



AMENDED¹ AGENDA

VALLEJO CITY COUNCIL VALLEJO REDEVELOPMENT AGENCY SPECIAL MEETING JULY 22, 2008

VALLEJO SANITATION & FLOOD CONTROL
DISTRICT BOARD
(Special Meeting 5 p.m./Regular Meeting 6 p.m.)

City Hall
555 Santa Clara Street
Vallejo, CA 94590

MAYOR
Osby Davis

CITY COUNCIL
Tom Barteo, 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 Special Meeting Agenda before or during consideration of that item. No other items may be discussed at this special meeting.

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

¹ Added Consent Calendar Item 7G, Submission of the City Treasurer's Investment Report for the Quarter ended June 30, 2008.

- A. RECOGNITION OF BASEBALL TEAM PARTICIPATING IN THE AKASHI, JAPAN 40TH ANNIVERSARY CELEBRATION

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 TO AMEND FISCAL YEAR 2008/2009 CAPITAL IMPROVEMENT BUDGET (CIP) BY ADDING FUNDS TO THE ADMIRAL CALLAGHAN LANE IMPROVEMENT PROJECT

PROPOSED ACTION: Adopt the resolution amending the Fiscal Year 2008/2009 Capital Improvement Budget (CIP) budget by adding \$333,000.00 to the Admiral Callaghan Lane Improvement Project.

- B. APPROVAL OF CITY COUNCIL MINUTES FOR REGULAR MEETING OF APRIL 8, 2008.

PROPOSED ACTION: Approve the minutes.

- C. APPROVAL OF A RESOLUTION APPROVING CONTRACT CHANGE ORDER NUMBER 1 AND ACCEPTING THE WORK PERFORMED BY VALLEY SEAL COMPANY FOR THE 2008 CITYWIDE SLURRY SEAL PROJECT COMPLETE AND AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION

SLURRY
AS
OF

ACTION PROPOSED: Adopt the resolution approving Contract Change Order Number 1 and accepting the work performed by Valley Slurry Seal Company, West Sacramento, California, for the 2008 Citywide Slurry Seal Project as complete, and authorizing the City Clerk to file a Notice of Completion in the office of the Solano County Recorder.

- D. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR GRANT WRITING SERVICES WITH ARMENTA MANAGEMENT CONSULTING FOR FISCAL YEARS 2008/2009 AND 2009/2010

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to enter into an agreement for grant writing services with Armenta Management Consulting for Fiscal Years 2008/2009 and 2009/2010.

- E. APPROVAL OF A RESOLUTION OPPOSING ASSEMBLY BILL 2175 AND AUTHORIZING THE MAYOR TO SEND A LETTER OF OPPOSITION TO THE STATE LEGISLATURE

PROPOSED ACTION: Adopt the resolution opposing Assembly Bill 2175 and authorizing the Mayor to send a letter of opposition to the State Legislature.

- F. APPROVAL OF A RESOLUTION APPOINTING THE LARRY PETRIE AS A MEMBER OF THE SOLANO COUNTY MOSQUITO ABATEMENT DISTRICT BOARD FOR A FOUR YEAR TERM

PROPOSED ACTION: Adopt the resolution appointing Larry Petrie to the Solano County Mosquito Abatement District Board for a four-year term.

- G. SUBMISSION OF THE CITY TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2008

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

8. PUBLIC HEARINGS

- A. CONSIDERATION OF THREE (3) RESOLUTIONS: 1) A RESOLUTION DECLARING THE RESULTS OF THE PROPERTY OWNER PROTEST BALLOT PROCEEDINGS FOR EIGHT (8) LANDSCAPE MAINTENANCE DISTRICTS: CARRIAGE OAKS, GARTHE RANCH, SANDPIPER POINT, SOUTH VALLEJO BUSINESS PARK, HUNTER RANCH 3, GLEN COVE 3, TOWN & COUNTRY 2-5, AND MARINE WORLD/FAIRGROUNDS; 2) A RESOLUTION APPROVING THE ANNUAL LEVY ENGINEER'S REPORT FOR TEN (10) LANDSCAPE MAINTENANCE DISTRICTS: CARRIAGE OAKS, GARTHE RANCH, GLEN COVE 3, HUNTER RANCH 3, MARINE WORLD/FAIRGROUNDS, MARIN VIEW, SANDPIPER POINT, SOUTH VALLEJO BUSINESS PARK, TOWN AND COUNTRY 2-5 AND THE NORTHEAST QUADRANT; AND 3) A RESOLUTION ORDERING THE LEVYING AND COLLECTION OF FISCAL YEAR 2008/2009 ASSESSMENTS FOR THE ABOVE REFERENCED TEN (10) LANDSCAPE MAINTENANCE DISTRICTS

PROPOSED ACTION: Adopt three resolutions: (1) declaring the results of the property owner protest balloting proceedings, (2) approving the Annual Levy Engineer's Report and (3) ordering the levy and collection of Fiscal Year 2008/2009 assessments.

- B. CONSIDERATION OF TWO RESOLUTIONS (1) APPROVING THE REVISED ANNUAL FINANCIAL REPORT AND ENGINEER'S REPORT AND (2) ORDERING THE LEVY AND COLLECTION OF FISCAL YEAR 2008/2009 ASSESSMENTS FOR THE HIDDENBROOKE MAINTENANCE DISTRICT

PROPOSED ACTION: Adopt two resolutions (1) approving the final Revised Engineer's Report, and (2) ordering the levy and collection of assessments for the Hiddenbrooke Maintenance District for Fiscal Year 2008/2009.

9. POLICY ITEMS – NONE

10. ADMINISTRATIVE ITEMS

- A. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT A CITYWIDE VOLUNTEER PROGRAM, TO BE CALLED THE "LEND A HAND VOLUNTEER PROGRAM" AND REPORT BACK ON THE PROGRAM TO CITY COUNCIL IN SEPTEMBER 2008

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to implement the "Lend a Hand" Volunteer Program and to report back on the Program to City Council in September 2008.

- B. PRESENTATION OF DESIGN OF TOURO CANCER TREATMENT/RESEARCH FACILITY AND STATUS OF "PROJECT NO. 2"

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

- C. STATUS UPDATE OF TEMPORARY FIRST FLOOR AND USE REGULATIONS FOR THE GEORGIA STREET CORRIDOR IN THE DOWNTOWN SPECIFIC PLAN AREA

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

11. RECESS TO SPECIAL MEETING OF THE VALLEJO REDEVELOPMENT AGENCY

12. RECONVENE CITY COUNCIL MEETING

13. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - NONE

14. 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.

15. CITY MANAGER'S REPORT

16. CITY ATTORNEY'S REPORT

17. COMMUNITY FORUM

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his /her name, and address for the record. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.

- 18. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL**
- 19. CLOSED SESSION - NONE**
- 20. ADJOURNMENT**

VALLEJO REDEVELOPMENT AGENCY
SPECIAL JOINT MEETING
7:00 P.M. CITY COUNCIL CHAMBERS

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **POLICY ITEM**
 - A. **PRESENTATION OF PUBLIC OUTREACH SUMMARY AND THREE NORTHERN WATERFRONT PARK PROGRAM ALTERNATIVE DESIGNS AND CONSIDERATION OF RESOLUTION IDENTIFYING PREFERRED PROGRAM ALTERNATIVE DESIGN**

PROPOSED ACTION: Adopt the resolution identifying a preferred program alternative design.
4. **ADJOURN TO CITY COUNCIL MEETING**




Agenda Item No. CONSENT A

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director 

SUBJECT: APPROVAL OF A RESOLUTION TO AMEND FISCAL YEAR 2008/09
CAPITAL IMPROVEMENT PROGRAM BUDGET BY ADDING FUNDS
TO THE ADMIRAL CALLAGHAN LANE IMPROVEMENT PROJECT

BACKGROUND AND DISCUSSION

This action is to adopt a resolution of intent to amend the Fiscal Year 2008/09 One-Year Capital Improvement Program budget. On July 8, 2008, Council adopted a Resolution of Intention to approve the proposed budget amendment to amend the FY08/09 Capital Improvement Program budget. This is the 2nd step in the process to amend the CIP budget.

The section of Admiral Callaghan Lane between the intersections of Rotary Way and Redwood Parkway was a very high traffic conflict area with many minor traffic collisions. There was also a tremendous amount of congestion and confusion for drivers in this area. As a solution, the City of Vallejo Engineering Division and the State of California Department of Transportation (Caltrans) worked together to design improvements to address traffic safety, relieve congestion, and reduce delay at this location. The project includes widening of Admiral Callaghan Lane, lane configuration changes, traffic signal modifications, I-80 ramp improvements, raised medians, and a pavement overlay. Completion of this project will provide congestion relief and improve traffic safety.

The project was bid in May 2007, and construction was awarded to J. A. Gonsalves & Son Construction, Inc., Napa, CA, approved by City Council on June 12, 2007 by Resolution No. 07-148.

During the construction phase of the project, delays, changes and unforeseen circumstances in the field caused additional expenditures on the project. The contractor encountered a storm drain pipe not shown on the plans, which had to be removed and replaced before the project could continue; Caltrans requested changes to the traffic plan be implemented during construction, which impacted the construction schedule; the City required PG&E to move utility boxes out of the proposed roadway onto the sidewalk area; and Caltrans approval of streetlights met with additional delays.



Therefore, additional funds in the amount of \$333,000.00 are required for construction, contract administration and a 10% contingency for the project. Approval of this resolution is the second of a 2-step process to amend the FY08/09 CIP Budget.

Fiscal Impact

Construction budget for this project was \$564,700.00. On June 12, 2007 Resolution No. 07-147 adjusted the total construction budget for this project to \$1,064,700.00, of which \$70,000.00 is from a federal grant and the remainder is funded by the Transportation Impact Mitigation Fund (TIMF). Staff proposes that an additional \$333,000.00 be added to the budget for this project in FY 2008/09 from unappropriated funds in the TIMF.

RECOMMENDATION

City staff recommends adopting a Resolution to amend the FY08/09 Capital Improvement Program (CIP) budget by adding \$333,000.00 to the Admiral Callaghan Lane Improvement Project.

ENVIRONMENTAL REVIEW

The project has an exempt status of Categorical Exemption Class 1 (Section 21080) (b) (10); 15301 (1) (c). The pavement is exempt because it involves the rehabilitation of existing street pavement within the City. There will be no scenic resource altered or removed. A California Environmental Quality Act (CEQA) Categorical Exemption Class 1 will be filed with the County of Solano.

PROPOSED ACTION

Adopt a Resolution to amend the FY08/09 Capital Improvement Program (CIP) budget by adding \$333,000.00 to the Admiral Callaghan Lane Improvement Project.

DOCUMENTS AVAILABLE FOR REVIEW

- a. Resolution to amend the CIP budget for Fiscal Year 2008/09

CONTACT PERSON

Gary A. Leach
Public Works Director
(707) 648-4315
GARYL@ci.vallejo.ca.us



David A. Kleinschmidt
City Engineer
(707) 648-430
David@ci.vallejo.ca.us

JULY 22, 2008
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RESOLUTION NO. 08 - N.C.

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

WHEREAS, the section of Admiral Callaghan Lane between the intersections of Rotary Way and Redwood Parkway is a very high traffic conflict area with many minor traffic collisions; and

WHEREAS, the City of Vallejo Engineering Division and the State of California Department of Transportation (Caltrans) worked together to design improvements to address traffic safety, relieve congestion, and reduce delay at this location; and

WHEREAS, the project was bid in May 2007, and construction was awarded to J. A. Gonsalves & Son Construction, Inc., Napa, CA, approved by City Council on June 12, 2007 by Resolution No. 07-148; and

WHEREAS, during construction phase of the project, delays, changes and unforeseen circumstances in the field caused additional expenditures on the project; and

WHEREAS, the construction budget for this project was \$564,700.00, and a budget adjustment in the amount of \$500,000.00 was approved June 12, 2007 on Resolution No. 07-147, bringing the total construction budget for this project to \$1,064,700.00, of which \$70,000.00 is from a federal grant and the remainder is funded by the Transportation Impact Mitigation Fund (TIMF); and

WHEREAS, additional funds in the amount of \$333,000.00 are required for construction, contract administration and a 10% contingency for the project; and

WHEREAS, the City Charter Section 703 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, City Council approved a Resolution of Intent to amend the FY08/09 CIP budget on July 8, 2008 for the Admiral Callaghan Lane Improvement Project.

NOW, THEREFORE BE IT RESOLVED that the City Council does hereby approve this Resolution to amend the FY08/09 CIP budget by adding \$333,000.00 to the Admiral Callaghan Lane Improvement Project.

JULY 22, 2008

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VALLEJO CITY COUNCIL
MINUTES
 APRIL 8, 2008

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 7:04 p .m. by Mayor Osby Davis.

2. PLEDGE OF ALLEGIANCE - was led by Mayor Davis.

3. ROLL CALL

Present: Mayor Davis, Councilmembers Gomes, Hannigan, Schivley, Sunga and Wilson

Absent: Vice Mayor Bartee

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

4. PRESENTATIONS AND COMMENDATIONS

A. PRESENTATION OF PROCLAMATION COMMEMORATING PUBLIC SCHOOLS WEEK APRIL 14-18, 2008

Mayor Davis read the proclamation and presented it to a representative from the School District who introduced public school officials Mabella Gonzalez, Principal, Elsa Widenmann School; Ken McKendrick and Jim McGowan. The public was invited to visit the schools during the last two weeks of April.

B. PRESENTATION OF PROCLAMATION FOR VALLEJO NUMISMATIC SOCIETY 36TH ANNUAL VALLEJO COIN AND COLLECTIBLES SHOW

Mayor Davis presented the proclamation to Harry Davis, member of the Vallejo Numismatic Society.

5. FIRST COMMUNITY FORUM

Maria Bitagon addressed defamatory graffiti on the fence in front of her house. Ollie Allen, IV, Vallejo General Youth Football Team, asked Council to find a way to save the North Vallejo Center. Levita Lopez addressed the illegality of paying income tax and invited the public to attend a strike on April 15, 12-6 p.m. Doug Darling spoke in support of the North Vallejo Center. Bishop Pipkins addressed the use of the North Vallejo site facilities and asked Council to consider another meal program. He stated that the facility can remain open at his expense. He presented a petition signed by residents in the area in support of keeping the site open.

Mayor Davis, Councilmember Schivley and Councilmember Gomes offered support for keeping the North Vallejo Center open, and stated that information on this issue will be coming back to Council within the next two weeks for a resolution.

Councilmember Sunga stated that he believes everything possible should be done to make the program in that area more successful.

Councilmember Schivley stated that Meals on Wheels has been trying for over a year to close at the North Vallejo location because it is too expensive to pay for the pest control, janitorial, telephone and utilities. She stated that this site should be a community center in addition to a meal location.

5. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS
6. CONSENT CALENDAR AND APPROVAL OF AGENDA

At the request of Councilmember Schivley, Consent Item 7E concerning an ordinance amending the Vallejo Municipal Code to eliminate the Downtown Parking and Business Improvement Area Advisory Commission, was removed from the Consent Calendar and heard as 7.1.

Mayor Davis requested that Consent Item 7-C, Vehicles for Hire ordinance, be removed and heard as 7.2; and 7-F, concerning Civil Service Rules and Regulations be removed from the agenda.

Hearing to further additions, corrections or deletions, the agenda was approved as amended and the following minutes, ordinance and resolutions were offered by Councilmember Sunga:

RESOLUTION NO. 08-48 N.C. RATIFYING THE PAYMENT OF CLAIMS FOR THE TIME PERIOD OF MARCH 1, 2008 TO MARCH 26, 2008 TOTALING \$9,468,686.06

APPROVAL OF CITY COUNCIL MINUTES FOR THE MEETING OF FEBRUARY 26 AND MARCH 11, 2008

FINAL READING OF AN ORDINANCE REPEALING CHAPTER 5.32 OF THE VALLEJO MUNICIPAL CODE, ENTITLED "VEHICLES FOR HIRE" AND ADDING A NEW CHAPTER 5.32, ENTITLED "TAXICAB STANDARDS ORDINANCE" TO TITLE 5 OF THE VALLEJO MUNICIPAL CODE (Removed to 7.2)

RESOLUTION NO. 08-49 N.C. AMENDING THE CLASSIFICATION PLAN AND ADDING THE SENIOR INSTRUMENT TECHNICIAN CLASSIFICATION TO THE CIVIL SERVICE AND AUTHORIZING THE CITY MANAGER TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 2376, AFL-CIO THAT ADDS THE SENIOR INSTRUMENT TECHNICIAN CLASSIFICATION TO SALARY RANGE 43.

CONSIDERATION OF A RESOLUTION OF INTENTION DIRECTING THE CITY MANAGER TO SUBMIT AN ORDINANCE FOR FIRST READING TO AMEND VALLEJO MUNICIPAL CODE SECTION 14.32.090 TO ELIMINATE THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA ADVISORY COMMISSION (Removed to Item 7.1)

APPROVAL OF A RESOLUTION APPROVING THE FOLLOWING CIVIL SERVICE RULES AND REGULATIONS ADOPTED BY THE CIVIL SERVICE COMMISSION: RULE 1, NOMENCLATURE; RULE 4.6 CLASSIFICATION REVISION; RULE 13.1, MAINTENANCE; RULE 13.4, APPROVAL OF REGISTER OF ELIGIBLES; RULE 13.5, LIFE OF REGISTER; RULE 17.8, CONDITIONAL APPOINTMENTS; RULE 6.1, ANNOUNCEMENT OF EXAMINATIONS; RULE 9.5, RELATIVE WEIGHTS; RULE 9.7, QUALIFYING TESTS; RULE 9.9, LATERAL ENTRY; RULE 10.4, LIMITATION; RULE 12.1, INSPECTION OF QUESTIONS; RULE 4.4, RECLASSIFICATION; AND RULE 15.1, PROCEDURE (This item was removed from the agenda at the request of staff.)

The above resolutions and minutes were adopted by the following vote:

AYES:	Mayor Davis, Councilmembers Gomes, Hannigan, Schivley, Sunga and Wilson
NOES:	None
ABSENT:	Vice Mayor Bartee
ABSTAINING:	None

7.1 CONSIDERATION OF A RESOLUTION OF INTENTION DIRECTING THE CITY MANAGER TO SUBMIT AN ORDINANCE FOR FIRST READING TO AMEND VALLEJO MUNICIPAL CODE SECTION 14.32.090 TO ELIMINATE THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA ADVISORY COMMISSION

Councilmember Wilson reported for the record that he is a downtown business owner and has a remote interest in the District. There are no material economic impacts based on this. He was a past President and has served on the Board of Directors, although not appointed by the City.

Annette Taylor, Senior Community Development Analyst, provided background information on the creation of the Downtown Parking and Business Improvement Area Advisory Commission and its function. She reported that a petition was filed by Fred Menard on February 6, 2008 asking the City Council to amend the Conflict of Interest Code to include this Commission.

Ms. Taylor reported that the City Council has the discretion to either eliminate the Commission or evaluate different courses of action regarding the petition. The amount collected is approximately \$32,000 per year. The Downtown Parking and Business Improvement Advisory Commission (DAV) has determined that it does not wish to serve the Commission and staff has determined that the Commission is no longer necessary. Mr. Menard, through his Attorney, David Fischer, has been informed that staff's recommendation is for the City Council to eliminate the Commission.

Mayor Davis asked why staff believed the Commission was no longer necessary. Ms. Taylor stated that the DAV Board determined that they no longer want to serve. Mayor Davis asked if there was a need for someone to administer the \$32,000 a year budget. He also asked who would make recommendations on how to spend the money. Ms. Taylor stated that the Council has the ultimate responsibility of approving the budget. The Council can review the budget in an open meeting, receive comments from the public, and DAV could be one of the entities or individuals to make recommendations to the Council. The Council could act in the capacity without having an advisory commission. Ms. Taylor explained the process that could be used to review and approve the budget.

Mayor Davis stated that the Council is not prepared to discuss what the monies should be used for without input from the business community. Susan McCue, Economic Development Manager, recommended that staff be responsible for seeking input from the downtown property owners and businesses on proper expenditure of the funds and make the recommendation to Council.

Councilmember Schivley asked about consolidating three groups that exist in the Downtown area, noting that there are duplication of services – CCRC, Main Street, and the Downtown Association. Ms. Taylor replied that this was considered, but it didn't work out for a number of reasons. Ms. Taylor explained the services provided by each of the groups, and stated that staff would like them to be consolidated.

Councilmember Wilson asked for clarification of the intent to remove the Downtown Parking Business Improvement Area Advisory Commission from the City's list of Commissions. He stated that it is his understanding that the Downtown Association has acted as an independent board that has worked with the City to support and maintain the Downtown through the money the City collects. He stated that the entire business license program needs to be reviewed.

Mr. Nagel stated that due to the filing of the petition by Mr. Mennard, which triggered the matter of conflict of interest, staff determined for a variety of reasons that it was not necessary to have an advisory commission and therefore recommendation was made to staff to start the process to eliminate it as a commission which would therefore eliminate its need to be in the conflict of interest code or to comply with the state law and file a Form 700.

Mayor Davis stated that he believes it would be in the best interest of everyone involved to have one organization moving in one common direction.

Speakers: David Fischer, property owner in the downtown area, and Attorney for Mr. Mennard, would like to see the district abolished. He suggested the possibility of suspending the Commission until the downtown project begins, and then change it to guarantee the merchants will have a say in the process. He stated that the business fees are triple that of other areas in the City.

John Sylvane, President of the Downtown Association, supports eliminating the Commission. He suggested establishing a new mechanism for funding the association, perhaps make it a private business association.

Bill Haines supports eliminating the commission.

