff also recommend that one of the FY 2006/2007 CDBG activities, Benson Avenue Project Delivery by City Public Works Department staff, be revised in FY 2007/2008, through the use of unallocated CDBG funds. Due to the City receiving more CDBG program income in FY 2006/2007 than projected, there is currently a total of \$100,447 in unallocated grant funds available.

In April, 2006 the City Council allocated \$447,500 in CDBG funds for the installation of public improvements on the 100 Block of Benson Avenue. As of April, 2006, \$134,250 had also been allocated for the delivery of the project, which consists of engineering and design, construction inspection, and contract administration by the Engineering Division of the City Public Works Department.

This amount of \$134,250 represents 30 percent of the approved construction budget for Benson Avenue, ( $30\% \times \$447,500 = \$94,250$ ). Thirty percent for project delivery is considered the industry standard, (on average). As of June 30, 2007, a balance of \$69,056 in project delivery funds for the project remained.

In November, 2006 Public Works provided a revised construction cost estimate for Benson Avenue that significantly exceeded the funds available, in the amount of \$945,183. In July, 2007 the City Council allocated an additional \$282,964 in unallocated CDBG funds for the construction of public improvements on Benson Avenue, for a reduced scope of work, in order that the project may begin. As a result of this action, the approved construction budget for Benson Avenue is now \$730,464.

Because the construction budget for Benson Avenue has increased from \$447,500 to \$730,464, in order for the project to be completed, additional funds to pay project delivery costs are also needed. Public Works has indicated that an additional amount of approximately \$100,000 would be sufficient to deliver the project. The Commission and staff recommend that the entire unallocated amount of \$100,447 be allocated to Benson Avenue Project Delivery.

Summary of Recommendation

A summary of the funding recommendations are shown below:

Closed Out Activities to Contingency:	\$ 40,105
Activities in Progress:	419,733
Reauthorized Activities:	233,481
Unallocated Funds to Project Delivery:	+ 100,447
Total:	\$ 793,766

Fiscal Impact

The net effect of the recommendation is to: 1) reauthorize funding in FY 2007/2008 for activities that are in progress or are not yet underway; 2) increase the amount in FY 2007/2008 in the Contingency Account; and (3) allocate currently unallocated funds to the project delivery of Benson Avenue by Public Works.

Because these are Federal funds, these actions will have no impact on the General Fund.

RECOMMENDATION

Approve either the carry over, close out, or reallocation of FY 2006/2007 CDBG activities, and the allocation of unallocated funds, as shown in Attachment "B".

ALTERNATIVES CONSIDERED

The City benefits from its use of Federal CDBG funds. By reauthorizing the funding for activities in progress or not yet underway, and by utilizing all available CDBG funds for eligible activities, the City is able to accomplish the community development objectives it has adopted. Therefore, no other alternatives were considered.

ENVIRONMENTAL REVIEW

An environmental review is not required for this action.

PROPOSED ACTION

Adopt the enclosed resolution of intention to amend the FY 2007/2008 Federal CDBG Program Budget.

DOCUMENTS AVAILABLE FOR REVIEW

Attachment "A" - Resolution

Attachment "B" - Carry Over, Close Out, and Reallocation of Fiscal Year 2006/2007 CDBG Activities

PREPARED BY/CONTACT:

Craig Whittom, Assistant City Manager/Community Development, (707) 648-4579, or [cwhittom@ci.vallejo.ca.us](mailto:cwhittom@ci.vallejo.ca.us).

Laura J. Simpson, Housing and Community Development Manager, (707) 648-4393, or [LSimpson@ci.vallejo.ca.us](mailto:LSimpson@ci.vallejo.ca.us).

Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or [gricca@ci.vallejo.ca.us](mailto:gricca@ci.vallejo.ca.us).

**RESOLUTION NO. \_\_\_\_\_ N.C.**

BE IT RESOLVED by the Council of the City of Vallejo as follows:

THAT WHEREAS, certain Federal Community Development Block Grant (CDBG) Program activities funded in Fiscal Year (FY) 2006/2007 have been completed.

WHEREAS, certain CDBG FY 2006/2007 activities have not been completed, and the funds allocated to these activities should be carried over and approved for expenditure in Fiscal Year 2007/2008.

WHEREAS, unallocated CDBG funds are available for allocation at this time.

WHEREAS, the U. S. Department of Housing and Urban Development (HUD) requires the City of Vallejo to expend its CDBG Program funds in a timely manner.

WHEREAS, the Community Development Commission of the City of Vallejo considered this item at its regular meeting on September 6, 2007 and voted unanimously, 7-0-0, to recommend that the City Council adopt the carry over, close out, or reallocation of FY 2006/2007 CDBG activities, and the allocation of unallocated funds, as shown in Attachment "B".

NOW THEREFORE BE IT RESOLVED that the City Council hereby declares its intention to amend the FY 2007/2008 CDBG Program Budget as shown in Attachment "B".

ADOPTED by the Council of the City of Vallejo at a regular meeting held on September 25, 2007 with the following vote:

ATTACHMENT "B"  
CITY OF VALLEJO  
CARRY OVER, CLOSE OUT, AND REALLOCATION OF FISCAL YEAR 2006/2007 CDBG ACTIVITIES

a. ACTIVITY	c. UNSPENT		e. PROPOSED BUDGET AMENDMENT	f. 2007/2008 ALLOCATION	g. REVISED 2007/2008 BUDGET	h. ACCOUNT
	b. 2006/2007 APPROPRIATION	d. CONTRACT/PREVIOUS BALANCE, 06/30/2007* COUNCIL ACTION				
<b>Facilities</b>						
Continental of Omega	20,000	20,000			20,000	101-2104-463.40-17
Reynissance Family Center	657,862	393,415	20,000		393,415	101-2104-463.40-09
Vallejo Senior Citizens Council	147,432	6,318	6,318		6,318	101-2104-463.40-26
Total, Public Facilities	825,294	419,733	419,733		419,733	
<b>Public Improvements</b>						
Benson Avenue	447,500	447,500	730,464		730,464	101-2104-463.40-75
City Park Neighborhood Preserv.						101-2104-463.40.13
Grounds/Landscaping/Trees				117,000	117,000	
Community Building				195,000	195,000	
Play Structure				75,000	75,000	
Code Enforcement				60,000	60,000	
Internet Enhanced Security Cameras				20,000	20,000	
Subtotal, City Park	593	593		487,000	487,000	
Curb Ramps	593	593				101-2104-463.40-18
Total, Public Improvements	448,093	448,093	730,464	934,000	1,664,464	
<b>Housing</b>						
VNHS						
Closing Cost Grants				48,000	48,000	101-2104-463.40-80
Homebuyer Education				35,000	35,000	101-2104-463.40-02
Homebuyer Loans	300,833	123,367	123,367	165,565	288,932	101-2104-463.40-01
Paint Grants	89,500	7,708	7,708	25,993	33,701	101-2104-463.40-03
Rehab. Loans	64,037			174,000	174,000	101-2104-463.40-04
Subtotal, VNHS	454,370	131,075	131,075	448,558	579,633	
Total, Housing	454,370	131,075	131,075	448,558	579,633	
<b>Social Services</b>						
Area Agency on Aging	20,000			20,000	20,000	101-2104-463.40-31
Catholic Social Service	28,359			20,000	20,000	101-2104-463.40-51
Christian Help Center	20,000			20,000	20,000	101-2104-463.40-35
GVRD Summer Camps				43,000	43,000	101-2104-463.40-40
Hope Haven Transitional Shelter	57,600			30,000	30,000	101-2104-463.40-54
House of Acts	29,646	420		22,000	22,000	101-2104-463.40-41
Meals on Wheels				31,282	31,282	101-2104-463.40-32
Police Activities League	20,000	834		25,000	25,000	101-2104-463.40-50
Success Center	25,000	2,047		211,282	211,282	101-2104-463.40-52
Total, Social Services	200,605	3,300				
<b>Contingency</b>	33,350	33,350	73,454		73,454	101-2104-463.40-56
<b>Public Works Staff Costs</b>						
Benson Avenue Project Delivery	94,250	69,056	69,056		69,056	101-2104-463.40-58
Unallocated, Benson Avenue Project			100,447		100,447	
Total, Public Works Staff Costs	94,250	69,056	169,503		169,503	
<b>Program Administration</b>	341,203	36,211		281,710	281,710	101-2102-463.xx-xx
<b>TOTAL</b>	<b>2,387,165</b>	<b>1,140,818</b>	<b>1,150,197</b>	<b>1,875,550</b>	<b>3,399,779</b>	
*Unaudited.						



CITY OF VALLEJO

Agenda Item No: CONSENT D

**COUNCIL COMMUNICATION**

Date: September 25, 2007

TO: Mayor and Members of the City Council

FROM: Craig Whitton, Assistant City Manager/Community Development  
Robert V. Stout, Finance Director *RVS*  
Laura J. Simpson, Housing and Community Development Manager *LJS*

SUBJECT: APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE  
FISCAL YEAR 2007/2008 HOME INVESTMENT PARTNERSHIPS  
PROGRAM BUDGET *May L. P. via for Laura J. Simpson*

BACKGROUND AND DISCUSSION

In 2006, the City of Vallejo approved Federal HOME Investment Partnerships Program activities for Fiscal Year (FY) 2006/2007 (July 1, 2006 through June 30, 2007). HOME funds are received by the City from the U. S. Department of Housing and Urban Development (HUD) for affordable housing activities and projects.

Some of the FY 2006/2007 activities are completed and may be closed out. Other projects may be in progress or are not yet underway, and may be carried over. At the end of each fiscal year, the City Council reviews the status of each HOME-funded activity.

Staff recommends that the activities approved in FY 2006/2007 be either carried over or closed out as described below, and as shown in Attachment "B".

Completed Activities

Staff recommends that the following Fiscal Year 2006/2007 HOME activities be closed out.

1. City Administration
2. Vallejo Neighborhood Housing Services (VNHS) – Community Housing Development Organization (CHDO) Administration
3. BRIDGE Housing – Rehabilitation of Marina Tower Apartments, (project completed)

All of the HOME activities listed above are complete.

Activities Recommended for Carry Over

The following activities are recommended for carry over.

1. VNHS - Rehabilitation Loans, (two loans issued). This is an ongoing program.
2. VNHS – Home Buyer Loans, (two loans issued). This is an ongoing program.
3. VNHS – Community Housing Development Organization (CHDO) projects.
  - a. Graham Gardens, 22 for-ownership duets at Mini and Stanford Drives. This project is expected to begin this year, and be completed in 2008.
  - b. Twelve for-ownership homes on the west side of Sonoma Boulevard at McLane. This project will be designed in FY 2007/2008 and begin in FY 2008/2009.
  - c. Four for-ownership homes on the east side of Sonoma Boulevard at McLane. This project will be designed in FY 2007/2008 and begin in FY 2008/2009.
4. Unallocated – Funds allocated to a housing development have been designated as “unallocated” until a project can be identified. These funds will be needed in FY 2007/2008.

In FY 2006/2007, an amount of \$62,934 was budgeted as unallocated. Of this amount, \$13,724 was expended to pay additional HOME Program City Administration costs. These funds were needed in accordance with the City’s Federal Cost Allocation Plan, to reflect the cost to the General Fund to administer the HOME Program.

Staff recommends these unspent fund balances be reauthorized in FY 2007/2008.

HOME Program Income and Unbudgeted Funds

Primarily through the repayment of loans, the City receives HOME program income. Typically, the City estimates how much program income it will receive at the beginning of the fiscal year, and allocates this amount to activities and projects. Because the City has received more program income over the last few years than projected, there are additional HOME funds available to the City for activities in the U. S. Treasury, as well as unallocated program income. As of June 30, 2007, this amount is \$1,176,718. Of this amount, \$81,511 must be expended on CHDO project costs.

Staff recommends these additional funds be allocated later in FY 2007/2008, for a new affordable housing project or projects, e. g., an acquisition/rehabilitation project, which may be for-ownership or rental.

Fiscal Impact

The net effect of the staff recommendation is to reauthorize funding in FY 2007/2008 in a total amount of \$451,599 for activities that are in progress or are not yet underway. Because these are Federal funds, this action will have no impact on the General Fund.

RECOMMENDATION

Approve either the carry over or close out of FY 2006/2007 HOME activities as shown in Attachment "B".

ALTERNATIVES CONSIDERED

The City benefits from its use of Federal HOME funds. By reauthorizing the funding for activities in progress or not yet underway, the City is able to accomplish the affordable housing objectives that have been adopted by the City Council. Therefore, no other alternatives were considered.

ENVIRONMENTAL REVIEW

An environmental review is not required for this action.

PROPOSED ACTION

Adopt the enclosed resolution of intention to amend the Fiscal Year 2007/2008 Federal HOME Investment Partnerships Program Budget.

DOCUMENTS AVAILABLE FOR REVIEW

Attachment "A" – Resolution

Attachment "B" – Carry Over and Close Out of Fiscal Year 2006/2007 HOME Activities

PREPARED BY/CONTACT:

Craig Whittom, Assistant City Manager/Community Development, (707) 648-4579, or [cwhittom@ci.vallejo.ca.us](mailto:cwhittom@ci.vallejo.ca.us).

Laura J. Simpson, Housing and Community Development Manager, (707) 648-4393, or [LSimpson@ci.vallejo.ca.us](mailto:LSimpson@ci.vallejo.ca.us).

Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or [gricca@ci.vallejo.ca.us](mailto:gricca@ci.vallejo.ca.us).



**RESOLUTION NO. \_\_\_\_\_ N.C.**

BE IT RESOLVED by the Council of the City of Vallejo as follows:

THAT WHEREAS, certain Federal HOME Investment Partnerships Program activities funded in Fiscal Year (FY) 2006/2007 have been completed.

WHEREAS, certain HOME FY 2006/2007 activities have not been completed, and the funds allocated to these activities should be carried over and approved for expenditure in Fiscal Year 2007/2008.

WHEREAS, the U. S. Department of Housing and Urban Development (HUD) requires the City of Vallejo to commit and expend its HOME Program funds in a timely manner.

NOW THEREFORE BE IT RESOLVED that the City Council hereby declares its intention to amend the FY 2007/2008 HOME Program Budget as shown in Attachment "B".

ADOPTED by the Council of the City of Vallejo at a regular meeting held on September 25, 2007 with the following vote:

ATTACHMENT "B"  
CITY OF VALLEJO  
CARRY OVER AND CLOSE OUT OF FISCAL YEAR 2006/2007 HOME ACTIVITIES

a. ACTIVITY	b. 2006/2007 ALLOCATION		c. UNSPENT BALANCE, 06/30/2007*		d. CONTRACT AMENDMENT	e. PROPOSED BUDGET		f. 2007/2008 ALLOCATION	g. REVISED 2007/2008 BUDGET	h. ACCOUNT
City Admin.	63,869							83,535	83,535	102-2101-463.xx-xx
VNHS - CHDO Projects										
Graham Gardens	456,659	32,261	32,261		32,261				32,261	102-2101-463.40-61
Sonoma/McLane, 12 Units	101,855	101,855	101,855		101,855				101,855	
McLane, 4 Units	95,803	95,803	95,803		95,803				95,803	
CHDO Project								95,303	95,303	
Total, CHDO Projects	654,317	229,919	229,919		32,261			95,303	292,961	
VNHS - Rehab. Loans	222,185	132,970	132,970					123,535	256,505	102-2101-463.40-62
VNHS - Homebuyer Loans										
Closing Cost Grants								39,000	39,000	102-2101-463.40-63
Homebuyer Loans	194,000	39,500	39,500					211,606	251,106	
Total, Homebuyer Loans	194,000	39,500	39,500					250,606	290,106	
Unallocated	62,934	49,210	49,210						49,210	102-2101-463.40-66
VNHS - CHDO Admin.										102-2101-463.40-67
Graham Gardens	54,320									
Sonoma/McLane, 12 Units	33,952									
Sonoma/McLane, 4 Units	31,934									
CHDO Project								31,768	31,768	31,768
Total, CHDO Admin.	120,206							31,768	31,768	31,768
Acquisition/Rehab. of Housing								250,606	250,606	102-2101-463.40-13
BRIDGE Housing	250,000									102-2101-463.40-74
<b>Subtotal</b>	<b>1,567,511</b>	<b>451,599</b>	<b>451,599</b>		<b>32,261</b>			<b>835,353</b>	<b>1,254,691</b>	
Additional Unallocated, CHDO Projects			81,511							
Additional Unallocated			1,028,897							
Unallocated Program Income			66,310							
<b>Subtotal, Additional Unallocated</b>			<b>1,176,718</b>							
<b>TOTAL</b>	<b>1,567,511</b>				<b>32,261</b>			<b>835,353</b>	<b>1,254,691</b>	
* Unaudited.										



**COUNCIL COMMUNICATION**

Date: September 25, 2007

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager / Community Development *CW*  
Brian Dolan, Development Services Director *BD*

SUBJECT: Update on Continuing Efforts to Improve City Development-related Permit Processes

**BACKGROUND & DISCUSSION**

The purpose of this informational memorandum is to provide an update on the various initiatives accomplished and anticipated to improve customer service in the development permitting process. The City Council was provided a thorough briefing on February 13, 2007, focusing on the creation of the Development Team and the commitment to identify realistic City review times. And again on June 12, 2007 during a study session regarding recommended increases to the permitting fees, improvements to the city's processes were also highlighted. This report addresses changes implemented over the summer and goals for the remainder of the fiscal year.

**I. Summer 2007 Efforts**

- Changed to a Single Point of Entry system for Building Permits as of June 4, 2007 in cooperation with Fire Department, Water Division and Vallejo Sanitation & Flood Control District. Applicants now submit all building permit plans to one office (Building Division) which is, followed by simultaneous review by all affected work units and a unified response to applicant. The Public Works Engineering Division has implemented a similar procedure for permits issued by that office (e.g. grading and encroachment permits).
- Created new "portal" on the main page of the City's website in July 2007 with information on permits from Planning, Building and Engineering. Posted consistent business information for all City permitting offices, including hours of operation, standard City permit processing times, fees, plus all existing handouts (approximately 110), staff phone numbers and e-mail addresses.
- Published a more comprehensive Master Fee Schedule. Implemented new fees, effective on September 1, 2007 and posted on City's website portal.
- Developed written checklists and list of definitions for Building Permit applicants to identify what information needs to be included with the application package

and how many sets of plans need to be provided. This information is available at the office counter and was posted on-line in July 2007.

- As of August 1, new standards for City permit processing times went into effect. Building and Planning Divisions both analyzed all aspects of the permit process and created standard operating procedures for processing new applications. For example, in Planning, customers are now scheduled for an intake appointment with City staff from Planning and Engineering to review the application materials for completeness. In the past, this completeness review could take several weeks.

Based on the value of the feedback received in outreach meetings with the building community last spring prior to the City Council's consideration of a new fee schedule, quarterly outreach meetings are being initiated. The first meeting is scheduled for Thursday, October 4, from 4 – 6 p.m. in the Mare Island Conference Center (375 "G" Street). Invitations will be distributed to chambers of commerces, notices will be posted at the permit counters and customers that attended the spring outreach meetings, and permit applicants during the last four months will be invited. In addition, staff is starting to explore customer satisfaction survey tools, such as questionnaires, on-line feedback options, etc.

## **II. Objectives to Achieve by January 1, 2008**

During the balance of the calendar year staff has established additional performance improvements designed to improve services to our customers. These supplement the implementation of performance standards and other enhancements delivered during recent months. New initiatives include the following:

### Building Division

- Hire budgeted Building Inspector II position
- Implement and Track Performance Standards
- Analyze feasibility of establishing Building Technician and Plan Check Engineers as permanent positions

### Planning

- Ensure maximum staff capacity within current budget. Retain one or more contract planners in addition to project specific (e.g. Lowe's, Mare Island) planners
- Prepare Standard Operating Procedures (SOP) for administrative support functions performed by secretarial staff
- Install wireless intercom system at front counter

### Engineering

- Integrate permitting procedures in CRW (permit tracking software).

Multi-Division

- Continue website improvements (e.g., on-line fee calculator)
- Implement CRW for all divisions involved in development review
- Plan payment kiosk on 2nd floor
- Memorialize vision statement in office
- Technology enhancements with revenues from new tech fee (e.g., GIS maintenance, improvements for archiving plans, maintain citywide survey benchmarks)
- Develop Performance Tracking Reports

**III. Objectives to Achieve by July 1, 2008**

During the last six months of FY 2007-08 we intend to establish additional performance improvements designed to improve services to our customers. These supplement the implementation of performance standards and other enhancements delivered during recent months. New initiatives will include the following:

Building

- Initiate program to proactively address illegal construction
- Initiate digital archiving of approved plans

Planning

- Prepare Division Standard Operating Procedures for major tasks such as file prep/distribution, AHLC agendas, etc.
- Enhance final inspection process to ensure tracking of ongoing compliance with conditions of approval

Multi-Division

- Meet with Stakeholders to get feedback on process improvements
- Install payment kiosk on 2nd Floor
- Complete additional Development Services customer service training
- Provide 1<sup>st</sup> 6-month progress report in February 2008 on the success of meeting the new standard City permit processing times (90% of the time).

Present Special Revenue Fund for Development Services activity to the City Council for consideration as a component of mid-year budget review. Fund would isolate the fees paid for these services and directly link them with the budgets and costs associated with providing the services. In years when revenues exceed costs, this new fund would accumulate a fund balance to be used in future years.

FISCAL IMPACT

None. Information item.

RECOMMENDATION

None. Information item.

ALTERNATIVES CONSIDERED

Not applicable.

ENVIRONMENTAL REVIEW

Not applicable for this update on city procedures.

PROPOSED ACTION

None. Information item.

