



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

# AGENDA

## VALLEJO CITY COUNCIL

VALLEJO SANITATION & FLOOD CONTROL DISTRICT  
MEETING – 6:00 P.M.

### NOVEMBER 18, 2008

MAYOR  
Osby Davis

CITY COUNCIL  
Tom Bartee, Vice Mayor  
Hermie Sunga  
Stephanie Gomes  
Michael Wilson  
Joanne Schivley  
Erin Hannigan

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.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the City Council will be available for public inspection at the City Clerk's Office, 555 Santa Clara Street, Vallejo, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the City of Vallejo website at <http://www.ci.vallejo.ca.us> subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (707) 648-4527, TDD (707) 649-3562.



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 4:30 P.M. CITY COUNCIL CHAMBERS

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 485 SANTA CLARA STREET, VALLEJO, CA  
CITY NEGOTIATORS: JOE TANNER, CITY MANAGER; GARY LEACH, PUBLIC WORKS DIRECTOR; SUSAN MCCUE, ECONOMIC DEVELOPMENT PROGRAM MANAGER; ALLAN PANGANIBAN, SENIOR CIVIL ENGINEER AND STEVEN LONG, OVERLAND, PACIFIC & CUTLER  
NEGOTIATING PARTIES: HILF – PAYARES PROPERTY, INC.  
UNDER NEGOTIATION: PRICE & TERMS OF PAYMENT

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 415 SANTA CLARA STREET, VALLEJO, CA  
CITY NEGOTIATORS: JOE TANNER, CITY MANAGER; GARY LEACH, PUBLIC WORKS DIRECTOR; SUSAN MCCUE, ECONOMIC DEVELOPMENT PROGRAM MANAGER; ALLAN PANGANIBAN, SENIOR CIVIL ENGINEER AND STEVEN LONG, OVERLAND, PACIFIC & CUTLER  
NEGOTIATING PARTIES: A.J. HIGGINS COMPANY, INC.  
UNDER NEGOTIATION: PRICE & TERMS OF PAYMENT
3. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 CONCERNING THE FOLLOWING EMPLOYEE ORGANIZATIONS: INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1186 (IAFF); VALLEJO POLICE OFFICERS' ASSOCIATION (VPOA); INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2376 (IBEW), AND CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL, AND PROFESSIONALS (CAMP). THE CITY'S NEGOTIATORS ARE: JOSEPH M. TANNER, CITY MANAGER, CRAIG WHITTON, ASSISTANT CITY MANAGER / COMMUNITY DEVELOPMENT; ROBERT STOUT, FINANCE DIRECTOR; SANDY SALERNO, ACTING HUMAN RESOURCES DIRECTOR

*NOTE: The Council will be meeting in closed session with its negotiators and staff to review its position and to give instructions to its negotiators concerning labor negotiations with the above-named employee organizations. No negotiations take place in the closed session between the Council and the employee organizations.*

4. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION: IN RE: CITY OF VALLEJO, CALIFORNIA, DEBTOR; UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF CALIFORNIA, CASE NO. 08-26813-A-9, PURSUANT TO SUBDIVISION (C) OF GOVERNMENT CODE SECTION 54956.9.

**VALLEJO CITY COUNCIL**  
**SPECIAL MEETING – STUDY SESSION**  
**5:15 P.M. CITY COUNCIL CHAMBERS**

1. CALL TO ORDER
2. ROLL CALL
3. STUDY SESSION
  - A. HOUSING ELEMENT UPDATE

PROPOSED ACTION: Informational item only. No action will be taken.

4. ADJOURNMENT

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PRESENTATIONS AND COMMENDATIONS
  - A. PRESENTATION OF A PROCLAMATION DECLARING NOVEMBER AS NATIVE AMERICAN MONTH
  - B. PRESENTATION OF A PROCLAMATION COMMEMORATING THE 60<sup>TH</sup> ANNIVERSARY OF STS. HELEN AND CONSTANTINE GREEK ORTHODOX CHURCH

5. **FIRST 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. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the second Community Forum listed later on the agenda.*

6. **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.*

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

- A. APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2008/2009 BUDGET FOR FUND 101 (FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM)

PROPOSED ACTION: Adopt the resolution of intention to amend the Fiscal Year 2008/2009 Federal Community Development Block Grant Program Budget.

- B. APPROVAL OF A RESOLUTION TO AMEND THE FISCAL YEAR 2008/2009 BUDGET FOR FUND 102 (FEDERAL HOME INVESTMENT PARTNERSHIPS PROGRAM)

PROPOSED ACTION: Adopt the resolution amending the Fiscal Year 2008/2009 Federal HOME Program Budget.

- C. APPROVAL OF A RESOLUTION ACCEPTING THE RESIGNATION OF ALVARO GARCIA AND GRAHAM BENTON FROM THE COMMISSION ON CULTURAL AND THE ARTS

PROPOSED ACTION: Adopt the resolution accepting the resignation of Alvaro Garcia and Graham Benton from the Commission on Cultural and the Arts.

- D. APPROVAL OF A RESOLUTION RATIFYING THE PAYMENT OF CLAIMS FOR THE TIME PERIOD OF OCTOBER 1, 2008 TO OCTOBER 31, 2008

PROPOSED ACTION: Adopt the resolution ratifying the payment of claims, totaling \$7,630,522.31 for the time period of October 1, 2008 to October 31, 2008.