At the request of Councilmember Wilson, Ms. McCue explained the funding of the various downtown organizations.

Councilmember Wilson stated that he believes the three bodies, CCRC, Main Street, and the Downtown Association, should come together. He suggested looking at the way we do business in Vallejo and how we collect taxes and fees from businesses throughout the City. Ask the business owners who are paying the tax if they want to continue the program. He further stated that the resolution should make it clear they've made a recommendation that they do not wish to be a commission, and we should honor those wishes. We should continue in the contract to enhance and support the downtown with the money that the City collects from business owners.

Councilmember Wilson offered an amended resolution, in the third Whereas, adding "The Downtown Association has made a recommendation that it does not wish to serve as a commission."

Councilmember Schivley asked Mr. Sylvane and Mr. Fischer if they would prefer to have the Downtown Association be a voluntary organization and take care of it themselves. Mr. Fischer replied that he, and speaking on behalf of his client, would like it to be voluntary. Mr. Sylvane said personally he agrees with Mr. Fischer's point of view. It should be a private organization, collect funds from their businesses and work to enhance the downtown business organization. He stated that there are differences of opinion on the DAV Board about the funding mechanism and how to handle it.

Councilmember Schivley asked the City Manager to agendaize the issue of removing the DAV from the City's Finance Department, the responsibility of the Council to decide where the money goes, and to bring this back for the Council to discuss and make a decision.

Ms. Taylor stated that staff is working on how to terminate the advisory commission and the fee structure and how it was created because it was established by City ordinance. They hope to have this back to Council by May 6.

Mayor Davis asked Mr. Fischer if he would withdraw the petition if we agree to work on this item so we are not under a deadline. Mr. Fischer agreed that he would withdraw the petition. Mayor Davis stated that Council will direct staff to work with Mr. Fischer and the Downtown Association to work out the issues.

Councilmember Wilson withdrew his amended resolution. He stated that he wants to ensure those monies collected by downtown business owners do not go into some other fund rather than that for which it was intended. Whatever is left should go to the benefit of the downtown businesses who paid that specific fee. Therefore, when this comes back to Council he wants to ensure that this language is included.

Councilmember Schivley asked if what money is left would be turned over to the DAV.

Ms. Taylor replied stated that the current process will remain in effect until the Council decides to change it.

Staff was directed to meet with Mr. Fischer, his client, the Downtown Association, CCRC, and Main Street and whoever else needs to be met with, develop a proposal to resolve the issues that have been expressed tonight.

Mr. Tanner stated that staff will do exactly as was proposed.

7.2 FINAL READING OF AN ORDINANCE REPEALING CHAPTER 5.32 OF THE VALLEJO MUNICIPAL CODE, ENTITLED "VEHICLES FOR HIRE" AND ADDING A NEW CHAPTER 5.32, ENTITLED "TAXICAB STANDARDS ORDINANCE" TO TITLE 5 OF THE VALLEJO MUNICIPAL CODE

Mayor Davis asked for assurance that the changes he provided in a memo to the Chief concerning due process, and ensuring that the ordinance is fair to all parties have been incorporated into the ordinance.

Police Chief Nichelini stated that all items requested by the Mayor have been incorporated. The due process can be found in Section 5.32.300.

Councilmember Gomes thanked the Chief for the ordinance noting that her concerns were included.

ORDINANCE NO. 1606 N.C. (2D) offered by Mayor Davis adopting the Ordinance repealing Chapter 5.32 of Title 5 of the Vallejo Municipal Code, entitled "Vehicles for Hire" and adding a new Chapter 5.32 entitled "Taxicab Standards Ordinance" to Title 5 of the Vallejo Municipal Code.

The ordinance was adopted by the following vote:

AYES: Mayor Davis, Councilmembers Gomes, Hannigan, Schivley, Sunga and Wilson
NOES: None
ABSENT: Vice Mayor Bartee
ABSTENTIONS: None

8. PUBLIC HEARING – None

9. POLICY ITEMS

A. CONSIDERATION OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING THE VALLEJO MUNICIPAL CODE CHAPTER 2.60, EMPLOYMENT REGULATIONS, PART XII, SECTION 2.60.960 - FREQUENCY OF PERFORMANCE EVALUATIONS AND SECTION 2.60.970 - REPORTS OF COMPLETION ON PERFORMANCE EVALUATIONS

Dennis Morris, Human Resources Director, and Debora Boutte', Human Resources Operations Manager, provided information on the ordinance. Ms. Boutte' stated that a resolution holding the ordinance on first reading was distributed to the Council tonight. She went on to say that the City Attorney's office added Section 2 to the ordinance which repeals Section 2.60.970. In addition, in answer to questions concerning Section C, staff clarified the language in that section as follows: "The supervisor shall provide a performance evaluation no less than one additional time to the required evaluation as noted above for employees whose overall performance is less than satisfactory during probation or anytime during the evaluation period."

RESOLUTION NO. 08-50 N.C. offered by Councilmember Sunga adopting the resolution holding on first reading an Ordinance amending Chapter 2.6, Employment Regulations, Part XII, Performance Evaluations, Section 2.60.960 – Frequency of Performance Evaluations and Section 2.60.970 - Reports of Completion on Performance Evaluations.

The resolution was adopted by the following vote:

AYES: Mayor Davis, Councilmembers Gomes, Hannigan, Schivley, Sunga and Wilson
NOES: None
ABSENT: Vice Mayor Bartee
ABSTENTIONS: None

10. RECESS TO A SPECIAL JOINT MEETING WITH THE VALLEJO REDEVELOPMENT AGENCY

The Council recessed to a special joint meeting with the Redevelopment Agency at 8:24 p.m. Vice Mayor Bartee was absent/excused.

11. ADMINISTRATIVE ITEMS

A. CONSIDERATION OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2007/2008 BUDGET

Rob Stout, Finance Director, provided information on the amendments to the Fiscal Year 2007-2008 budget. He addressed the General Fund revenues and expenditures in the Fire Department and Public Works Department; and revenues and expenditures in other funds: Solid Waste, Redevelopment Agency (downtown), the Mare Island Community Facility District, and the Public Finance Authority. The appropriation of fund balances include Water Funds \$415,000, Landscape Districts \$30,770, Solid Waste \$430,000, Arts & Convention \$200,000, Repair and Demolition \$40,000, Vehicle Replacement \$1,700,000 and Transportation \$300,000 for a total amount of \$2,670,000.

Mr. Stout reported that these were the monies discussed in December and March in which the cash balances would be taken out of the other funds to reduce the deficit in the General Fund. The General Funds adjustments were done at that time. This will give staff the authority to move the \$2,670,000.

Mr. Stout addressed the change in authorized positions which included the addition of a customer service representative to water billing which will increase the water billing representatives from four to five.

Mayor Davis asked if adding the water billing representative would alleviate the need to send the water bills to Los Angeles. Mr. Stout replied no, and explained the process, stating that staff will be issuing a Request for Proposals to get a new vendor.

Councilmember Schivley asked whether fund balances that are being appropriated that were to help alleviate the deficit in the general fund (\$2.67 million), and is this money that the taxpayers have had collected from them for purposes other than what it is now going to be used for, going into the general fund to help cure the deficit. Mr. Stout replied yes.

Councilmember Schivley stated that the other items were monies that were deemed to be either not needed or they could not be used in the funds they were being taken from. Mr. Stout replied yes, stating that we were legally able to take the funds out and move them to the general fund.

Councilmember Schivley stated that she has a major problem with parts of the resolution. She would like two separate resolutions: one for items on page 1 and one for the items on page 2 of the staff report.

Mr. Nagel, Assistant City Attorney, explained the procedure for separating the resolution.

Mr. Stout suggested proceeding with the intention to amend resolution and next week present a separate resolution to adopt the amendment that will exclude the language requested by Councilmember Schivley. Mr. Nagel agreed that this would be the most prudent way of doing this.

Councilmember Schivley stated if the city is going to be selling land to help the general fund, she would like the funds from the sales to not go into the general fund for operating expense, that they be used for street repair.

Mr. Stout stated that due to our budget crisis, we will only be able to buy the vehicles that we can appropriate the entire amount for that year for at least the next four years.

Councilmember Gomes concurred with Councilmember Schivley. She stated that she has not seen a solution to the budget crisis. We are raiding the funds that were intended for another purpose with the intent to solve the budget crisis; however, the crisis is still upon us. She noted that using vehicle replacement funds creates a safety situation.

RESOLUTION NO. 08-51 N.C. offered by Councilmember Schivley amending the City of Vallejo budget for fiscal year 2007-2008.

The resolution was adopted by the following vote:

AYES: Mayor Davis, Councilmembers Gomes, Hannigan, Schivley, Sunga and
Wilson
NOES: None
ABSENT: Vice Mayor Barteo
ABSTENTIONS: None

12. RECONVENE THE CITY COUNCIL MEETING

The City Council meeting reconvened at 8:39 p.m.

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

14. WRITTEN COMMUNICATIONS

15. CITY MANAGER'S REPORT

16. CITY ATTORNEY'S REPORT

17. COMMUNITY FORUM

Speakers: Sam Kursham asked if the public could be informed about how the mediations are going without breaking confidentiality Robert Harris addressed volunteerism and how the citizens can participate. He suggested leasing the ferries. He addressed the Vallejo Downtown Association budget.

Mr. Tanner responded to Mr. Kursham's question stating that he could not provide the information due to confidentiality.

18. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY
COUNCIL

Councilmember Hannigan reported that Leadership Vallejo is having an open house on April 23, 5 p.m., JFK Library. She briefly explained the function of the group, stating that this is the inaugural class consisting of 18 members who are finishing their course.

Councilmember Schivley reported that the City donates over \$46,000 a year to Meals on Wheels. She would like to see the paperwork supporting this program and the budget. She questioned if they could terminate before the end of the fiscal year when the funding goes through the end of the fiscal year. She would like this information by next week.

Councilmember Sunga stated that he would like the community volunteer program to be agendized. He has received calls from citizens about this. He also asked that the Business Vitality Committee and the progress on the trade free zone be agendized.

Councilmember Davis reported on his recent trip to Washington, D.C. He met with Senator Boxer and met with the staff of Senator Feinstein, and discussed transportation monies for Travis AFB and the ferry, bus replacement for the bus transportation system from Vacaville to the Vallejo ferry. He did not feel comfortable with the commitment for busses but was encouraged with the commitment for the ferry maintenance system and for Travis. He also met with Kimberly Kessler, Acting Assistant Secretary of the Navy. Ms. Kessler indicated that the funding would be available to do the clean up on the north end of the island and they would be willing to expedite it so we can move forward with the development. He will be meeting with a representative from the San Diego office who will give an outline of the time frame and monies committed. Anyone who wants to attend the meeting to hear the information is welcome.

Mayor Davis further stated that the Express Route 70 from Vallejo to Benicia and Benicia to Walnut Creek and Pleasant Hill Bart, has been delayed because Benicia has some concerns and they are working out the problems with an anticipated start date of July.

Mayor Davis stated that a number of people have expressed a desire to volunteer to help the City and this is being considered.

Councilmember Gomes stated that when the volunteer program is brought to the Council we should consider the graffiti program as lessons learned and include this in the item.

Councilmember Schivley stated that people have contacted her regarding volunteering for clerical work. She would like to see this get started before people lose their enthusiasm.

19. CLOSED SESSION - None

20. ADJOURNMENT

The meeting adjourned at 8:56 p.m.

OSBY DAVIS, MAYOR

ATTEST:

MARY ELLSWORTH, CITY CLERK




Agenda Item No.

CONSENT C

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director 

SUBJECT: ADOPTION OF A RESOLUTION APPROVING CONTRACT CHANGE ORDER NUMBER 1 AND ACCEPTING THE WORK PERFORMED BY VALLEY SLURRY SEAL COMPANY FOR THE 2008 CITYWIDE SLURRY SEAL PROJECT AS COMPLETE AND AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION

BACKGROUND

Slurry Seal is one of the most versatile and cost effective ways to preserve and protect a paving investment over time. The application of slurry seal significantly extends the life of existing pavements by protecting the undersurface from the effects of aging and the environment. By undertaking a program of planned pavement maintenance, considerable savings in rehabilitation costs are achieved. Pavement surfaces remain sound, usable and safe. In addition, extensive downtime needed to repair potholes or reconstruct the pavement are greatly reduced or eliminated.

The Governor's Traffic Congestion Relief Fund, provided through Proposition 42, allocates monies to Cities and Counties for street and road maintenance and reconstruction. For fiscal year 07/08 the City of Vallejo has appropriated these Proposition 42 funds for the 2008 Citywide Slurry Seal Project. These funds have a spending limit deadline of June 30, 2008.

On April 22, 2006, the City Council approved resolution No. 08-53 awarding a construction contract to Valley Slurry Seal Co., West Sacramento, California, for the 2008 Citywide Slurry Seal Project in the amount of \$215,510.12 with authorization for the Public Works Director to execute future Contract Change Orders not to exceed the project budget. Because of the spending deadline of June 30, 2008, and the received bids were below the engineer's estimate, staff prioritized a list of local streets in need of maintenance that were not in the original scope of work for this project. Contract Change Order Number 1 in the amount of \$298,765.97, was for slurry sealing and striping additional city streets.

All work is now complete and Staff recommends that the City Council authorize the city clerk to file a Notice of Completion.



Fiscal Impact

The project is funded by Proposition 42 with a budget of \$550,000. The original contract amount with Valley Slurry Seal Company was \$215,510.12. City Council previously authorized additional funds for construction contingencies to the construction budget for contract change orders. Contract Change Order Number 1 added \$298,765.97, bringing the net total contract amount to \$514,276.06, which is within the budgeted amount for this project.

RECOMMENDATION

Staff recommends adopting the resolution approving Contract Change Order Number 1 and accepting the work performed by Valley Slurry Seal Company, West Sacramento, California, for the 2008 Citywide Slurry Seal Project as complete, and authorizing the City Clerk to file a Notice of Completion in the office of the Solano County Recorder.

ENVIRONMENTAL REVIEW

Project acceptance is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378 (b) (4) of Title 14 of the California Code of Regulations as project acceptance will not result in a potentially significant impact on the environment.

This project qualifies for a Class 2 Categorical Exemption under the California Environmental Quality Act (CEQA). Pub. Res. Code Section 2180(b)(9), 21084. A Notice of Exemption was filed and recorded with the Solano County Clerk. No further CEQA is required by the City Council.

PROPOSED ACTION

Adoption of the resolution 1) approving Contract Change Order Number 1 and 2) accepting the work performed by Valley Slurry Seal Company, West Sacramento, California, for the 2008 Citywide Slurry Seal Project as complete, and authorizing the City Clerk to file a Notice of Completion in the office of the Solano County Recorder.

DOCUMENTS ATTACHED

- a. Resolution 1) approving Contract Change Order Number 1 and 2) accepting the work with Valley Slurry Seal Company, West Sacramento, California in the amount of \$514,276.06 for the 2008 Citywide Slurry Seal Project



b. List of Streets

DOCUMENTS AVAILABLE FOR REVIEW

a. Contract Change Order Number 1

CONTACT PERSONS

Gary A. Leach, Public Works Director
(707) 648-4315
gary@ci.vallejo.ca.us

David A. Kleinschmidt, City Engineer
(707) 648-4315
dkleinschmidt@ci.vallejo.ca.us

JULY 22, 2008
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RESOLUTION NO. 08- N.C.

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

WHEREAS, on April 22, 2008 through Resolution No. 08-53 N.C., a contract was awarded to Valley Slurry Seal Company, West Sacramento, California, in the amount of Two Hundred and Fifteen Thousand Five Hundred and Ten Dollars and Twelve Cents (\$215,510.12) for the 2008 Citywide Slurry Seal Project; and

WHEREAS, that Contract Change Order Number 1 with Valley Slurry Seal Company, West Sacramento, California for the 2008 Citywide Slurry Seal Project was approved in the total amount of Two Hundred and Ninety Eight Thousand Seven Hundred and Sixty Five Dollars and Ninety Seven Cents (\$298,765.97) and

WHEREAS, the final contract amount is Five Hundred and Fourteen Thousand Two Hundred Seventy Six Dollars and Six Cents (\$514,267.06) for the construction of the 2008 Citywide Slurry Seal Project; and

WHEREAS, the City Engineer has determined that the above work has been completed.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Vallejo that it hereby accepts the 2008 Citywide Slurry Seal Project as complete.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to file a Notice of Completion with the Solano County Recorder's office.

JULY22, 2008

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	<u>Street Name</u>	<u>Beginning Location</u>	<u>Ending Location</u>	<u>Actual Sq Ft</u>
1	ALABAMA STREET	MARE ISLAND WAY	SACRAMENTO STREET	66,529
2	AUDEN STREET	CORKWOOD STREET	GEORGIA STREET	16,733
3	BIRCH STREET	AMBER AVENUE	HOLLY STREET	22,935
4	BORGES LANE	150 S OF CIMARRON	GRIFFIN	25,160
5	BRISTOL DRIVE	BRUNSWICK DRIVE	SANDHURST DRIVE	9,750
6	BRITANIA DRIVE	HAWKINS STREET	RAMSGATE	92,271
7	BROOKWOOD AVENUE	COTTONWOOD DRIVE	GEORGIA STREET	26,332
8	CANTERBURY DRIVE	SOUTHPORT WAY	355' WEST OF BRIGHTON (E)	24,486
9	CHAPMAN COURT	LINFIELD DRIVE	CULDESAC	19,591
10	CORPORATE PLACE	SOLANO AVENUE	END	23,122
11	CRANE COURT	CORKWOOD STREET	END	7,447
12	CRAVEN STREET	CARTER STREET	500' WEST OF CARTER	8,910
13	CURTOLA PARKWAY	200' WEST OF MARIN	SR 29	29,410
14	FLORIDA STREET	HILTON AVENUE	VERVAIS AVENUE	13,775
15	GLEN COVE ROAD	BENICIA ROAD	WARREN AVENUE	54,810
16	GLENWOOD STREET	DEL NORTE STREET	LASSEN STREET	8,555
17	HOBBS AVENUE	ALMOND AVENUE	END	23,840
18	INDIANA STREET	MARIN STREET	SACRAMENTO STREET	15,408
19	LA CANYADA DRIVE	JORDAN STREET	ADIT COURT	45,099
20	LILLEAN WAY	PAMELA STREET	CHRISTOPHER WAY	14,550
21	LIPPIZAN DRIVE	TROTTER DRIVE	DARLEY DR	39,435
22	MADIGAN AVENUE	THIRTEENTH STREET	FOURTEENTH STREET	13,440
23	MAINE STREET	MARIN STREET	SR 29	22,960
24	MAYO AVENUE	SOLANO AVENUE	RICE STREET	15,408
25	MESA STREET	EL MONTE STREET	LAGUNA STREET	12,900
26	MISSISSIPPI STREET	SACRAMENTO STREET	SONOMA BLVD.	35,460
27	MOLINA STREET	MOLINA COURT	125' N. OF KEATS	46,530
28	OAKWOOD AVENUE	HAZLEWOOD AVENUE	GEORGIA STREET	36,024
29	PLAZA DRIVE	ADMIRAL CALLAGHAN	TURNER PKWY	100,025
30	PREAKNESS LANE	TROTTER DRIVE	DARLEY DRIVE	30,129
31	REIS AVENUE	CEDAR STREET	MAPLE STREET	24,240
32	SAN MARINO AVENUE	REDWOOD STREET	DEL MAR AVENUE	20,350
33	SILVERPINE LANE	REDBUD LANE	BLUEBELL PLACE	18,030
35	THIRD STREET	LÉMON STREET	MCLANE STREET	40,040
36	TORREY PINES COURT	TURNBERRY WAY	END	26,931
37	TROTTER DRIVE	LIPPIZAN DRIVE	DARLEY DRIVE	58,080
38	TURNBERRY WAY	BIRKDALE DRIVE	803' SOUTH OF HAWKESBURY	33,429
39	WILLOW STREET	PEACH STREET	ALMOND AVENUE	26,961
40	WINCHESTER STREET	BROWNING WAY	PORTER STREET	49,731
41	YOLO AVENUE	SACRAMENTO STREET	NEBRASKA STREET	21,141

Additional Streets to be slurry (CCO Work)

42	ALAN COURT	KNIGHTS CIRCLE	END	6,505
49	CENTRAL AVENUE	SOLANO AVENUE	BENICIA ROAD	57,230
50	CREEKVIEW DRIVE	GLENVIEW CIRCLE	425' WEST OF TOPELY	41,250
	GEORGIA STREET	SOLANO AVENUE	I-80 OVERPASS	181,508
51	HAWKINS STREET	ASCOT PARKWAY	HOUSE #203	6,435
52	KNIGHTS CIRCLE	HILARY WAY	589 KNIGHTS CIRCLE	41,449
	KNIGHTS CIRCLE	589 KNIGHTS CIRCLE	625 KNIGHTS CIRCLE	45,905

	<u>Street Name</u>	<u>Beginning Location</u>	<u>Ending Location</u>	<u>Actual Sq Ft</u>
	KNIGHTS CIRCLE	625 KNIGHTS CIRCLE	789 KNIGHTS CIRCLE	
	KNIGHTS CIRCLE	789 KNIGHTS CIRCLE	819 KNIGHTS CIRCLE	
	KNIGHTS CIRCLE	819 KNIGHTS CIRCLE	HILARY WAY	5,280
53	MAINE STREET	SANTA CLARA STREET	MARIN STREET	39,759
	MAINE STREET	MARIN STREET	SR 29	22,960
54	SOLANO AVENUE	GEORGIA STREET	I-80 OVERPASS	191,744
55	SOUTHPORT COURT	SOUTHPORT WAY	CUL DE SAC	6,471
56	SOUTHPORT WAY	HOUSE #409	GEORGIA STREET	48,359
	SOUTHPORT WAY	ASCOT PARKWAY	HOUSE #409	80,788
57	TURNER PARKWAY	Plaza Drive	ADMIRAL CALLAGHAN	146,290
58	Garnet Drive	Ascot	End	69,729
59	Garnet Circle	Garnet Drive	Garnet Drive	52,470
60	Legend Circle	Sterling	Sterling	131,907
61	Ramsgate Way	Southport	End	49,369
62	Sterling St	Legend Circle	Ascot	68,275
63	Trotter	Lippizan Circle	Redwood Way	30,360
64	Reynard	Doncaster	Lippizan	56,760
65	Darley	Lippizan	Reynard	95,172
66	Canterbury Ci	680 Canterbury Wy	Southport Wy	46,933
67	Bolton	Knights Circle	End	23,430
68	Newcastle Dr.	Windsor Wy	155 Newcastle	22,935
69	Birkdale Ct.	Ascot prkwy	End	17,269
70	Keswick Ct.	Sunrise Wy	End	16,109
71	Stratford St.	Lancaster Wy	Regents Prk dr.	21,054
72	Dover Ct.	Brunswick Dr	End	15,049
73	Brunswick Ct.	Brunswick Dr	End	10,599
74	Barkley Ct.	Brunswick Dr	End	10,309
75	Saxony Ct.	Sandhurst	End	16,054
76	Ralston Ct.	Knights Ci	End	7,956
77	Fleet Ct.	Brunswick Dr	End	7,131
78	Fleet St.	Brunswick Dr	Regents Prk dr.	47,388
79	Elgin Ct.	Fleet St.	End	9,111
80	Devonshire St.	Regents Prk Dr.	Devonshire Ct	60,680

Total Area SF 3,027,939
Total Area SY 336,438



Agenda Item No. Consent

CONSENT D

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Mayor and Members of the City Council

FROM: Joseph M. Tanner, City Manager

SUBJECT: Approval of a Resolution Authorizing the City Manager to Enter into an Agreement for Grant Writing Services with Armenta Management Consulting for Fiscal Years 2008-2009 and 2009-2010

BACKGROUND AND DISCUSSION

Since November 1999, Armenta Management Consulting (AMC) has been successful in procuring **\$6,957,213** in grant funds from various private and public sector grant funding agencies. In addition, the firm has assisted the Finance Department in monitoring the grants that are in place and in providing updates to the City Council. The agreement would continue these services for Fiscal Year 2008-2009.