DOCUMENTS ATTACHED

None

CONTACT: Craig Whittom, Assistant City Manager / Community Development  
[cwhittom@ci.vallejo.ca.us](mailto:cwhittom@ci.vallejo.ca.us)  
707.648-4579

Brian Dolan, Development Services Director  
[bdolan@ci.vallejo.ca.us](mailto:bdolan@ci.vallejo.ca.us)  
707.649-5458

September 25, 2007

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CONSENT F

**Agenda Item No.**

**COUNCIL COMMUNICATION**

**Date:** September 25, 2007

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Gary A. Leach, Public Works Director   
**SUBJECT:** APPROVAL OF A RESOLUTION TO AWARD A CONTRACT TO SYAR INDUSTRIES, INC., FOR THE PURCHASE OF ROAD AND HIGHWAY CONSTRUCTION MATERIALS FOR FISCAL YEAR 2007/2008

**BACKGROUND AND DISCUSSION**

City staff request bids on an annual basis for supplying various construction materials such as, crushed rock, back fill sand and asphalt concrete to support Public Works Water, Streets and Roads Maintenance Programs. The purchase of materials on an annual basis insures a stable price for the materials throughout the fiscal year. A formal bid packet was sent to fourteen prospective bidders to solicit pricing for construction materials.

On Thursday, September 13, 2007, the City received one bid for the purchase of Road & Highway Construction Materials for Fiscal Year 2007/2008 as follows:

<u>Vendor/Supplier</u>	<u>Total Base Bid</u>
<b>Syar Industries, Inc. Napa, CA</b>	<b>\$292,632.25</b>

Syar Industries has been supplying materials to the City for many years. Their service to the City has been exceptional and their prices have remained in line with the regional averages. Funding for this purchase has been approved within the Street and Water Maintenance Division budgets. The estimated purchase quantities are based on projected consumption for the current fiscal year. The estimated value of this contract is \$292,632.25. All bid documents are in order.

**RECOMMENDATION**

The City needs to award the contract so that it can purchase road and highway construction materials on an as needed basis for the Public Works Water, Streets and Road Maintenance Programs.



## ENVIRONMENTAL IMPACT

The award of these contracts are not projects under the California Environmental Quality Act ("CEQA") pursuant to section 15378 (b) (2) of Title 14 of the California Code of Regulations as the action involves the purchasing of supplies. No environmental review under CEQA is required.

## PROPOSED ACTION

Adopt a resolution approving the award of a contract for the City's annual purchase requirements of road and highway construction materials.

## DOCUMENTS AVAILABLE FOR REVIEW

- a. A resolution approving award of bid for the purchases of road and highway construction materials.
- b. Copy of Request for Quotation (RFQ # 133-2604-01)
- c. Copy of proposed material costs.

## CONTACT

Gary Leach, Director of Public Works  
(707) 648-4315  
[GaryL@ci.vallejo.ca.us](mailto:GaryL@ci.vallejo.ca.us)

James Gajkowski, Deputy Maintenance Supt./Streets  
(707) 648-4319  
[JamesG@ci.vallejo.ca.us](mailto:JamesG@ci.vallejo.ca.us)

SEPTEMBER 25, 2007  
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RESOLUTION NO. 07- \_\_\_\_\_ N.C.

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, it has been determined that the City's Maintenance Division will require road and highway construction materials to perform its maintenance operation; and

WHEREAS, the Maintenance Division sent requests for quotations to qualified suppliers, and posted a notice in the newspaper and on the City of Vallejo website; and

WHEREAS, the Maintenance Division received one response to the request for quotation; and

WHEREAS, the Maintenance Division has made a recommendation to award a contract to Syar Industries, Inc. for the purchase of road and highway construction materials for a one year period at an estimated value of \$292,632.25.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Vallejo hereby accepts the offers submitted by Syar Industries, Inc.; and

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute an Agreement with Syar Industries, Inc. for the purchase of road and highway construction materials for the Unit Prices specified on their Bid Work Sheet.

SEPTEMBER 25, 2007

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**REQUEST FOR QUOTATION**

**RFQ # 133-2604-01**

**FOR**

**ANNUAL SUPPLY OF ROAD & HIGHWAY CONSTRUCTION MATERIALS**

**FOR FISCAL YEAR 2007/08**

**PROPOSALS MUST BE SUBMITTED TO:**

**CITY OF VALLEJO  
CITY CLERKS OFFICE  
555 SANTA CLARA STREET  
VALLEJO, CA 94590**

**BID OPENING: September 13, 2007, 2:00 P.M.**

**BIDS WILL NOT BE ACCEPTED AFTER DATE AND  
TIME INDICATED ABOVE  
NO EXCEPTIONS**

**FAXED BIDS ARE NOT ACCEPTABLE**

**ALL QUESTIONS REGARDING THIS NOTICE MUST BE DIRECTED TO THE  
MAINTENANCE DEPARTMENT AT (707) 648-4319**

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**FOR**

**ANNUAL SUPPLY OF ROAD & HIGHWAY CONSTRUCTION MATERIALS  
FOR FISCAL YEAR 2007/08**

**RFQ # 133-2604-01**

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**Exhibit B – General Provisions**

**Exhibit C – Specifications**

**Bid Worksheet**

**Non-Collusion Statement**

**No Bid Worksheet**

**CITY OF VALLEJO  
STATE OF CALIFORNIA**

**DISCLOSURE**

This Request For Quotation (RFQ) is not a commitment or contract of any kind, quantities listed on the bid sheet are estimates based on the prior years usage. The City of Vallejo reserves the right to reject all bids. Costs for developing the bid are entirely the responsibility of the contractor/bidder and shall not be reimbursed. Bidders are cautioned against incurring any additional cost in anticipation of award.

The City of Vallejo cannot represent or guarantee that any information submitted in response to the RFQ will be confidential. If the City receives a request for any document submitted in response to an RFQ, the City will not assert any privileges that may exist on behalf of the person or business submitting the quotation.

All responses submitted to City of Vallejo become the property of the City.

## NOTICE TO SUPPLIERS

SEALED BIDS will be received at the office of the City Clerk, third floor, City Hall, 555 Santa Clara Street, Vallejo, California, 94590 until the September 13, 2007, 2:00 p.m., at which time they will be publicly opened and read in the City Clerk's Office of said City Hall for the **ANNUAL SUPPLY OF CONSTRUCTION MATERIALS FOR FISCAL YEAR 2007/08** for the City of Vallejo and Vallejo Sanitation and Flood Control District, in accordance with the Special Provisions and contract documents included in this Request For Quotation.

*Materials to be supplied include:*

Asphalt concrete, unique paving material, asphalt emulsions, aggregate base rock, aggregate sub-base rock, road rock, fill sand, felton sand, concrete gravel, concrete sand, plaster sand, cobble stones, engineer rock, rip rap, concrete, clear rock and imported fill.

The City of Vallejo does not expressly or by implication agree or guarantee any specific quantity or quantities will be purchased, it being the intention of the City of Vallejo to offer and purchase construction materials from time to time as the need arises throughout the contract year by requisition in quantity or quantities advisable or necessary at the unit price offered by the contractor(s) selected to perform the services specified herein.

**Note:** The City of Vallejo desires wherever possible to hire qualified City of Vallejo residents to work on City projects. Contractors, sub-contractors, consultants, and developers will wherever possible, solicit proposals from qualified local firms and will, wherever possible, employ qualified local residents to work on City projects.

## **I. GENERAL**

### **1. SELECTION CRITERIA:**

The City of Vallejo reserves the right to determine the lowest responsible bidder, whether on the basis of individual items, groups of items or on the basis of all items. Following evaluation of the RFQ and vendor(s) selection, the City expects to contract with the selected vendor(s). The responses to this RFQ and any other requested information and documentation regarding the resolution of open issues will be incorporated into the contract.

**THE SUCCESSFUL CONTRACTOR SHALL NOTIFY THE CITY CONTACT LISTED IN THE "SHIP TO" SECTION OF THE PURCHASE ORDER NOT LESS THAN TWO (2) DAYS PRIOR TO EXPECTED DELIVERY/ARRIVAL TO PERMIT INSPECTION SCHEDULING.**

**2. CONTRACT TERM (APPROX.):** September 30, 2007 through August 31, 2008

### **3. ORDERING:**

The City of Vallejo does not expressly or by implication agree or guarantee any specific quantity or quantities will be purchased, it being the intention of the City of Vallejo to order and purchase road and highway construction materials from item to item as the need arises throughout the contract year by requisition in the quantity or quantities advisable or necessary at the unit price or prices then in effect. The quantities listed are estimates based upon previous usage histories. The City guarantees no minimum or maximum quantities and will not be bound to these quantities.

### **4. QUARTERLY REPORTS:**

The successful bidder(s) shall provide quarterly usage reports to the City's Maintenance Department no later than the tenth (10<sup>th</sup>) work day of the following quarter.

### **5. FACILITIES AND SERVICE REQUIREMENTS:**

Bids for F.O.B. Bidder's Plant will be accepted only from bidder(s) who own and operate a plant in the area for which bidder is submitting a bid and must furnish the material from the plant.

## **II. SPECIAL PROVISIONS/SPECIFICATIONS**

### **1. CONSTRUCTION MATERIALS:**

1. Aggregate base rock, aggregate sub-base rock, screenings, asphaltic emulsions, liquid asphalt, concrete gravel, and ready-mix concrete shall conform to the applicable sections of the Standard Specifications.
2. Granular backfill materials shall have a minimum sand equivalent value of thirty (30) and shall be sandy or granular material free from organic matter, clods, clay, rocks or lumps over three inches in diameter. River mud gravel that meets the above criteria is acceptable.

### **2. ASPHALT CONCRETE:**

Asphalt concrete shall conform to Section 39, "Asphalt Concrete," of the Standard Specifications. The material shall be Type B with bituminous binder of steam refined paving asphalt of Grade AR4000 or PG 64-16.

### **3. ASPHALTIC EMULSION:**

Asphalt emulsion shall be RS - 1 or SS - 1 and conform to the Section 94, "Asphaltic Emulsions," of the Standard Specifications.

**4. AGGREGATE BASES:**

Aggregate bases shall be Class 2 and conform to Section 26, "Aggregate Bases," of the Standard Specifications.

**5. AGGREGATE SUB-BASES:**

Aggregate sub-bases shall be Class 2 and conform to Section 25, "Aggregate Sub-Bases," of the Standard Specifications.

**6. PORTLAND CEMENT CONCRETE:**

Portland Cement Concrete shall be Type IP (MS) Modified and conform to Section 90, "Portland Cement Concrete," of the Standard Specifications.

**7. CONCRETE AGGREGATES:**

Concrete gravel and concrete sand shall conform to the provisions of Section 90-2.02B, "Portland Cement Concrete-Aggregates," of the Standard Specifications.

**MATERIAL REQUIREMENTS:**

The contractor furnishing these items shall be experienced in Formulation and Production of such items and shall furnish evidence, if requested, by the City of having supplied similar items. The bidder shall be an established supplier of the items bid. The mix furnished shall be of the highest quality as to formulation and materials used.

It is emphasized that the City of Vallejo does not guarantee to purchase any specific quantity of any item listed during the period of this agreement; rather, the quantities may vary depending upon the actual needs of the City. Given the quantities specified herein are good faith estimates of usage during the term of this contract, the City Purchasing Agent has been delegated authority to increase the total amount of each awarded contract resulting from this bid invitation if required to meet City requirements. Contractor shall remain obligated to the City under all clauses of this contract that expressly or by their nature extend beyond and survive the expiration or termination of this contract, including but not limited to warranties and indemnity provisions hereof.

It is the intent of the City to award, on the basis of overall low net bid meeting specifications for the entire contract, however, the right is reserved to accept or reject in whole or in part any or all bids received and to make an award on the basis of individual item, combination of items or overall best bid, as it is deemed in the best interest of the City.

**PRICE:**

1. **Bid price is to be firm fixed for a one hundred twenty (120) day period.**
2. Bid price to include all costs chargeable to the City. The Dealer will assume all costs including transportation and any other expense. All costs to the City shall be included in prices entered on Bid Sheet.
3. Bid need not include prices for all items listed. Any bidder may submit prices for any single item or any number of items listed.

**PRICE ADJUSTMENTS:**

1. **DIRECT COST:** In this section means vendor's cost from the manufacturer of any item or if vendor is the manufacturer, the cost of raw materials required to manufacture the item, plus costs of transportation from manufacturer to vendor and vendor to the City.
2. **PRICE DECREASES PRICE DECREASES:** If the vendor's direct cost decreases at any time during the term of this contract, vendor shall immediately pass the decrease on to the City and lower its prices by the amount of the decrease in direct cost. Vendor shall notify the City Purchasing Agent of price decreases in the same way as for price increases set out below. The price decrease shall become effective upon City Purchasing Agent's receipt of vendor's notice.

**PRICE INCREASES:**

Vendor may request a price increase after one hundred twenty (120) days from the effective date of the contract. The effective date starts from the date contract has been signed. Subsequent price increases may be requested twelve months from the date of the previous approved price increase. The amount of the first increase shall not exceed actual documented increase in vendor's direct cost and shall not ever be more than five percent (5%) above the previous bid price. The amount of the subsequent price increase shall also not exceed this percentage. To request a price increase, vendor must submit a letter setting the amount of the increase, along with an itemized list of any increased prices, showing the vendor's current price, revised price, the actual dollar difference and the percentage of the price increase by line item. The letter and documentation shall be sent to the following address:

City of Vallejo Maintenance Division, 111 Amador Street, Vallejo, CA 94590

If the City Assistant Maintenance Superintendent of Streets approves the price increase, he or she shall notify vendor in writing; no price increase will be effective until vendor receives this notice. If the City Assistant Maintenance Superintendent of Streets does not approve vendor's price increase, vendor may terminate its



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performance under the agreement upon sixty (60) days advance written notice to the City Assistant Maintenance Superintendent of Streets. Termination of performance is vendor's only remedy if the City Assistant Maintenance Superintendent of Streets does not approve the price increase. If at any time after approving a price increase, the City Assistant Maintenance Superintendent of Streets determines that the City can obtain the same item at a lower price from a different source without violating any state law, the City may then purchase the item from the lower price source without any obligation to vendor.

**INVOICING:**

In order to expedite payment all invoices must be submitted in triplicate, itemized as to quantity, part number, description, and applicable discount (if any) in the same order and form as in the City of Vallejo Purchase Order. Variations will only delay payment. In addition, invoices must show the name of the department, division, or section to which the material was delivered, and the City of Vallejo Purchase Order Number.

All delivery tickets must have a description of the commodity delivered. Mail invoices to the accounts payable section of the department and to the address, as noted on individual purchase orders. Delivery tickets and packing slips will contain the same information as the invoice. All packing slips and delivery tickets must include the receiving employee signature and printed name.

**PAYMENT:**

Payment is due thirty (30) days after the City has approved the invoice or after the City has accepted the goods, whichever occurs later.

**BID EVALUATION:**

Except as otherwise noted on Bid Sheet, bid price will be evaluated on a net cost basis, less any discount and the local bidder preference if qualified. Bidders may offer any discount for payment of services made within thirty (30) days of completion of delivery and receipt of a properly prepared invoice.

**ENTIRE AGREEMENT:**

This contract sets forth the entire Agreement between the parties, and supersedes all other oral or written provisions.

**SUBMISSION OF BIDS/PROPOSALS:**

All bids must be submitted to the City Clerks Office, 555 Santa Clara Street, 3<sup>rd</sup> Floor, Vallejo, CA 94590. All bids shall be sealed and marked with Quotation Reference Number RFQ No. 133-2604-01. The City Clerk must receive all Quotes on or before September 13, 2007, 2:00 p.m. All bids received after this date will be considered late, non-responsive, and will not be opened for evaluation. All questions regarding this bid shall be directed to the City of Vallejo Maintenance Division, James Gajkowski, at 707-648-4319 or 707-648-4471.

**BID WORK-SHEET**

**FOR THE  
 ANNUAL SUPPLY OF CONSTRUCTION MATERIALS  
 FOR FISCAL YEAR 2007/2008**

The undersigned hereby proposes to furnish and deliver the goods and/or services as specified at the prices and terms herein stated and in accordance with this Request for Quotation, General Terms and Conditions, Special Conditions and Requirements all of which are made a part of this offer.

All pages of the City of Vallejo request for Quotation (RFQ), including but not limited to the general terms and conditions are incorporated by reference into this RFQ for all purposes. **This is a firm fixed price contract.**

**This form must be signed and submitted to the City Clerks Office on the date specified for consideration.**

**RFQ NO. 133-2604-01, CLOSE DATE- 09-13-07, 2:00 PM.**

**BID ITEMS**

**NOTE: The quantities following are approximate only and will be used as a basis for the comparison of bids. In case of discrepancy between the written prices and the numerical prices, the written prices shall prevail. In case of discrepancy between the unit prices and the total, the unit prices shall prevail.**  
**\*DO NOT INCLUDE SALES TAX IN UNIT COST.**

Item No.	Est. Qty.	Unit Of Issue	Description	F.O.B. Plant Unit Price	Total Price	F.O.B. Dest. Delivered Vallejo, various sites Unit Price
1	500	Ton	Asphalt concrete, Type B, ¾" maximum, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
2	1,000	Ton	Asphalt concrete, Type B, ½" maximum, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
3	1,500	Ton	Asphalt concrete, Type B, 3/8" maximum, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
4	100	Ton	Asphalt concrete, Type B, ¼" maximum, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
5	15	Ton	Asphalt concrete, Type B, SC250, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
6	50	Gallon	Asphalt Emulsion, RS-1, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
7	50	Gallon	Asphalt Emulsion, SS-1, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
8	150	Ton	Class II Aggregate Base, 1 ½" maximum aggregate f.o.b. Plant at:	\$ _____	\$ _____	\$ _____

City of Vallejo Maintenance Division  
 Request for Quotation #133-2604-01  
 Annual Supply of Road & Highway Construction Materials for Fiscal Year 2007/2008

Item No.	Est. Qty.	Unit Of Issue	Description	F.O.B. Plant Unit Price	Total Price	F.O.B. Dest. Delivered to Vallejo, various sites Unit Price
9	7,000	Ton	Class II Aggregate Base, ¾" maximum aggregate f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
10	50	Ton	Class II Aggregate Sub-Base, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
11	10	Ton	Road Rock, 0 x 1 ½", f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
12	50	Ton	Fill Sand, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
13	25	Ton	Concrete Sand, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
14	50	Ton	6" to 18" Engineer Rock, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
15	25	Ton	One ton Rip Rap, f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
16	10	Ton	Rock, 1 ½", f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
17	25	Ton	Import Fill, Type 4" minus grade, (aka: quarry waste), f.o.b. Plant at:	\$ _____	\$ _____	\$ _____
			<b>Total Base Bid:</b>		\$ _____	

**NOTE:**

In case of discrepancy between the unit prices and the total amount, the unit prices shall prevail, except as provided in (a) or (b), as follows:

- (a) If the amount set forth as a Unit Price for a said item is not readable or otherwise not clear, or is omitted, or is the same amount as the entry in the Total column, then the amount set forth in the Total Amount column for the line item shall prevail and shall be divided by the Estimated Quantity for the said item and the price thus obtained shall be the Unit Price amount.
- (b) Decimal Errors: If the total of the entered Unit Price multiplied by the given Estimated Quantity is exactly off by a decimal factor (i.e. ten, one hundred, etc. or, one-tenth, one-hundredth, etc.), from the entered Total Amount, the discrepancy will be resolved by using the entered Unit Price or entered Total Amount, whichever most closely approximates (by percentage) the Unit Price or Total Amount in the City Engineer's Cost Estimate.

City of Vallejo Maintenance Division  
Request for Quotation #133-2604-01  
Annual Supply of Road & Highway Construction Materials for Fiscal Year 2007/2008

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**\*Do not include sales tax in the unit cost\***

The City shall use the above unit costs to determine the successful contractor.

Bid prices offered shall be extended to other Public Agencies? (Ref.: General Provision #54) Yes \_\_\_ No \_\_\_

Terms \_\_\_\_\_ Delivery Lead Time \_\_\_\_\_ days ARO

Company Name \_\_\_\_\_ Address \_\_\_\_\_

Local Vendor Preference Claimed: \_\_\_ Yes \_\_\_ No (attach copy of business license)

State of California Contractor License Number \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax# ( ) \_\_\_\_\_ - \_\_\_\_\_ e-mail \_\_\_\_\_

Name and Title of Bidder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**CITY OF VALLEJO  
PURCHASING DIVISION**

**“NO BID” RESPONSE FORM**

**NOTE: COMPLETE AND RETURN THIS FORM**

**ONLY IF YOU DO NOT WANT TO SUBMIT A QUOTATION**

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If you do not want to submit a proposal for this requirement, we are interested in knowing why. Please remove this form, complete the requested information and return it to the Maintenance Division. Mail to: Maintenance 111 Amador St. Vallejo, CA 94590. If you would rather FAX your response, the FAX number is (707) 648-4086. If you have any questions, please call the Maintenance Office at (707) 648-4319. Thank you for your cooperation.

**“NO BID” QUESTIONNAIRE**

(Please complete all items that apply)

**RFQ #133-2604-01**

We do not sell product/services called for in this request for proposals, but we want to stay on the City's Bid List. Please send necessary information so that the products/services we do provide can be updated on the City's Bid List.

We are not interested in doing business with the City Of Vallejo, because \_\_\_\_\_

Other reasons/comments:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Business Name)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Street Address/P.O. Box)

Phone: \_\_\_\_\_

\_\_\_\_\_  
(City, State, Zip)

Contract: \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT FOR CONTRACTOR OR SUBCONTRACTOR**

STATE OF CALIFORNIA )  
 ) SS  
 COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_ declares and says:

1. That he/she is the (owner, partner, representative, or agent) of  
 (hereinafter referred to as (contractor) or (subcontractor))
2. That he/she is fully informed regarding the preparation and contents of this proposal for certain work in the City of Vallejo, State of California.
3. That his/her proposal is genuine and is not collusive or a sham proposal made in the interest of, or in behalf of any persons not herein named.
4. That any of its officers, owners, agents, representatives, employees, or parties in interest, including this affiant, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other bidder, firm, or person to submit a collusive or sham proposal in connection with such contract or to refrain to submitting a proposal in connection with such contract, or has in any manner, directly or indirectly, sought by unlawful agreement or connivance with any other bidder, firm, or person to fix the price or prices in said proposal, or to secure through collusion, conspiracy, connivance, or unlawful agreement any advantage against the City of Vallejo or any person interested in the proposed contract; and,
5. That the price or prices quoted in the proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the bidder or any of its agents, owners, representatives, employees, or parties in interest, including this affiant.