- E. APPROVAL OF A RESOLUTION TO AMEND CHAPTERS 2.06 AND 2.52 OF THE CITY OF VALLEJO MUNICIPAL CODE AND ADOPT A TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR CITY OFFICIALS WHICH COMPLIES WITH STATE LAW (AB 1234)

PROPOSED ACTION: Adopt the resolution amending Chapters 2.06 and 2.52 of the City of Vallejo Municipal Code and adopt a travel and expense reimbursement policy for City officials which complies with State Law (AB 1234).

- F. APPROVAL OF A RESOLUTION DIRECTING STAFF TO ENGAGE IN A PUBLIC OUTREACH PROGRAM TO INFORM AND GATHER FEEDBACK RELATED TO IMPLEMENTATION OF A NEW FIVE YEAR WATER RATE SCHEDULE

PROPOSED ACTION: Adopt the resolution directing staff to engage in a public outreach program to inform and gather feedback related to implementation of a new five year water rate schedule.

- G. APPROVAL OF CITY COUNCIL MINUTES FOR THE REGULAR MEETING OF JUNE 24, THE ADJOURNED REGULAR MEETING OF JUNE 25, 2008; THE SPECIAL MEETINGS OF JUNE 10, AND JUNE 25, 2008

PROPOSED ACTION: Approve the minutes.

**8. PUBLIC HEARINGS**

- A. APPROVE A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING THE DOWNTOWN VALLEJO SPECIFIC PLAN TO MODIFY THE LAND USE REGULATIONS WITHIN THE GEORGIA STREET CORRIDOR, MODIFYING THE LAND USE ENTITLEMENT PROCESS FOR CERTAIN SPECIFIED USES, AND REPEALING THE TEMPORARY LAND USE REGULATIONS ADOPTED IN ORDINANCE NO. 1591 AND RESOLUTION NO. 07-155

PROPOSED ACTION: Adopt the resolution holding on first reading an ordinance amending the Downtown Vallejo Specific Plan to modify the land use regulations within the Georgia Street Corridor, modifying the land use entitlement process for certain specified uses, and repealing the temporary land use regulations adopted in Ordinance No. 1591 and Resolution No. 07-155.

- B. CONSIDERATION OF THREE RESOLUTIONS: 1) A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE TO REZONE PROPERTY AT THE SOUTHEAST CORNER OF SOLANO AVENUE AND NINTH STREET; 2) A RESOLUTION AMENDING THE GENERAL PLAN; AND 3) A RESOLUTION APPROVING A PLANNED DEVELOPMENT UNIT PLAN AND A MINOR EXCEPTION AND ADOPTING A MITIGATED NEGATIVE DECLARATION TO FACILITATE DEVELOPMENT OF FOURTEEN RESIDENTIAL CONDOMINIUM TOWNHOME UNITS

PROPOSED ACTION: Adopt three resolutions: 1) a resolution holding on first reading an ordinance rezoning the property to Planned Development Residential; 2) a resolution amending the General Plan land use classification to High Density Residential; and 3) a resolution adopting the Mitigated Negative Declaration and approving Planned Development Unit Plan #07-0008 and Minor Exception #07-0004 to facilitate development of fourteen residential condominium townhome units, subject to the conditions of approval.

- C. APPROVE A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING CHAPTER 15.24 OF THE VALLEJO MUNICIPAL CODE, ENTITLED "CONVERSION OF MOBILE HOME PARKS TO RESIDENT OWNERSHIP"

PROPOSED ACTION: Adopt the resolution holding on first reading an ordinance amending Chapter 15.24 of the Vallejo Municipal Code, entitled "Conversion of Mobile Home Parks to Resident Ownership".

**9. POLICY ITEMS - NONE**

**10. ADMINISTRATIVE ITEMS**

- A. CONSIDERATION OF A RESOLUTION ACCEPTING THE QUARTERLY RIDGECREST REPORT

PROPOSED ACTION: Adopt the resolution which accepts the report documenting the reimbursement to the Landscape Maintenance District Program for the period of July 1, 2008 through September 30, 2008 for non-LMD inspection services provided by the LMD program in the amount of \$18,788.64 which has been transferred from the General Fund into the Landscape Maintenance Fund.

- B. **CONSIDERATION OF A RESOLUTION: ALLOCATING \$2,857,861 IN FISCAL YEAR 2008/2009 FEDERAL NEIGHBORHOOD STABILIZATION PROGRAM FUNDS, AND APPROVING SUBSTANTIAL AMENDMENT TO FISCAL YEAR 2008/2009 FEDERAL ACTION PLAN**

PROPOSED ACTION: Adopt the resolution allocating \$2,857,861 in fiscal year 2008/2009 Federal Neighborhood Stabilization Program funds, and approving substantial amendment to fiscal year 2008/2009 Federal Action Plan.

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

**12. 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.*

- A. **LETTER TO MAYOR DAVIS FROM RAYMOND D. SELLERS RECEIVED OCTOBER 27, 2008**

**13. CITY MANAGER'S REPORT**

**14. CITY ATTORNEY'S REPORT**

**15. 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.

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

**17. CLOSED SESSION - NONE**

**18. ADJOURNMENT**