AMC has been very successful in identifying and applying for grants for various City projects ranging from funds for the Georgia Street Expansion project for Public Works to a Computer Assisted Dispatch system for the Police Department.

In addition, there is about **\$1,925,650** pending from the following grant applications completed in the past several months:

- \$1,000,000 from U.S. Department of Justice for Weed & Seed Grant for Police Department.
- \$400,000 from U.S. Department of Justice/Office on Violence Against Women for Domestic Violence Grant for Police Department.
- \$500,000 from U.S. Department of Justice for Cold Case/DNA Grant for Police Department.
- \$25,650 from California Department of Boating and Waterways for Abandoned Boats at Marina.

AMC will continue to research grants and anticipates completing an additional \$5-\$7 Million in grants in Fiscal Year 2008-2009 and \$5 Million in Fiscal Year 2009-2010. In addition, AMC will continue its efforts in grant monitoring as necessary. AMC has agreed to provide these services for a fee not to exceed \$85,000 per fiscal year. This amount does not limit the amount of grants that AMC will pursue for the City.

RECOMMENDATION

Approve a resolution authorizing the City Manager to enter into an agreement with Armenta Management Consulting (AMC) for grant writing and monitoring services for Fiscal Years 2008-2009 and 2009-2010.

ALTERNATIVES CONSIDERED

Not applicable.

PROPOSED ACTION

Adopt the resolution authorizing the City Manager to enter into an agreement with Armenta Management Consulting (AMC) for grant writing services for Fiscal Year 2008-2009 and 2009-2010 at a cost not to exceed \$85,000 per fiscal year.

FISCAL IMPACT

Total compensation for these services shall not exceed \$85,000 per fiscal year for the term of the agreement. These funds are included in the Fiscal Year 2008-2009 and 2009-2010 General Fund Budgets.

DOCUMENTS ATTACHED

1. Resolution
2. Consultant and Professional Services Agreement between the City of Vallejo and Armenta Management Consulting

K:public/ai/cm/Armentastaffreportagreement0809&0910

RESOLUTION NO. _____ N.C.

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

THAT WHEREAS, the City of Vallejo has been aggressively seeking grants to fund various City programs, and

WHEREAS, the City is also intent on monitoring all grants that have been funded for City programs, and

WHEREAS, since November 1999, Armenta Management Consulting has been successful in providing both grant writing and grant monitoring services and has been successful in procuring **\$6,957,213** in grant funds from various funding agencies.

NOW, THEREFORE, BE IT RESOLVED, that the Vallejo City Council hereby approves this resolution authorizing the City Manager to enter into an agreement with Armenta Management Consulting for unlimited grant writing services for Fiscal Years 2008-2009 and 2009-2010, at a cost not to exceed \$85,000 per fiscal year.

CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT

This Agreement ("AGREEMENT") is made at Vallejo, California, on the 22nd day of July, 2008, by and between the CITY OF VALLEJO, a Municipal Corporation ("CITY"), and Armenta Management Consulting, A Sole Proprietorship, hereinafter referred to as CONSULTANT, who agrees as follows:

1. **Services.** Subject to the terms and conditions set forth in this AGREEMENT, CONSULTANT shall provide the CITY professional services as specified in Exhibit A, entitled "Scope of Work", which is attached hereto and made a part hereof.
2. **Payment.** CITY shall pay CONSULTANT for services rendered pursuant to this AGREEMENT at the times and in the manner set forth in Exhibit B, entitled "Compensation", which is attached hereto and made a part hereof. The payments specified in Exhibit B shall be the only payments to be made to CONSULTANT for services rendered pursuant to this AGREEMENT.
3. **Facilities and Equipment.** CONSULTANT shall, at its sole cost and expense, furnish all facilities and equipment that may be required for furnishing services pursuant to this AGREEMENT.
4. **Indemnification.** CONSULTANT shall indemnify, hold harmless, and defend CITY, its officers, officials, directors, employees, agents and volunteers from and against all claims, damages, losses and expenses, including reasonable attorney fees and court costs, arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of the CONSULTANT, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, except where caused by the active negligence, sole negligence or willful misconduct of CITY.

Approval of insurance coverage does not, in any way, relieve the CONSULTANT of any liability.

The provisions of this section shall survive the expiration or termination of this AGREEMENT.

5. **Insurance Requirements.** CONSULTANT agrees to comply with all of the Insurance Requirements set forth in Exhibit C, entitled "Insurance Requirements For Consultant", which is attached hereto and made a part hereof.

6. **Conflict of Interest.** CONSULTANT shall not enter into any contract or agreement during the performance of this AGREEMENT that will create a conflict of interest with its duties to CITY under this AGREEMENT.
7. **Independent Contractor.** CONSULTANT shall be an independent contractor and shall not be an employee of CITY while performing services pursuant to this AGREEMENT. CITY shall have the right to control CONSULTANT only insofar as the results of CONSULTANT'S services rendered pursuant to this AGREEMENT; however, CITY shall not have the right to control the means by which CONSULTANT accomplishes services pursuant to this AGREEMENT.
8. **Licences, Permits, Etc.** CONSULTANT represents and warrants to CITY that it has all professional licenses, permits, qualifications and approvals of whatsoever nature which are legally required for CONSULTANT to practice its profession. CONSULTANT represents and warrants to CITY that it shall, at its sole cost and expense, keep in effect at all times during the term of this AGREEMENT any licenses, permits, and approvals which are legally required for CONSULTANT to practice its profession.
9. **Standard of Performance.** CONSULTANT shall perform all services required pursuant to this AGREEMENT in a manner and according to the standards observed by a competent practitioner of the profession in which CONSULTANT is engaged. All products and services of any nature, which CONSULTANT provides to CITY pursuant to this AGREEMENT, shall conform to the standards of quality normally observed by licensed, competent professionals practicing in CONSULTANT'S profession.
10. **Time for Performance.** CONSULTANT shall devote such time to the performance of the services required by this AGREEMENT as may be reasonably necessary for the satisfactory performance of its obligations pursuant to this AGREEMENT. Neither party shall be considered in default of this AGREEMENT to the extent performances are prevented or delayed by any cause, present or future, which is beyond the reasonable control of the parties set forth in this AGREEMENT.
11. **Personnel.** CONSULTANT agrees to assign only competent personnel according to the reasonable and customary standards of training and experience in the relevant field to perform services pursuant to this AGREEMENT. Failure to assign such competent personnel shall constitute grounds for termination of this AGREEMENT pursuant to Section 14 of this AGREEMENT.
12. **Consultant Not Agent.** Except as CITY may authorize in writing, CONSULTANT shall have no authority, express or implied to act on behalf of CITY in any capacity whatsoever as an agent. CONSULTANT shall have no authority, express or implied, pursuant to this AGREEMENT, to bind CITY to any obligation whatsoever.

13. **Abandonment by CITY.** Upon abandonment of the project encompassed by this AGREEMENT by CITY, and written notification to CONSULTANT, this AGREEMENT shall terminate. CONSULTANT shall be entitled to compensation earned by it prior to the date of termination, computed prorated up to and including the date of termination. CONSULTANT shall not be entitled to any further compensation as of the date of termination. All charges incurred shall be payable by CITY within thirty (30) days following submission of a final statement by CONSULTANT.
14. **Termination by CITY.** Should CITY, at any time, become dissatisfied with CONSULTANT'S performance under this AGREEMENT, it may terminate the AGREEMENT immediately upon giving notice to CONSULTANT. In the event of such a termination, CONSULTANT shall be compensated for all reasonably satisfactory work completed at the time of termination.
15. **Products of Consulting Services.** All information developed pursuant to this AGREEMENT, and all work sheets, reports and other work products, whether complete or incomplete, of CONSULTANT resulting from services rendered pursuant to this AGREEMENT, shall become the property of CITY. CONSULTANT does not assume any liability which may arise from the use of its work products created under this AGREEMENT for other than their specific intended purpose.
16. **Cooperation by CITY.** CITY shall, to the extent reasonable and practicable, assist and cooperate with CONSULTANT in the performance of CONSULTANT'S services hereunder.
17. **Assignment and Subcontracting Prohibited.** No party to this AGREEMENT may assign any right or obligation pursuant to this AGREEMENT. Any attempted or purported assignment of any right or obligation pursuant to this AGREEMENT shall be void and of no effect.

CONSULTANT shall not subcontract any services to be performed under this AGREEMENT without the prior written consent of CITY.

18. **Non-Discrimination/Fair Employment Practices.** CONSULTANT agrees to observe the provisions of CITY'S Public Works Contracts Affirmative Action Ordinance (Ordinance No. 36 N.C. (2d), as amended, Vallejo Municipal Code, Chapter 2.72) obligating every contractor or consultant under a contract or subcontract to CITY for public works or for goods or services to refrain from discriminatory employment practices on the basis of race, religious creed, color, sex, national origin, or ancestry of any employee of, or applicant for employment with, such contractor or consultant. By this reference, said Ordinance is incorporated in and made a part of this AGREEMENT.

19. **Notices.** All notices pursuant to this AGREEMENT shall be in writing and mailed, postage prepaid, first class mail or personally delivered as follows:

If to CITY:

City Manager
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

If to CONSULTANT:

Daniel I. Armenta, Owner
Armenta Management Consulting
2900 Sonoma Blvd., Suite C
Vallejo, CA 94590

20. **Integration Clause.** This AGREEMENT constitutes the entire agreement of the parties and may not be amended, except in a writing signed by both parties.
21. **Severability Clause.** Should any provision of this AGREEMENT ever be deemed to be legally void or unenforceable, all remaining provisions shall survive and be enforceable.
22. **Law Governing.** This AGREEMENT and any dispute arising out of or relating to this AGREEMENT or the parties' relationship shall be governed by the law of the State of California. Litigation arising out of or connected with this AGREEMENT shall be instituted and maintained in the courts of Solano County in the State of California, and the parties consent to jurisdiction over their person and over the subject matter of any such litigation in such courts, and consent to service of process issued by such courts.
23. **Waiver.** Waiver by either party of any default, breach or condition precedent shall not be construed as a waiver of any other default, breach or condition precedent or any other right hereunder.
24. **Confidentiality of CITY Information.** During performance of this AGREEMENT, CONSULTANT may gain access to and use City information regarding procedures, policies, training, operational practices, and other vital information (hereafter collectively referred to as "City Information") which are valuable, special and unique assets of the CITY. CONSULTANT agrees to protect all City Information and treat it as strictly confidential, and further agrees CONSULTANT will not at any time, either directly or indirectly, divulge, disclose or communicate in any manner any City Information to any third party without the prior written consent of CITY. A violation by CONSULTANT of this paragraph shall be a material violation of this AGREEMENT and will justify legal and/or equitable relief.

25. **CITY Representative.** The CITY Representative specified in Exhibit A, or the representative's designee, shall administer this AGREEMENT for the CITY.
26. **Counterparts.** The Parties may execute this AGREEMENT in two or more counterparts, which shall, in the aggregate, be signed by all the Parties; each counterpart shall be deemed an original of this AGREEMENT as against a Party who has signed it.
27. **Authority.** The person signing this Agreement for CONSULTANT hereby represents and warrants that he/she is fully authorized to sign this Agreement on behalf of CONSULTANT
28. **Exhibits.** The following exhibits are attached hereto and incorporated herein by reference:
 - A. Exhibit A, entitled "Scope of Work", consisting of 2 pages.
 - B. Exhibit B, entitled "Compensation", consisting of 3 pages.
 - C. Exhibit C, entitled "Insurance Requirements For Consultant", consisting of 3 pages.

(SIGNATURES ARE ON FOLLOWING PAGE)

IN WITNESS WHEREOF, the parties have executed this AGREEMENT the day and year first above written.

**Armenta Management Consulting,
A Sole Proprietorship**

By: _____
Daniel I. Armenta
Owner

(City Seal)

**CITY OF VALLEJO,
A Municipal Corporation**

By: _____
Joseph M. Tanner
City Manager

ATTEST:

By: _____
Mary Ellsworth
City Clerk

APPROVED AS TO INSURANCE
REQUIREMENTS

Harry Maurer
Risk Manager

APPROVED AS TO FORM:

Frederick G. Soley
City Attorney

EXHIBIT A

CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT

SCOPE OF WORK

1. Representatives:

CITY Representative for this AGREEMENT is:

Joseph M. Tanner
City Manager
555 Santa Clara Street, Vallejo, CA 94590
Telephone - (707) 648-4576
Fax - (707) 648-4426

All CONSULTANT correspondence to the CITY will be addressed to and questions pertaining to this AGREEMENT will be referred to the City Representative or the Representative's designee.

CONSULTANT Representative for this AGREEMENT is:

Daniel I. Armenta, Owner
2900 Sonoma Blvd., Suite C, Vallejo, CA 94590
Telephone - (707) 642-8357
Fax - (707) 642-5827

All CITY questions pertaining to this AGREEMENT will be referred to the CONSULTANT Representative. All correspondence to CONSULTANT shall be addressed to the address set forth above.

2. Services to be Provided:

CONSULTANT shall provide CITY with the following services:

- a. CONSULTANT shall meet with each department head as needed in order to determine the needs of each department, research and determine the status of all grants in each department, and provide a grant status report as requested by CITY.
- b. CONSULTANT shall work with each department head to establish a list of resources required in addressing the department's needs.
- c. CONSULTANT shall research various public and private grant providers and notify each department as grant opportunities are identified. This notification shall include CONSULTANT's assessment of CITY's chances of receiving grant funding for each of the grants identified.

- d. CITY shall select grants from said notification and authorize CONSULTANT to prepare grant applications. CITY agrees that during the term of this Agreement CONSULTANT shall have exclusive rights to write any of the grants identified by CONSULTANT.
- e. CONSULTANT shall provide CITY drafts of grant applications for review prior to submission to granting agency. CITY's Manager or designee shall identify staff with the authority to review and approve or recommend approval of grant applications.
- f. CONSULTANT shall assist CITY staff with and attend any public meetings, public hearings or CITY Council meetings found necessary by CITY's Manager or designee as part of grant application process.
- g. As requested by CITY and approved by CONSULTANT, CONSULTANT shall assist CITY in managing projects related to CONSULTANT'S expertise.

3. Compliance with Laws.

CONSULTANT will comply with all statutes, regulations and ordinances in the performance of all services pursuant to this AGREEMENT.

4. Term.

The term of this Agreement shall commence on July 1, 2008 and shall continue in full force and effect until June 30, 2010.

EXHIBIT B

CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT

COMPENSATION

1. CONSULTANT'S Compensation.

A. Services: City agrees to pay CONSULTANT, at the rate specified below, for the services set forth in Exhibit A of this AGREEMENT and for all authorized reimbursable expenses, for a total not to exceed eighty-five thousand dollars and no cents (\$85,000.00) per fiscal year.

B. Additional Services:

1. Additional Services are those services related to the scope of Services of CONSULTANT as set forth in Exhibit A but not anticipated at the time of execution of this AGREEMENT. Additional Services shall be provided only when a Supplemental AGREEMENT authorizing such Additional Services is approved by CITY in accordance with CITY'S Supplemental AGREEMENT procedures. CITY reserves the right to perform any Additional Services with its own staff or to retain other Consultants to perform said Additional Services.

2. CONSULTANT'S compensation for Additional Services shall be based on the total number of hours spent on Additional Services multiplied by the employees' appropriate billable hourly rate as established below. CITY, at its option, may negotiate a fixed fee for some or all Additional Services as the need arises. Where a fixed fee for Additional Services is established by mutual AGREEMENT between CITY and CONSULTANT, compensation to CONSULTANT shall not exceed the fixed fee amount.

2. Appropriate Billable Rates for Services and Additional Services.

A. CONSULTANT'S billable rate shall not exceed \$85,000 per fiscal year during the Term of this Agreement. This will include unlimited grant writing for the term of the agreement.

3. CONSULTANT'S Reimbursable Expenses.

A. Reimbursable Expenses shall be limited to actual expenditures of CONSULTANT for expenses that are necessary for the proper completion of the Services and shall only be payable if specifically authorized in advance by CITY.

4. Payments to CONSULTANT.

- A. Payments to CONSULTANT shall be made within a reasonable time after receipt of CONSULTANT'S invoice, said payments to be made in proportion to services performed. CONSULTANT shall invoice City on the 1st and 15th of every month. CONSULTANT shall be responsible for the cost of supplying all documentation necessary to verify the monthly billings to the satisfaction of CITY.
- B. All invoices submitted by CONSULTANT shall contain the following information:
1. Description of services billed under this invoice
 2. Date of Invoice Issuance
 3. Sequential Invoice Number
 4. CITY'S Purchase Order Number
 5. Amount of this Invoice (Itemize all Reimbursable Expenses)
 6. Total Billed to Date
- C. Items shall be separated into Services and Reimbursable Expenses. Billings that do not conform to the format outlined above shall be returned to CONSULTANT for correction. CITY shall not be responsible for delays in payment to CONSULTANT resulting from CONSULTANT'S failure to comply with the invoice format described above.
- D. Request for payment shall be sent to:

City Manager's Office
555 Santa Clara Street
Vallejo, CA 94590

Attn.: Joseph M. Tanner, City Manager

5. Accounting Records of CONSULTANT.

CONSULTANT shall maintain for three (3) years after completion of all services hereunder, all records under this AGREEMENT, including, but not limited to, records of CONSULTANT'S direct salary costs for all Services and Additional Services performed under this AGREEMENT and records of CONSULTANT'S Reimbursable Expenses, in accordance with generally accepted accounting practices and shall keep such records available for inspection and audit by representatives of the Finance Department of CITY at a mutually convenient time.

6. Taxes.

CONSULTANT shall pay, when and as due, any and all taxes incurred as a result of CONSULTANT'S compensation hereunder, including estimated taxes, and shall provide CITY with proof of such payments upon request. CONSULTANT hereby agrees to indemnify CITY for any claims, losses, costs, fees, liabilities, damages or injuries suffered by CITY arising out of CONSULTANT'S breach of this Section.

EXHIBIT C

CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT

INSURANCE REQUIREMENTS FOR CONSULTANT

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office form number CA 0001 (Ed. 12/92 covering Automobile Liability, code 1 (any auto).

B. Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. Automobile Liability: \$1,000,000.00 per accident for bodily injury and property damage.

C. Deductible and Self-Insured Retention

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

D. Other Insurance Provisions

The general liability, automobile liability and professional liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its officers, officials, employees, agents and volunteers are to be covered as additional insureds as respects; liability, including defense costs, arising out of activities performed by or on behalf of the Consultant; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; or automobiles owned, leased hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of

protection afforded to the City, its officers, officials, employees, agents or volunteers.

2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, agents and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officers, officials, employees, agents or volunteers.
4. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

E. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

F. Verification of Coverage

Consultant shall furnish the City with original **endorsements** effecting coverage required by this clause. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the City. All endorsements are to be received and approved by the City before work commences. As an alternative to the City's forms, the Consultant's insurer may provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

G. Subconsultants

Consultant shall include all sub consultants as insureds under its policies or shall furnish separate certificates and endorsements for each sub consultant. All coverages for sub consultants shall be subject to all of the requirements stated herein.