I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, California.

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

License Number  
 and Classification: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

City of Vallejo Maintenance Division  
 Request for Quotation #133-2604-01  
 Annual Supply of Road & Highway Construction Materials for Fiscal Year 2007/2008

**BID WORK-SHEET**

**FOR THE  
 ANNUAL SUPPLY OF CONSTRUCTION MATERIALS  
 FOR FISCAL YEAR 2007/2008**

The undersigned hereby proposes to furnish and deliver the goods and/or services as specified at the prices and terms herein stated and in accordance with this Request for Quotation, General Terms and Conditions, Special Conditions and Requirements all of which are made a part of this offer.

All pages of the City of Vallejo request for Quotation (RFQ), including but not limited to the general terms and conditions are incorporated by reference into this RFQ for all purposes. This is a firm fixed price contract.

This form must be signed and submitted to the City Clerks Office on the date specified for consideration.

**RFQ NO. 133-2604-01, CLOSE DATE- 09-13-07, 2:00 PM.**

**BID ITEMS**

**NOTE: The quantities following are approximate only and will be used as a basis for the comparison of bids. In case of discrepancy between the written prices and the numerical prices, the written prices shall prevail. In case of discrepancy between the unit prices and the total, the unit prices shall prevail.**

**\*DO NOT INCLUDE SALES TAX IN UNIT COST.**

Item No.	Est. Qty.	Unit Of Issue	Description	F.O.B. Plant Unit Price	Total Price	F.O.B. Dest. Delivered Vallejo, various sites Unit Price
1	500	Ton	Asphalt concrete, Type B, ¾" maximum, f.o.b. Plant at: Lake Herman	\$ 55.75	\$ 27875.00	\$ _____
2	1,000	Ton	Asphalt concrete, Type B, ½" maximum, f.o.b. Plant at: Lake Herman	\$ 55.75	\$ 55750.00	\$ _____
3	1,500	Ton	Asphalt concrete, Type B, 3/8" maximum, f.o.b. Plant at: Lake Herman	\$ 56.75	\$ 85125.00	\$ _____
4	100	Ton	Asphalt concrete, Type B, ¼" maximum, f.o.b. Plant at: Lake Herman	\$ 56.75	\$ 5675.00	\$ _____
5	15	Ton	Asphalt concrete, Type B, SC250, f.o.b. Plant at: Lake Herman	\$ 63.25	\$ 948.75	\$ _____
6	50	Gallon	Asphalt Emulsion, RS-1, f.o.b. Plant at:	\$ NO BID	\$ 0	\$ _____
7	50	Gallon	Asphalt Emulsion, SS-1, f.o.b. Plant at: Lake Herman	\$ 2.70	\$ 135.00	\$ _____
8	150	Ton	Class II Aggregate Base, 1 ½" maximum aggregate f.o.b. Plant at: Lake Herman	\$ 15.65	\$ 2347.50	\$ _____

\*\* SEE ATTACHMENT "A"

City of Vallejo Maintenance Division  
 Request for Quotation #133-2604-01  
 Annual Supply of Road & Highway Construction Materials for Fiscal Year 2007/2008

Item No.	Est. Qty.	Unit Of Issue	Description	F.O.B. Plant Unit Price	Total Price	F.O.B. Dest. Delivered to Vallejo, various sites Unit Price
9	7,000	Ton	Class II Aggregate Base, ¾" maximum aggregate f.o.b. Plant at: Lake Herman	\$ 15.65	\$109550.00	\$
10	50	Ton	Class II Aggregate Sub-Base, f.o.b. Plant at: Lake Herman	\$ 14.85	\$ 742.50	\$
11	10	Ton	Road Rock, 0 x 1 ½", f.o.b. Plant at:	\$ NO BID	\$ 0	\$
12	50	Ton	Fill Sand, f.o.b. Plant at: Lake Herman	\$ 23.25	\$ 1162.50	\$
13	25	Ton	Concrete Sand, f.o.b. Plant at: Napa	\$ 27.45	\$ 686.25	\$
14	50	Ton	6" to 18" Engineer Rock, f.o.b. Plant at: Lake Herman	\$ 26.10	\$ 1305.00	\$
15	25	Ton	One ton Rip Rap, f.o.b. Plant at: Lake Herman	\$ 31.70	\$ 792.50	\$
16	10	Ton	Rock, 1 ½", f.o.b. (Drain) Plant at: Lake Herman	\$ 17.85	\$ 178.50	\$
17	25	Ton	Import Fill, Type 4" minus grade, (aka: quarry waste), f.o.b. Plant at: Lake Herman	\$ 14.35	\$ 358.75	\$
			<b>Total Base Bid:</b>		\$292632.25	

**NOTE:**

In case of discrepancy between the unit prices and the total amount, the unit prices shall prevail, except as provided in (a) or (b), as follows:

- (a) If the amount set forth as a Unit Price for a said item is not readable or otherwise not clear, or is omitted, or is the same amount as the entry in the Total column, then the amount set forth in the Total Amount column for the line item shall prevail and shall be divided by the Estimated Quantity for the said item and the price thus obtained shall be the Unit Price amount.
- (b) **Decimal Errors:** If the total of the entered Unit Price multiplied by the given Estimated Quantity is exactly off by a decimal factor (i.e. ten, one hundred, etc. or, one-tenth, one-hundredth, etc.), from the entered Total Amount, the discrepancy will be resolved by using the entered Unit Price or entered Total Amount, whichever most closely approximates (by percentage) the Unit Price or Total Amount in the City Engineer's Cost Estimate.

\*\*SEE ATTACHMENT "A"





# **SYAR INDUSTRIES, INC.**

2301 NAPA-VALLEJO HWY. • P.O. BOX 2540 • NAPA, CA 94558-0524

PHONE: 707/252-8711 • FAX: 707/224-5932

## **ATTACHMENT "A"**

\*Our terms of sale are discount 10th prox. 20 days net. We allow the following cash discount on materials quoted above, if materials are paid for by 10th of the month following our billing period and all past due balances are paid in full: rock, sand & gravel at \$.25 per ton; asphaltic concrete at \$1.00 per ton. Our billing period for accounts receivable statement purposes is from the 1st to the 31st of the month.

Prices on asphalt concrete are based on present posted refinery price of \$350.00 per ton for paving asphalt. Any increase in posted prices at the refinery will be reflected to your account at the time and place of shipment. No adjustment will be made for decrease in posted refinery price.

### **PAVING ASPHALT SURCHARGE:**

The Paving Asphalt surcharge rates are in addition to the above asphaltic concrete prices. Paving Asphalt surcharges will be reviewed on a monthly basis to reflect the current cost of liquid asphalt oil at time of shipment. Below is the current Paving Asphalt surcharge(s) per plant based on \$350.00 per ton.

All Syar Asphalt Plants - Paving Asphalt Surcharge: \$0.00 per ton

### **NATURAL GAS/ENERGY SURCHARGE:**

The Natural Gas/Energy surcharge rates are in addition to the above asphaltic concrete prices. Surcharge is subject to increase or decrease based on energy costs at time of shipment. Below is the current energy surcharge(s) per plant.

All Syar Asphalt Plants - Natural Gas/Energy Surcharge: \$0.00 per ton

**Charge for Returning Broken Asphalt or Concrete: \$5.00 per ton**

**Minimum Charge - \$30.00**

Above prices do not include any sales, excise or other applicable taxes now in effect or which may be imposed hereafter, and same is for the account of Buyer, when and where applicable. Title shall pass to Buyer F.O.B. Seller's plant at time of shipment.

City of Vallejo Maintenance Division  
Request for Quotation #133-2604-01  
Annual Supply of Road & Highway Construction Materials for Fiscal Year 2007/2008

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**\*Do not include sales tax in the unit cost\***

The City shall use the above unit costs to determine the successful contractor.

Bid prices offered shall be extended to other Public Agencies? (Ref.: General Provision #54) Yes \_\_\_ No X

Terms See "Attachment A " Delivery Lead Time Two Days days ARO

Company Name Syar Industries, Inc Address P O Box 2540 Napa, Ca 94558

Local Vendor Preference Claimed: X Yes \_\_\_ No (attach copy of business license)

State of California Contractor License Number \_\_\_\_\_

Telephone (707) 252-8711 Fax# (707) 224-5932 e-mail skody@syar.com

Name and Title of Bidder Stan Kody, Marketing & Sales Manager

Signature  Date 9/12/07






Agenda Item No. **CONSENT G**

**COUNCIL COMMUNICATION**

**Date:** September 25, 2007

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gary A. Leach, Public Works Director 

**SUBJECT:** CONSIDERATION OF A RESOLUTION TO AMEND THE FY 07-08 NORTHGATE BENEFIT DISTRICT 93-1 FUND BUDGET BY INCREASING APPROPRIATIONS IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) FOR THE BLUE ROCK SPRINGS TRAIL CROSSING

**BACKGROUND**

In 1991 the Master Developer for the Northgate Development declared bankruptcy and therefore could not complete the infrastructure improvements required for this approved development. After negotiating a settlement with the Master Developer's bonding company, in 1993 the Vallejo City Council created the Northgate Area Benefit District No.93-1 to provide a mechanism whereby certain land owners within the District, upon entering into an agreement for reimbursement with the City of Vallejo, could advance the full cost of public improvements that are of benefit to neighboring lands within the District with assurance that reimbursement on an equitable basis would be forthcoming. This District also allows the City to complete some of the funded improvements.

At this time almost all of the infrastructure improvements eligible for Northgate Benefit District 93-1 funding have been completed. Staff has been working with an assessment engineer to reconcile all of the remaining reimbursements. This reconciliation has identified a remaining fund balance sufficient to cover this budget amendment.

Ongoing improvements include traffic signal modifications at the Columbus Parkway/ Lake Herman Road intersection to install a pedestrian crossing to complete the trail connection between the Blue Rock Springs Corridor west of the Golf Course and the trails east of Columbus Parkway above Blue Rock Springs Park. These improvements are included in Northgate Benefit District 93-1 Element K, "Offsite Landscaping and Trails" and therefore should be paid from the Northgate Benefit District 93-1 Fund budget. The work is included in project PW9861 Blue Rock Springs Trail.



Fiscal Impact

This action will appropriate \$50,000 of unallocated funds from the Northgate Benefit District 93-1 Fund to PW9861 Blue Rock Springs Trail project.

ENVIRONMENTAL REVIEW

Staff has determined that the adoption of the Resolution to amend the Northgate Benefit District 93-1 Fund budget is not a project under CEQA pursuant to section 15378 (b) (4) of Title 14 of the California Code of Regulations as it is a governmental fiscal activity which does not involve a commitment to a project that may have a significant physical impact on the environment.

PROPOSED ACTION

Staff recommends adoption of a resolution to amend the Northgate Benefit District 93-1 Fund budget.

DOCUMENTS AVAILABLE FOR REVIEW

- a. Resolution to amend the Northgate Benefit District 93-1 Fund budget

CONTACT PERSON

Gary A. Leach, Public Works Director  
648-4315  
[gleach@ci.vallejo.ca.us](mailto:gleach@ci.vallejo.ca.us)

SEPTEMBER 25, 2007

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**RESOLUTION NO. 07-\_\_\_ N.C.**

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, on May 11, 1993, the Council of the City of Vallejo, acting pursuant to the provisions of Chapter 14.36 of the Vallejo Municipal Code (hereinafter "VMC"), adopted Resolution No. 93-215 N.C., establishing Northgate Area Benefit District No. 93-1; and

WHEREAS, on November 4, 1997, the Council of the City of Vallejo adopted Resolution No. 97-428 N.C. approving a Modified Engineer's Report and a Modified Benefit Schedule for Northgate Area Benefit District No. 93-1; and

WHEREAS, Element K of the Modified Engineer's Report includes trail crossings at Columbus Parkway; and

WHEREAS, costs for completion of the Blue Rock Springs Trail crossing at Columbus Parkway will exceed the FY 2007-08 budget for the project PW9861 Blue Rock Springs Trail; and

WHEREAS, it will be necessary to amend the Northgate Benefit District 93-1 Fund budget to cover costs associated with completion of the Blue Rock Springs Trail crossing.

NOW, THEREFORE, BE IT FOUND AND DETERMINED, by the Vallejo City Council that the adoption of this Resolution to amend the Northgate Benefit District 93-1 Fund budget is not a project under CEQA pursuant to section 15378 (b) (4) of Title 14 of the California Code of Regulations as it is a governmental fiscal activity which does not involve a commitment to a project that may have a significant physical impact on the environment; and

BE IT FURTHER RESOLVED, that the Vallejo City Council, hereby adopt this resolution to amend and increase the FY07/08 Northgate Benefit District 93-1 Fund Budget by \$50,000.00 for the Blue Rock Springs Trail crossing.

SEPTEMBER 25, 2007

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CONSENT H

**Agenda Item No.**

**COUNCIL COMMUNICATION**

**Date:** September 25, 2007

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gary A. Leach, Public Works Director 

**SUBJECT:** Approval of a resolution awarding the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners, Inc) and authorizing the City Manager to enter into a contract with Stantec, Inc.

**BACKGROUND**

The Transit Center, currently a Park-and-Ride lot, is located along the Curtola Parkway just west of the Lemon Street Intersection. Most of the parking facilities (410 spaces) are located on the west side of the intersection, but approximately 90 spaces are in a small lot on the east side. Both lots are typically full by 6:30 a.m., at which time motorists begin to park on adjacent streets. Observations suggest that up to 100 vehicles are parked on the adjacent streets on a typically day, bringing the total parking usage to approximately 600 vehicles per day.

Vallejo Transit serves the transit center with its Route 80 buses, which provide service to the El Cerrito Del Norte BART station. This service operates six days a week and provides frequent service during commute periods (six buses an hour in the peak direction). The Benicia bus route also serves the Curtola facility and provides opportunities for Benicia passengers to transfer to buses headed to the El Cerrito del Norte BART station. Vallejo passengers can connect to destinations in Benicia and to the Pleasant Hill BART station using the Benicia bus service. No local Vallejo Transit buses stop at Curtola although Greyhound Bus Lines has a staffed stop at this location.

The current layout of the Curtola transit stop is generally efficient for buses destined to Benicia and El Cerrito Del Norte BART – these buses use the bus pullout located along the eastbound curb of Curtola Parkway. The current design is not at all efficient for buses destined to downtown Vallejo and/or the Ferry Terminal-these buses must drive through the parking lot to pick up and drop off passengers.

Aside from a shortage of parking spaces, other deficiencies at the Curtola Transportation Center include:



1. The parking lot is split with a majority of parking located on the west side of Lemon Street, with some additional parking located on the east side of Lemon.
2. Access to both lots on Lemon Street are located close to the Curtola signalized intersection (often traffic stacks back, hindering exit maneuvers from the lots).
3. The driveway for the west side lot must be shared between Greyhound, Vallejo Transit and Benicia transit buses as well as with PG&E maintenance yard traffic.
4. This concentrated access along Lemon Street often queues traffic (cars and buses) through the Curtola Parkway/Lemon Street signalized intersection.
5. The long, narrow configuration of the lot complicates security.
6. Discontinuous internal circulation in the west side lot, due to the physical dimensions of the lot and the need to accommodate westbound transit buses and Greyhound buses. This situation hinders efficient search patterns for parkers.
7. Inadequate pedestrian access to the transit stop.

Drivers that do not arrive in time to find a space in the parking lots must park on the streets or drive to their destination. Parking on the adjacent streets tends to upset local property owners. Although the location of the facility is good, it is deficient in terms of access, design and capacity.

The Curtola Transit center project was identified by the Solano Transportation Authority (STA) as the most important mid-term project for implementation in the 2004 STA I-80/I-680/I-780 Major Investment Study (MIS)/Corridor Study. Funding to implement an initial phase of the project was included in Regional Measure 2 and approved by Bay Area Voters in March of 2004. The City of Vallejo, the Solano Transportation Authority (STA) and the Metropolitan Transportation Commission (MTC) are designated as "project sponsors" in the RM 2 legislation. The City of Vallejo will be the lead agency with respect to implementation of this project.

As noted above the existing facility does not have sufficient capacity to meet current demand, let alone future demand and the current layout of the park ride lot is very inefficient. The MIS/Corridor Study completed by the STA in 2004 recommended construction of a 1,200- space parking structure on the west end of the site and consolidation of the bus loading and unloading facilities to the eastern end of the site. The report suggested improved driveway access as well as a new traffic signal be





installed on Curtola Parkway to improve access and allow buses destined for downtown Vallejo direct access to Curtola Parkway. Relocation of the bus loading facilities to the eastern end of the site should enhance pedestrian accessibility and increase visibility. The transit center element of the project is intended to serve both Greyhound buses, which can have long wait times, and intercity express buses, which generally stop only long enough to load and unload passengers. Facilities to allow prepayment of fares will need to be considered for this high passenger-activity location to improve the efficiency of the operation.

Implementation of the project may need to be phased as funding for the project may initially be limited. The parking structure will need to be designed and construction sequenced to minimize parking loss during construction. Access to the adjacent PG&E yard must be maintained. Locations for temporary replacement parking during construction of the garage will need to be identified and evaluated.

Additional improvements are likely to include, but not necessarily be limited to, landscaping, street furniture, signage, lot lighting, street and pavement repairs, replacement curb, gutter and sidewalk as well as surface and subsurface storm drainage modifications within the public street rights-of-way, gateway, and other areas.

A Request for Qualifications (RFQ) was officially released on October 21, 2006. Notice of the RFQ was sent to sixteen firms. Two firms, Watry Design Inc. and Chong Partners Architecture, responded to the request. Both firms were called in for interviews on December 19-20, 2006. Following the interviews the review committee scored the proposers according to the criteria listed in the RFQ as follows:

Watry Design: 74.75% out of 100%  
Chong Partners: 79.00% out of 100%

Both proposers had the qualifications to perform the scope of services, but Chong Partners was ranked most qualified by the review committee.

Following the ranking of Chong Partners (Chong) as the most qualified, the City met with Chong to refine understanding of the scope of the project. During the process of negotiation the project funding partners (STA and MTC) requested that additional work to evaluate other potential park and ride sites be included in the scope of work. That additional work has been included in the final scope of work, and a revised cost estimate including development and selection of a preferred alternative was provided as Phase 1, the work related to the original scope of work was provided in a Phase 2 section of the revised scope and cost proposal. Following the scope refinement and cost proposal review, staff has determined that Chong's last cost proposal of \$384,483 is fair and reasonable in relation to the project work scope and risk. The contract will be



a time and materials contract with the presented cost proposal serving as a not-to-exceed amount.

Chong Partners Architecture has recently been acquired by Stantec, Inc. Staff was contacted regarding the acquisition and has been assured that project leadership and staff is unchanged and that the change in ownership should not have any impact on the project.

### Fiscal Impact

The Project will be funded by Regional Measure 2 Grant funds. These grants have been secured and are awaiting draw down. There will be no impact to the general fund or the transportation operation budget.

### RECOMMENDATION

Staff recommends approval of a resolution awarding the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners Architecture Inc.) and authorizing the City Manager to enter into a contract with Stantec, Inc..

### ENVIRONMENTAL REVIEW

This action does not require any environmental review process. An initial environmental study that will define the appropriate environmental clearance process for this project is included in the scope of work for this contract.

### ALTERNATIVES CONSIDERED

Part of the scope of this project is to evaluate alternatives. The only other alternative to consider is the baseline alternative of no action resulting in continuation of the situation as described above.

### PROPOSED ACTION

Approve the resolution awarding the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners Architecture Inc.) and authorizing the City Manager to enter into a contract with Stantec, Inc.



DOCUMENTS AVAILABLE FOR REVIEW

- a. A resolution awarding the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners Architecture Inc.) and authorizing the City Manager to enter into a contract with Stantec, Inc.
- b. Scope of Work

CONTACT PERSON

Gary A. Leach, Public Works Director  
(707) 648-4315  
[gleach@ci.vallejo.ca.us](mailto:gleach@ci.vallejo.ca.us)

September 25, 2007

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**RESOLUTION NO. 07-\_\_\_\_\_ N.C.**

**BE IT RESOLVED** by the Council of the City of Vallejo as follows:

**WHEREAS**, it has been determined that the Transit Center located at Curtola Parkway and Lemon Street requires additional parking to accommodate existing and future parking demands; and

**WHEREAS**, Regional Measure 2 (RM2) funding has been secured for a project to increase the park and ride capacity at this location and/or at other appropriate locations along the I-80 corridor; and

**WHEREAS**, the Transportation Division conducted a formal Request for Qualifications solicitation process; and

**WHEREAS**, the Transportation Division received two responses to the Request for Qualifications; and

**WHEREAS**, based on the qualifications criteria set forth in the Request for Qualifications, the Transportation Division has made a recommendation to award the contract to Stantec, Inc. (formerly Chong Partners Architecture, Inc.), for a time and materials contract for engineering consulting services in an amount not to exceed \$384,483; and

**WHEREAS**, the Transportation Division has sufficient RM2 funds allocated and budgeted to engage the consultants;

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Vallejo

1. Awards the Preliminary Architectural and Engineering consulting services contract for the Transit Center Project at Curtola and Lemon to Stantec, Inc. (formerly Chong Partners Architecture Inc.); and
2. Authorizes the City Manager to enter into a contract with Stantec, Inc. for preliminary architectural and engineering consulting services for the Transit Center Project at Curtola Parkway and Lemon Street in an amount not to exceed \$384,483, including optional tasks, and subject to amendments, review and approval by the City Attorney and City Manager, consistent with this resolution.

**BE IT FURTHER RESOLVED**, that all other proposals received are hereby deemed rejected upon execution of a contract with the aforementioned consultant.

SEPTEMBER 25, 2007

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## CURTOLA/LEMON TRANSIT CENTER

### SCOPE OF SERVICES

This Scope of Services includes complete architectural, landscaping, civil, structural, mechanical, electrical, geotechnical, environmental, and transportation engineering services as required providing a conceptual project design for the Curtola/Lemon Transit Center (CTC). The Scope of Services shall include traffic analysis, transportation design, analysis of parking needs, bus rider-ship report, schematic design documents, opinions of probable cost for construction, development and construction sequencing, identification of right-of-way issues, surveying/mapping, geotechnical and environmental investigations, identification of permitting requirements, design parameters/options, and any other activities necessary to complete the conceptual design phase of the CTC and environs.

The CTC environs include any streetscape and landscape improvements within the project limits including: landscaping, street furniture, signage, decorative paving, street lighting, street and pavement repairs prior to street overlay, street overlay, replacement curb, gutter and sidewalk, and surface storm drainage modifications within the public street rights-of-way.

This Scope of Services is divided into two phases. Phase 1 will define alternative project solutions. The City of Vallejo (City) and the Solano Transit Authority (STA) will select one project solution that may include more than one site. Phase 2 will require design and engineering work to complete the conceptual design for the selected project solution, and shall include a Phase II Environmental Assessment.

The proposal fee for Phase 2 of the conceptual design shall assume a +/-1200 space parking structure on the west side of the existing Curtola Park-and-Ride lot, consolidation of the bus loading areas to the eastern end of the lot and other associated streetscape improvements will be the selected alternative. The Consultant's fee and schedule for Phase 2 will be renegotiated if a different Phase 1 alternative is selected that is materially different from the assumed alternative.

## **Phase 1: Development and Selection of Preferred Alternative**

The Consultant Scope of Services for Phase 1 includes the following Programming and Site Selection Tasks:

1. Establish the program for the new facility.
  - a. Determine the characteristics of existing users at the Curtola park-and-ride-facility through a survey, including their location of residence, location of work, use of the parking lot, and travel modes to and from the facility, transit, car pool, etc.
  - b. Establish the total existing demand for parking at the Curtola facility, based on new counts within the parking lot and the surrounding streets.
  - c. Estimate the future parking demand for parking at the Curtola facility, using output from the STA travel demand model, information from the transit operators, recent corridor study efforts, and other growth projections.
  - d. Determine the extent that mixed-use, retail component may be incorporated.
  
2. Evaluate potential site locations through a qualitative screening process.
  - a. Based upon data gathered in Step (1), develop design and location parameters for the new park-and-ride and car-pool facility(s), such as: the total size needed to accommodate the required bus operations, the number of required parking spaces and the preferred geographic setting (proximity to major traffic routes, adjacent land uses, etc.).
  - b. Identify potential locations for the new park-and-ride facility(s), including both public and private parcels, document their characteristics, and summarize into a long-list of site options.
  - c. Conduct an initial screening of the long-list, based on general operational and design requirements identified in (a.) above, and narrow down to a short-list of up to five recommended locations.
  
3. Test the program against the recommended locations of the new park-and-ride facility.
  - a. Develop detailed screening criteria, such as: distance from freeway on-and off-ramps, integration with existing and proposed transit service, compatibility with adjacent land uses, ease of implementation, expandability, and others.
  - b. Provide diagrammatic site plan configurations of the new facility at each of the recommended locations.
  - c. Conduct a Phase I Environmental Site Assessment at up to three of the recommended sites.

The Consultant, in detailed technical memorandums that will be submitted to, reviewed,

and approved by City staff, will document the results of each step of the above process. In addition, City staff will be involved in the preparation of the list of possible locations and the development of the preliminary/detailed screening criteria. Throughout the study process, the Consultant will work closely with the City, STA, Vallejo Transit, Express Bus operators, and other stakeholders.

The Consultant shall develop and present three summary level concepts of a new park and ride facility including location(s) and configuration to the City and the STA along with a matrix comparing the various alternatives with respect to a variety of factors, including, but not limited to:

- Configuration of parking spaces
- Constructability
- Ease of ingress/ egress
- Rough order of magnitude cost
- Design of bus loading and unloading areas
- Bus storage (if required)
- Potential environmental and/or permitting issues
- Availability of temporary parking
- Ability to stage
- Other factors deemed important by the City of Vallejo, STA, and the Consultant.

The CTC will support the existing Park and Ride, Vallejo Transit, and Baylink Express services. The City and the STA will select one option for further analysis in Phase 2

Based on the existing user characteristics and the results of the preliminary/detailed screening processes, it may be determined that the future park-and-ride and parking demand should be split between more than one location. If so, all later phases will include the design of these multiple facilities. An adequate number of figures, drawings, tables, etc... must be incorporated into the text of the document for ease of readability. The content of the Preliminary Design Report will be formalized and negotiated prior to the initiation of Phase 2 activities.

Phase 1: Estimated Schedule – Chong Partners to provide detailed schedule

1. Estimate Program
  - a. Survey of Existing Users and Parking Demand
  - b. Future Parking Demand
  - c. Meetings & Documentation
2. Evaluate Potential Site locations
  - a. Design Parameters
  - b. Determine list of locations
  - c. Preliminary location screening
  - d. Meetings & Documentation

3. Test Program against Sites
  - a. Detailed location screening
  - b. Produce site diagrams
  - c. Meetings & Documentation

## **Phase 2: Conceptual Design of Selected Alternative**

The goal of this contract is to complete Phase 1 and Phase 2 within 12 months from award of this contract.

**Phase 2 Deliverable:** After the completion of Phase 1 and a preferred alternative is selected, the Consultant shall finalize the scope of work to assist in validating the fee for Phase 2. A Phase II Environmental Site Assessment shall be completed for the selected site. If a short-list of sites is selected, then the additional costs will be revisited during the validation process and a contract modification issued, if required.

At the completion of Phase 2 the Consultant shall provide a detailed presentation to the City and STA along with a report including the following:

1. Introduction/Overview
  - a. Executive Summary
  - b. Description of project
  - c. Description of principal phases of project
  - d. Other related improvements
2. Planning Basis
  - a. Previous planning efforts/documentation
  - b. Options identified and evaluated
  - c. Traffic and parking demand
  - d. Parking and circulation analysis
  - e. Traffic operations
3. Detailed Project Description (for the recommended options)
  - Detail of each phase of the project
  - Configuration of parking spaces
  - Constructability
  - Ease of ingress/ egress
  - Rough order of magnitude cost
  - Design of bus loading and unloading areas
  - Bus storage (if required)
  - Potential environmental and/or permitting issues
  - Availability of temporary parking
  - Ability to stage
  - Other factors deemed important by the City of Vallejo, STA, and the Consultant.




Schedule  
Phase I and II Environmental Assessments  
Budget  
Next Steps

Appendices

- a. Copies of previous studies/reports/investigations
- b. Cost Estimate

**COUNCIL COMMUNICATION****Date:** September 25, 2007

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gary A. Leach, Public Works Director 

**SUBJECT:** APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2007-2008 WATER ENTERPRISE FUND BUDGET BY INCREASING APPROPRIATIONS FOR THE WATER MAINS CAPITAL IMPROVEMENTS PROJECT FY 2006-2007

**BACKGROUND**

The Bordonni property development project, which is named Waterstone, requires new offsite 400 Zone water improvements to be built to ensure adequate water pressure and fire flow to serve the initial development. As a part of the Final Map approval scheduled to be presented to City Council on October 2, 2007, the developer, Braddock and Logan Group II, L.P. will agree to pay all costs associated with the necessary water improvements as required by the conditions of approval for the subdivision. In anticipation of the receipt of those funds staff is requesting that the City Council adopt a resolution of intention to amend the Water Enterprise Fund budget, which will allow for the amendment of the budget concurrently with the approval of the funding agreement. The City has previously received bids for water improvements under the ongoing existing Water Mains Capital Improvement Project FY 06-07 and intends to proceed with installation of the necessary water improvements after execution of a Contract Change Order to the existing contractor Soares Pipeline, Inc.

In order to proceed with the work, a series of actions are required. First the Council will have to approve the 400 Zone Water Facilities Funding Agreement between the City and Braddock and Logan Group II, LP and authorize the City Manager to sign said agreement. Second, the Fiscal Year 2007-2008 Water Enterprise Budget will be required to be amended by increasing the appropriations for the 400 Zone Water Improvements Project by \$1,206,250.00 to be paid by Braddock and Logan II, L.P. and a third Contract Change Order to Soares Pipeline, Inc. for the 400 Zone Water Improvements Project in the amount of \$1,206,250.00 will need to be approved. It is anticipated that these three actions will be brought back to the City Council at their October 2, 2007 meeting.



### Fiscal Impact

The costs associated with the necessary 400 Zone water improvements (future Contract Change Order to Sores Pipeline Inc., in the amount of \$1,206,250.00 for WT7024, the Water Mains Capital Improvement Project FY 06/07) shall be paid out of unencumbered, unreserved Water Capital Fund 404 balance and shall be reimbursed by funds from Braddock and Logan Group II, L.P. under the terms of the 400 Zone Water Facilities Funding Agreement.

### RECOMMENDATION

Staff recommends approval the resolution of intent to amend the Fiscal Year 2007-2008 Water Enterprise Budget for the Water Mains Capital Improvement Project FY 06/07 (WT7024, Fund 404) to allow eventual execution of a Contract Change Order to Soares Pipeline Inc., for the 400 Zone Water Improvements.

### ALTERNATIVES CONSIDERED

The City could attempt to construct this portion of 400 Zone improvements under a new competitively bid project. Such actions would be very unlikely to yield better pricing due to savings in mobilization costs and the experience of the existing contractor. The delay associated with independent project bidding would additionally delay the significant improvements in fire protection from the existing homes adjacent to the new development.

### ENVIRONMENTAL REVIEW

An addendum Notice of Categorical Exemption (Class 2 Replacement or Reconstruction) will be filed for the Water Mains Capital Improvement Project FY 06/07.

### PROPOSED ACTION

Adopt the resolution of intention to amend the Fiscal Year 2007-2008 Water Enterprise Fund budget by increasing appropriations for the Water Mains Capital Improvement Project FY 06-07.

### DOCUMENTS AVAILABLE FOR REVIEW



- a. A resolution declaring the City Council's intent to amend the Fiscal Year 2007-2008 Water Enterprise Budget by increasing appropriations for the Water Mains Capital Improvement Project FY 06/07
  
- b. Project vicinity map.

CONTACT PERSON

Gary A. Leach, Public Works Director  
(707) 648-74315 [garyl@ci.vallejo.ca.us](mailto:garyl@ci.vallejo.ca.us)

Erik J. Nugteren, Water Superintendent  
(707) 648-4482 [erik@ci.vallejo.ca.us](mailto:erik@ci.vallejo.ca.us)

SEPTEMBER 25, 2007

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**RESOLUTION NO. 07-\_\_\_\_ N.C.**

BE IT RESOLVED by the City Council of the City of Vallejo as follows:

WHEREAS, as a part of the Final Map approval scheduled to be presented to City Council on October 2, 2007, the developer, Braddock and Logan Group II, LP, has agreed to enter into the 400 Zone Water Facilities Funding Agreement providing for the amount of \$1,206,250.00; and

WHEREAS, in June 2007, the City Council did adopt a budget for the Water Enterprise Fund which allocated capital funds for Fiscal Year 2007-2008; and

WHEREAS, Section 703 of the City Charter requires that available funds not included in the budget may be appropriated by the City Council after giving one week's notice of intention to do so; and

WHEREAS, the City Council is interested in amending the Fiscal Year 2007-2008 Water Enterprise Fund Budget; and

WHEREAS, the City Council has considered the report and recommendations of the Public Works Director on the proposed budget amendment and has determined that it is in the best interest of the City of Vallejo and is both fair and appropriate.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Vallejo does hereby declare its intention to increase the budgeted capital project appropriations for the Water Enterprise Fund by \$1,206,250.00 for the 400 Zone Water Improvements Project (WT7024) from unencumbered, unreserved Fund 404 balance, said amount to be reimbursed by Braddock and Logan Group II, L.P.

SEPTEMBER 25, 2007

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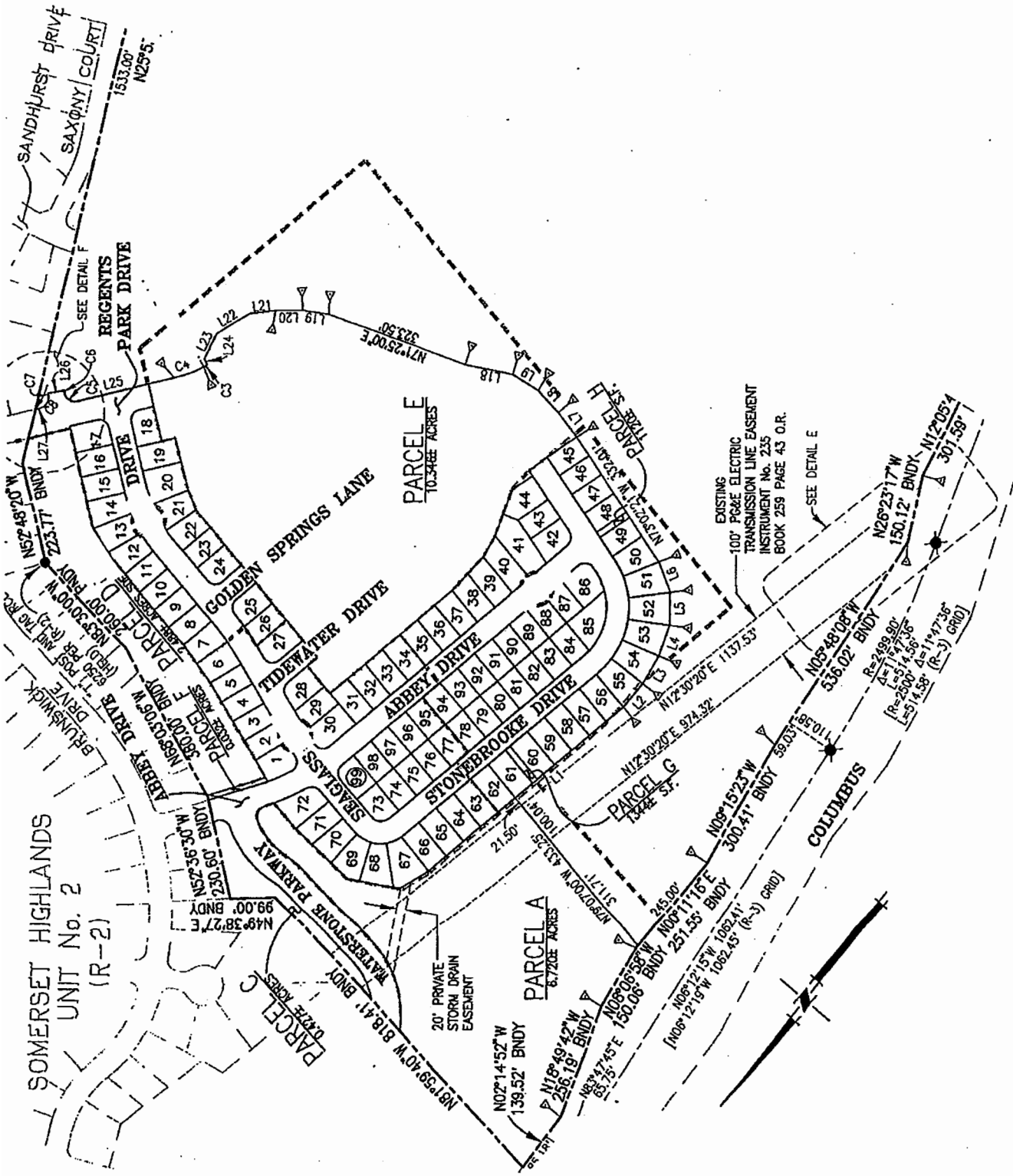
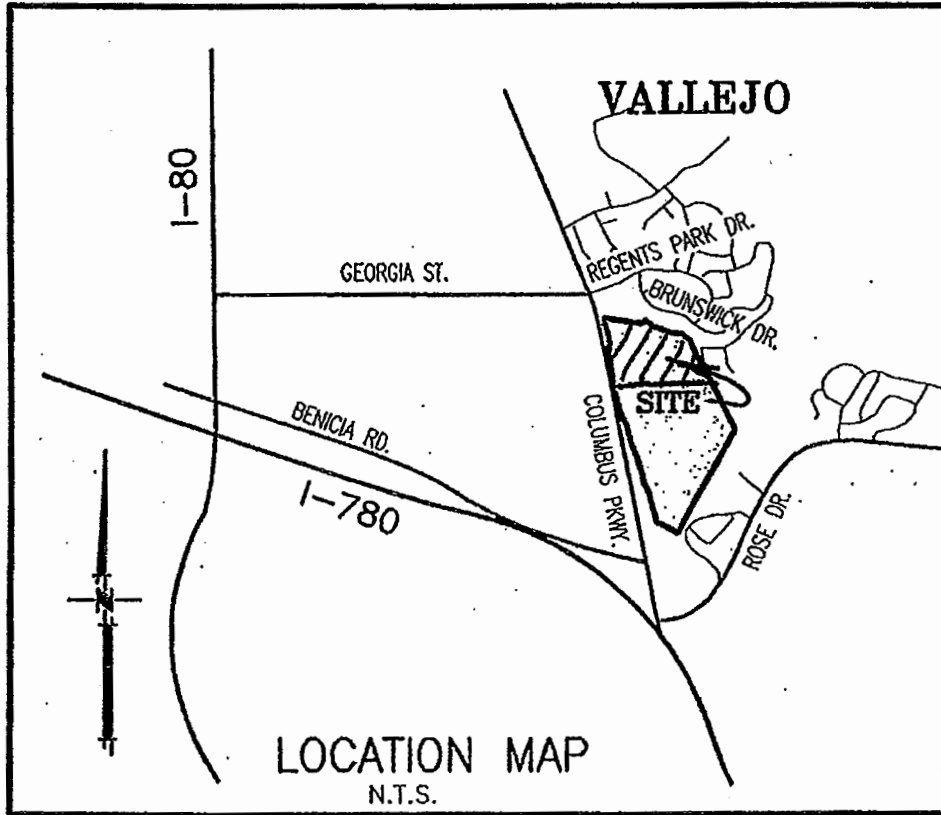


EXHIBIT "A"






Agenda Item No. ADMIN. A

**COUNCIL COMMUNICATION**

Date: September 25, 2007

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director 

SUBJECT: Approval of a Resolution Awarding the Engineering and Consulting Services Contract for the Downtown Bus Transit Center to DMJM Harris and Authorizing the City Manager to Enter Into a Contract with DMJM Harris

**BACKGROUND**

The Waterfront and Downtown Master Plans seek to reintegrate and reinvigorate the City's waterfront and downtown areas allowing them to flourish and once again become a vibrant center for the Vallejo community. Since adoption of the plans, the City of Vallejo has been working to implement the visions articulated in the two plans. The existing Georgia Street streetscape improvements and the new Martin Luther King Plaza invite travelers to walk through the downtown to the Waterfront.

One of the most important elements of the Waterfront Master Plan is the creation of the Vallejo Station -- a multi modal transit hub that includes both private and public components. When Vallejo Station is fully implemented, there will be new housing, commercial development, waterfront open space, new retail space. The Vallejo Station project leverages both public and private investments as the City of Vallejo is working closely with the developer, Callahan/DeSilva, LLC, to create this unique transit village.

A major element of the Vallejo Station project is the relocation of the City's existing downtown bus Transit Center. The City's current downtown Transit Center is located on York Street in downtown Vallejo. Having buses stop on the street is disruptive to vehicular traffic and is not convenient for the bus passengers. There are limited transit amenities, such as lighting or shelters available for bus patrons. In addition to needed improvements for the bus passengers, the existing Transit Center needs to be relocated to make way for proposed new housing and commercial development authorized under Vallejo's Downtown Specific Plan. Relocation of the Downtown Transit Center one block closer to the Vallejo Ferry Terminal across from the proposed Vallejo Station Parking Garage combined with the proposed private development in the downtown and waterfront areas will create the "Transit Village" concept that has been supported by the City and our federal, state and regional funding partners.

The Vallejo Pedestrian Links Project will create distinct pedestrian connections





(Paseo's) from the proposed new transit center to downtown Vallejo as well as the Ferry Terminal and Vallejo's waterfront. The following breakdown of the existing and proposed bus transit center help to illustrate some of the reasons staff is proposing to move forward with the project:

### Existing vs. Proposed Bus Transit Center Project

#### Existing

- On street bus parking disrupts flow of traffic
- Bus patrons must cross traffic to make connections
- Limited passenger amenities
- Limited parking for express bus passengers
- Does not facilitate Intermodal connectivity due to distance from the proposed Vallejo Station and Ferry Terminal
- Occupies valuable downtown redevelopment real estate
- Passenger loading area is spread over two full City blocks and is divided by a 60 ft. roadway
- Insufficient bus shelters

#### Proposed

- Provides off street bus parking
- Improved passenger waiting areas that provide better lighting, shelters, and centralized boarding areas.
- Improved security (incorporated surveillance system)
- Consolidated footprint improves passenger convenience and safety during boarding, alighting, and transfers
- Provides a ticket outlet and public information booth
- Improves driver / layover relief facilities
- Improves Intermodal connectivity due to proximity to Vallejo Station and the Ferry Terminal
- Provides parking for express bus passengers via Vallejo Station parking structure.
- Provides access to new job opportunities created in downtown Vallejo for local and regional travelers



A Request for Qualifications (RFQ) was officially released on October 21, 2006. Notice of the RFQ was sent to sixteen firms. Two firms, DMJM (Daniel, Mann, Johnson, & Mendenhall) Harris and BKF Engineering, responded to the request. DMJM Harris is not associated with Harris and Associates, the City's Vallejo Station management consultants. Both firms were called in for interviews on December 19-20, 2006. Following the interviews the review committee scored the proposers according to the criteria listed in the RFQ as follows:

DMJM Harris: 83.70% out of 100%  
BKF Engineering: 61.50% out of 100%

Both proposers had the qualifications to perform the scope of services, but DMJM Harris scored consistently higher across all categories. DMJM Harris recently acquired Kolve Engineering (now a subdivision of DMJM Harris). The engineering team from Kolve that will be leading this effort provided the preliminary design study to the City of Vallejo for this project, and have worked on several multimodal terminals in the Bay Area including Palo Alto, Mountain View, Emeryville, and Scotts Valley Transit Centers.