H. Payment Withhold

City will withhold payments to Consultant if the certificates of insurance and endorsements required in Paragraph F, above, are canceled or Consultant otherwise ceases to be insured as required herein.



Agenda Item No.

CONSENT E

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director *YR*

SUBJECT: APPROVAL OF A RESOLUTION OPPOSING ASSEMBLY BILL 2175
AND AUTHORIZING THE MAYOR TO SEND A LETTER OF
OPPOSITION TO THE STATE LEGISLATURE

BACKGROUND AND DISCUSSION

On February 28, 2008, Governor Schwarzenegger issued a letter that outlined seven "key elements" to a "comprehensive solution to the Delta." This plan was created in an attempt to rectify long standing problems of water quality and quantity from the California Delta. A listed element was "A plan to achieve a 20 percent reduction in per capita water use statewide by 2020," under which he stated:

Conservation is one of the key ways to provide water for Californians and protect and improve the Delta ecosystem. A number of efforts are already underway to expand conservation programs, but I plan to direct state agencies to develop this more aggressive plan and implement it to the extent permitted by current law. I would welcome legislation to incorporate this goal into statute.

Other key elements were: "Protection of floodplain in the Delta," "Multi-agency disaster planning," "Expedite interim Delta actions," "Water quality," "Improvements to Delta water conveyance," and "Water storage."

There was some debate in the water community about what the Governor intended with his 20 percent water conservation goal, which seemed very aggressive, and how it could be implemented. But because it was presented as part of a comprehensive package, not as a stand-alone program objective, it was thought that there would be time to work on the details along with the rest of the package.

Unfortunately, AB 2175 has been created before the remainder of Delta plan has been finalized. Certain beneficiaries have latched onto this one part of the Governor's plan, putting their own spin on it and accelerating it, while neglecting the rest. This has put some water agencies on the defensive. They don't want to appear opposed to the Governor's plan or water conservation. At the same time, some influential, but water-



short, water agencies have used this situation as an opportunity to advantage their areas at the expense of areas with more reliable water supplies such as Vallejo.

Vallejo staff has reviewed the legislation and in consultation with our sister agencies in Solano County have determined that the bill contains numerous inequities and problems listed below:

- Forces retail urban water agencies that are not short water supplies, such as us, to implement water conservation practices regardless of whether the practices are locally cost effective, thereby placing the statewide burden of generating water supplies through conservation disproportionately and improperly on us and water suppliers like us.
- Will most likely result in significant water rate increases 10-20% to make up for lost revenue due to non cost effective conservation requirements.
- Requires us to get state permission to use water rights we already possess by creating an artificial cap on how much water we may use without a state approval. Obtaining such an exception will inevitably lead to state involvement in what have, up to now, been solely local land use decisions.
- Penalizes us for the good fortune, good location, and good planning that has led us to have adequate, reliable water supplies, and deprives us of the economic advantages afforded by the Solano Project and other water supplies we have spent a great deal of effort and expense to obtain over many years.
- Interferes with our ability to meet water supply commitments to our existing customers.
- Does not define how the conserved water will be used if not for our local benefit.
- Layers new, difficult-to-monitor water conservation requirements on existing successful water conservation programs and methods rather than building on what already is in place, creating a new, complex state bureaucracy to regulate a new and unnecessary program.
- Accelerates the water conservation ahead of other elements of the Governor's state water plan without assurances that other elements will receive the political support necessary for implementation.

For the above reasons Vallejo, the SCWA, and other Cities within Solano County have determined the Solano County will be disproportionately negatively affected by the bill in its current form.

RESOLUTION NO. 08-_____ N.C.

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

WHEREAS, the City in conjunction with the Solano County Water Agency has investigated the impacts of AB 2175, pertaining to proposed amendments to the California Water Code, as written and found them to be inequitable and not in the best interest of the citizens of Vallejo; and

WHEREAS, the City believes that the actions required by AB 2175 should only be put forth as part of a more comprehensive package to assure water stability for the State of California in the future; and

WHEREAS, the City firmly supports the requirements of wise and efficient water use within the City of Vallejo, but does not believe standard requirements for water use reductions to all areas of the state promotes cost effective conservation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vallejo hereby declares its opposition to Assembly Bill 2175 and authorizing the Mayor to send a letter of opposition to the State Legislature.

JULY 22, 2008

J:\PUBLIC\AI\WTAB 2175 Oppose_1.doc

DRAFT

July XX, 2008

State Legislature

RE: AB 2175 (Laird) – Oppose

Dear

On July 22nd, the Vallejo City Council voted to oppose AB 2175 (as amended July 1, 2008).

The City of Vallejo has owned and operated a municipal water system, now serving a population of over 120,000 residents, for more than 100 years. We have continued to plan, build, procure, and pay for multiple reliable water supplies to serve our population while managing our water resources and land use effectively to ensure adequate supplies. We continue to meet water conservation compliance standards issued by State and Federal water resources agencies. In addition we participate in joint programs with the Solano County Water Agency to assure a greater level of access to conservation and rebate materials to our citizens.

Vallejo is very concerned about the "one size fits all" approach to the water conservation requirements of AB 2175. Municipal water supplies and water systems vary greatly throughout the state and AB 2175 does not address this diversity. The City of Vallejo has invested millions of dollars in a multitude of water supplies, some built by Vallejo, some built by the Federal Government, procured a small entitlement from the DWR, and proactively established water rights decades earlier. These costs have been born by the citizens of Vallejo to insure adequate water supplies for the past and future needs of Vallejo. Vallejo has 100% water meter compliance and enjoys the reliability of our regional water supplies. The across-the-board per capita reductions proposed in AB 2175 are a punitive approach to Cities which have adequately planned both growth and water rights to meet our requirements. We believe AB 2175 should be amended to reflect an individualized city and agency approach, specifically targeting those that are not in voluntary conservation compliance, do not meter all customers, or who have not exercised restraint in land use which may have led to shortages. In order to be fair and equitable, all cities and agencies should meet basic minimum requirements, such as 100% metering for adequate measurement and control, and all conservation requirements should have to pass the "locally cost effective test" prior to exploring per capita reductions.

AB 2175 accelerates water conservation ahead of other elements of the Governor's state water plan without assurances that other elements will receive the political support necessary for implementation. This proposed legislation focuses on the conservation element alone to "avoid waste and unreasonable use of this essential resource" and does not address the overall purpose behind the water savings. Conservation is only a small part of a bigger plan which in our opinion must address other critical elements on a statewide basis such as dams and storage, evaporation, runoff, area-of-origin rights, and desalinization. Vallejo has worked to obtain statutory "Area-of-Origin" water rights which

give us additional water supplies at a higher priority than exporters and we do not want this position to change.

Cities and water agencies already have the responsibility to manage water resources efficiently and to implement demand management measures for water conservation. AB 2175 would mandate cities and agencies to perform non-cost effective measures at whatever cost, even if the conservation savings is negligible.

The City of Vallejo remains committed to water conservation and the efficient management of this resource, but we do not support AB 2175. We believe a more thorough, equitable, and "big picture" approach to water management should be developed. If you have any questions regarding this letter please contact me at (707) 648-4377.

Sincerely,

OSBY DAVIS
Mayor

cc: Honorable George Miller
Honorable Noreen Evans
Honorable Lois Walk
Honorable John Laird
Honorable Mike Feuer
Honorable Lester Snow
Vallejo City Council
Joseph M. Tanner, City Manager
Gary A. Leach, Public Works Director

Solano County Mosquito Abatement District

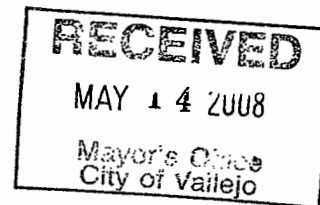
MIKE WHITE, President - Benicia
 JOHN RANKINE, Vice President - Rio Vista
 JANE GALLAGHER, Secretary - Vacaville
 JOE ANDERSON, Dixon
 MELVIN FROHRIB, Vallejo
 HOWARD LUTE, Suisun
 RONALD SCHOCK, Trustee-at-Large
 CHARLES TONNESEN, Fairfield

2950 Industrial Ct.
 Fairfield, CA 94533-6500
 Telephone (707) 437-1116
 Fax (707) 437-1187

JON A. BLEGEN, Manager
 CAROL EVKHANIAN, Biologist
 VICTOR BARACOSA, Supervisor
 TAMI WRIGHT, Sec./Bkpr.

Meetings: Second Monday Every Month
 7:30 P.M.

May 13, 2008



Honorable Osby Davis
 Mayor of the City of Vallejo
 555 Santa Clara St.
 Vallejo, CA 94590

Re: Trustee Melvin Frohrib, Solano County Mosquito Abatement District

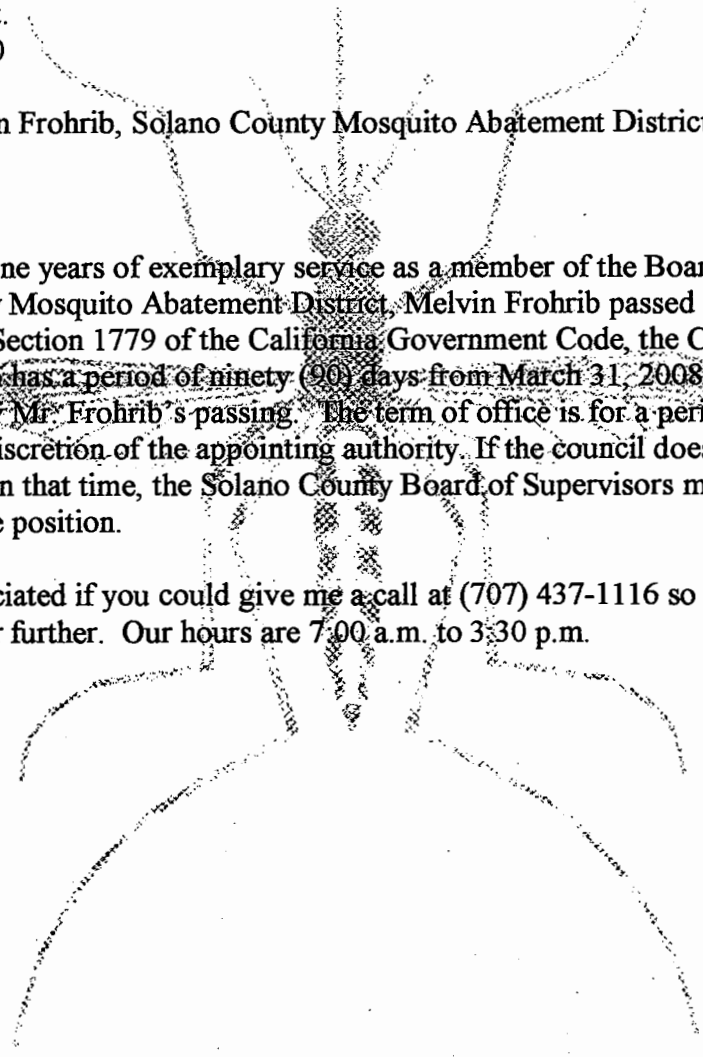
Dear Osby,

After over thirty-one years of exemplary service as a member of the Board of Trustees of the Solano County Mosquito Abatement District, Melvin Frohrib passed away on March 31, 2008. Under Section 1779 of the California Government Code, the City Council of the City of Vallejo has a period of ninety (90) days from March 31, 2008 to fill the vacancy caused by Mr. Frohrib's passing. The term of office is for a period of two or four years at the discretion of the appointing authority. If the council does not make the appointment within that time, the Solano County Board of Supervisors may appoint someone to fill the position.

It would be appreciated if you could give me a call at (707) 437-1116 so that we could discuss this matter further. Our hours are 7:00 a.m. to 3:30 p.m.

Best regards,


 Jon Blegen
 Manager



RESOLUTION NO. N.C.

WHEREAS, a vacancy has occurred on the Solano County Mosquito Abatement District Board by the death of Board of Trustee Member Melvin Frohrib on March 31, 2008; and

WHEREAS, the City Council of the City of Vallejo needs to make an appointment to said Board for a term of office of either two or four years; and

WHEREAS, the Mayor wishes to nominate Mr. Larry Petrie to the Board for a term of four years.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby appoints Mr. Larry Petrie to the Solano County Mosquito Abatement District Board for a four-year term.

BE IT FURTHER RESOLVED that the City Clerk is directed to notify the Solano County Mosquito Abatement District of this appointment.

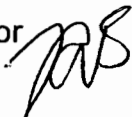


Agenda Item No.

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Robert V. Stout, Finance Director 

SUBJECT: SUBMISSION OF THE CITY TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2008

BACKGROUND AND DISCUSSION

At the end of each calendar quarter, the City Treasurer is required by the City's adopted Investment Policy to report on the status of investments to the City Council. The City Treasurer's Investment Report as of June 30, 2008, is submitted in accordance with California Government Code Section 53646. It is the policy of the City of Vallejo to use the State of California Government Code Sections 53601, 53635, and 53651 provisions for local government investments as guidelines in the developing and implementing of the City's allowable investment policies and practices.

Condensed investment information as of June 30, 2008, is as follows:

Description	Par Value Of Portfolio	Fair Value Of Portfolio	Cost Basis Of Portfolio	Percentage of Portfolio
U.S. Federal Agency Bonds	\$20,483,239.91	\$20,930,470.44	\$20,523,471.54	25.64%
Local Agency Investment Fund	42,437,033.97	42,434,921.41	42,437,033.97	53.01%
U.S. Treasury Securities	8,420,000.00	8,644,316.55	8,666,188.89	10.83%
Money Market Accounts	75,673.64	75,673.64	75,673.64	0.09%
Corporate Medium Term Notes	8,180,000.00	8,279,258.20	8,320,199.70	10.39%
Certificates of Deposit	25,000.00	25,000.00	25,000.00	0.04%
Total Investments	\$79,620,947.52	\$80,389,640.24	\$80,047,567.74	100.00%

Footnote: In accordance with Government Code Section 53646, the Fair Value of the Local Agency Investment Fund (LAIF) shown above represents the value from the June 30, 2008, LAIF statement balance multiplied by the "Fair Value Factor" which is used in adjusting the statement balance to the actual "Fair Value" balance.



	<u>Current Quarter</u>	<u>Fiscal Year-to-Date²</u>
Portfolio Investment Earnings:	\$651,682.85	\$3,565,352.19
Net Change in Portfolio Balance:	\$11,753,777.31	<\$6,781,460.28>
Approximate Portfolio rate-of-return has been: (annualized yield)		4.65%

BENCHMARK COMPARISON RATE-OF-RETURN¹:

Local Agency Investment Fund	3.11%
2-Year U.S. Treasury Note Yield	2.62%

Footnotes:

1. These are the performance benchmarks stated in the City's Investment Policy. These are annualized yields.
2. The Fiscal year-to-date is the actual percentage earned for the 12-month period from July 1, 2007, to June 30, 2008, and then is annualized for comparison purposes.

California Government Code Section 53646 provides that quarterly reporting of investment balances may be rendered to the City Council. The composition of investments must conform to the City's Investment Policy which is adopted annually by the City Council, and the quarterly report shall include a statement denoting the ability of the local agency to meet its pool's expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

The total resources of the pool notwithstanding, it is uncertain at this time whether the General Fund will be able to meet its financial obligations with its available resources for the next 6 months. The City was faced with declining revenues, large contractually required increases in payroll costs, and a projected General Fund reserve to start the year of zero. As you know, the City has filed a petition under chapter 9 of the United States Bankruptcy Code. The bankruptcy process is ongoing and the City believes that it will be successful. As part of that process, we developed a pendency plan to continue operations for this fiscal year. The Budget for Fiscal Year 2008 – 2009 adopted by Council on June 24, 2008, was consistent with that plan.

The following summarizes the allocation of Fair Value of the investments in the portfolio among the City of Vallejo, the Redevelopment Agency of the City of Vallejo, and the Vallejo Housing Authority as of June 30, 2008:



<u>Entity</u>	<u>Fair Value</u>
City of Vallejo	\$57,789,907.48
Vallejo Redevelopment Agency	\$10,268,611.07
Vallejo Housing Authority	<u>\$12,331,121.69</u>
Total	<u>\$80,389,640.24</u>

Fair Value of individual securities has been provided by Wells Fargo Bank Global Trust & Custody.

The City utilizes Wells Fargo Bank Global Trust & Custody as its third-party safekeeping custodian for safekeeping of all investments with the exception of the Local Agency Investment Fund (LAIF). LAIF being a money market fund administered by the State Treasurer has many governmental agency participants, and holds securities through its own administrator.

Pooled cash and investments book balances are adjusted annually to reflect *fair value* as required by Generally Accepted Accounting Principles. The term *fair value* was formerly known as *market value* and became effective with the mandatory implementation of GASB 31 in the fiscal year 1998. The attached investment schedules meet these requirements.

This report is informational only and does not require City Council action. There is no fiscal impact from this report. The City's portfolio had total earnings of \$3,565,352.19 during the twelve month period ending June 30, 2008. In addition, the portfolio also had a cumulative *fair value* versus *cost value* unrealized, non-cash gain of approximately \$342,072.50 as of June 30, 2008. *Fair value* fluctuates from one period to another depending on the changes in interest rates and the supply and demand for bonds at a particular time. Therefore, there is often a difference between the *cost value* (the value at the time of purchase) and the *fair value* (the market value of the same security at a certain later period) creating an unrealized gain or loss.

RECOMMENDATION:

Staff recommends acceptance of the City Treasurer's Investment Report.

ENVIRONMENTAL REVIEW

This action is not a project as defined by the California Environmental Quality Act and is not subject to CEQA review.



PROPOSED ACTION

This report is an informational item only and does not require City Council action.

DOCUMENTS ATTACHED:

1. Treasurer's Investment Report for the quarter ended June 30, 2008.

Prepared by: Jon R. Oiler, Auditor Controller (707) 648-4593

Contact: Robert V. Stout, Finance Director (707) 648-4592



CITY OF VALLEJO
QUARTERLY INVESTMENT REPORT
SUPPLEMENTAL INFORMATION

DEFINITIONS

- Coupon Rate -*** The interest rate established for a bond issuance at the original time of sale. This amount is fixed and cannot be changed.
- Par Value -*** Par Value is the face value of a security. The face value of a security, usually in \$1,000 increments, is fixed and cannot be changed. Depending on market conditions, buyers purchase securities at a premium or discount to yield an effective interest rate different than the coupon rate.
- Fair Value -*** Fair Value, formerly known as market value, is the amount at which a financial instrument could be exchanged in a current transaction between willing parties.
- Cost Basis -*** The actual principal amount paid for a security at the time of purchase.
- Premium or Discount -*** An investor may pay more or less than the face value of a security depending on the current market interest rates. Amounts paid greater than face are premiums while amounts paid less than face value are discounts.



**City of Vallejo
Portfolio Management
Portfolio Summary
June 30, 2008**

City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590
(707)848-4592

Investments	Par Value	Fair Value	Original Cost	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM
Federal Agency Issues - Coupon	19,063,239.91	19,522,590.44	19,117,013.56	23.88	1,207	852	4.556	4.619
Federal Agency Issues - Discount	1,420,000.00	1,407,880.00	1,406,457.98	1.76	157	122	2.190	2.190
Local Agency Investment Funds	42,437,033.97	42,434,921.41	42,437,033.97	53.01	1	1	3.067	3.110
U.S. Treasury Securities - Coupon	8,420,000.00	8,644,316.55	8,666,188.89	10.83	1,404	1,107	3.151	3.195
Money Market Accounts	75,673.64	75,673.64	75,673.64	0.09	1	1	1.322	1.340
Corporate Medium Term Notes	8,180,000.00	8,279,258.20	8,320,199.70	10.39	1,007	517	4.414	4.475
Certificates of Deposit - Bank	25,000.00	25,000.00	25,000.00	0.03	196	189	2.490	2.490
Investments	79,620,947.52	80,389,640.24	80,047,567.74	100.00%	548	380	3.555	3.603

Total Earnings	June 30 Month Ending	Fiscal Year To Date	Fiscal Year Ending
Current Year	273,941.97	3,565,352.19	3,565,352.19

Average Daily Balance	80,962,713.83	76,395,301.73
Effective Rate of Return	4.12%	4.65%

I hereby certify that the investments listed in this report conform to the City of Vallejo investment policy and the California Government Code. Because our petition under chapter 9 of the United States Bankruptcy Code has been challenged, and due to the uncertainties in any chapter 9 case, the ability of the City's General Fund to meet its cash flow needs for the next six months is uncertain.