The procurement process was lengthened due to review steps added to ensure compliance with Federal grant regulations. In addition, the Final Waterfront Design guidelines were issued during the middle of negotiations, meaning that less design effort would be required, but instigating a new round of negotiations. As negotiations, review, and subsequent cost proposals were requested the prime contractor had to make numerous revisions to scope and cost. Negotiations also had to occur between the prime contractor and affected subconsultants.

Following the ranking of DMJM Harris as the most qualified, the City met with DMJM Harris to refine understanding of the scope of the project. A cost proposal was requested by the City and DMJM Harris provided the initial cost proposal on May 15, 2007. After several meetings to discuss the cost proposal and scope of services, DMJM Harris presented a final negotiated Cost Proposal of \$817,910. Staff has determined that their cost proposal is fair and reasonable in relation to the scope of work for the project. The contract will be a time and materials contract with the presented cost proposal of \$817,910 serving as a not-to-exceed amount.

The work includes several optional tasks depending on negotiations for right of way and different costs for various design options. The cost estimates range from a low of \$755,967 to a high of \$817,910. Staff is requesting the higher not to exceed limit be utilized for the contract authorization so that design can proceed seamlessly as design options are selected during the design phase.



### Public Outreach

Concurrent with, but separate from negotiations with DMJM Harris, City Transportation Division staff, as well as representatives from the Police Department and Economic Development, have held meetings with the Downtown Association to discuss the project. Some downtown business and property owners are concerned with the concept of moving the Bus Transfer center, and would, in fact, prefer that the center be either completely eliminated (through use of a decentralized transfer system for bus operations) or moved to a location away from the downtown area.

In response to those concerns Staff requested our transportation consultant Nelson Nygaard to confirm previous recommendations regarding the need for this downtown bus transfer facility contained in the Vallejo Station preliminary Design Report (Korve Engineering: May 2002). Nelson/Nygaard's evaluation (see Attachment b) did confirm that a central bus transfer point was critical, and that moving the transfer point to a location not accessible to the downtown area would discourage transit use, therefore having a significant negative impact on our Transportation budget. Staff remains convinced that the benefits of having a multimodal center adjacent to access points for all of the transit modes is central to the success of the City's transportation operation.

Additionally, as a result of the Vallejo City Unified School District announcement to eliminate school bus service to all Vallejo High Schools, and concerns raised by downtown merchants, transportation staff responded to both need and the concern by realigning existing supplemental peak bus service to better serve the public. Routes were created to provide students with direct service to their perspective neighborhoods and avoiding peak student activity in and around the downtown transfer center. Staff believes that this recent route modification will alleviate some of the downtown business owner's concerns.

### Fiscal Impact

The Project will be funded by State Transportation Improvement Plan (STIP) and Transportation for Livable Communities (TLC) Congestion Mitigation Air Quality (CMAQ) grant funds. These grants have been secured and are awaiting draw down. There will be no impact to the general fund.

### RECOMMENDATION

Staff recommends approval of a resolution awarding the Engineering and Consulting Services Contract for the Downtown Bus Transit Center to DMJM Harris and authorizing the City Manager to enter into a contract with DMJM Harris for Engineering Consulting Services for the Downtown Bus Transit Center for an amount Not To Exceed \$817,910.



## ENVIRONMENTAL REVIEW

The required Environmental Impact Report for the project was certified on November 15, 2005.

## ALTERNATIVES CONSIDERED

Several alternatives were considered for this project, including changing the bus system from a timed-transfer to a grid system to eliminate the need for a bus transfer center, as well as relocation of the bus transfer center. The grid system alternative was rejected because the system would require much more frequent headways (15 minute) and an estimated 50 to 75% increase in bus operational costs. Relocation of the bus transit center would discourage direct access to downtown and our other modes of transportation (ferry and regional bus transit) by increasing the number of required transfers. Increasing the number of transfers is a well established way to reduce system ridership.

Both of these alternatives were rejected by City staff for the above stated reasons.

## PROPOSED ACTION

Approve the resolution awarding the Bus Transit Center Engineering Consulting Services Contract to DMJM Harris for an amount Not To Exceed \$817,910.

## DOCUMENTS AVAILABLE FOR REVIEW

- a. A resolution awarding the Bus Transit Center Engineering Consulting Services Contract to DMJM Harris
- b. Memorandum from Nelson Nygaard regarding central transfer center
- c. Scope of Work

## CONTACT PERSON

Gary A. Leach, Public Works Director  
648-4315  
gleach@ci.vallejo.ca.us

September 25, 2007  
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**RESOLUTION NO. 07-\_\_\_\_ N.C.**

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, it has been determined that the proposed Downtown Bus Transit Center Project is essential for the operation of Vallejo's Transportation System; and

WHEREAS, the Transportation Division conducted a formal Request for Qualifications solicitation process; and

WHEREAS, the Transportation Division received two responses to the Request for Qualifications; and

WHEREAS, based on the qualifications criteria set forth in the Request for Qualifications, the Transportation Division has made a recommendation to award the contract to DMJM Harris of Oakland, California, for a time and materials contract for engineering consulting services in an amount not to exceed \$817,910; and

WHEREAS, the Transportation Division has sufficient funds budgeted to engage the consultants;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Vallejo

1. Awards the Engineering and Consulting Services Contract for the Downtown Bus Transit Center to DMJM Harris; and
2. Authorizes the City Manager to enter into a contract with DMJM Harris of Oakland, California, for engineering consulting services for the Downtown Bus Transit Center Project in an amount not to exceed \$817,910, including optional tasks, and subject to amendments, review and approval by the City Attorney and City Manager, consistent with this resolution,

BE IT FURTHER RESOLVED, that all other proposals received are hereby deemed rejected upon execution of a contract with the aforementioned consultant.

SEPTEMBER 26, 2006

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## MEMORANDUM

**To:** Crystal Odum-Ford and Gary Leach

**From:** Paul Jewel

**Date:** July 25, 2007

**Subject:** New Central Transfer Center

Crystal and Gary,

The City is currently in the process of selecting a design consultant for the proposed central bus transfer station on York between Santa Clara and Sacramento. This site was selected several years ago by the city in conjunction with the Vallejo Station Project. Many members of the downtown business community are uncertain that this facility is necessary and/or should be placed in this location. You've asked me to look into the issue.

At this time I have:

1. Visited the existing facility at York and Marin and the proposed site.
2. Reviewed my previous work related to this project contained in the Vallejo Station preliminary Design Report (Korve Engineering: May 2002).
3. Attended a meeting of downtown business owners sponsored by the City of Vallejo's Redevelopment Agency (6/19/07).

I would like to review the Fall 2006 Passenger Origin/Destination Survey and Transfer Data collected by the Solano Transportation Authority, but as of this date Vallejo staff has yet to receive the database from STA.

### Initial Thoughts

Transit systems like Vallejo's are typically structured around one of two models:

- Grid System
- Timed-transfers at one or more transfer stations

Vallejo currently uses a timed-transfer system, with the bulk of the transfers occurring at the York and Marin central transfer station. When we did our initial evaluation back in 2002 (as part of the Korve team) we learned that:

- 2/3 of existing passengers preferred that the central transfer station remain within the immediate downtown core.

- York and Marin accounted for 25% of all bus boarding activity, including transfers
- Excluding transfers, York and Marin still accounted for 13% of all boarding activity (making downtown Vallejo the single most important destination in the entire bus system.
- Maintaining a central transfer facility at, or near, York and Marin is a benefit to passengers heading downtown because it eliminates the need for a transfer.
- The single largest passenger Origin/Destination pair in 2002 was for travel between North Vallejo and Downtown Vallejo.

Although the Nelson\Nygaard team hasn't started working on the comprehensive evaluation of the Vallejo Transit system, I feel fairly confident stating that no matter what we design, Vallejo Transit will continue to operate a timed-transfer system with a central pulse station for at least the next 5-7 years. The main reason behind this assumption is that the City simply won't have the operating funds needed to switch to a grid based system. This would require increasing frequencies on almost all routes to every 15 minutes, which in turn will increase the annual cost of operations by 50 to 75%. Therefore, the system is likely to remain as a timed-transfer system for the foreseeable future.

If that's the case, then the next question becomes where to put the transfer center, or centers. Larger systems using timed-transfers often find it necessary to create more than one transfer center, simply because their service areas are so large that it would be inefficient to bring all buses into a central location. On the other hand, most small systems like Vallejo's only need one transfer center. Using more than one would make it very difficult to effectively schedule and maintain timed-transfers because the blocks (distance and run-times) between the two facilities would be too short to be effective. Vallejo only needs a single central transfer center.

It makes sense from a passenger's perspective to place a transfer facility at, or near, a system's major activity center. In 2002, that major activity center was downtown Vallejo. We don't have the new Origin/Destination data from STA, but it seems very likely that downtown is probably still the single largest activity center in the entire network. Moving the transfer facility away from downtown, even placing it on the edge of downtown (e.g. the Kaiser site), would force many passengers heading to downtown to transfer to another bus. Experience and research (FTA, university, etc) has continually shown that having to make transfers is one of the single biggest deterrents to people using public transit. Forcing more people to transfer will definitely have a negative impact on system ridership and image of the Vallejo bus system.

For that reason, we definitely believe at this time that a central transfer station should be retained within the immediate vicinity of the existing York and Marin station. Clearly the current facility is not adequate from a variety of perspectives, but most of those issues can be addressed by the proposed new facility.

We will evaluate this issue in more detail as part of our comprehensive analysis this summer, but for now we highly encourage the city to move ahead with its plan to develop a new transfer center on York between Sacramento and Santa Clara.



785 Market Street, Suite 1300  
San Francisco, CA 94103  
Phone: (415) 284-1544  
Fax: (415) 284-1554

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We will evaluate this issue in more detail as part of our comprehensive analysis this summer, but for now we highly encourage the city to move ahead with its plan to develop a new transfer center on York between Sacramento and Santa Clara.

### III SCOPE OF SERVICES

#### DESIGN OBJECTIVES

The following describes the work plan for the Vallejo Transit Center Project. The work plan is separated into three stages, Preliminary Engineering and Final Design (PS&E) and Design Services During Construction.

#### Stage 1 – Preliminary Engineering

##### **Project Management**

The project management tasks will consist of coordination with City of Vallejo staff and their representatives (monthly), coordination with reviewing agencies, maintenance of project schedule and budget issues, and quality control and assurance. The initial tasks will be to finalize the scope of work, budget, and schedule for the project, and develop a project reference log consisting of previous work elements and studies which can be referred to as necessary throughout the course of this design effort. DMJM Harris will coordinate with all City departments and personnel in order for those departments to be at meetings when appropriate.

##### ***Deliverables:***

- Monthly progress reports
- Meeting agendas and meeting minutes
- Project Schedule (MS-Project format), updated as necessary, and will include key Project milestones.
- Quality Control Review Summary

##### **Design Kick-Off Meeting**

DMJM Harris will hold a design kick-off meeting at the outset of the project. The kick-off meeting will establish the project procedures, and project coordination. DMJM Harris will prepare an agenda and meeting minutes for the kick-off meeting.

##### ***Deliverables:***

- Meeting Agenda
- Meeting Minutes

##### **Data Collection**

The purpose of this task is to double check the existing project layout from an engineering perspective and verify that it can be constructed efficiently.

- Site visit and review of plans for the transit center

- Obtain and review project site as-builts
- Perform geotechnical investigations of the site including test borings, other subsurface investigations, and soils testing (6 borings maximum)
- Investigate ADA requirements
- Assess storm water treatment options
- Develop list of plant species, sizes and varieties
- Obtain City transit facility needs for operator and public amenities
- Obtain City preference for lighting equipment (particularly from a maintenance perspective)
- Investigate existing on-site utilities and availability of off-site service points
- Identify all issues with temporary and permanent parking requirements for the site
- Identify reviewing agencies and obtain documentation of their requirements and typical review timelines
- Prepare Basis of Design Document that establishes design components
- Review the Funding Grants and summarize all project requirements that must be followed through the design phase
- Review the environmental document and summarize all project requirements that must be followed through the design phase
- Review the City's Downtown and Waterfront plans

***Deliverables:***

- Data Collection Log
- Basis of Design Report

**Bus Operational Review**

The purpose of this task is to work with the City to evaluate existing and proposed bus operations for the site to determine viability of the currently proposed layout.

- Meet with City
- Review operations
- Prepare design modification options to address operational issues including routes served, layover requirements, bus dimensions, etc.
- Review and confirm modifications

***Deliverables:***

- Transit Operations Technical Memo including revised site plan

**Right of Way Analysis**

The purpose of this task is to investigate all right of way issues for parcels that make up the project site.

- Obtain and review title reports

- Review of the City's downtown Benefit Improvement District (BID) (City Code Section 14.32) and any related agreement with adjacent property owners and/or tenants related to the operation, maintenance and availability of existing parking, parking during construction, and/or parking upon completion of the project as currently proposed.
- Analyze parking impacts based on rights of each property owner and transit center layout

***Deliverables:***

- Right of Way Report including parking evaluation exhibits for existing condition, during construction and after project completion

**1.5A Right of Way Analysis (optional tasks)**

If ultimately authorized by the City, DMJM Harris shall perform the following Right of Way tasks

- Evaluate available space in office building on site and within 1 block for use as a transit office
- Evaluate potential buyout of the Beeman Building

**Topographic Survey and Base Map**

The purpose of this task is to prepare a comprehensive map in AutoCAD format of all the existing conditions on the site. DMJM Harris will provide the base aerial topography file which we will supplement with field survey work.

- Supplement topography with a detailed field survey
- Review title reports and prepare a complete boundary survey along with all easements on the project site
- Review existing as-built plans and utility plans from all utilities and incorporate into the topography file
- Pot hole critical utilities for exact location and depth (10 max.)

***Deliverables:***

- Topographic and Boundary base map which includes; all easements, boundary information, utilities, and base topo.
- Electronic Deliverable will be in AutoCAD
- Electronic version of all field notes

**Architectural Concept Development**

DMJM Harris shall develop two architectural themes that can both be used to create bus shelters in the following three configurations:

- Six identical individual bus shelters located on the bus island between each set of bus stops (one shelter for two bus stops)
- Three identical bus shelters that span two bus stop modules (one shelter for four bus stops)

- One long bus shelter that extends the length of the bus island

***Deliverables:***

- Sketches of each theme and shelter configuration (six total) will be provided for the second Community Workshop
- Refinements and modifications to the previous sketches will be provided for the first Design Review Board meeting
- Based on comments from the Design Review Board we will refine one architectural theme with one shelter configuration for the second Design Review Board meeting
- Final Architectural Design Concept for the City Council Meeting will be the PE deliverable from Task 1.8

**1.7A Concept Development – Transit Office in the Beeman Building**

**(optional task)** – if ultimately authorized by the City, DMJM Harris shall perform a structural engineering evaluation and develop preliminary architectural drawings to convert the existing Beeman Building into a Transit Office for the City of Vallejo. The Beeman Building is an existing two story building of approximately 5,736 square feet located on the north side of existing city parking lot “F”. If this property is acquired by the City and ultimately made a part of this project, the City anticipates that the first floor of the building would include a lobby, an information/customer service counter, an office and break room as well as public/private restrooms.

***Deliverables:***

- Conceptual Plans, 2-D and 3-D conceptual sketches and drawings either black & white or color as deemed appropriate by the architect for conveying the design image concept.

**1.7B Concept Development – Stand Alone Transit Building (optional task) -**

if ultimately authorized by the City, DMJM Harris shall perform schematic design including site location alternatives and architectural conceptual design for a new freestanding one story transit office building of approximately 850 – 900 square feet. Site location alternatives will include alternatives located within the limits of work for the project site. The conceptual design will be preceded with a summary program for the building spaces and functions. Once the program has been approved by the city, DMJM Harris will prepare up to two alternative building designs for review and approval. The City anticipates that the the building will include an information/customer service office with a counter with a walk-up information window, an operator/staff break room as well as two single occupant public restrooms and two single occupant private staff restrooms, as well as building support service spaces such as janitor closet, mechanical & electrical rooms as required.

**Deliverables:**

- Conceptual Plans, including proposed site location alternatives (not to exceed 3), 2-D and 3-D conceptual sketches and drawings either black & white or color as deemed appropriate by the architect for conveying the design image concept.

**Preliminary Engineering (30%)**

DMJM Harris shall prepare schematic plans for this project for review and approval by the City of Vallejo. Said Schematic Plans shall include, but not necessarily be limited to, the following elements:

- **Improvement and Grading Plan** – DMJM Harris shall provide a schematic improvement and grading plan for the project. The preliminary improvement and grading plan shall identify the areas of new construction as well as areas requiring pavement repair or overlay, replacement of curb, gutter and/or sidewalk within the project limits.
- **Right-of-Way** – DMJM Harris shall provide a schematic right of way map on the project base sheet for the project and related areas within the project limits. Said maps shall identify areas where temporary or permanent easements, construction easements or other property rights might be needed to construct the project.
- **Traffic and Circulation Improvements** – DMJM Harris will identify and evaluate any traffic and circulation issues with the proposed project and include recommendations on addressing these issues on a schematic traffic and circulation plan for the project. If appropriate, a separate traffic report will be submitted during this phase of the project outlining DMJM Harris' recommendations with respect to traffic and circulation issues, signing and striping plans, traffic signal warrants (if necessary), etc. Among other things, the schematic plan shall consider the traffic mitigations for the project area described in the Waterfront area FEIR and/or the any subsequent settlement documents that might become available.
- **Streetscape Design** - DMJM Harris shall provide a schematic level streetscape design for the project. The proposed streetscape shall conform to the vision, goals, and requirements described in the Design Guidelines for the Waterfront Plan as well as the Downtown Plan. Any conflicts between these plans shall be brought to the attention of the city. The schematic design shall include any proposed street furniture, basic signs, any proposed public art, any proposed decorative paving, lighting and other related project features. Any proposed facilities requiring electrical service shall designate the location of electrical services.
- **Landscape Design** - DMJM Harris shall provide a schematic level landscape design showing the basic planting schemes for the project. The proposed landscape plans shall conform to the vision, goals, and requirements described in the Design Guidelines for the Waterfront Plan as well as the

Downtown Plan. Any conflicts between these plans shall be brought to the attention of the city.

- **Architectural Design** - DMJM Harris shall provide a schematic level architectural design for the project. The proposed shelter plans shall conform to the vision, goals, and requirements described in the Design Guidelines for the Waterfront Plan as well as the Downtown Plan. Any conflicts between these plans shall be brought to the attention of the city.
- **Project Enhancements** – DMJM Harris shall, consistent with the terms and conditions of the City’s TLC grant, identify and propose enhancements to the project. Such enhancements are likely to include additional architectural features, upgraded and improved bus shelters, upgraded landscaping, additional and/or upgraded decorative paving, additional and/or upgraded lighting, upgraded and/or additional street furniture, additional signage, supplemental, upgraded and/or additional covered areas for bus patrons and/or pedestrians, etc.
- **Utility Plan** - DMJM Harris shall prepare a schematic level utility plan. The plan shall locate all of the utilities within the project limits and identify those utilities that will need to be relocated to accommodate the proposed improvements. This plan shall also identify any utilities proposed for upgrading and/or replacement by the city and/or the various utility companies and/or as may be needed or required in conjunction with subsequent implementation of the Vallejo Station Parking Garage and/or elements of the City’s recently approved (or amended) Waterfront or Downtown Plans. The schematic plan shall also identify any modifications to the City’s storm drain system needed as a result of the proposed project and/or any proposed future projects.
- **Project Specifications** - DMJM Harris shall utilize the City of Vallejo Regulations and Standard Specifications for Public Improvements and Vallejo Sanitation and Flood Control District Specifications for the proposed improvements. During the schematic phase of the project, DMJM Harris shall identify Special Provisions for items not covered by these Specifications or for requested revisions.
- **Estimate of Construction Costs** - DMJM Harris shall provide an Estimate of Construction Cost for the proposed improvements.
- **Submit and Review with City** - DMJM Harris shall submit the Schematic Design items described above to the City for review. DMJM Harris shall meet with the City to discuss the schematic designs and make revisions to the schematic information until the City accepts the Schematic Design.

***Deliverables:***

- Preliminary Engineering Plans, including preliminary site improvements, grading, utilities, right of way, architectural, streetscape and landscape
- Preliminary Engineering Cost Estimate
- Special Provisions Outline
- Memos summarizing proposed project enhancements

**1.8A Preliminary Engineering (30%)– Transit Office in the Beeman Building (optional task)** – if ultimately authorized by the City, DMJM Harris shall further develop the approved conceptual design and prepare preliminary engineering level (30% complete) architectural drawings for the Transit Office in the Beeman Building approved in task 1.7A above.

***Deliverables:***

- Preliminary Engineering Plans, including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Preliminary Engineering Cost Estimate
- Specification Outline
- Memos summarizing proposed project enhancements

**1.8B Preliminary Engineering (30%) – Stand Alone Transit Building (optional task)** - if ultimately authorized by the City, DMJM Harris shall further develop the approved conceptual design and prepare preliminary engineering level (30% complete) architectural drawings for the new Transit Building approved in task 1.7B above.

***Deliverables:***

- Preliminary Engineering Plans, including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Preliminary Engineering Cost Estimate
- Specification Outline
- Memos summarizing proposed project enhancements

**Community Workshops**

DMJM Harris will work with the City to develop a community involvement process for the project. We envision two community workshops to engage stakeholders, including transit users, local residents, local merchants, and other interested parties. It is anticipated that the first workshop will be held at the onset of the project to hear community ideas. The second workshop would be to present and obtain feedback on the architectural sketches described in Task 1.7. The specific format of each workshop would be determined jointly with the City, but a typical meeting could include a brief background presentation on the study process and issues, followed by some breakout discussion sessions facilitated by staff, and concluding with reports back from the breakout groups. Other possible formats are an open house with information tables around the room staffed by study participants, or a formal presentation followed by a comment period. Following each workshop, DMJM Harris will prepare a memorandum summarizing comments received and outlining how the comments will be addressed in the design work. The City is assumed to handle the logistics of all community meetings including arrangement of facilities and noticing.



***Deliverables:***

- Proposed meeting programs
- Agendas and handouts
- Presentation materials (maps, display boards, PowerPoint presentations), including those describe in Task 1.7
- Memos summarizing meeting results

**Public Review Process**

DMJM Harris will work with the City to identify the appropriate public review process for the project. We anticipate attending and making presentations at up to three public meetings including two Design Review Board Meetings and one City Council Meeting. The subject of each meeting is described in Task 1.7. Prior to these meetings, we will coordinate with the City regarding issues to be addressed and items to be presented.

***Deliverables:***

- Presentation materials (maps, display boards, PowerPoint presentations), including those described in Task 1.7.

## **Stage 2 – Final Design**

For the purpose of defining the base design services budget, it is assumed that the bus shelter design moving forward into Stage 2 is for the small six individual shelters. Additional budget per the additive bid would be required for the other two bus shelter options described in Task 1.7.

**Project Management**

Project Management functions and procedures established in Stage 1 will be carried over into Stage 2.

***Deliverables:***

- Monthly progress reports with earned value analysis on a quarterly basis
- Meeting agendas and meeting minutes
- Project Schedule (MS-Project format)

**Interim PS&E (60% Submittal)**

Based on the approved design concept, the design team will prepare design development drawings (60% complete construction documents).

The plans will show the layout, access driveways, pavement grading, utility modifications, property lines, and other features of the design. The improvement plans will include architectural, structural, streetscape, landscape, lighting, drainage and utility requirements. Cross-sections will also be prepared. Special

provisions will be prepared along with a preliminary cost estimate. Reports will include geotechnical, hydraulic, lighting, and tree survey. Meet with all the City reviewing agencies to discuss the designs and identify changes made to the plans since the 30% design plans.

***Deliverables:***

- 60% Plans (in City of Vallejo Format), including all site improvements, grading, storm drainage, horizontal control, signing and striping, cross sections, utilities, lighting, architectural, structural and landscape.
- Lighting Analysis
- Structural Calculations
- Geotechnical Report
- Hydraulics Report
- Draft/Edited Special Provisions (City of Vallejo Format)
- Draft Construction Cost Estimate
- Electronic copy of plans, reports, calculations, draft permits and draft agreements
- Quality Control documentation

**2.2A Interim PS&E – Transit Office in the Beeman Building (optional task)**

Based on the City approving the advancement of the Beeman Building option, the design team will prepare design development drawings (60% complete construction documents).

The plans will show the floor plan, structural plan, electrical plan, plumbing plan, elevations and details. Special Provisions will be prepared along with a preliminary cost estimate. Meet with all the City reviewing agencies to discuss the designs and identify changes made to the plans since the 30% design plans.

***Deliverables:***

- 60% Plans (in City of Vallejo Format), including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Structural Calculations
- Draft/Edited Special Provisions (City of Vallejo Format)
- Draft Construction Cost Estimate
- Electronic copy of plans, calculations, and special provisions
- Quality Control documentation

## **2.2B Interim PS&E – Stand Alone Transit Building (optional task)**

Based on the City approving the advancement of the Stand Alone Transit Building, the design team will prepare design development drawings (60% complete construction documents).

The plans will show the floor plan, structural plan, electrical plan, plumbing plan, elevations and details. Special Provisions will be prepared along with a preliminary cost estimate. Meet with all the City reviewing agencies to discuss the designs and identify changes made to the plans since the 30% design plans.

### ***Deliverables:***

- 60% Plans (in City of Vallejo Format), including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Structural Calculations
- Draft/Edited Special Provisions (City of Vallejo Format)
- Draft Construction Cost Estimate
- Electronic copy of plans, calculations, and special provisions
- Quality Control documentation

## **Draft Final PS&E (90% Submittal)**

Continue with PS&E design to 90% level with Plans, Special Provisions and the Estimates. Meet with the City to discuss the designs and identify changes made to the plans since the 60% Design plans.

### ***Deliverables:***

- 90% Plans (in City of Vallejo Format), including site improvements, grading, storm drainage, horizontal control, signing and striping, cross sections, details, erosion control, utilities, lighting, architectural, structural, landscape and irrigation.
- Fully Edited Special Provisions (City of Vallejo Format)
- Draft Final Construction Cost Estimate
- Electronic copy of plans, reports, calculations, draft permits and draft agreements
- Quality Control documentation

## **2.3A Draft Final PS&E – Transit Office in the Beeman Building (optional task)**

Continue with PS&E design to 90% level with Plans, Special Provisions and the

Estimates. Meet with the City to discuss the designs and identify changes made to the plans since the 60% Design plans.

***Deliverables:***

- 90% Plans (in City of Vallejo Format), including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Fully Edited Special Provisions (City of Vallejo Format)
- Draft Final Construction Cost Estimate
- Electronic copy of plans, reports, calculations, and draft permits
- Quality Control documentation

**2.3B Draft Final PS&E – Stand Alone Transit Building (optional task)**

Continue with PS&E design to 90% level with Plans, Special Provisions and the Estimates. Meet with the City to discuss the designs and identify changes made to the plans since the 60% Design plans.

***Deliverables:***

- 90% Plans (in City of Vallejo Format), including preliminary site improvements, civil, architectural, structural, mechanical, plumbing, electrical and landscape.
- Fully Edited Special Provisions (City of Vallejo Format)
- Draft Final Construction Cost Estimate
- Electronic copy of plans, reports, calculations, and draft permits
- Quality Control documentation

**Final PS&E (100% Submittal)**

Continue with PS&E design to 100% level with Plans, Special Provisions and the Estimates. Meet with the City to review for acceptance.

***Deliverables:***

- Final Contract Plans (in City of Vallejo Format)
- Final Reports
- Final Special Provisions (City of Vallejo Format)
- Final Construction Cost Estimate
- Assembled Bid Package including Plans and Special Provisions (30 sets)
- Resident Engineer's Files and Survey Files
- Project Files
- Electronic copy of plans, reports, calculations, permits, agreements, estimates, and Special Provisions

- Quality Control documentation

#### **2.4A Final PS&E – Transit Office in the Beeman Building (optional task)**

Continue with PS&E design to 100% level with Plans, Special Provisions and the Estimates. Meet with the City to review for acceptance.

##### ***Deliverables:***

- Final Contract Plans (in City of Vallejo Format)
- Final Special Provisions (City of Vallejo Format)
- Final Construction Cost Estimate
- Assembled Bid Package including Plans and Specifications (30 sets)
- Project Files
- Electronic copy of plans, calculations, permits, estimates, and Specifications
- Quality Control documentation

#### **2.4B Final PS&E – Stand Alone Transit Building (optional task)**

Continue with PS&E design to 100% level with Plans, Special Provisions and the Estimates. Meet with the City to review for acceptance.

##### ***Deliverables:***

- Final Contract Plans (in City of Vallejo Format)
- Final Special Provisions (City of Vallejo Format)
- Final Construction Cost Estimate
- Assembled Bid Package including Plans and Specifications (30 sets)
- Project Files
- Electronic copy of plans, calculations, permits, estimates, and Specifications
- Quality Control documentation

## **Stage 3 -- Design Services during Construction**

### **Project Management (Optional Task)**

Project Management functions and procedures established in Stage 1 will be carried over into Stage 3.

##### ***Deliverables:***

- Monthly progress reports with earned value analysis on a quarterly basis
- Meeting agendas and meeting minutes
- Project Schedule (MS-Project format)

### **Bid Support Services**

Provide advice, consultation and assistance during the bidding phase. Address contractor's questions, including attendance at the pre-bid meeting. Prepare addenda as necessary. Provide evaluation of bids.

#### ***Deliverables:***

- Bid Addendum (Optional Task)
- Response to RFIs
- Conformed Drawings (Optional Task)
- Assembled Conformed Package including Plans and Special Provisions (10 sets) (Optional Task)

### **3.2A Bid Support Services – Transit Office in the Beeman Building (optional task)**

Provide advice, consultation and assistance during the bidding phase. Address contractor's questions, including attendance at the pre-bid meeting. Prepare addenda as necessary. Provide evaluation of bids.

#### ***Deliverables:***

- Bid Addendum
- Response to RFIs
- Conformed Drawings
- Assembled Conformed Package including Plans and Specifications (10 sets)

### **3.2B Bid Support Services – Stand Alone Transit Building (optional task)**

Provide advice, consultation and assistance during the bidding phase. Address contractor's questions, including attendance at the pre-bid meeting. Prepare addenda as necessary. Provide evaluation of bids.

#### ***Deliverables:***

- Bid Addendum
- Response to RFIs
- Conformed Drawings
- Assembled Conformed Package including Plans and Specifications (10 sets)

### **Construction Support Services**

Review submittals, shop drawings and interpret specifications within three business days. Prepare and advise on change order, major change within five business days. Attend site meetings as necessary (maximum 15 meetings). Respond to RFI's and resolve construction problems. Review lab and shop test results.

***Deliverables:***

- Submittal Review (Optional Task)
- Response to RFI's
- Provide assistance to City's construction manager, as necessary (Optional Task)
- Prepare Record Drawings (3 sets) (Optional Task)

**3.3A Construction Support Services - Transit Office in the Beeman Building (optional task)**

Review submittals, shop drawings and interpret specifications within three business days. Prepare and advise on change order, major change within five business days. Attend site meetings as necessary (maximum 15 meetings). Respond to RFI's and resolve construction problems. Review lab and shop test results.

***Deliverables:***

- Submittal Review (Optional Task)
- Response to RFI's
- Provide assistance to City's construction manager, as necessary (Optional Task)
- Prepare Record Drawings (3 sets) (Optional Task)

**3.3B Construction Support Services - Stand Alone Transit Building (optional task)**

Review submittals, shop drawings and interpret specifications within three business days. Prepare and advise on change order, major change within five business days. Attend site meetings as necessary (maximum 15 meetings). Respond to RFI's and resolve construction problems. Review lab and shop test results.

***Deliverables:***

- Submittal Review (Optional Task)
- Response to RFI's
- Provide assistance to City's construction manager, as necessary (Optional Task)
- Prepare Record Drawings (3 sets) (Optional Task)

**Additional Work Items**

None identified at this time



**COUNCIL COMMUNICATION**

Date: September 25, 2007

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager / Community Development *CW*  
Susan McCue, Economic Development Program Manager *SMC*

SUBJECT: CONSIDERATION OF APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF VALLEJO, BRADDOCK & LOGAN, AND THE GREATER VALLEJO RECREATION DISTRICT REGARDING THE DEDICATION OF PARK LAND AND IMPROVEMENTS TO HIGHLANDS PARK.

BACKGROUND & DISCUSSION

Braddock & Logan, a real estate developer, received approval to construct 434 single-family homes on 178 acres east of Columbus Parkway in an area known as Bordoni Ranch. Pursuant to City ordinance and development conditions of approval, Braddock & Logan is obligated to dedicate park land and/or pay park fees in conjunction with the approval of the Bordoni Ranch project.

In November of 2005, the Planning Commission approved the Conditions of Approval Number 46, 47, 48, 49, 50, 51 and 52 of the Vesting Tentative Map Number 02-0003 which required the developer to upgrade the existing Highlands Park. A grading permit was issued on May 1, 2007 for the construction of the first phase of the development consisting of half of the 434 units and the construction of the access road through the existing park to Regents Park Drive.

A three-party agreement has been negotiated between Braddock & Logan, Greater Vallejo recreation District (GVRD) and City for the redevelopment, improvement and dedication of Highlands Park to satisfy the Conditions of Approval for the development of the Bordoni Ranch project. The Board of Directors of GVRD approved this agreement at its meeting on September 13, 2007.

Primary business terms of the three-party agreement include:

- Braddock & Logan shall convey 1.0± acres of privately-owned land to City and Braddock & Logan will design, construct and deliver an upgraded Highlands Park on a "turn key" basis so that all improvements will be in place and ready for use.
- Braddock & Logan shall relocate the existing parking lot and construct a secondary street of approximately .64 acres, which will access the Bordoni Ranch residential development and intersect Regents Park Drive.
- The improvements to Highlands Park shall include one basketball court, bocce ball courts, a play area with equipment, various picnic facilities, paved pathways, and landscaping throughout the developed areas, a parking lot, trails and seating areas.



- In addition to the improvements of Highlands Park, Braddock & Logan shall contribute \$750 per house at close of purchase of each home to GVRD to fund the construction of an off-site soccer field at an estimated amount of \$325,500. GVRD will apply these funds toward the construction of a soccer field at Dan Foley Park.
- The expansion and redevelopment of Highlands Park will be completed consistent with Bordoni Ranch Conditions of Approval Number 49, which provide that improvements must be phased along with the development of Columbus Parkway.
- Braddock & Logan shall obtain all necessary permits, including a Unit Plan and prepare plans and specifications for the required improvements of Highlands Park. Construction of such improvements, including all engineering costs and all required permits is estimated to cost \$1.5 million. The development costs of the road, an obligation of Braddock & Logan, will not be included in the estimated \$1.5 million cost.
- If Braddock & Logan were not constructing these improvements, the developer would be obligated to pay approximately \$1.2 million in park and recreation fees (\$2,811 park and recreation fee per unit multiplied by 434 units) as required under section 3.18 of the Vallejo Municipal Code. Braddock & Logan will receive a credit against this obligation for these improvements.
- Braddock & Logan has provided a performance bond in the amount of \$1.5 million for park improvements in favor of GVRD.
- Braddock & Logan shall be responsible for maintaining the improvements in Highlands Park for one year after the City and GVRD have accepted all park improvements pursuant to Bordoni Ranch Condition Number 50.
- Long term park maintenance will be funded by the Bordoni Ranch, Landscape Maintenance District and GVRD.

### FISCAL IMPACT

Braddock & Logan, as part of their project approval, have committed to improve Highlands Park facility at a cost of approximately \$1,500,000. Braddock & Logan has committed an additional \$325,500 (\$750 per house) to fund construction of a regulation soccer field at Dan Foley Park. As indicated above, the Developer will be responsible for the construction of the Park and GVRD will be responsible for the maintenance of the Park upon completion. Upon acceptance of the completed Park by GVRD, Braddock & Logan will receive a credit toward \$1.2 million in Park and Recreation Fees.

### RECOMMENDATION

Approve the agreement allowing for the construction of improvements to Highlands Park.

### ALTERNATIVES CONSIDERED

The terms and conditions contained in the three-party agreement are consistent with development approvals obtained Braddock & Logan and also reflect the provisions of the Master Lease between the City and GVRD. No alternatives were considered.

### ENVIRONMENTAL REVIEW

The improvement of Highlands Park was included in the project described in the Bordoni Ranch Project, for which a final Environmental Impact Report (EIR) was filed and certified by the Vallejo City Council on July 26, 2005. Pursuant to CEQA status section 21166, no further subsequent or supplemental environmental impact report is required as there are no substantial changes to the project, and no new information triggering the need for further environmental review.

### PROPOSED ACTION

Adopt the Resolution authorizing the City Manager to execute the three-party agreement between the City of Vallejo, GVRD and Braddock & Logan for the land dedication and construction of the new improvements in Highlands Park, and to execute any other document or instrument, and take any additional action, including an amendment to the terms of this agreement, that does not require the expenditure of City funds as may be necessary to carry out the purpose of the agreement.

### DOCUMENTS ATTACHED

- Attachment A - Resolution
- Attachment B - Tri-party Agreement between the City, GVRD and Braddock & Logan
- Attachment C - Highlands Park Improvements

CONTACT: Steve England, Real Property and Asset Manager  
707-649-4848, [sengland@ci.vallejo.ca.us](mailto:sengland@ci.vallejo.ca.us)

Susan McCue, Economic Development Program Manager  
707-553-7283, [smccue@ci.vallejo.ca.us](mailto:smccue@ci.vallejo.ca.us)

## **Attachment A**

**Resolution No. \_\_\_\_\_ N.C.**

### **AGREEMENT BETWEEN THE CITY OF VALLEJO, GVRD AND BRADDOCK & LOGAN REGARDING HIGHLANDS PARK**

BE IT RESOLVED BY THE City Council of the City of Vallejo as follows:

WHEREAS, the City of Vallejo ("City") owns the real property know as Highlands Park located at Regents Park Drive and Columbus Parkway in the City of Vallejo, California ("Premises"); and

WHEREAS, GVRD leases Highlands Park from the City under the terms of the GVRD Master Lease dated December 20, 1974; and

WHEREAS, the City, GVRD and Braddock & Logan desire to enter into a tri-party agreement to redevelop, upgrade and dedicate land for Highlands Park; and

WHEREAS, the conditions for the construction of the park are part of the Conditions of Approval Number 46, 47, 48, 49, 50, 51 and 52 of the Vesting Tentative Map Number 02-0003, filed and approved November 7, 2005; and

WHEREAS, Braddock & Logan is obligated to pay approximately \$1.2 million in park and recreational fees as required by Section 3.18 of the Vallejo Municipal Code; and

WHEREAS, staff has determined that the Bordoni Ranch project and improvement and upgrade of the park has been reviewed and a final Environmental Impact report (EIR) filed for the project pursuant to the California Quality Act (CEQA) and certified by the Vallejo City Council on July 26, 2005; and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, or his designee, are hereby authorized to execute the Highlands Park Agreement between the City, GVRD and Braddock & Logan; and

BE IT FURTHER RESOLVED that the City Manager, or his designee, are hereby authorized to execute any other document or instrument, and take any additional action, including an amendment to the terms of this agreement, that does not require the expenditure of City funds as may be necessary to carry out the purpose of the agreement.

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# ATTACHMENT B—TRI—PARTY AGREEMENT

## AGREEMENT TO IMPROVE AND ENHANCE PARK FACILITIES FOR HIGHLANDS PARK

This Agreement is entered into as of this \_\_\_\_ day of \_\_\_\_\_ 2007 by and among the Greater Vallejo Recreation District, a special service district (hereinafter referred to as "GVRD"), Braddock & Logan Group II, L.P., a California limited partnership (hereinafter referred to as "the COMPANY"), and the City of Vallejo, a public body corporate and politic (hereinafter referred to as "CITY").

### RECITALS

A. The COMPANY, pursuant to CITY ordinance and development conditions, is obligated to dedicate parkland and/or pay park fees in conjunction with the approval of the Bordoni Ranch project, development of 434 residential units on the southeastern side of San Pablo Bay, northeast of the Carquinez Straight and adjacent to the Benicia City limits, along with 97 acres of open space ("Bordoni Ranch").

B. In order to develop Bordoni Ranch, the COMPANY is required pursuant to Conditions of Approval No. 46, 47, 48, 49, 50, 51 and 52 of that certain Vesting Tentative Map No. 02-0003, filed and approved by the City of Vallejo on November 7, 2005, to convey Parcel C, consisting of a 1.0 ± acre parcel located adjacent to the existing Highlands Park, to CITY and to develop said parcel and the existing Highlands Park.

C. The COMPANY is obligated to pay approximately \$1.2 million in park and recreation fees (\$2,811 park and recreation fee per unit multiplied by the 434 units) for the Bordoni Ranch.

D. Notwithstanding other agreements and development requirements, the COMPANY, GVRD and CITY hereby agree in full satisfaction of the above and all other

requirements set forth in the above-referenced project approvals, that the COMPANY shall dedicate certain land and must construct certain improvements in full satisfaction and in lieu of all previous agreements and development requirements as detailed below (“AGREEMENT”):

### **AGREEMENT**

1. The COMPANY shall convey the aforescribed 1.0 ± acres to CITY and will locate park improvements therein pursuant to **Exhibit A** attached hereto and incorporated herein by reference. CITY declines the dedication of an additional 6.0 acres that the COMPANY offered to CITY due to the additional 6.0 acres having limited recreational potential. In addition, the COMPANY shall design and construct and deliver to CITY a fully completed redeveloped and upgraded existing Highlands Park facilities pursuant to **Exhibit B** attached hereto and incorporated herein by reference.

2. The COMPANY shall relocate the existing parking lot and construct a secondary street of approximately .64 acres, which will access the Bordoni Ranch and intersect Regents Park Drive per **Exhibit C** attached hereto and incorporated herein by reference.

3. The upgrading of Highlands Park shall not include a soccer field but shall generally include one (1) basketball court, two (2) bocce ball courts, a play area with equipment, various picnic facilities, paved pathways, and full landscaping throughout the developed areas, a parking lot and trails with seating areas. Said improvements are further described in **Exhibit D** attached hereto and incorporated herein by reference.

4. The estimated cost to the COMPANY for the expansion of Highlands Park as outlined in Exhibit D is approximated to be \$1.5 million.

5. In addition to the expansion of Highlands Park, the COMPANY shall contribute \$750 per house at close of escrow of each house for a total of \$325,500 (\$750 per house

multiplied by 434 units) to the City on behalf of GVRD to fund the construction of a regulation soccer field at Dan Foley Park.

6. The expansion and redevelopment of Highlands Park will be completed consistent with Bordoni Ranch Conditions of Approval No. 49, which provide that said improvements must be phased along with the development of Columbus Parkway.

7. In conformity with the exhibits and specifications and budget herein, the COMPANY shall propose plans and specifications for the herein required improvements. Construction of such plans, including all engineering costs and all required permits shall be within the herein described budget limitations of \$1.5 million. The development costs of the road described above in Section 2 shall not be included in the \$1.5 million budget.

8. The park planning and the cost of park construction of the improved Highlands Park shall be the responsibility of the COMPANY and the COMPANY shall be responsible for obtaining all necessary permits and entitlements from the City of Vallejo and any other government agencies, including but not limited to a Unit Plan. The improved Highlands Park shall be constructed in accordance with the plans and specifications for the park that are approved by CITY and GVRD. The COMPANY agrees that all future construction shall conform to the "City of Vallejo Regulations and Standard Specifications for Public Improvements" in effect on the date of this AGREEMENT.