Robert V. Stout 7/18/08
Robert V. Stout, Finance Director/Treasurer

City of Vallejo
Portfolio Management
Portfolio Details - Investments
June 30, 2008

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Fair Value	Original Cost	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Issues - Coupon												
31359MTR4	50177	Fed Natl Mtg Assn		02/10/2006	140,000.00	140,525.00	134,591.24	3.375	4.756	4.822	167	12/15/2008
31359MYN7	50197	Fed Natl Mtg Assn		12/11/2006	185,000.00	188,700.00	182,543.57	4.250	4.581	4.645	775	08/15/2010
31359MF81	50198	Fed Natl Mtg Assn		12/20/2006	400,000.00	415,752.00	402,732.00	5.050	4.797	4.864	951	02/07/2011
31359MF40	50200	Fed Natl Mtg Assn		01/10/2007	640,000.00	657,798.40	631,081.60	4.500	4.812	4.879	959	02/15/2011
31398ABT8	50210	Fed Natl Mtg Assn		07/03/2007	1,000,000.00	1,019,060.00	993,220.00	5.080	5.263	5.336	682	05/14/2010
31398ABT8	50211	Fed Natl Mtg Assn		07/05/2007	1,000,000.00	1,019,060.00	992,758.00	5.080	5.281	5.354	682	05/14/2010
31331XWL2	50213	Federal Farm Credit Bank		08/20/2007	300,000.00	308,625.00	300,168.00	4.750	4.661	4.726	675	05/07/2010
31331VJ80	50218	Federal Farm Credit Bank		10/04/2007	900,000.00	943,029.00	925,046.10	5.375	4.509	4.571	1,112	07/18/2011
31331YGP9	50220	Federal Farm Credit Bank		12/26/2007	425,000.00	428,187.50	425,603.50	3.750	3.698	3.698	888	12/06/2010
31331X3S9	50221	Federal Farm Credit Bank		01/30/2008	300,000.00	305,718.00	314,466.60	4.500	3.343	3.390	1,569	10/17/2012
31331VSK3	50224	Federal Farm Credit Bank		03/10/2008	375,000.00	388,125.00	397,580.63	4.875	2.661	2.698	962	02/18/2011
31331X3S9	50230	Federal Farm Credit Bank		06/09/2008	300,000.00	305,718.00	307,443.90	4.500	3.822	3.875	1,569	10/17/2012
3133X9DY3	50189	Federal Home Loan Bank		08/07/2006	817,129.59	809,541.72	785,465.82	3.840	4.971	5.040	512	11/25/2009
3133MRCM2	50192	Federal Home Loan Bank		09/15/2006	330,000.00	339,797.70	325,997.10	4.750	5.027	5.096	773	08/13/2010
3133XEMR7	50194	Federal Home Loan Bank		10/20/2006	425,000.00	439,611.50	421,115.50	4.850	5.018	5.088	948	02/04/2011
3133XGDD3	50202	Federal Home Loan Bank		03/15/2007	900,000.00	946,692.00	920,842.20	5.375	4.730	4.798	1,144	08/19/2011
3133XKXD2	50206	Federal Home Loan Bank		05/24/2007	600,000.00	618,378.00	597,084.00	4.875	4.984	5.053	682	05/14/2010
3133XKXD2	50207	Federal Home Loan Bank		05/25/2007	500,000.00	515,315.00	497,270.00	4.875	5.006	5.075	682	05/14/2010
3133XHPH9	50212	Federal Home Loan Bank		07/17/2007	500,000.00	516,720.00	490,943.50	4.875	5.271	5.344	1,235	11/18/2011
3133XGYT5	50215	Federal Home Loan Bank		10/03/2007	1,300,000.00	1,336,972.00	1,314,885.00	5.000	4.345	4.405	528	12/11/2009
31397ALT8	50216	Federal Home Loan Bank		10/09/2007	575,454.98	583,603.42	577,073.45	5.250	5.102	5.172	1,140	08/15/2011
3133XBV28	50222	Federal Home Loan Bank		02/19/2008	325,000.00	331,399.25	337,020.45	4.250	2.771	2.809	854	11/02/2010
3133XQU26	50227	Federal Home Loan Bank		04/28/2008	550,000.00	545,017.00	547,503.00	2.750	2.931	2.971	717	06/18/2010
3133XECU1	50229	Federal Home Loan Bank		05/14/2008	200,000.00	207,126.00	207,433.00	4.625	3.180	3.224	962	02/19/2011
3133XP2W3	50231	Federal Home Loan Bank		06/23/2008	375,000.00	363,750.00	360,795.00	3.375	4.215	4.274	1,702	02/27/2013
31359MB77	50186	Federal National Mortgage Assn		06/15/2006	210,000.00	215,644.80	205,308.60	4.650	5.215	5.287	685	05/17/2010
31359MM26	50203	Federal National Mortgage Assn		03/15/2007	900,000.00	936,000.00	911,078.10	5.125	4.723	4.788	1,018	04/15/2011
3136F6L56	50219	Federal National Mortgage Assn		11/30/2007	829,948.38	826,881.72	830,726.46	4.620	4.519	4.582	663	04/25/2010
3137EAAK5	50196	Federal Home Loan Mtg. Corp.		12/08/2006	100,000.00	102,344.00	100,162.90	4.750	4.624	4.688	490	11/03/2009
3137EAAK5	50199	Federal Home Loan Mtg. Corp.		01/31/2007	500,000.00	511,720.00	495,397.50	4.750	5.034	5.104	490	11/03/2009
31395FQW7	50201	Federal Home Loan Mtg. Corp.		02/08/2007	375,706.96	379,783.38	373,270.74	5.000	5.125	5.196	714	06/15/2010
3134AAVB7	50208	Federal Home Loan Mtg. Corp.		06/01/2007	1,000,000.00	1,017,500.00	971,157.00	4.125	5.066	5.137	741	07/12/2010
3137EAAAX7	50214	Federal Home Loan Mtg. Corp.		09/06/2007	700,000.00	726,691.00	710,059.00	5.125	4.537	4.600	783	08/23/2010
3137EAAAX7	50217	Federal Home Loan Mtg. Corp.		10/24/2007	500,000.00	519,065.00	510,648.00	5.125	4.257	4.316	783	08/23/2010
3137EABG3	50226	Federal Home Loan Mtg. Corp.		04/09/2008	300,000.00	298,689.00	302,568.30	2.875	2.421	2.455	668	04/30/2010
880591DT6	50225	Tennessee Valley Authority		12/19/2007	285,000.00	314,050.05	315,973.80	6.790	4.051	4.107	1,422	05/23/2012
Subtotal and Average					19,063,239.91	19,522,590.44	19,117,013.56		4.556	4.619	852	

Portfolio CITY
CP

City of Vallejo
Portfolio Management
Portfolio Details - Investments
June 30, 2008

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Fair Value	Original Cost	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Issues - Discount												
313312N30	7010	Federal Farm Credit Bank		05/27/2008	500,000.00	495,650.00	495,192.36	2.150	2.171	2.201	126	11/04/2008
313589BR3	7011	Federal National Mortgage Assn		05/27/2008	420,000.00	413,280.00	413,287.70	2.230	2.300	2.332	223	02/09/2009
313588A70	7012	Federal National Mortgage Assn		05/27/2008	500,000.00	498,950.00	497,977.92	2.110	2.119	2.148	34	08/04/2008
		Subtotal and Average	1,406,457.98		1,420,000.00	1,407,880.00	1,406,457.98		2.190	2.221	122	
Local Agency Investment Funds												
44740	04001	LAF City of Vallejo			19,836,176.11	19,835,188.65	19,836,176.11	3.110	3.067	3.110	1	
36484	04003	LAF Housing Authority			12,331,121.69	12,331,121.69	12,331,735.58	3.110	3.067	3.110	1	
11929	04002	LAF Redevelopment Agency			10,269,122.28	10,268,611.07	10,269,122.28	3.110	3.067	3.110	1	
		Subtotal and Average	43,140,767.30		42,437,033.97	42,434,921.41	42,437,033.97		3.067	3.110	1	
U.S. Treasury Securities - Coupon												
9128275N8	5062	U.S. Treasury Notes		09/07/2004	825,000.00	857,034.75	923,581.06	6.000	3.307	3.353	410	08/15/2009
912828FH8	5077	U.S. Treasury Notes		03/15/2007	230,000.00	242,721.30	233,629.69	4.875	4.397	4.458	1,064	05/31/2011
912828FU9	5079	U.S. Treasury Notes		06/04/2007	650,000.00	679,354.00	640,859.38	4.500	4.796	4.863	1,186	09/30/2011
912828FN5	5081	U.S. Treasury Notes		06/04/2007	700,000.00	739,536.00	700,328.13	4.875	4.794	4.861	1,125	07/31/2011
912828FU9	5083	U.S. Treasury Notes		08/20/2007	300,000.00	313,548.00	299,015.63	4.500	4.524	4.587	1,186	09/30/2011
912828FH8	5084	U.S. Treasury Notes		09/28/2007	70,000.00	73,871.70	71,796.48	4.875	4.057	4.113	1,064	05/31/2011
912828HC7	5086	U.S. Treasury Notes		11/28/2007	175,000.00	181,139.00	179,894.53	4.125	3.433	3.481	1,522	08/31/2012
912828HC7	5087	U.S. Treasury Notes		12/17/2007	400,000.00	414,032.00	410,500.00	4.125	3.465	3.514	1,522	08/31/2012
912828GQ7	5088	U.S. Treasury Notes		12/17/2007	500,000.00	524,140.00	520,351.57	4.500	3.439	3.487	1,399	04/30/2012
912828HQ6	5089	U.S. Treasury Notes		03/10/2008	465,000.00	457,043.85	470,921.49	2.625	2.316	2.348	1,675	01/31/2013
912828HT0	5090	U.S. Treasury Notes		03/26/2008	370,000.00	361,212.50	372,543.75	2.750	2.565	2.600	1,703	02/28/2013
912828FD7	5092	U.S. Treasury Notes		04/10/2008	500,000.00	527,070.00	539,804.69	4.875	2.138	2.167	1,033	04/30/2011
912828FD7	5093	U.S. Treasury Notes		04/30/2008	250,000.00	263,535.00	266,933.59	4.875	2.482	2.517	1,033	04/30/2011
912828HU7	5094	U.S. Treasury Notes		04/10/2008	450,000.00	444,199.50	448,066.40	1.750	1.946	1.973	638	03/31/2010
912828HU7	5095	U.S. Treasury Notes		04/14/2008	375,000.00	370,166.25	375,029.30	1.750	1.722	1.746	638	03/31/2010
912828HV5	5096	U.S. Treasury Notes		04/07/2008	435,000.00	419,674.95	432,689.06	2.500	2.579	2.614	1,734	03/31/2013
912828FK1	5097	U.S. Treasury Notes		05/30/2008	450,000.00	478,264.50	477,087.89	5.125	3.022	3.064	1,094	06/30/2011
912828EG1	5098	U.S. Treasury Notes		05/15/2008	500,000.00	512,970.00	518,750.00	3.875	2.186	2.217	806	09/15/2010
912828JAG	5099	U.S. Treasury Notes		06/02/2008	400,000.00	400,252.00	399,093.75	2.500	2.581	2.617	699	05/31/2010
912828HG8	5100	U.S. Treasury Notes		06/05/2008	375,000.00	384,551.25	385,312.50	3.875	3.156	3.200	1,583	10/31/2012
		Subtotal and Average	9,025,366.13		8,420,000.00	8,644,316.55	8,656,188.89		3.151	3.195	1,107	
Money Market Accounts												
SYS10014	10014	Wells Fargo Bank			41,219.92	41,219.92	41,219.92	1.340	1.322	1.340	1	
SYS10016	10016	Wells Fargo Bank			34,453.72	34,453.72	34,453.72	1.340	1.322	1.340	1	

City of Vallejo
Portfolio Management
Portfolio Details - Investments
June 30, 2008

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Fair Value	Original Cost	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Subtotal and Average			442,344.39		75,673.64	75,673.64	75,673.64		1.322	1.340	1	
Corporate Medium Term Notes												
026351BC9	15170	American General Corp.		01/29/2007	445,000.00	462,844.50	475,847.40	7.500	5.248	5.321	771	08/11/2010
060505AD6	15186	Bank America Corp.		02/07/2008	250,000.00	260,927.50	269,615.00	7.800	3.684	3.795	594	02/15/2010
14911RAH2	15191	Caterpillar Financial Services		06/30/2008	300,000.00	301,749.00	302,778.00	4.300	3.735	3.787	700	06/01/2010
172967AX9	15144	Citigroup, Inc.		09/12/2005	600,000.00	605,004.00	635,592.00	6.200	4.297	4.356	257	03/15/2009
172967DA6	15189	Citigroup, Inc.		04/08/2008	400,000.00	398,340.00	397,132.00	4.625	4.885	4.953	763	08/03/2010
22541LAN3	15161	Credit Suisse FB USA, Inc.		09/06/2006	335,000.00	335,961.45	330,517.70	4.700	5.156	5.227	335	06/01/2009
22541LAQ6	15190	Credit Suisse FB USA, Inc.		04/09/2008	300,000.00	298,938.00	302,184.00	4.125	3.652	3.703	563	01/15/2010
36962GZ31	15173	General Electric Capital Corp		03/14/2007	725,000.00	737,172.75	729,589.25	5.250	4.918	4.987	483	10/27/2009
38143UBEO	15167	Goldman Sachs Group		11/21/2006	300,000.00	300,402.00	293,529.00	4.500	5.099	5.170	714	06/15/2010
38143UBEO	15178	Goldman Sachs Group		04/09/2007	300,000.00	300,402.00	294,855.00	4.500	5.019	5.089	714	06/15/2010
423328BM4	15142	Heller Financial, Inc.		08/09/2005	680,000.00	710,912.80	750,862.80	7.375	4.566	4.630	488	11/01/2009
61746SBC2	15157	Morgan Stanley		05/31/2006	325,000.00	319,159.75	309,065.25	4.000	5.504	5.580	563	01/15/2010
718507BQ8	15192	Phillips Petroleum		06/20/2008	300,000.00	326,475.00	325,728.00	8.750	4.026	4.082	693	05/25/2010
8923ECTG8	15187	Toyota Motor Credit		02/25/2008	415,000.00	415,000.00	415,000.00	2.830	2.791	2.830	0	07/01/2008
90331HJKO	15148	US Bank		11/08/2005	395,000.00	391,433.15	376,079.50	3.400	4.919	4.988	243	03/01/2009
92976WAT3	15181	Wachovia Corporation		09/13/2007	750,000.00	733,207.50	741,045.00	4.375	4.780	4.846	700	06/01/2010
931142BE2	15184	Wal-Mart Corporation		01/28/2008	450,000.00	466,542.00	475,429.50	6.875	3.031	3.073	405	08/10/2009
931142BZ5	15185	Wal-Mart Corporation		01/15/2008	500,000.00	506,640.00	505,100.00	4.125	3.646	3.697	730	07/01/2010
949746FQ9	15146	Wells Fargo Bank		10/12/2005	410,000.00	408,146.80	390,250.30	3.125	4.573	4.637	274	04/01/2009
Subtotal and Average			7,834,553.23		8,180,000.00	8,279,258.20	8,320,199.70		4.414	4.475	517	
Certificates of Deposit - Bank												
SYS2501	2501	US Bank		06/24/2008	25,000.00	25,000.00	25,000.00	2.490	2.490	2.525	189	01/06/2009
Subtotal and Average			5,833.33		25,000.00	25,000.00	25,000.00		2.490	2.525	189	
Total Investments and Average			80,962,713.83		79,620,947.52	80,389,640.24	80,047,567.74		3.555	3.604	380	

**City of Vallejo
Portfolio Management
Portfolio Details - Cash
June 30, 2008**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Fair Value	Original Cost	Stated Rate	YTM 360	YTM 365	Days to Maturity
Total Cash and Investments			80,962,713.83		79,620,947.52	80,389,640.24	80,047,567.74		3.555	3.604	380




PUBLIC
HEARING A

Agenda Item No.

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Gary Leach, Public Works Director 

SUBJECT: CONSIDERATION OF THREE (3) RESOLUTIONS THAT WILL 1) DECLARE THE RESULTS OF PROPERTY OWNER BALLOTING OF EIGHT (8) LANDSCAPE MAINTENANCE DISTRICTS; 2) APPROVE THE ANNUAL LEVY ENGINEER'S REPORT; AND 3) ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR TEN (10) OF THE 1972 ACT LANDSCAPE MAINTENANCE DISTRICTS

BACKGROUND AND DISCUSSION

The City of Vallejo has twenty-five (25) Landscape and Lighting Districts, eleven (11) of which were created under the Landscape and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code (1972 Act) and Proposition 218, and fourteen (14) that were created under the 1911 Act. This item will be addressing ten (10) of the 1972 Act districts: Carriage Oaks, Garthe Ranch, Glen Cove 3, Hunter Ranch 3, Marin View, Marine World/Fairgrounds, Northeast Quadrant, Sandpiper Point, South Vallejo Business Park, and Town and Country 2-5. The 1911 Act Districts and the Hiddenbrooke Maintenance District have been brought forward under separate council actions.

Annually, Engineer's Reports are prepared by the Engineer of Work, as required by the 1972 Act, which analyzes each district based on Equivalent Benefit Units (EBU) and proposed assessments for each parcel. These assessments take into consideration any special benefit the parcels within the district may receive. The City Council has appointed MuniFinancial as the "Engineer of Work" for these districts and directed them to prepare the Engineer's Reports. The Engineers Report is on file in Vallejo City Hall, 555 Santa Clara Street, Vallejo, CA 94590 at the following locations:

Vallejo City Clerk's Office (3rd Floor) Vallejo Public Works Department (4th Floor)

Analysis of these districts has indicated that eight (8) of the ten (10) districts: Carriage Oaks, Garthe Ranch, Glen Cove 3, Hunter Ranch 3, Marine World/Fairgrounds, Sandpiper Point, South Vallejo Business Park, and Town and Country 2-5 will have inadequate funding, at the existing assessment rates, to continue to provide the current level of service. Therefore, action has been taken to conduct property owner protest balloting proceedings for the affected districts recommending an increase to their assessment rates beginning FY08/09.



The following table identifies the proposed FY 08/09 assessments per EBU for each the ten (10) Districts. One (1) EBU is applied to a single family residence:

<u>DISTRICT</u>	<u>EXISTING</u> <u>07/08</u> <u>ASSESSMENT</u>	<u>PROPOSED</u> <u>08/09</u> <u>ASSESSMENT</u>
Carriage Oaks	\$ 58.52	\$ 88.44
Garthe Ranch A	\$ 128.46	\$ 196.64
Garthe Ranch (Highlands) B	\$1,638.00	\$ 00.00
Glen Cove 3	\$ 155.14	\$ 217.18
Hunter Ranch 3	\$ 72.04	\$ 116.58
Marine World/Fairgrounds	\$ 58.38	\$ 101.70
Marin View	\$ 636.00	\$ 636.00
Sandpiper Point	\$ 141.76	\$ 196.54
South Vallejo Business Park	\$1,678.00	\$2,748.36
Town & Country 2-5	\$ 70.48	\$ 88.38
Northeast Quadrant	\$ 233.70	\$ 233.70
Northeast Quadrant Zone A	\$ 361.42	\$ 361.42

There are general and specific reasons for the need to ballot for assessment increases in these eight (8) of the Districts. The specific needs, in addition to the current level of service, are illustrated in the following table:

District	Need for increase
Carriage Oaks	This district was formed in 1979 and has never had an increase. Fences need repair and irrigation needs upgrading.
Sandpiper Point	This district was formed in 1980 and has never had an increase. Fences need repair and one side of Meadows Drive needs to be upgraded.
South Vallejo Business Park	This district was formed in 1981. It has never had an increase. It has a large amount of turf which requires water that has increased in price over the years.
Garthe Ranch	This district was formed in 1987 and has never had an increase. Irrigation needs upgrading and thistle eradicate is needed.
Hunter Ranch 3	This district was formed in 1986 and has never had an increase. They rejected an increase six years ago which resulted in



	plant material dying. The irrigation system needs upgrading and fences need repair.
Town & Country 2 – 5	This district was formed in 1986 and has never had an increase. The landscaping is mature and needs major maintenance.
Glen Cove 3	This district was formed in 1980 and has never had an increase. There is a need to maintain Eucalyptus groves, mature trees, medians and slopes. The proposed increase will add street tree maintenance.
Marine World	This district was formed in 1985 and has never had an increase. This district has landscaping that needs replacement and it suffers significant amounts of vandalism.

While the table above illustrates specific reasons for increases there are also general reasons why these districts need increases. Increased fuel and maintenance costs have required these districts to use reserves to attempt to maintain the current level of service. Additionally, the absence of an inflationary factor in these districts will adversely affect their overall operation over the years. Therefore, in addition to the proposed rate increases staff is also recommending that an annual cost-of-living increase to the maximum levy per EBU for future years be included for each of these eight (8) districts. This will allow the level of maintenance, over the years, to continue without incurring the additional cost of conducting repeated property owner protest balloting proceedings. It should also be noted that the analysis conducted each FY by the Engineer of Work and published in the Engineer's Report provides the proposed levy per EBU which is based on projected work for the associated FY. This levy assessment rate is frequently lower than the previously noted maximum levy.

The level of maintenance would have to be significantly reduced if the balloted property owners, within a district, reject the previously noted proposed increases for their district. Efforts have been made by staff to conduct public outreach with property owners to help them understand the need for these increases.

The Marin View, Northeast Quadrant and Northeast Quadrant Zone A Landscape Maintenance District assessment rates are not being proposed to be increased in FY 08/09 and the Engineer of Work is not recommending any changes to their existing approved assessment formulas, therefore, these districts do not require balloting. The Garthe Ranch Highlands is a zone ("Zone B") of Garthe Ranch and it is being recommended that "Zone B" not be assessed in FY 08/09. As of this date, the City of Vallejo has not accepted this subdivision for maintenance. Therefore, the developer, Discovery Homes, will continue to



be responsible for its maintenance until it is accepted by the City. Adequate reserves have been collected for Zone "B" and there are currently no planned FY 08/09 maintenance expenditures by the City for this area. Assessments will resume when the City takes over maintenance of this subdivision.

There are three (3) resolutions being presented for City Council consideration. The first is for the approval of a resolution declaring the results of the property owner protest ballot proceedings. The second resolution will approve the Engineers Report regarding the 1972 Act districts, with the exception of Hiddenbrooke; and the third resolution will order the levying and collection of FY 08/09 assessments for ten (10) Landscape Maintenance Districts: Carriage Oaks, Garthe Ranch, Glen Cove 3, Hunter Ranch 3, Marine World/Fairgrounds, Marin View, Sandpiper Point, South Vallejo Business Park, Town and Country 2-5 and the Northeast Quadrant for FY 08/09. Ranch 3, Marine World/Fairgrounds, Marin View, Sandpiper Point, South Vallejo Business Park, Town and Country 2-5, and Northeast Quadrant.