9. CITY and GVRD shall not unreasonably delay approval of the plans and specifications for Highlands Park. Once approved by CITY and GVRD, the approved plans and specifications or any after-approved amendments thereto (hereinafter "Approved Plans and Specifications") shall become the benchmark for determining the COMPANY'S conformance

with the Highlands Park construction, and improvement requirements of this AGREEMENT, and CITY'S and GVRD'S acceptance thereof.

10. Change Orders and Minor Changes.

(a) A "Change Order" is a written order to the contractor performing the work authorizing a change in the work to be performed. Change Orders may be needed where changes in the Highlands Park project are made necessary due to unanticipated conditions arising during construction or changes in the plans and specifications after construction begins. The COMPANY is responsible for the approval and the payment of all Change Orders.

(b) Notwithstanding the above, the COMPANY shall have the authority, without CITY'S or GVRD'S consent, to order minor changes in the work which do not cost more than Five Thousand Dollars and No Cents (\$5,000.00) per change, does not significantly change the scope and appearance of the project and does not lengthen the Highlands Park project's construction period. The COMPANY shall, within twenty-four (24) hours prior to implementation of any such change, notify GVRD and CITY'S project manager (or General Manager if Project Manager is not available) in writing of the nature and cost of the change. The total amount of minor changes permitted pursuant to this Section shall not exceed Twenty-five Thousand Dollars and No Cents (\$25,000.00) without CITY'S and GVRD'S prior written approval.

11. The COMPANY shall require its general contractor to comply with State Prevailing Wage Law and to submit, upon written request by GVRD, certified copies of payroll records to GVRD and to maintain and make records available to GVRD and its designees for inspection and copying to ensure compliance with the State Prevailing Wage Law. The COMPANY shall also include in its general contractor agreement a provision in form acceptable

to GVRD obligating the general contractor to require its contractors and subcontractors to so comply with the State Prevailing Wage Law and to submit upon written request by GVRD, certified copies of payroll records to GVRD and to maintain and make such payroll records available to GVRD and its designees for inspection and copying during regular business hours at the business office of COMPANY or at another location within the City of Vallejo. The COMPANY shall require that its contracts with any general contractor and any general contractor contracts with any subcontractor contain substantially similar provisions in favor of GVRD.

12. Maintenance of the Park Site.

Pursuant to the Bordoni Ranch Condition of Approval No. 50, the COMPANY agrees to provide a one-year maintenance period for Highlands Park after CITY and GVRD have accepted all park improvements.

The COMPANY shall, in the course of developing the conditions and restrictions and / or formation of a homeowner's association, fund the creation and assist City staff in the formation of a landscape maintenance district (LMD). The parties desire that maintenance funding for the park shall be included in the LMD. The City shall attempt to include park maintenance as a component of LMD funding in a manner consistent with state law during the formation process. - The City and GVRD desire that this park be maintained at a higher level of service than those parks maintained by GVRD through GVRD's normal and ordinary funding mechanism. Such funding by the LMD will attempt to fund the difference between the normal maintenance provided by GVRD through its normal and ordinary funding mechanism and the desired level of maintenance.

13. Indemnification. The COMPANY shall indemnify and hold harmless CITY and GVRD, their officers, officials, directors, employees, agents and volunteers from and against all claims, damages, losses and expenses including attorney fees arising out of the performance of the work described herein, to the extent caused by any negligent act or omission of the



COMPANY, the COMPANY'S contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

14. Insurance Requirements and Performance Bond.

(a) Until such time as the COMPANY has completed the construction of Highlands Park and CITY'S acceptance of the Highlands Park improvements pursuant to Section 15 below, the COMPANY shall provide, maintain and keep in full force and effect, Comprehensive General Liability Insurance or Commercial General Liability Insurance applying to the construction, use and occupancy of Highlands Park, or any part thereof, or any areas adjacent thereto. Such coverage shall have a minimum combined single "per occurrence" limit of liability of at least Three Million Dollars and No Cents (\$3,000,000.00), and a general aggregate limit of Five Million Dollars and No Cents (\$5,000,000.00). Such insurance shall include Broad Form Contractual Liability Insurance coverage insuring all of the indemnity obligations of the COMPANY under this AGREEMENT. Such insurance shall also include coverage against liability for bodily injuries or property damage arising out of the use by or on behalf of the COMPANY of any owned, non-owned or hired automotive equipment for a limit of not less than that specified above. Each policy of insurance required by this AGREEMENT (other than for workers' compensation) shall name CITY and GVRD, their officers, agents, employees and members of its boards and commissions as additional insureds. Such insurance shall be endorsed to provide that such coverage shall be primary and that any insurance maintained by CITY and GVRD shall be excess insurance only.

(b) The COMPANY shall provide, or cause to be provided, Workers' Compensation Insurance as required by law, and shall cause its contractors, their subcontractors, agents or representatives to also maintain Workers' Compensation Insurance as required by law.

(c) Policies for insurance under this AGREEMENT shall contain only those deductible clauses as approved by the City Manager of the City of Vallejo and General Manager of GVRD in the exercise of their reasonable discretion.

(d) The COMPANY shall post a performance bond in an amount equal to the estimated construction cost of \$1.5 million for the construction and redevelopment of Highlands Park. GVRD reserves the right to review the performance bond amount.

15. Right to Inspect.

CITY and GVRD shall have the right to inspect the property during the construction process and shall advise the COMPANY of any disagreements with the construction process or any part thereof. The disagreement(s) shall be resolved on a timely basis and the delay in resolution of the disagreement(s) shall not be cause for extending the time for completion of Highlands Park. The Approved Plans and Specifications shall however control and in the event GVRD or CITY requests changes not contemplated by and/or outside the scope of the Approved Plans and Specifications, such changes shall be at the sole cost of GVRD or CITY, depending on who originated the request.

16. Acceptance of Improvements.

(a) The COMPANY shall notify CITY and GVRD in writing when the Highlands Park improvements are completed and shall request that CITY and GVRD accept said improvements. The COMPANY shall furnish one electronic set and one hardcopy set of 3-mil photo wash off mylars and two sets of blue prints "as built" drawings of the Highlands Park certified as to substantial conformance with the Approved Plans and Specifications by a civil engineer, architect, landscape architect or other appropriate party to CITY and GVRD.

(b) Within fourteen (14) working days of receiving written notice from the COMPANY that the Highlands Park improvements have been completed, CITY and GVRD shall inspect the Highlands Park improvements to determine whether construction has been completed in substantial conformance with the Approved Plans and Specifications.

(c) Within ten (10) working days of the inspection, CITY and GVRD shall either:

(i) Provide the COMPANY with written notice that the Highlands Park improvements have been completed in substantial conformance with the Approved Plans and Specifications and that said improvements have been accepted as complete by CITY and GVRD; or

(ii) Provide the COMPANY with a written "Punch List" of items that must be completed in order to bring the improvements into substantial conformance with the Approved Plans and Specifications. The "Punch List" shall be complete and thorough.

(d) The COMPANY shall complete the items in the "Punch List" within thirty (30) working days of receipt of the "Punch List." GVRD may extend the thirty (30) working day period with written permission. Upon completion of those items specified in the "Punch List," the COMPANY may again submit to CITY and GVRD written notice that the Highlands Park "Punch List" items have been completed. Submittal of this written notice shall then trigger the process for inspecting the completion of the "Punch List" items and notification set forth in Section 16(a) above. Said process shall continue until the "Punch List" items have been completed in substantial conformance with the Approved Plans and Specifications and that said "Punch List" items have been accepted as complete by CITY and GVRD.

(e) All temporary easements for access and construction conveyed to the COMPANY by CITY shall be drafted so as to terminate by their own terms upon completion of the Highlands Park improvements in substantial conformance with the Approved Plans and Specifications and acceptance of the Highlands Park improvements as complete by CITY and GVRD.

(f) The completed Highlands Park improvements shall be free and clear of liens and encumbrances, except those non-monetary encumbrances and easements which CITY and GVRD reasonably determine will not interfere with the intended use of the Highlands Park improvements and except those easements, liens, and encumbrances found in the current preliminary title report as set forth in **Exhibit E** to this AGREEMENT.

17. Park Dedication Fee Waiver.

(a) In consideration of the development of Highlands Park performed by the COMPANY, the COMPANY shall receive from CITY a statement of waiver of Park Dedication Fees for Bordoni Ranch.

(b) The Parties agree that pursuant to Vallejo Municipal Code section 3.18.100, the dedication of the improved Highlands Parks and its acceptance by CITY and GVRD as completed in substantial conformance with the Approved Plans and Specifications shall constitute one hundred percent credit towards land dedication and/or fees in lieu thereof. At the time of acceptance, the City Council will issue the statement of waiver of Park Dedication Fees for Bordoni Ranch.

18. Default.

(a) If any party defaults in its obligations under this AGREEMENT, the defaulting party shall immediately commence and diligently proceed to cure the default within

thirty (30) calendar days after receiving written notice of default from any other party. Subject to any extension of time permitted by this AGREEMENT, a failure or delay by a party to perform any term or provision of this AGREEMENT after receipt of such notice of default, constitutes default of this AGREEMENT. In the event of a default by the COMPANY that remains uncured within the time provided herein, any non-defaulting party shall have the right to terminate this AGREEMENT.

(b) Subject to Section 18(a) above, should the COMPANY default on this AGREEMENT, any Park Dedication Fee requirements required by law for the development aforementioned shall become due and owing.

(c) Should CITY default on this AGREEMENT, any Park Dedication Fee requirements owed by the COMPANY will be subject to offset for the reasonable value of any benefit the COMPANY has conferred on CITY toward completion of Highlands Park or the contributions made towards the construction of the soccer field at Dan Foley Park. The reasonable value of any such benefit will be determined by the City Manager, and will be arrived at by documentation including invoices, receipts and other acceptable accounting evidence.

(d) No Party shall be deemed to be in default where delays or defaults are due to war, strikes, floods, earthquakes, casualties, acts of God, governmental restrictions, inclement weather, or any other cause beyond the control or without the fault of such Party. An extension of time for any such cause shall only be for the period of the forced delay and shall be in writing, which period shall commence to run from the time of the commencement of the cause. Times of performance may also be extended in writing by the Parties hereto.

19. Termination.

This AGREEMENT shall automatically terminate upon acceptance of the Highlands Park improvements by CITY and GVRD pursuant to Section 17 above, unless extended by mutual agreement of the Parties.

20. Arbitration.

The Parties may submit any and all disputes arising under or relating to the terms and conditions of this AGREEMENT to binding arbitration in Solano County or other agreed forum. No request for arbitration shall be made after the date when the institution of legal or equitable proceedings would be barred by the applicable statute of limitations. In any arbitration, litigation, or action hereunder, the prevailing party shall be entitled, in addition to any other relief granted, to recover its costs of participation, including reasonable attorneys' fees. An award rendered by an arbitrator shall be final and judgment may be entered upon it in accordance with the applicable law in any court having jurisdiction. The arbitration hearings shall be held in Solano County, or such other place as the Parties may agree.

21. General Provisions.

(a) **Binding.** This AGREEMENT shall be binding upon and inure to the benefit of successors and assigns to the Parties hereto.

(b) **Counterparts.** This AGREEMENT may be signed in multiple counterparts, with all such counterparts together constituting a single instrument.

(c) **Additional Documents.** The Parties shall sign any additional documents which are reasonably necessary to carry out this AGREEMENT or to accomplish its intent.

(d) **Severability.** If any provision of this AGREEMENT is invalidated, the remainder of this AGREEMENT shall terminate if the invalidated provision was a material part of the consideration for either party.

(e) **Assignment.** This AGREEMENT shall not be assigned by any party without the prior written approval of the other Parties, which approval shall not unreasonably be withheld.

(f) **Entire Agreement.** This AGREEMENT constitutes the entire understanding and agreement between the Parties and supersedes all previous negotiations between them pertaining to the subject matter thereof.

(g) **Time of Essence.** Time is of the essence for this AGREEMENT and of all provisions hereof.

(h) **Notices.** Any notice, demand, request or report required or permitted to be given or made to a party to this AGREEMENT shall be in writing and shall be delivered in person (including commercial courier services) or sent by first-class United States mail (postage prepaid) at the address set forth below or at such other address as such party may give notice in accordance with the provisions of this Section:

CITY OF VALLEJO  
David Kleinschmidt, City Engineer  
555 Santa Clara Street  
Vallejo, CA 94590

GREATER VALLEJO RECREATION DISTRICT  
Shane McAfee, General Manager  
395 Amador Street  
Vallejo, CA 94590-6320

BRADDOCK & LOGAN GROUP II, L.P.  
Joseph E. Raphael  
4155 Blackhawk Plaza Circle, Suite 201  
Danville, CA 94526

With a copy to:  
FAVARO, LAVEZZO, GILL, CARETTI & HEPPELL  
Albert M. Lavezzo, Esq.  
300 Tuolumne Street  
Vallejo, CA 94590

IN WITNESS WHEREOF, the Parties hereto have hereunto executed this Agreement as of the first date written above.

CITY OF VALLEJO,  
a Municipal Corporation.

GREATER VALLEJO RECREATION  
DISTRICT, a Special Service District.

By: \_\_\_\_\_  
JOSEPH M. TANNER  
City Manager

By: \_\_\_\_\_  
M. DALE WELSH  
Chairperson, Board of Directors

ATTEST:

(seal)

By: \_\_\_\_\_  
MARY ELSWORTH  
Acting City Clerk

APPROVED AS TO CONTENT:

BRADDOCK & LOGAN GROUP II, L.P.,  
a California Limited Partnership.

By: \_\_\_\_\_  
CRAIG WHITTOM  
Assistant City Manager/  
Community Development

By: \_\_\_\_\_  
JOSEPH E. RAPHEL  
President of Braddock & Logan  
Services, Inc.,  
a California Corporation,  
Its: Manager

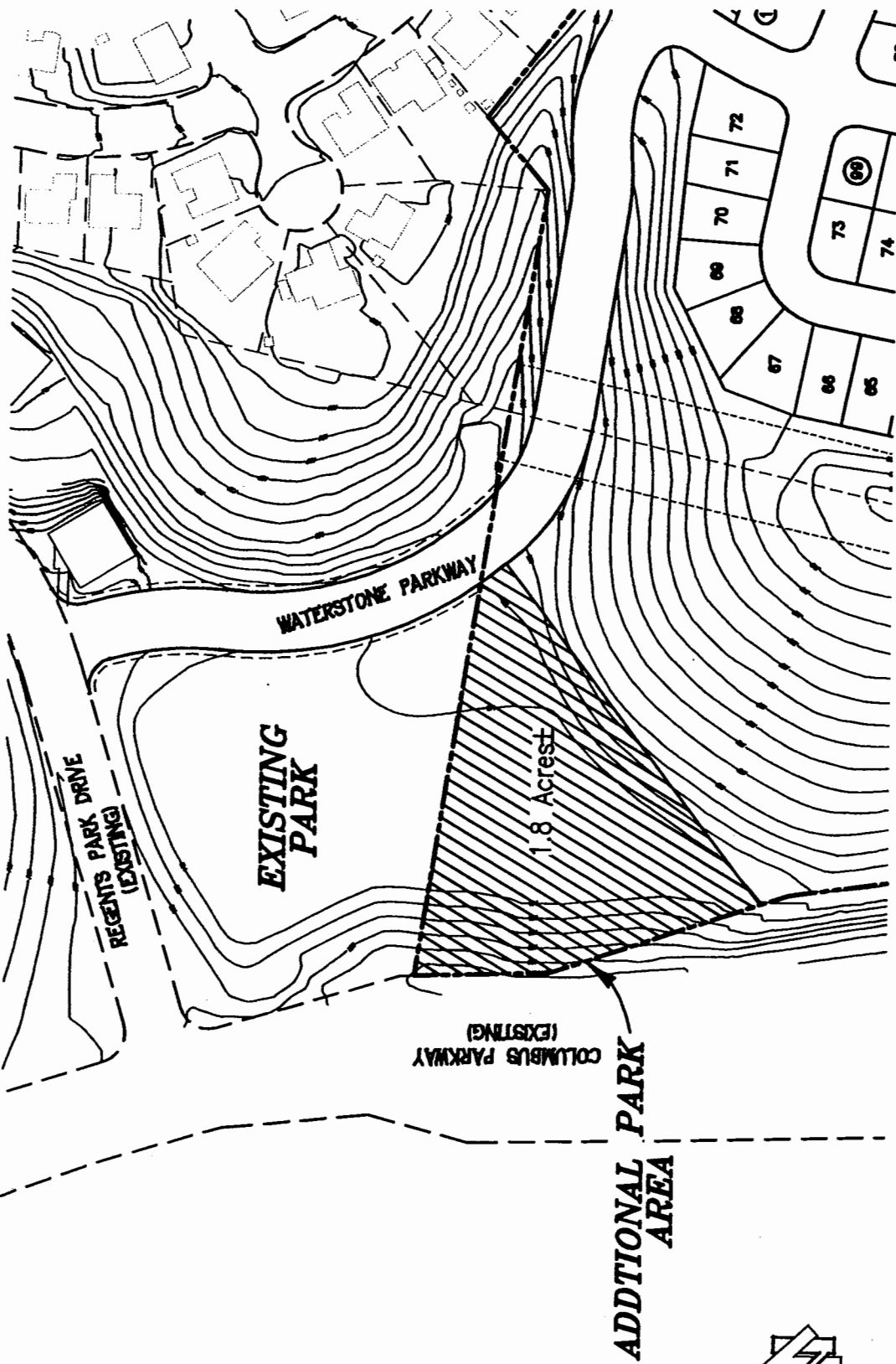
By: \_\_\_\_\_  
HARRY MAURER  
Interim Risk Manager

APPROVED AS TO FORM:

By: \_\_\_\_\_  
FREDERICK G. SOLEY  
City Attorney

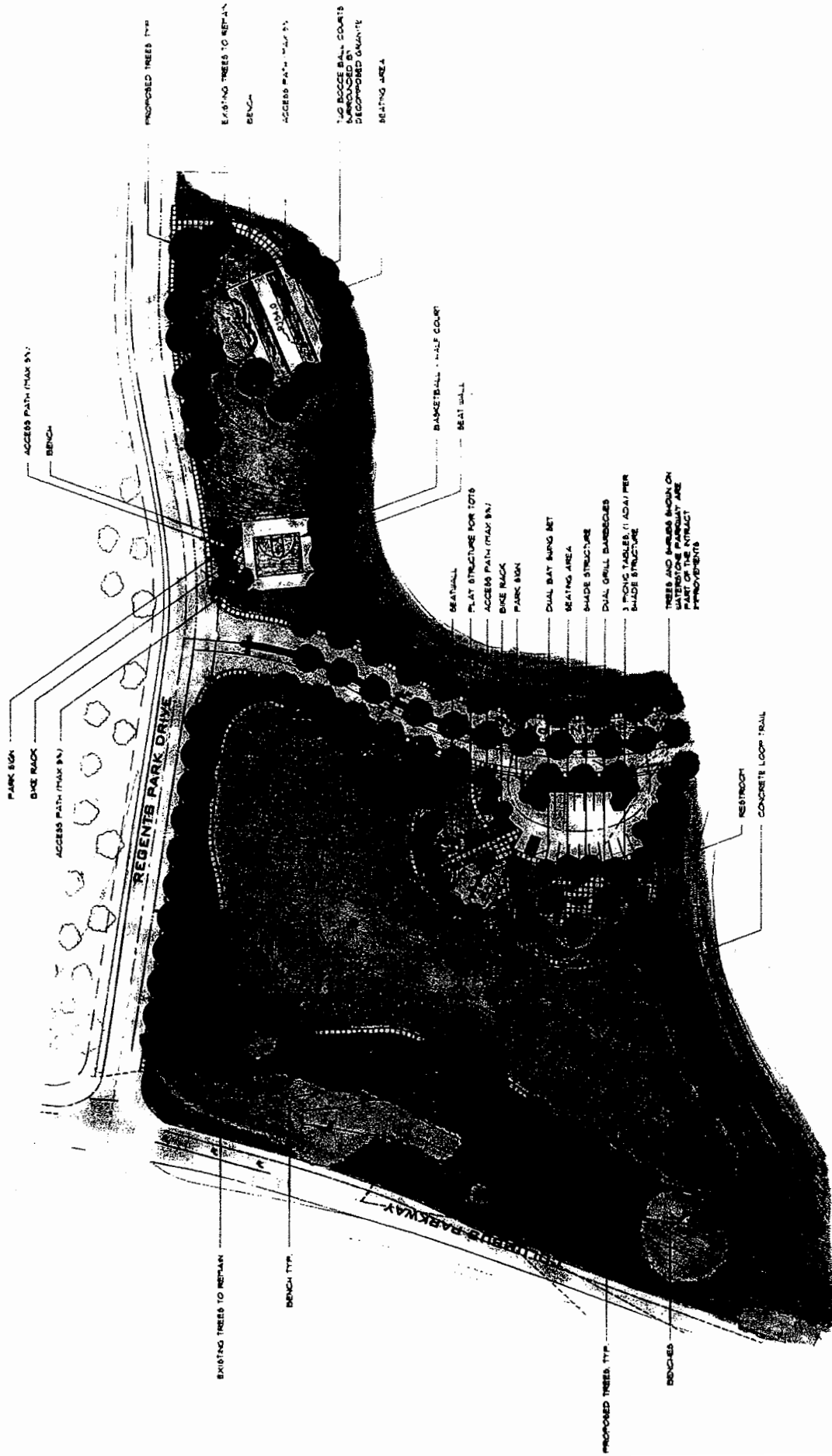


EXHIBIT A - PARK DEDICATION



**Mackay & Summers**  
 PLANNERS & ARCHITECTS

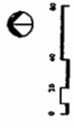
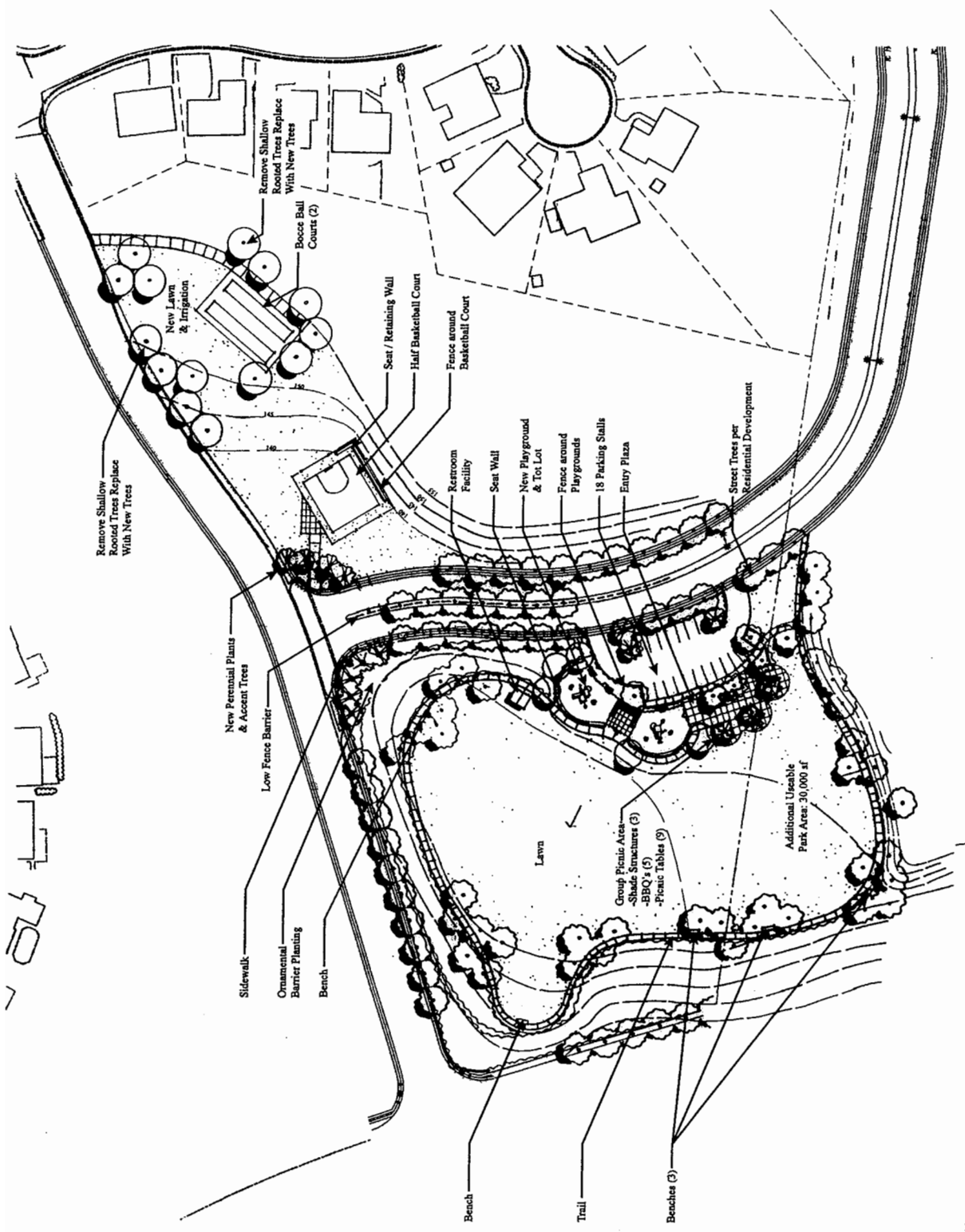
09-18-2007 3:17pm Chris Guenther PA, 23 (09) EXHIBITS 2007-04-04-04\_09 (KILLING)



GATES & ASSOCIATES  
 LANDSCAPE ARCHITECTS  
 1000 S. GATEWAY AVENUE, SUITE 100  
 VALLEJO, CA 94590  
 TEL: (707) 306-1100  
 FAX: (707) 306-1101  
 WWW.GATESANDASSOCIATES.COM

WATERSTONE PARK - GVRD EXHIBIT  
 VALLEJO, CA

0 20 40 80  
 SEPT 4, 2007



LANDSCAPE CONCEPT  
JUNE 14, 2007

WATERSTONE PARK VALLEJO, CALIFORNIA



EXHIBIT "A"  
Page 1 of 4

**DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF VALLEJO, COUNTY OF SOLANO, STATE OF CALIFORNIA, BEING A PORTION OF LOT 325 AS SHOWN ON THAT CERTAIN FINAL MAP OF SOMERSET HIGHLANDS, UNIT No. 2, FILED FOR RECORD ON DECEMBER 30, 1976, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SOLANO, STATE OF CALIFORNIA, IN BOOK 31 OF MAPS, AT PAGE 31, SAID REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF THE ABOVE MENTIONED LOT 325, SAID CORNER BEING A POINT ON THE EASTERLY LINE OF COLUMBUS PARKWAY AS SHOWN ON THE ABOVE MENTIONED FINAL MAP OF SOMERSET HIGHLANDS, UNIT No. 2, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THE LANDS GRANTED TO BRADDOCK & LOGAN GROUP II, L.P., BY DEED RECORDED JUNE 19, 2007 IN DOCUMENT NUMBER 2007-69115, OFFICIAL RECORDS, COUNTY OF SOLANO;

THENCE FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID LANDS GRANTED TO BRADDOCK & LOGAN GROUP II, L.P., SAID LINE BEING COMMON WITH THE SOUTHERLY LINE OF SAID LOT 325, SOUTH 81°59'40" EAST 408.14 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID COMMON LINE, SOUTH 81°59'40" EAST 94.96 FEET TO A POINT OF CUSP;

THENCE LEAVING SAID COMMON LINE AND ENTERING SAID LOT 325, THE FOLLOWING FIVE (5) COURSES:

1. ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIAL LINE TO WHICH CURVE BEARS NORTH 39°29'27" EAST AT SAID POINT OF CUSP. SAID CURVE HAVING A RADIUS OF 169.00 FEET, A CENTRAL ANGLE OF 12°24'40", AND AN ARC LENGTH OF 36.61 FEET;
2. NORTH 38°05'53" WEST 23.08 FEET;

EXHIBIT "A"

Page 2 of 4

3. ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 319.00 FEET, A CENTRAL ANGLE OF  $43^{\circ}35'04''$ , AND AN ARC LENGTH OF 242.66 FEET TO A POINT OF REVERSE CURVE;
4. ALONG THE ARC OF A CURVE TO THE LEFT, A RADIAL LINE TO WHICH CURVE BEARS NORTH  $84^{\circ}30'49''$  WEST AT SAID POINT OF REVERSE CURVE. SAID CURVE HAVING A RADIUS OF 351.00 FEET, A CENTRAL ANGLE OF  $23^{\circ}46'59''$ , AND AN ARC LENGTH OF 145.70 FEET TO A POINT OF REVERSE CURVE;
5. ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, A RADIAL LINE TO WHICH CURVE BEARS NORTH  $71^{\circ}42'12''$  EAST AT SAID POINT OF REVERSE CURVE. SAID CURVE HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF  $80^{\circ}11'24''$ , AND AN ARC LENGTH OF 40.59 FEET TO A POINT OF CUSP, SAID POINT OF CUSP BEING A POINT ON THE SOUTHERLY LINE OF REGENTS PARK DRIVE (60' WIDE) AS SHOWN ON SAID FINAL MAP OF SOMERSET HIGHLANDS, UNIT No. 2;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF REGENTS PARK DRIVE, ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIAL LINE TO WHICH CURVE BEARS NORTH  $28^{\circ}06'24''$  WEST AT SAID POINT OF CUSP. SAID CURVE HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF  $10^{\circ}27'56''$ , AND AN ARC LENGTH OF 82.20 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF REGENTS PARK DRIVE, SOUTH  $72^{\circ}21'32''$  WEST 32.99 FEET TO A POINT OF CUSP;

THENCE LEAVING SAID SOUTHERLY LINE OF REGENTS PARK DRIVE, AND RE—  
ENTERING SAID LOT 325, THE FOLLOWING THREE (3) COURSES:

1. ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIAL LINE TO WHICH CURVE BEARS SOUTH  $17^{\circ}38'28''$  EAST AT SAID POINT OF CUSP. SAID CURVE HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}47'52''$ , AND AN ARC LENGTH OF 45.96 FEET TO THE POINT OF A COMPOUND CURVE;

EXHIBIT "A"  
Page 3 of 4

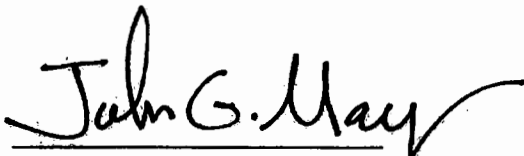
2. ALONG THE ARC OF A CURVE TO THE RIGHT, A RADIAL LINE TO WHICH CURVE BEARS SOUTH 73°09'24" WEST AT SAID POINT OF COMPOUND CURVE, SAID CURVE HAVING A RADIUS OF 289.00 FEET, A CENTRAL ANGLE OF 22°19'47", AND AN ARC LENGTH OF 112.63 FEET TO A POINT OF REVERSE CURVE;
3. ALONG THE ARC OF A CURVE TO THE LEFT, A RADIAL LINE TO WHICH CURVE BEARS SOUTH 84°30'49" EAST AT SAID POINT OF REVERSE CURVE. SAID CURVE HAVING A RADIUS OF 381.00 FEET, A CENTRAL ANGLE OF 42°13'39", AND AN ARC LENGTH OF 280.80 FEET, TO THE POINT OF BEGINNING.

SEE PLAT (SHEET 4 OF 4) TO ACCOMPANY DESCRIPTION, ATTACHED HERETO AND MADE A PART THEREOF.

CONTAINING 0.641 ACRES, MORE OR LESS.

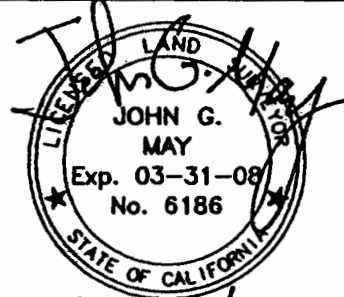
**END OF DESCRIPTION**

PREPARED BY

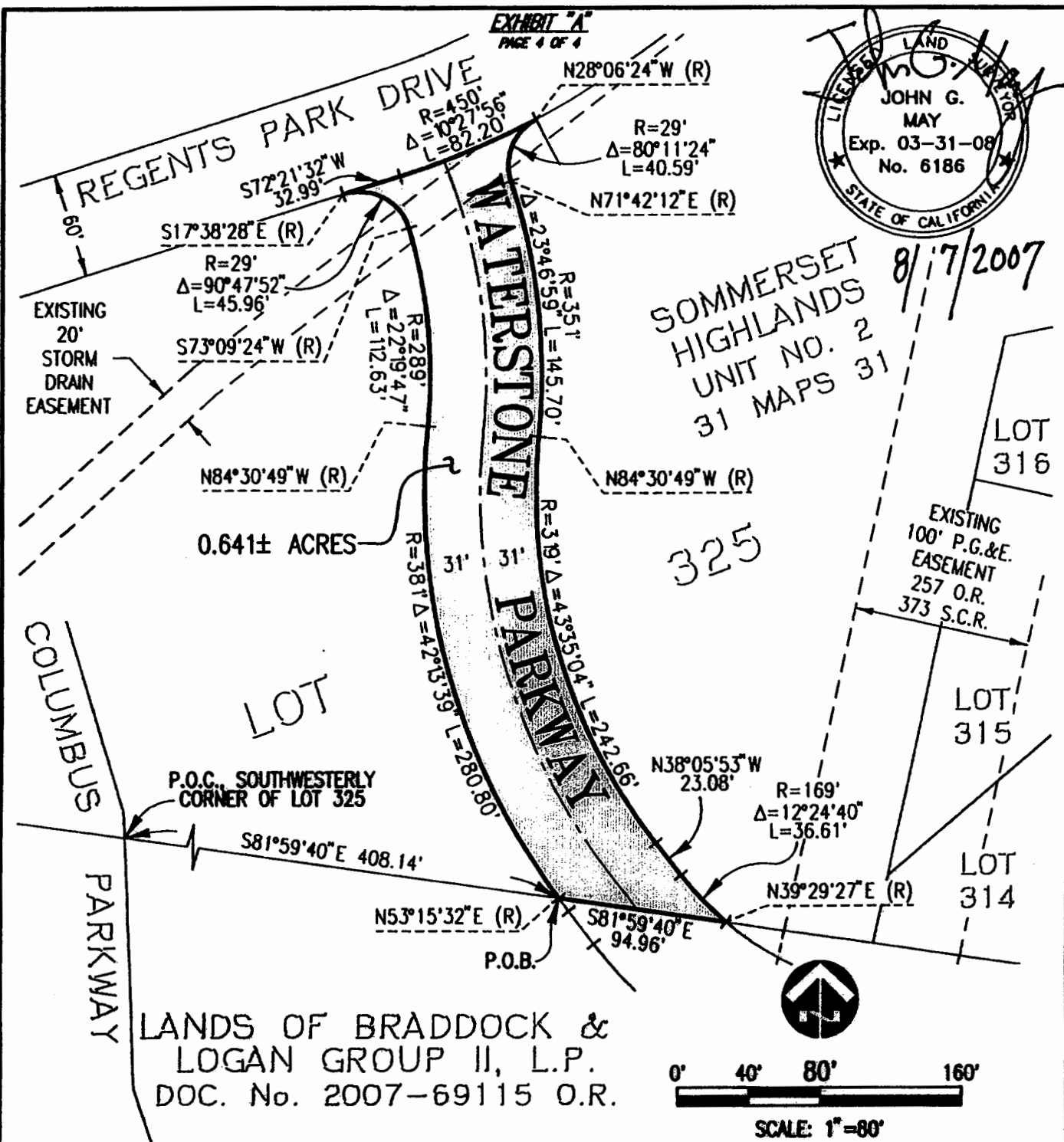
  
JOHN G. MAY L.S. 6186  
LICENSE EXPIRATION DATE: 03/31/08

8/7/2007  
DATE





8/17/2007



LANDS OF BRADDOCK &  
LOGAN GROUP II, L.P.  
DOC. No. 2007-69115 O.R.

**LEGEND**

- BOUNDARY OF DESCRIPTION
- EXISTING PARCEL
- EXISTING EASEMENTS
- CENTER LINE
- DOC. No. DOCUMENT NUMBER
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- O.R. OFFICIAL RECORDS
- S.C.R. SOLANO COUNTY RECORDS

<b>PLAT TO ACCOMPANY DESCRIPTION</b>			
<b>DEDICATION OF WATERSTONE PKWY RIGHT OF WAY</b>			
CITY OF VALLEJO,		SOLANO COUNTY,	
CALIFORNIA			
<b>MACKAY &amp; SOMPS</b>			
ENGINEERS LATHROP, CA		SURVEYORS (209) 658-4042	
DRAWN O.C.	DATE 08/01/07	SCALE 1"=80'	JOB NO. 25106-10

8/7/2007

By O.C.

map math check for the job known as  
DEDICATION OF WATERSTONE PKWY. RIGHT OF WAY.

also known as  
25106.10

located in  
CITY OF VALLEJO, SOLANO COUNTY, CA.

Mackay\_Somps Civil Engineers Inc.  
17060 SOUTH HARLAN ROAD  
LATHROP, CA. 95330  
Phone: (209) 858-4042 - Fax: (209) 858-9617



Boundary of Dedication

Bearing	Distance	Northing	Easting	Inverse
		0.00	0.00	
S81°59' 40"E	94.96	-13.22	94.03	94.96
Entering a non-tangent curve being				
A curve breaking to the right				
N39°29' 27"E	169.00	117.20	201.51	233.11
Delta = 12°24' 40"	Length =	36.61	Tangent =	18.38
S51°54' 7"W	169.00	12.92	68.52	69.72
N38° 5' 53"W	23.08	31.09	54.27	62.55
A curve breaking to the right				
N51°54' 7"E	319.00	227.91	305.31	381.00
Delta = 43°35' 4"	Length =	242.66	Tangent =	127.54
N84°30' 49"W	319.00	258.41	-12.22	258.70
A curve breaking to the left				
N84°30' 49"W	351.00	291.97	-361.62	464.77
Delta = 23°46' 59"	Length =	145.70	Tangent =	73.91
N71°42' 12"E	351.00	402.16	-28.36	403.16
A curve breaking to the right				
N71°42' 12"E	29.00	411.27	-0.83	411.27
Delta = 80°11' 24"	Length =	40.59	Tangent =	24.42
N28° 6' 24"W	29.00	436.85	-14.49	437.09
A curve breaking to the right				
N28° 6' 24"W	450.00	833.78	-226.49	863.99
Delta = 10°27' 56"	Length =	82.20	Tangent =	41.21
S17°38' 28"E	450.00	404.94	-90.12	414.85
S72°21' 32"W	32.99	394.94	-121.56	413.23
A curve breaking to the right				
S17°38' 28"E	29.00	367.31	-112.77	384.23
Delta = 90°47' 52"	Length =	45.96	Tangent =	29.41
N73° 9' 24"E	29.00	375.71	-85.01	385.21
A curve breaking to the right				
S73° 9' 24"W	289.00	291.97	-361.61	464.77
Delta = 22°19' 47"	Length =	112.63	Tangent =	57.04
S84°30' 49"E	289.00	264.34	-73.94	274.48
A curve breaking to the left				
S84°30' 49"E	381.00	227.91	305.32	381.00
Delta = 42°13' 39"	Length =	280.80	Tangent =	147.12
S53°15' 32"W	381.00	-0.00	0.00	0.00
Area = 27933.036 Square Feet or 0.641 Acres.				
Precision = 1 In 245555.87.				

**Summary**

**The said park improvements include:**

**A half court basketball court with hard top surface and bench seat**

**A shaded picnic area with picnic tables**

**A campground style restroom**

**Full landscaping throughout the park**

**A bocce ball court**

**A play area with new play equipment**

**A large open space turf area for informal play**

**A parking lot**

**Additional pathways and benches**

AMENDED



## First American Title Company

6683 Owens Drive  
Pleasanton, CA 94588

Escrow Officer: Diane Burton (DB)  
Phone: (925)738-4050  
Fax No.: (866)648-7806  
E-Mail: dburton@firstam.com

Title Officer: Sue Pratt  
Phone: (925)356-7048  
Fax No.: (925)680-5239  
E-Mail: spratt@firstam.com  
Owner: City of Vallejo  
Property: 101 REGENTS PARK DRIVE  
VALLEJO, CA

### PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of June 21, 2007 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

ALTA Standard Owner's Policy 2006 (WRE 6-17-06)

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

CITY OF VALLEJO, A MUNICIPAL CORPORATION

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2007-2008, a lien not yet due or payable.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
3. An easement for ELECTRICAL TOWERS AND ASSOCIATED FIXTURES, WITH THE RIGHT OF INGRESS AND EGRESS 100 FEET WIDE and incidental purposes, recorded NOVEMBER 29, 1921 in Book 257 of Deeds, Page 390.  
In Favor of: PACIFIC GAS AND ELECTRIC COMPANY  
Affects: THE EASTERLY PORTION  
  
Document(s) declaring modifications thereof recorded SEPTEMBER 12, 2001 as INSTRUMENT NO. 2001-00104578 of Official Records.
4. An easement shown or dedicated on the map filed or recorded DECEMBER 30, 1976 in BOOK 31, PAGE 31 of MAPS  
For: 20 FOOT DRAINAGE and incidental purposes.

AFFECTS: A PORTION OF SAID LAND

For: PUBLIC UTILITIES, PLANTING and incidental purposes.  
Affects: THE NORTHERLY PORTION OF SAID LAND .

5. Abutter's rights of ingress and egress to or from COLUMBUS PARKWAY have been dedicated or relinquished on the filed Map.
6. The Terms, Provisions and Easement(s) contained in the document entitled EASEMENT AGREEMENT recorded JULY 30, 2001 as INSTRUMENT NO. 2001-00084072 of Official Records.

AND RECORDED JULY 30, 2001 INSTRUMENT NO. 2001-84073

AND RECORDED JULY 30, 2001 INSTRUMENT NO. 2001-84074

7. Rights of parties in possession.

## INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2006-2007 are exempt.
2. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.
3. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:  
  
None
4. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:
  - A. WITH RESPECT TO A CORPORATION:
    - a. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
    - b. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.
    - c. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
  - B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:
    - a. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
    - b. A full copy of the partnership agreement and any amendments;
    - c. Satisfactory evidence of the consent of a majority in interest of the limited

partners to the contemplated transaction;

- d. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:

- a. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;
- b. A full copy of the partnership agreement and any amendment;
- c. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
- d. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

D. WITH RESPECT TO A GENERAL PARTNERSHIP:

- a. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-1), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
- b. A full copy of the partnership agreement and any amendments;
- c. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.

E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:

- a. A copy of its operating agreement and any amendments thereto;
- b. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
- c. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
- d. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
  - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice

president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;

(ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.

e. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

F. WITH RESPECT TO A TRUST:

- a. A certification pursuant to Section 18500.5 of the California Probate Code in a form satisfactory to the Company.
- b. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
- c. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.

G. WITH RESPECT TO INDIVIDUALS:

- a. A statement of information.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.



### **LEGAL DESCRIPTION**

Real property in the City of VALLEJO, County of SOLANO, State of CALIFORNIA, described as follows:

LOT 325 AS SHOWN ON THAT CERTAIN MAP ENTITLED: "FINAL MAP OF SOMERSET HIGHLANDS UNIT NO. 2", FILED IN THE OFFICE OF THE SOLANO COUNTY RECORDER, STATE OF CALIFORNIA ON DECEMBER 30, 1976 IN BOOK 31 OF MAPS AT PAGE 31.

APN: 0082-272-010