Fiscal Impact

The poor financial health of eight (8) of the previously identified eleven (11) districts is described in the Engineer's Report. Lack of reserve funds for the financially distressed districts will influence the level of landscape maintenance care that the city will be able to perform. Landscape services will be significantly reduced should parcel owners vote not to increase their assessments in FY 08/09. In addition, once the balloting results have been read into record by the City Clerk, modification to the budget contained in the Engineer's Report will be made tonight, before Council action, for any district for which the increased assessments are rejected.

RECOMMENDATION

Conduct Public Hearing to obtain public input regarding the Annual Levy Engineer's Report for the 1972 Act Landscape Maintenance Districts, excluding the Hiddenbrooke Maintenance District, and adopt resolutions declaring the results of the property owner protest balloting proceedings and ordering the levy and collection of FY 08/09 assessments.

ENVIRONMENTAL REVIEW

The levy and collection of these assessments are exempt from the California Environmental Quality Act under section 15273 of Title 14 of the California Code of Regulations.



DOCUMENTS ATTACHED

- a) Resolution declaring the results of the property owner protest ballot proceedings for eight (8) Landscape Maintenance Districts: Carriage Oaks, Garthe Ranch, Sandpiper Point, South Vallejo Business Park, Hunter Ranch 3, Glen Cove 3, Town & Country 2-5, and Marine World/Fairgrounds.
- b) Resolution approving the Annual Levy Engineer's report for ten (10) Landscape Maintenance Districts: Carriage Oaks, Garthe Ranch, Glen Cove 3, Hunter Ranch 3, Marine World/Fairgrounds, Marin View, Sandpiper Point, South Vallejo Business Park, Town and Country 2-5 and the Northeast Quadrant.
- c) Resolution ordering the levying and collection of Fiscal Year 2008/2009 assessments within ten (10) Landscape Maintenance Districts: Carriage Oaks, Garthe Ranch, Glen Cove 3, Hunter Ranch 3, Marine World/Fairgrounds, Marin View, Sandpiper Point, South Vallejo Business Park, Town and Country 2-5 and the Northeast Quadrant.

DOCUMENTS AVAILABLE FOR REVIEW

- a. Copy of Engineer's report for 1972 Act Landscape Maintenance Districts, with the exception of Hiddenbrooke Maintenance District, is available in the City Clerk's Office and Public Works Engineering.

CONTACT PERSONS:

Gary Leach, Public Works Director
(707) 648-4315
GARYL@ci.vallejo.ca.us

John Cerini, Maintenance Superintendent
(707) 649-4557
JCerini@ci.vallejo.ca.us

JULY 22, 2008

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RESOLUTION NO. 08 - _____ N.C.

WHEREAS, the City Council of the City of Vallejo (hereinafter referred to as the "City Council") has, by previous Resolutions, formed and annually levied pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as the "1972 Act"), ten (10) landscape maintenance districts designated as Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (including the original Garthe Ranch — Zone A and Garthe Ranch Highlands — Zone B); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Marin View Landscape Maintenance District; Northeast Quadrant Landscape Maintenance District (including Zones A and B); Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District (hereinafter referred to collectively as the "1972 Act Districts"), and has by previous Resolutions, initiated proceedings and declared its intention to levy and collect assessments for said districts for fiscal year 2008-2009; and,

WHEREAS, pursuant to the Resolution of Intention, the City Council's has proposed increased assessments in fiscal year 2008-2009 for eight (8) of the 1972 Act Districts including Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (Zone A only); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District; (hereinafter referred to as the "Balloted Districts"), and in accordance with the provisions of the California Constitution Article XIID (hereinafter referred to as the "Constitution") has caused and conducted property owner protest ballot proceedings for the new or increase assessments proposed to be levied on properties within the Balloted Districts commencing in fiscal year 2008-2009; and,

WHEREAS, the proposed assessment increases presented to each property owner of record within the Balloted Districts reflects each property's proportional special benefit and financial obligation for the operation, maintenance and servicing of landscaping improvements and appurtenant facilities and expenses associated with each such property and respective district as identified in the Engineer's Report on file with the City Clerk. The ballots presented clearly identified the total amount balloted to all properties within each respective Balloted Districts, the proposed assessment rate(s), the each property's proportional annual amount commencing with fiscal year 2008-2009 including the proposed inflationary adjustment applicable to future assessments; and,

WHEREAS, upon the close of the Public Hearing held on July 22, 2008 the protest ballots returned by the landowners of record within the Balloted Districts, were opened and tabulated, the results of which are illustrated below.

Carriage Oaks Landscape Maintenance District:

Yes \$ _____ No \$ _____

Garthe Ranch Landscape Maintenance District (Zone A only):

Yes \$ _____ No \$ _____

Glen Cove III Landscape Maintenance District:

Yes \$ _____ No \$ _____

Hunter Ranch III Landscape Maintenance District:

Yes \$ _____ No \$ _____

Marine World/Fairgrounds Drive Landscape Maintenance District:

Yes \$ _____ No \$ _____

Sandpiper Point Landscape Maintenance District:

Yes \$ _____ No \$ _____

South Vallejo Business Park Landscape Maintenance District:

Yes \$ _____ No \$ _____

Town and Country II-V Landscape Maintenance District:

Yes \$ _____ No \$ _____

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VALLEJO DOES HEREBY RESOLVE AS FOLLOWS:

- Section 1. That the above recitals are all true and correct.
- Section 2. The proceedings for the Balloted Districts were conducted with notices and ballots of the proposed new or increase assessments presented to the affected qualified property owners of record within the Balloted Districts as required by law, with a required receipt of the returned ballots to the City Council Clerk prior to the close of the Public Hearing on July 22, 2008.
- Section 3. The canvass of the protest ballots cast within each of the Balloted Districts and received prior to the close of the public hearing, weighted according to the proportional financial obligation of the affected properties within each such designation herein is hereby approved and confirmed.
- Section 4. The City Clerk is hereby directed to enter this Resolution on the minutes of this meeting, which shall constitute the official declaration of the result of such property owner protest proceeding.
- Section 5. This Resolution shall become effective immediately upon its adoption and the City Clerk shall certify the adoption of this Resolution.

JULY 22 2008

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RESOLUTION NO. 08 - ____ N.C.

WHEREAS, the City Council of the City of Vallejo (hereinafter referred to as the "City Council"), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as the "1972 Act"), did by previous Resolutions, initiate proceedings and declared its intention for the annual levy of assessments for the City's ten (10) designated 1972 Act landscape maintenance districts for fiscal year 2008/2009; and,

WHEREAS, the City's ten (10) designated 1972 Act landscape maintenance districts are designated as Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (including the original Garthe Ranch — Zone A and Garthe Ranch Highlands — Zone B); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Marin View Landscape Maintenance District; Northeast Quadrant Landscape Maintenance District (including Zones A and B); Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District, (hereinafter referred to collectively as the "1972 Act Districts"); and

WHEREAS, the City Council proposed an increase to the maximum assessments and the establishment of an inflationary adjustment for eight (8) of the 1972 Act Districts including Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (Zone A only); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District (hereinafter collectively referred to as the "Balloted Districts"); and,

WHEREAS, the City Council has by previous Resolutions, ordered the preparation of an Engineer's Report (hereafter referred to as "Engineer's Report") regarding the 1972 Act Districts; the improvements, expenses and assessments related thereto; as required by Chapter 3, Section 22623 of the 1972 Act; and said Engineer's Report has been prepared, filed with the City Clerk and previously presented to the City Council; and,

WHEREAS, the City Council called and duly held property owner protest ballot proceedings for the proposed assessment increases related to the Balloted Districts in accordance with the provisions of the California Constitution Article XIID, the results of which have been presented and confirmed by City Council; and,

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report, considered all public testimony and written protests presented, and evaluated the results of the property owner protest ballot proceedings to determine if majority protest exists for the proposed assessments for fiscal year 2008-2009.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VALLEJO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the above recitals are all true and correct.

Section 2. Based on testimony given, the results of the property owner protest ballot proceedings and the documents and discussion presented, the City Council has directed and confirmed any necessary modifications or amendments to the Engineer's Report previously presented and filed, and said modifications or amendments so reflected by the minutes of this meeting shall by reference be incorporated into the Final Engineer's Report for fiscal year 2008-2009.

Section 3. The Engineer's Report as submitted or modified by the City Council is hereby approved and shall constitute the territory and properties within the 1972 Act District for fiscal year 2008-2009, and said Report establishes the maximum assessment rates and method of apportionment adopted by the City Council in accordance with the benefits received from the improvements, operation, maintenance and services to be performed and authorized within the 1972 Act Districts.

Section 4. The Engineer's Report as presented or amended is ordered to be filed in the City Clerk as a permanent record and to remain open to public inspection.

JULY 22, 2008

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RESOLUTION NO. _____ N.C.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEJO, CALIFORNIA, ORDERING THE LEVY OF ASSESSMENTS FOR THE CITY'S DESIGNATED 1972 ACT LANDSCAPE MAINTENANCE DISTRICTS IN FISCAL YEAR 2008-2009**

WHEREAS, The City Council of the City of Vallejo (hereinafter referred to as the "City Council") has, by previous Resolutions, formed and annually levied assessments on properties within the City's ten (10) designated 1972 Act landscape maintenance districts are designated as Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (including the original Garthe Ranch — Zone A and Garthe Ranch Highlands — Zone B); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Marin View Landscape Maintenance District; Northeast Quadrant Landscape Maintenance District (including Zones A and B); Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District, (hereinafter referred to collectively as the "1972 Act Districts"); and,

WHEREAS, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereinafter referred to as the "1972 Act"), the City Council did by previous Resolutions, initiate proceedings and declared its intention to levy the annual assessments for the 1972 Act Districts for fiscal year 2008/2009; and,

WHEREAS, pursuant to the Resolution of Intention, the City Council's has proposed increased assessments in fiscal year 2008-2009 for eight (8) of the 1972 Act Districts including Carriage Oaks Landscape Maintenance District; Garthe Ranch Landscape Maintenance District (Zone A only); Glen Cove III Landscape Maintenance District; Hunter Ranch III Landscape Maintenance District; Marine World/Fairgrounds Drive Landscape Maintenance District; Sandpiper Point Landscape Maintenance District; South Vallejo Business Park Landscape Maintenance District; and Town and Country II-V Landscape Maintenance District; (hereinafter referred to as the "Balloted Districts"), and in accordance with the provisions of the California Constitution Article XIII D (hereinafter referred to as the "Constitution") has caused and conducted property owner protest ballot proceedings for the new or increase assessments proposed to be levied on properties within the Balloted Districts commencing in fiscal year 2008-2009; and,

WHEREAS, in accordance with the provisions of the Constitution, the City Council has caused and conducted a property owner protest ballot proceeding for the assessment increases proposed to be levied on properties within the Balloted Districts; and,

WHEREAS, the City Council has by previous Resolutions declared the results of said property owner protest ballot proceedings regarding the proposed levy and collection of increased assessments including an annual inflationary adjustment to fund the annual maintenance of landscape improvements related to each of the Balloted Districts and based on those results has determined if majority protest existed for each Balloted District; and,

WHEREAS, based on its determination of majority protest for each individual district, the City Council has by Resolution approved the Final Engineer's Report (hereafter referred to as the "Engineer's Report") as originally submitted or amended; and said Report identifies and reflects the assessments against parcels of land within each of the 1972 Act Districts as approved for fiscal year 2008-2009; and,

WHEREAS, the City Council desires to levy and collect annual special benefit assessments against parcels of land within each of the 1972 Act Districts for fiscal year 2008-2009 to pay the operation, maintenance and servicing of landscaping improvements and appurtenant facilities and expenses related thereto pursuant to the 1972 Act; and,

WHEREAS, the planned improvements associated with Garthe Ranch Highlands — Zone B have not been completed and are not anticipated to be accepted for maintenance by the City in fiscal year 2008-2009 and the City Council does not intend to levy and collect the annual assessments against parcels of land within Garthe Ranch Highlands — Zone B for fiscal year 2008-2009, but intends to levy and collect annual assessments for said District in subsequent fiscal years to pay for the operation, maintenance and servicing of landscaping improvements and appurtenant facilities and expenses related thereto pursuant to the 1972 Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VALLEJO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the above recitals are all true and correct.

Section 2. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the 1972 Act Districts, the levy and collection of assessments, the Engineer's Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

Section 3. Based on public testimony, the facts presented and the results of the property owner protest ballot proceedings, the City Council by resolution has approved the Engineer's Report as presented or amended and hereby finds and determines:

- a. The land within the Districts receive special benefit from the operation, maintenance and servicing of landscaping improvements and appurtenant facilities and expenses related to each of the Districts; and,
- b. Each of the District territories includes all of the lands receiving such special benefit; and,
- c. The net amount to be assessed upon the lands within the Districts is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services.

Section 4. The improvements and assessments as presented in the Engineer's Report on file in the Office of the City Clerk are hereby confirmed as filed or as amended by City Council action and as set forth below.

Section 5. The City Council has, by Resolution, declared the results of the majority protest balloting proceedings and has adopted an Engineer's Report establishing the maximum assessment rates that shall be levied for Fiscal Year 2008-2009. Said assessments are hereby adopted and ordered to be levied and collected by the County of Solano on behalf of the Districts pursuant to the Act, as follows:

<u>District</u>	<u>Adopted Maximum Assessment Rate</u>	<u>Approved Assessment Rate for 2008-2009</u>
Carriage Oaks	TBD*	TBD*
Garthe Ranch — Zone A	TBD*	TBD*
Garthe Ranch Highlands — Zone B	\$1,638.36	\$0.00
Glen Cove III	TBD*	TBD*
Hunter Ranch III	TBD*	TBD*
Marine World/Fairgrounds Drive	TBD*	TBD*
Marin View	\$636.00	\$636.00
Northeast Quadrant — Zone A	\$371.55	\$361.42
Northeast Quadrant — Zone B	\$240.25	\$233.70
Sandpiper Point	TBD*	TBD*
South Vallejo Business Park	TBD*	TBD*
Town and Country II-V	TBD*	TBD*

TBD means to be determined upon conclusion of majority protest balloting proceedings

Section 6. The City Clerk is hereby directed to enter this Resolution on the minutes of the City Council meeting and this Resolution shall constitute the official declaration and confirmation of the maximum assessments, the applicable inflationary adjustments, and the levy of assessments within each of the 1972 Act Districts identified in this Resolution for fiscal year 2008-2009 as outlined in the final Engineer's Report.

Section 7. This Resolution shall become effective immediately upon its adoption and the City Clerk shall certify the adoption of this Resolution.



PUBLIC
HEARING B

Agenda Item No.

Date: July 22, 2008

COUNCIL COMMUNICATION

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director 

SUBJECT: CONDUCT A PUBLIC HEARING REGARDING FISCAL YEAR 2008/2009 ASSESSMENTS AND ADOPTION OF A RESOLUTION APPROVING THE REVISED ANNUAL FINANCIAL REPORT AND ENGINEER'S REPORT AND A RESOLUTION ORDERING THE LEVY AND COLLECTION OF FISCAL YEAR 2008/2009 ASSESSMENTS FOR THE HIDDENBROOKE MAINTENANCE DISTRICT

BACKGROUND AND DISCUSSION

The City of Vallejo has a total of twenty-five (25) Landscape Maintenance Districts, eleven (11) of which were created under the Landscape and Lighting Act of 1972 (1972 Act), and fourteen (14) created under the 1911 Act. The Sky Valley Maintenance Assessment District was originally formed and approved on January 28, 1992, pursuant to the 1972 Act and Chapter 14.30 of the Vallejo Municipal Code. The name was changed to the Hiddenbrooke Maintenance District (HMD) in Fiscal Year (FY) 1999/2000. The 1972 Act provides for the levy and collection of assessments by the County of Solano for the City of Vallejo to generate sufficient revenue to pay for landscape maintenance services, operations, and improvements for the maintenance districts created under this Act. This item is being brought forward to address the Hiddenbrooke Maintenance District. The 1911 Act and the remaining 1972 Act Districts are being addressed under separate council actions.

The City Council appointed MuniFinancial as the Engineer of Work and directed the preparation of an Annual Financial Report and Engineer's Report (Engineer's Report) for the HMD in accordance with the 1972 Act. The FY 2008/2009 preliminary Engineer's Report, including the estimated budget, was approved by Council on June 24, 2008. The preliminary Report for the HMD has been available for review in the City Clerk's Office and in the Public Works Department.

Financial Reports and Engineer's Reports are prepared for each 1972 Act district annually. These reports analyze the district based on "equivalent benefit units" (EBU's) and propose assessments for each parcel based on the special benefit received by the parcels within the district. The HMD Engineer's Report has been revised since the City Council's preliminary approval on June 24, 2008. This revision was made to more accurately reflect the current reserve funds affected by the ongoing Utility Corridor Project. Other



adjustments include a \$2,000.00 increase to the Welcome Center supplies budget and a reduction of the rehabilitation budget from \$75,000.00 to \$57,000.00. These changes will help to produce a balanced budget based on current Balance to Levy charge and will not deplete the reserves.

The benefit formula used for the HMD and proposed parcels reflects the composition of the parcels and the improvements and services provided to each parcel. The funds collected through annual assessments will be dispersed and used for only the improvements and services provided within the HMD.

The City Council will conduct a Public Hearing pursuant to the 1972 Act and take public comment regarding FY 2008/2009 assessments for the Hiddenbrooke Maintenance District. The 1972 Act also provides for the levy and collection of assessments by the County of Solano for the City of Vallejo to generate sufficient revenue to pay for landscape maintenance services, operations, and improvements in the HMD. The Council action will levy against and upon all of the non-exempt real property within the HMD an assessment of \$593.18 per equivalent benefit unit for the Fiscal Year commencing on July 1, 2008 and ending June 30, 2009.

Fiscal Impact

An inflationary adjustment of 2.8%, the Consumer Price Index for All Urban Consumers (CPI-U), calculated by the U.S. Department of Labor, Bureau of Labor Statistics (BLS) for the Consolidated Metropolitan Statistical Area (CMSA) covering San Francisco-Oakland-San Jose, has been applied to the FY 2007/2008 assessments rate as outlined in the Engineer's Report. This adjustment is within the limits approved by the property owners. As such, the proposed FY 2008/2009 assessment rate per EBU will be \$593.18 (five-hundred and ninety-three dollars and eighteen cents), an increase of \$16.14 per EBU per year.

The General Fund will contribute to the HMD as stated below. The contribution is due to a general benefit to the city and received by properties outside the HMD that cannot be assessed to properties within the HMD boundary. The City's general benefit contribution for FY 2008/2009 will be made by the General Fund and is estimated to be:

Hiddenbrooke Parkway Maintenance @ 25% percent =	\$1,562.00 per year
Welcome Center @ 0.5% =	<u>\$ 825.00 per year</u>
Total	\$2,387.00 per year



RECOMMENDATION

Conduct a Public Hearing regarding the HMD, and adopt a resolution approving the final Revised Engineer's Report and a resolution ordering the levy and collection of assessments for the HMD for FY 2008/2009.

ENVIRONMENTAL REVIEW

The levy and collection of these assessments is exempt from the California Environmental Quality Act under section 15273 of Title 14 of the California Code of Regulations, as none of the proceeds will be used for capital expenses, but will be used instead for operation and maintenance.

PROPOSED ACTION

Hold the Public Hearing and obtain public input regarding the HMD. Adopt a resolution approving the final Revised Engineer's Report and a resolution ordering the levy and collection of assessments within the HMD for FY 2008/2009.

DOCUMENTS ATTACHED

- a. A resolution approving the final Revised Engineer's Report for the Hiddenbrooke Maintenance District for FY 2008/2009.
- b. A resolution ordering the levy and collection of assessments within the Hiddenbrooke Maintenance District for FY 2008/2009.

DOCUMENTS AVAILABLE FOR REVIEW

- a. Hiddenbrooke Maintenance District FY 2008-2009 final Revised Engineer's Report.

CONTACT PERSONS

Gary A. Leach
Public Works Director
(707) 648-4315
gleach@ci.vallejo.ca.us

John Cerini
Maintenance Superintendent
(707) 648-4557
JCerini@ci.vallejo.ca.us

JULY 22, 2008

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RESOLUTION NO. 08-_____ N.C.

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

WHEREAS, the City Council has, by previous Resolution, ordered the preparation of the Annual Financial Report and Engineer's Report for Hiddenbrooke Maintenance District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Solano for the City of Vallejo to pay the costs and expenses of operating, maintaining and servicing of landscaping, and all appurtenant facilities and operations related thereto located within the Districts; and,

WHEREAS, there has now been presented to this City Council a Revised Annual Financial Report and Engineer's Report for the Hiddenbrooke Maintenance District (hereafter referred to as the "Report") as required by *Chapter 3, Section 22623* of said Act, and as previously directed by Resolution; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operations, maintenance and services to be performed, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented, is hereby approved and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 3 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of and final approval of the Report.

JULY 22, 2008

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RESOLUTION NO. 08-___ N.C.

The City Council of the City of Vallejo, California hereby resolves as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings, declared its intention to levy assessments on the District, and approved the Revised Annual Financial Report and Engineer's Report (hereafter referred to as the "Report") describing the assessment against parcels of land within the Hiddenbrooke Maintenance District (hereafter referred to as the "District") for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500* (hereafter referred to as the "Act") that provides the levy and collection of assessments by the County of Solano for the City of Vallejo to pay the costs and expenses of operating, maintaining and servicing of landscaping and all appurtenant facilities and operations related thereto located within the Districts; and,

WHEREAS, the Engineer selected by the Council has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, a Report in connection with the levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution approve such Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009, to pay the costs and expenses of operating, maintaining and servicing of landscaping and all appurtenant facilities and operations related thereto located within the District; and,

WHEREAS, the City Council and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Article XIII D of the California State Constitution.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- i) the land within the Districts receive special benefit from the operation, maintenance and servicing of improvements, located in public places within the boundaries of the District; and,

- ii) the District includes all of the lands receiving such special benefit; and,
- iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services.

Section 3 The Report as presented to the City Council and on file in the Office of the City Clerk is hereby confirmed as filed. The City Council hereby levies against and upon all of the real property within the District a special assessment of \$593.18 per equivalent benefit unit for the Fiscal Year commencing on July 1, 2008 and ending June 30, 2009.

Section 4 The maintenance, operation and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the following proposed improvements to be made: the maintenance and operation of and the furnishing of services and materials for turf, ground cover, shrubs and trees, irrigation systems, drainage systems, open space areas, public pedestrian paths, entry monuments, fencing, lighting systems and all appurtenant facilities related thereto.

Section 5 The County Auditor of the County of Solano shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The Finance Director shall deposit all money representing assessments collected by the County for the District to the credit of a fund for Hiddenbrooke Maintenance District and such money shall be expended only for the maintenance, operation and servicing of each of the landscaping, lighting and appurtenant facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District's levy for the Fiscal Year commencing July 1, 2008 and ending June 30, 2009.

Section 8 The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution, pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

Section 9 The City Council finds that the levy and collection of these assessments is exempt from the California Environmental Quality Act under section 15273 of Title 14 of the California Code of Regulations, as none of the proceeds will be used for capital expenses, but will be used instead for operation and maintenance.

JULY 22, 2008

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Agenda Item No. ADMIN. A

COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Sandy Salerno, Interim Human Resources Director *SS*
Debora Boutté, Human Resources Operations Manager *DB*

SUBJECT: Approve Resolution Authorizing the City Manager to Implement a City Wide Volunteer Program

BACKGROUND AND DISCUSSION

In the beginning of 2007, Councilperson Sunga requested that staff review the possibility of creating a City Wide Volunteer Program. At that time, many volunteer based projects were underway, including the Front Porch Initiative and the Anti-Graffiti Program. It was decided by Staff to postpone the full development of the City Wide Volunteer Program and focus on the volunteer based Anti-Graffiti and Front Porch Programs.

As presented to Council on October 2, 2007, the data from Front Porch Initiative indicated the citizens had many quality of life concerns and expressed their desire to be a part of the solution. One of the main concerns that originated from the data was the increased amount of graffiti within the City. The data received from this initiative indicated that the citizens were willing to become part of the solution in the form of volunteering their services to the City. The Anti-Graffiti Program was developed which utilizes volunteers to help paint out the graffiti. The Anti-Graffiti activities have been very successful with the volunteer base. We have had as many as 100 citizens volunteering on any given paint out day to remove graffiti from various sites within the City.

Additionally, another concern was the ability to provide excellent customer service at City Hall with reduced staffing and resources. The City Wide Volunteer Program "Lend A Hand" can provide the needed vehicle to assist City Hall in increasing our customer service levels to the public. We will continue to address the additional concerns of the citizens that were expressed in the data from the Front Porch Initiative as we go through the bankruptcy process assessing the availability of resources and staffing levels.

Now that the Anti-Graffiti Program is up and running it is time to focus on the City Wide Volunteer Program. We can use volunteers for assignments throughout city departments, including clerical assistance, front counter coverage, professional level assistance, special projects, technical computer assistance, etc.



The purpose of the City Wide Volunteer Program is to find citizen volunteers who will "Lend a Hand" to work with City staff in performing various activities that will enhance the provision of services to the citizens of Vallejo, improve the City's image and promote community pride.

After a review of several Volunteer Programs in other cities, staff found that there are many administrative items that have to be addressed in developing such a program, such things as workers compensation, liability, physicals and background checks, etc. The program development will be a great undertaking, requiring involvement of many staff members. Therefore, staff recommends the following work plan:

1. Council Authorize the City Manager to develop the City Wide Volunteer Program – "Lend A Hand". **(Approve Immediately)**
2. Under the direction of the City Manager, Human Resources staff continues to develop the "Lend A Hand" Volunteer Program. **(Two Months)**
 - a. Work with Council, Risk Management, Code Enforcement and other staff as necessary.
 - b. Discuss the intent of the program with the Unions who may be involved.
 - c. Discuss with the Department Directors and Managers their potential need for volunteers.
 - d. Incorporate the Anti-Graffiti Program into the "Lend A Hand" Volunteer Program.
 - e. Assess any other volunteer type programs in the City that may have an impact on the "Lend A Hand" Volunteer Program or vice-a-versa.
 - f. Incorporate a future reporting mechanism to Council on the status of the "Lend A Hand" Volunteer Program.
3. Bring back a fully developed program for Council review in presentation format. **(Mid-End of September)**
4. Staff will then finalize the "Lend A Hand" Volunteer Program in the form of an Administrative Policy authorized by the City Manager. **(End of September)**
5. Roll out the program thereafter. **(October 1st)**
 - a. During the development of the program, Human Resources staff will accept contact information from potential volunteers to create a database for future use.
 - b. Utilize volunteers on an informal basis until the program is formalized.



Staff considers this an aggressive schedule for a much needed program and we will post the Job Hotline – “Lend A Hand” information on the City website and continue to take information from potential volunteers while we are developing the details of the program. This will enable staff to immediately place the volunteers formally as soon as the program is implemented, as well as utilize volunteers on an informal basis as the program is being developed. Additionally, all current programs such as the Anti-Graffiti Program will continue until it is determined whether or not they will be incorporated into the “Lend A Hand” Volunteer Program.

Currently, there is no fiscal impact. This may change as the program is developed, and if so, the fiscal impact will be included in the future presentation to Council.

RECOMMENDATION

Staff is recommending that the City Council approve the Resolution Authorizing the City Manager to implement a City Wide Volunteer Program – “Lend A Hand” and to present the program to Council for review as a presentation in September 2008.

ENVIRONMENTAL REVIEW

The adoption of this resolution is not considered a project under the California Environmental Quality Act (“CEQA”) pursuant to section 15378 (b) (2) of Title 14 of the California Code of Regulations and no environmental review is required.

PROPOSED ACTION

Adopt Resolution authorizing the City Manager to implement the “Lend A Hand” Volunteer Program.

DOCUMENTS AVAILABLE FOR REVIEW

- A. Resolution Authorizing the City Manager to Implement a City Wide Volunteer Program – “Lend A Hand”

CONTACT: Debora Boutté, HR Ops Mgr (707) 648-4436, dboutte@ci.vallejo.ca.us

PREPARED BY: Debora Boutté, HR Ops Mgr (707) 648-4436, dboutte@ci.vallejo.ca.us

RESOLUTION NO. ____ N.C.

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO IMPLEMENT
THE "LEND A HAND" VOLUNTEER PROGRAM**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALLEJO AS FOLLOWS:

WHEREAS, Councilperson Sunga requested staff review the possibility of implementing a City Wide Volunteer Program; and

WHEREAS, staff and Council postponed the development of said program due to other volunteer based programs that were underway, such as the "Anti-Graffiti" program; and

WHEREAS, the data provided to Council on October 2, 2007 from the Front Porch Initiative included the concerns of the citizens regarding quality of life issues and their desire to volunteer in addressing these concerns; and

WHEREAS, one of the major concerns of the citizens was to address the graffiti in the city; and

WHEREAS, staff developed a volunteer based "Anti-Graffiti" Program to address the citizens concerns.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to implement a city wide volunteer program – "Lend A Hand", incorporating the existing "Anti-Graffiti" Program and incorporating any other city volunteer based programs into the "Lend A Hand" Volunteer Program.

BE IT FURTHER RESOLVED that the City Manager shall report back to City Council on the program in September 2008.



COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager / Community Development *W*
Bob Adams, Development Services Director *BA*
Don Hazen, Planning Manager *DH*

SUBJECT: PRESENTATION OF DESIGN OF TOURO CANCER TREATMENT/RESEARCH FACILITY AND STATUS OF "PROJECT #2"

BACKGROUND & DISCUSSION

On June 24, 2008, the City Council approved a Development Agreement, Acquisition Agreement, and Public Improvement Agreement related to the proposed Touro cancer treatment/research facility on north Mare Island. At that meeting, City Council members requested that they be shown the design plans for the project. Attached are plan reductions and the staff report that was prepared for the June 2, 2008 Planning Commission meeting (Attachments 1, 2). At that public hearing, the Planning Commission found that the project was consistent with the Mare Island Specific Plan and unanimously approved the Unit Plan application.

The project consists of a 125,000 sq.ft. three and four-story cancer treatment/research facility with an integrated three-story parking structure. Development will include the demolition of three-story military barracks that currently exist on the site. The architectural design of the facility is modern and comprised of rectangular building forms integrated with vertically angled end walls and rooftop solar panels. The Specific Plan does not require buildings to retain a historic theme on the north island, and the design presents a creative and interesting corporate identity. The site design incorporates "green" methods and the building will be LEED-certified.

With the entitlement of the cancer treatment/research facility approved, staff and Touro will work with Touro on the implementation of agreements related to Project #1 (cancer treatment/research facility). Pursuant to the Exclusive Right to Negotiate Agreement (ERN) between the City of Vallejo and Touro, staff will work with Touro on a preliminary land plan for the remaining land area, a Specific Plan Amendment, and an Environmental Impact Report (EIR) assessing that plan. Staff is referring to these tasks as "Project #2" and a conceptual "bubble diagram" of proposed land uses is attached as a "work-in-progress" (Attachment 3).

For Project #2, Touro is proposing to increase the total building density for the north Mare Island area by an additional one million square feet above the density approved in the Specific Plan (2,119,178 sq.ft. proposed). Staff recognizes the potential for greater economic benefit as long as the impacts are fully assessed. The scope of the EIR will assume that higher density for analysis purposes. Two public workshops were held for the cancer treatment/research facility prior to Planning Commission review. The public outreach program for Project #2 will be extensive, given the scope of the project.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for the cancer treatment/research facility and was circulated for public review between April 5, 2008 and the June 24th Planning Commission meeting. The Planning Commission found that the project would not have a significant impact on the environment with mitigations, and a Mitigated Negative Declaration and Mitigation Monitoring Program was approved.

FISCAL IMPACT

The fiscal impact of the cancer treatment/research facility was analyzed as a part of the approved Development Agreement, Acquisition Agreement and Public Improvement Agreement. No further fiscal analysis was performed with the Unit Plan application (which essentially implements those agreements). Project #2 tasks will include an economic analysis for City Council consideration as part of the ERN process.

RECOMMENDATION

Review the Unit Plan design and receive presentation of plans by Touro at meeting.

ATTACHMENTS

1. Design plans of Touro Cancer facility
2. Staff report to Planning Commission, June 2, 2008.
3. Conceptual "bubble" diagram of Project #2 area

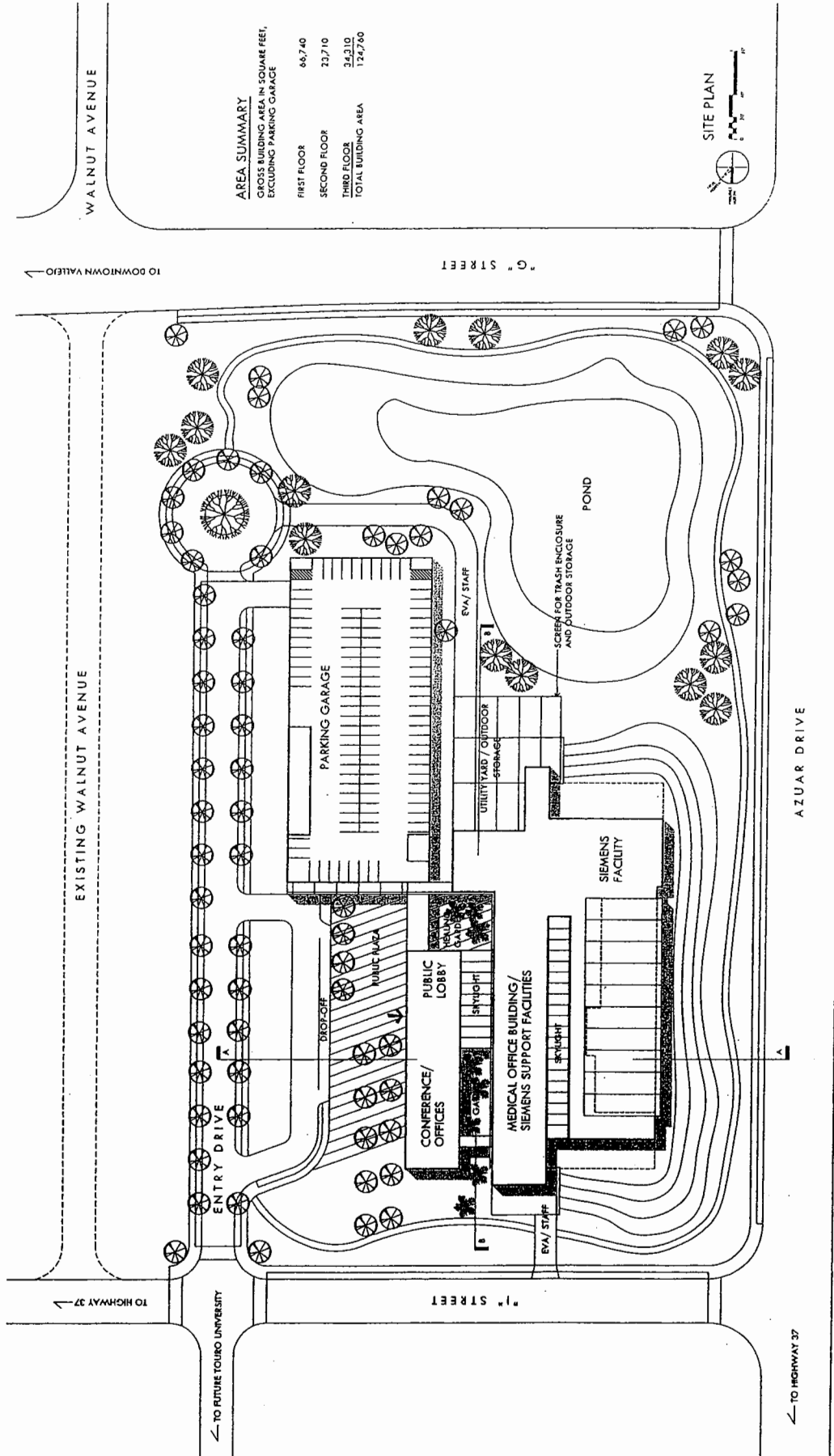
PREPARED BY/CONTACT

Don Hazen, Planning Manager, 707-648-4328; dhazen@ci.vallejo.ca.us



TOURO UNIVERSITY CANCER TREATMENT CENTER





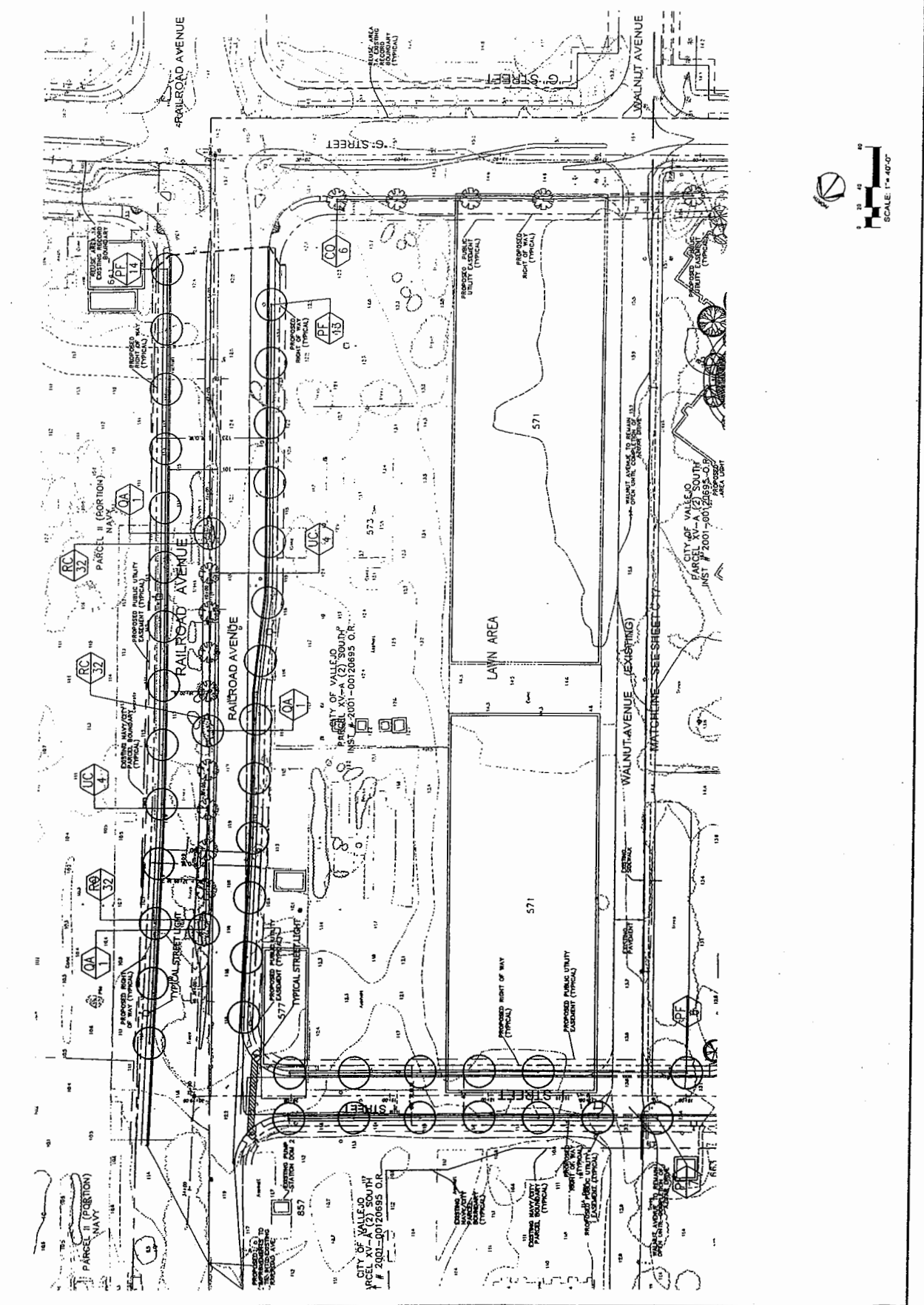
AREA SUMMARY
GROSS BUILDING AREA IN SQUARE FEET,
EXCLUDING PARKING GARAGE

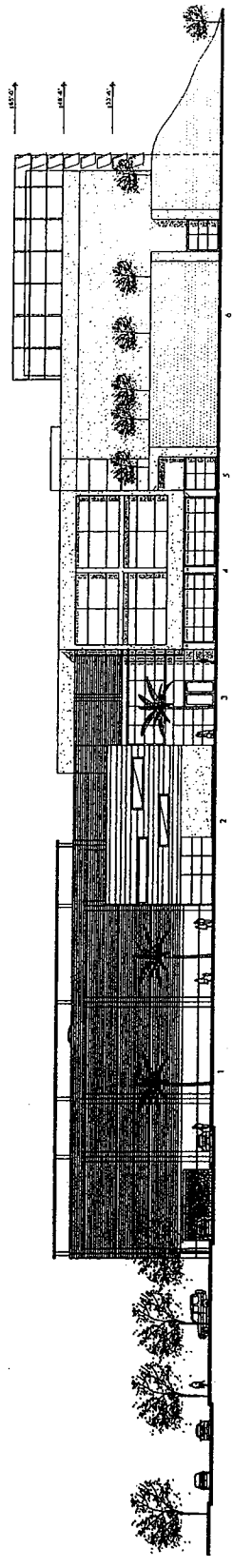
FIRST FLOOR	66,740
SECOND FLOOR	23,710
THIRD FLOOR	24,310
TOTAL BUILDING AREA	114,760



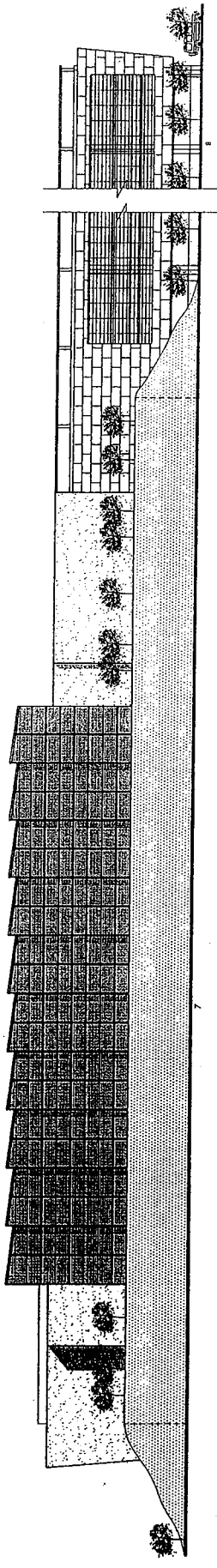
**TOURO UNIVERSITY
CANCER TREATMENT CENTER**
PRELIMINARY DESIGN OCTOBER 15, 2007







NORTH ELEVATION



WEST ELEVATION

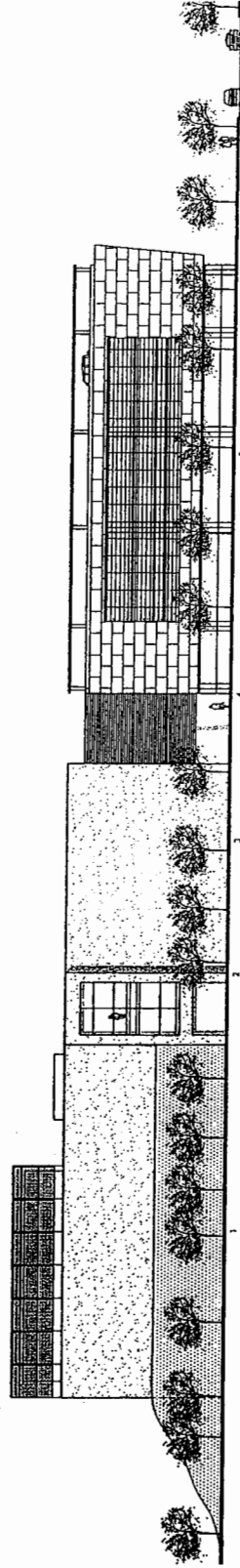


- MATERIALS LEGEND**
- 1. PARKING STRUCTURE (NORTH)
 - 2. PUBLIC RECEPTION/CONF.
 - 3. BRIDGE CONNECTIBLES
 - 4. COLJ / SEAMING SUPPORT
 - 5. SEAMING FACILITY
 - 6. SEAMING FACILITY (WEST)
 - 7. SEAMING FACILITY (WEST)
 - 8. PARKING STRUCTURE (WEST)
- CONCRETE FRAMES, METAL SUNSHADE SYSTEM**
- STEEL FRAMES, WOOD CLADDING SYSTEM, CEMENT PLASTER SYSTEM, GLASS CURTAIN WALL SYSTEM**
- STEEL FRAMES, CONCRETE CLADDING SYSTEM, GLASS CURTAIN WALL SYSTEM, METAL SUNSHADE SYSTEM (NORTH)**
- CONCRETE SLAB BEAMS WITH LANDSCAPING**
- CONCRETE SLAB BEAMS WITH LANDSCAPING, SOLAR PANEL ARRAY + METAL SUPPORT SYSTEM**
- CONCRETE FRAMES, METAL PANEL SYSTEM + PERFORATED METAL SCREEN**

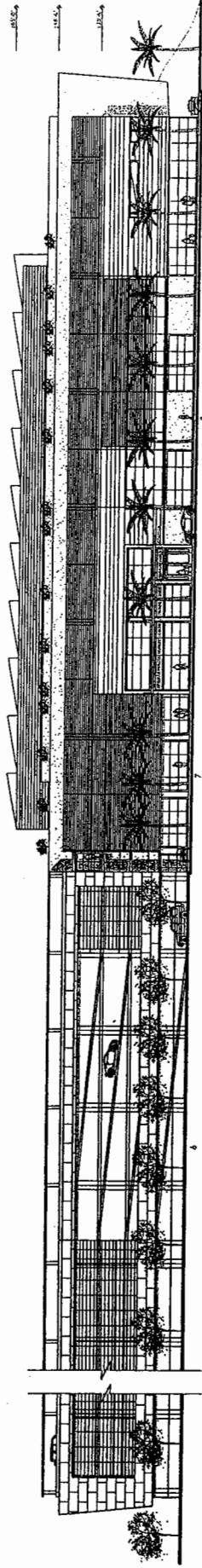
**TOURO UNIVERSITY
CANCER TREATMENT CENTER**
PRELIMINARY DESIGN OCTOBER 1.5, 2007



TLED ARCHITECTURE
111 East 10th Street, Suite 200
Columbus, Ohio 43201
Tel: 614.221.1111
Fax: 614.221.1111



SOUTH ELEVATION



EAST ELEVATION

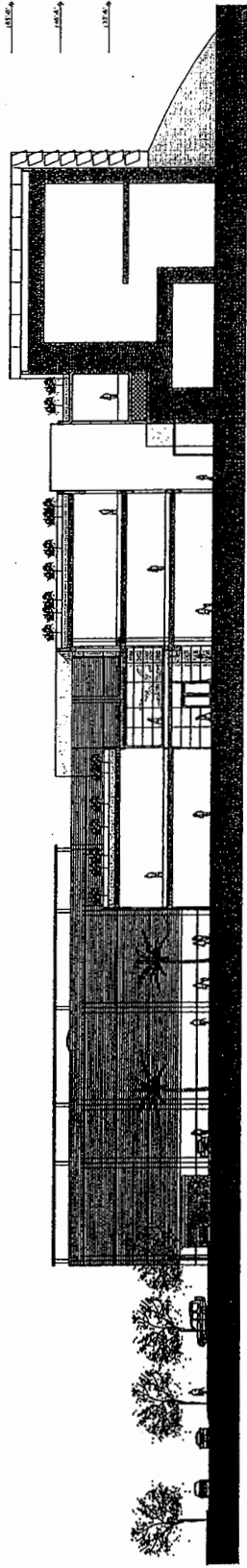


- MATERIALS LEGEND**
1. BRUSH FACILITY (SOUTH)
 2. EXIST. STAIR
 3. ACCL / BRUSH SUPPORT
 4. BRUSH FACILITY (SOUTH)
 5. BRUSH FACILITY (SOUTH)
 6. BRUSH FACILITY (SOUTH)
 7. BRUSH FACILITY (SOUTH)
 8. BRUSH FACILITY (SOUTH)
- CONCRETE, BATH BEAMS WITH LANDSCAPING
 CONCRETE FRAMES, GLASS CURTAIN WALL SYSTEM
 STEEL FRAMES, CONCRETE CLADDING SYSTEM, METAL SUNSHADE SYSTEM (NORTH)
 STEEL FRAMES, GLASS CURTAIN WALL SYSTEM
 CONCRETE FRAMES, METAL PANEL SYSTEM - PERFORATED METAL SCREEN
 CONCRETE FRAMES, METAL PANEL SYSTEM - PERFORATED METAL SCREEN
 LANDSCAPE TO INCLUDE PAVING, WATER FEATURE, TREES AND VEGETATION
 STEEL FRAMES, WOOD CLADDING SYSTEM, GYPSUM PLASTER SYSTEM, GLASS CURTAIN WALL SYSTEM

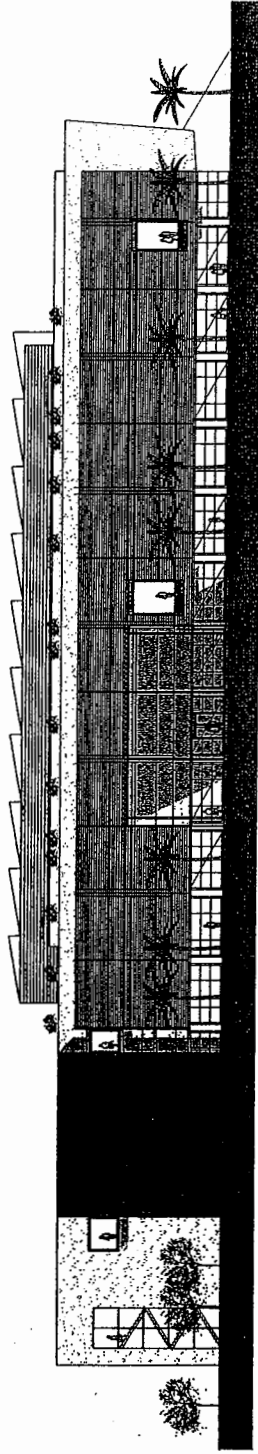
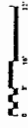
**TOURO UNIVERSITY
 CANCER TREATMENT CENTER**
 PRELIMINARY DESIGN OCTOBER 15, 2007



TECO ARCHITECTS
 111 East Main Street, Suite 200
 Tampa, Florida 33602
 Phone: 813.251.1111
 Fax: 813.251.1112



SECTION A



SECTION B



- LEGEND**
- 1. PARKING STRUCTURE (PARKING)
 - 2. PUBLIC RECEPTION (CONF.)
 - 3. BRIDGE CONNECTORS
 - 4. P.A.C.S. / SWAINS SUPPORT
 - 5. ROTUNDA
 - 6. SWAINS FACILITY
 - 7. SWAINS FACILITY
 - 8. P.A.C.S. / SWAINS SUPPORT
 - 9. BRIDGE CONNECTORS
- CONCRETE FRAME, METAL SUNSHADE SYSTEM
 - STEEL FRAME, WOOD CLADDING SYSTEM, CHAMFER PLASTER SYSTEM, GLASS CURTAIN WALL SYSTEM
 - STEEL FRAME, GLASS CURTAIN WALL SYSTEM
 - STEEL FRAME, CONCRETE CLADDING SYSTEM, GLASS CURTAIN WALL SYSTEM, METAL SUNSHADE SYSTEM (NORTH)
 - METAL STRUCTURE SYSTEM WITH GLASS PANELS
 - CONCRETE FRAME, GLASS CURTAIN WALL SYSTEM
 - CONCRETE
 - STEEL FRAME, CONCRETE CLADDING SYSTEM, METAL SUNSHADE SYSTEM, GLASS CURTAIN WALL SYSTEM
 - STEEL FRAME, GLASS CURTAIN WALL SYSTEM

**TOURO UNIVERSITY
CANCER TREATMENT CENTER**
PRELIMINARY DESIGN OCTOBER 15, 2007



STAFF REPORT – PLANNING DIVISION
CITY OF VALLEJO
PLANNING COMMISSION

DATE OF MEETING: June 2, 2008 **AGENDA ITEM:** K-1

PREPARED BY: Wayne Rasmussen, Contract Planner

PROJECT NUMBER: PD Unit Plan #08 0002 and Development Agreement #DA08-0002

PROJECT LOCATION: North Mare Island – The project construction site is located within Reuse Area 1A as identified in the Mare Island Specific Plan immediately north of G Street at Azuar Drive, and further includes off-site infrastructure improvements primarily within G Street, Azuar Drive, Railroad Avenue, I Street, and the State Route 37 Interchange. The on-site improvements are located at Assessor's Parcel Number: 0066-020-130.

SUMMARY: The proposed project provides for the development of an approximately 125,000 square foot two- three-and four story cancer treatment and research facility measuring up to 65-feet in height, a three-story (four-level) parking structure with 444 parking spaces, an enclosed utility yard and outdoor storage area, approximately ten acres of on-site lawn area, and an approximately 1.5-acre storm water detention basin planned to receive runoff from the proposed on-site improvements. The project further provides for off-site street and related public infrastructure improvements of approximately 15 acres that includes portions of G Street, Azuar Drive, I Street, Railroad Avenue, and the State Route 37 interchange. A one-acre storm water detention basin is proposed east of Railroad Avenue to receive runoff from the above off-site public improvements.

The primary Planning Commission actions required for the project include the adoption of a Mitigated Negative Declaration and PD Unit Plan, and a recommendation to the City Council regarding the proposed Development Agreement. Additional City Council actions and approvals required to implement the project will include an Acquisition Agreement, a Public Improvements Construction Agreement, a Right-of Entry and Demolition Agreement and the Development Agreement.

RECOMMENDATIONS: Staff recommends that the Planning Commission take the following actions: 1) approve the proposed Initial Study/Mitigated Negative Declaration, and the Mitigation Monitoring and Reporting Plan for the project; 2) approve the PD Unit Plan application for the project, subject to the recommended conditions of approval; and 3) recommend to the City Council that it approve the project Development Agreement.

CEQA REVIEW: An Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Plan have been prepared for this project.

PROJECT DATA SUMMARY:

Name of Applicant: Touro Mare Island, LLC, c/o Bruce Lang, CEO

Property Owner: City of Vallejo

General Plan Designation: Employment

Mare Island Specific Plan Designation: Research and Development

Zoning Designation: Mixed Use Planned Development (MUPD). The application process for all Planned Development (PD) zoned areas is Master Plan approval followed by PD Unit Plan approval. For zoning purposes, the Mare Island Specific Plan also serves as the Master Plan for Mare Island, allowing all Specific Plan development projects to be implemented through the City's Unit Plan process, subject to the policies, standards, guidelines, and provisions of the Specific Plan.

Existing Land Use: Vacated Mare Island Naval Shipyard buildings and related site improvements.

Surrounding Land Uses: The proposed Cancer Treatment and Research Center site is generally bounded by Azuar Drive, railroad tracks and marshland to the west; I Street and vacated naval shipyard development to the north; Railroad Avenue, vacated shipyard development and open space to the east; and G Street, the Rodman Building complex, Morton Field recreation area, and parkland to the south. The proposed 15-acre off-site public street and related infrastructure improvements are situated within the vacated shipyard area that extends between G Street and State Route 37 to the north.

Project Area Acreage: The proposed Cancer Treatment and Research Center site is approximately 27.89 gross acres (prior references to 19 acres referred to net acreage), and the off-site public improvements planned to accommodate the Center include approximately 15 acres.

Building Floor Area: The proposed two- three- and four-story Center is approximately 125,000 square feet in floor area, and the proposed three-story (four-level) parking structure is approximately 117,000 square feet in floor area.

Floor Area Ratio (FAR): The FAR for the Cancer Treatment and Research Center building is 0.15 and the FAR for the parking structure is 0.14, for a combined total FAR of 0.29.

Building Setbacks: The following approximate building setbacks are proposed: G Street = 212 feet; Azuar Drive = 89 feet; I Street = 75 feet; and Railroad Avenue= 560 feet. The PD zone does not prescribe minimum building setbacks.

Maximum Building Height: The proposed Center building is 65 feet at its highest point and the parking structure is 48 feet high.

Parking: A total of 444 parking spaces are proposed to be provided, all within the on-site parking structure. No outdoor ground level parking is proposed.

NOTICING AND PUBLIC COMMENTS:

Notice of the Planning Commission hearing regarding the proposed project was mailed to all property owners within 500 feet of the project site as well as to all other individuals, agencies and other parties requesting notification. Notice was further published in the local newspaper.

Comments received regarding this project and related to the Initial Study/Mitigated Negative Declaration are attached to this report as a part of the Mitigated Negative Declaration Response to Comments document.

PROJECT DESCRIPTION AND BACKGROUND:

Land Use - The proposed project involves the construction and operation of a cancer treatment and research center that will be active in treating patients with all types of tumors including those once considered to be inoperable. The building will house a number of integrated medical facilities and devices including: four treatment rooms, two CT scanners, computer networks, information technology, a dedicated synchrotron accelerator, plus various ancillary supporting technologies.

The Center will be operated by the project proponent in conjunction with its clinical operational partner. The equipment in the center will be supplied and maintained by a qualified entity or entities (such as for purposes of example only, Ion Beam Applications S.A., and Siemens Medical Solutions). Operations will be similar to many other radiation treatment facilities presently treating patients in California, yet different in that it employs a different treatment beam. Other facilities use proton particle beams, while the proposed center will employ proton and heavy carbon ion beams.

The Center is planned to employ a staff of 150 medical professionals, often affiliated with surrounding universities and hospitals. This will include two main eight-hour shifts with overlap and a third shift that will be primarily oriented toward service, basic research, and physics plan validation. The first shift will typically have 65 people with a maximum of 90; the second shift will typically range from 60 to 70 with 20 people on the third shift. These numbers also include volunteers, visitors, sales persons, third party service and small deliveries. At full capacity, the

Center will involve approximately 20 patients per hour for treatment and physician visits eight to twelve hours per day, including Saturday.

Site Plan - The project provides for the development of an approximately 125,000 square foot building complex, three-story (four-level) 117,000 square foot parking structure containing 444 parking spaces, an enclosed utility yard and outdoor storage area, an approximately ten-acre area of lawn, an approximately 1.5-acre storm water detention basin planned to receive runoff from the proposed on-site improvements, and an approximately 20-foot high by 50-foot wide by 615-foot long earth berm to be constructed adjacent to the western exterior wall of the Center. Cut and fill is proposed to be balanced on the site with the possibility that some additional soil material may need to be imported. The applicant is proposing to use good faith efforts to attempt to achieve a LEED platinum project.

All existing on-site buildings and other on-site improvements are to be demolished and removed in conformance with the Mare Island Specific Plan prior to development of the Center. The project area is not situated within the Mare Island Historic District, and there are no recorded historic resources within the project area. Additionally, the Mare Island Specific Plan (Sec. 3.5.2(A)) noted that Reuse Area-1A is intended for comprehensive development with new buildings. The SEIR for the Specific Plan contained limitations on demolition of historic buildings, especially those within the Historic District. The project area is not within the Historic District and there are no recorded historic resources within the project area.

Construction is proposed to begin in late 2008 or early 2009, following the Applicant's acquisition of the property from the City, as a single-phased project and take approximately 42 months to complete. The accelerator is expected to be operational for calibration and testing purposes within 36 months following the start of construction.

Architecture – The building complex is proposed to consist of four cancer treatment rooms, the treatment equipment facility area, patient preparation rooms, work areas, office and conference rooms, conference and training rooms, family waiting rooms, lobby and reception area, indoor garden and atrium, and minor storage support services areas. The building is mostly two- and three-stories in height, with a four-story area extending above the four treatment rooms. The maximum height of the four-story area is approximately sixty-five feet. Primary exterior building materials consist of a combination of concrete, wood cladding siding, glass curtain walls and metal sunshades.

The parking structure provides spaces for 444 cars on four levels (including the ground level) and measures approximately 48-feet in height. It is sited to directly connect to the main building. Primary structure exterior building materials consist of concrete framing, metal panel systems and perforated metal screening. The design of the parking structure is integral with the building and a logical design extension of the overall facility complex.

A Modern architectural design style is proposed which features flat roofs (with the exception of a multi-angled roof form over the four-story area) and bold rectangular shaped building

volumes that combined create the focus of the architecture. To compliment these strong design features are vertically angled building front end walls facing north, and a multi-angled “solar panel array” facing toward the west. Along with the attached building elevations is a colored perspective simulation that provides a more descriptive image of the design. In addition, a colors and materials board has been submitted and is available for review at the Planning Division. This board will also be presented at the Commission hearing.

Landscaping – The primary elements of the proposed landscape design plan feature:

- A 1-1/2-acre storm water detention basin that is planned to create a natural wetland habitat character
- A 20-foot high angled earthen berm situated around the west side of the Center complex that is intended to reduce the mass of the building and compliment the geometric forms proposed for the building architecture.
- A “healing” reflective garden near the entry to the building
- A campus-like landscape concept that includes an approximately 8-acre area of lawn to the west of the building complex
- Use of mostly native plant materials, with the exception of the lawn and a limited number of palm and eucalyptus trees. The palm and eucalyptus trees are proposed consistent with Section 4.3 of the Specific Plan in an effort to continue the historic use of these visually dominant species throughout Mare Island.
- With the exception of the storm water detention pond, the overall landscape design concept stresses strict symmetry similar to the architecture.
- In addition to the cancer treatment and research center site, the off-site public street and storm water facility improvements are proposed to be landscaped. Street trees are planned along all of the project area street rights-of-way. Landscaping within proposed street medians is proposed to consist of trees with occasional shrubs at the base of some of the trees. The remainder of the median surface areas are to be covered with 4-inch concrete. A one-acre storm water detention basin is planned to be constructed immediately upstream of the existing storm water outfall pipe and planted similar to the on-site pond in the northwest area of Mare Island.

Circulation and Other Off-Site Public Infrastructure Improvements - The project provides for additional off-site street and related infrastructure improvements of approximately 15 acres that include portions of G Street, Azuar Drive, I Street, Railroad Avenue, and the planned State Route 37 interchange at North Mare Island. The interchange improvements are to be constructed in accordance with the City of Vallejo Project No. 9966, State Highway Route 37 Overcrossing, Caltrans Kilometer Marker 11.4-11.9 improvement plans currently being processed for approval and an Encroachment Removal Agreement (ERA). A one-acre storm water detention basin is proposed to receive runoff from the above off-site public improvements.

Development Agreement – The Vallejo Municipal Code permits an applicant to submit a proposed Development Agreement related to the project, the purpose of which is to

strengthen the public planning process, encourage private participation and comprehensive planning, and reduce the economic costs of development. City staff and the applicant have negotiated a draft Development Agreement, which has now been submitted by the applicant for Planning Commission review and recommendation.

The Vallejo Municipal Code requires the Planning Commission to hold a public hearing and make a report and recommendation to the City Council addressing whether or not the proposed Development Agreement:

- Is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
- Is in conformity with public convenience, the general welfare and good land use practice;
- Will be detrimental to the health, safety and general welfare; and
- Will adversely affect the orderly development of property or the preservation of property values.

The Development Agreement specifies the intent to develop the project site and the off-site infrastructure improvements. The Development Agreement would vest and permit the development of the Project Site under the Vallejo General Plan, Mare Island Specific Plan, Zoning Ordinance, and any other City ordinances, resolutions, rules, and standards in place or adopted at the time of approval.

Other Agreements and Documents - In addition to the Development Agreement, City staff and the applicant have negotiated and will present to the City Council for its consideration several other proposed agreements. The agreements include:

- Acquisition Agreement, specifying the terms and timing under which Touro will acquire the property from the City, and the conditions required precedent to acquisition of the property by Touro.
- Public Improvements Construction Agreement, addressing the infrastructure requirements, timing and performance security required for the infrastructure improvements.
- Right of Entry and Demolition Agreement, identifying the seventeen structures on the project site and within the infrastructure improvement areas that will be demolished by Touro, along with the schedule and performance security for demolition work.

ANALYSIS:

Land Use – The proposed Cancer Treatment and Research Center use is consistent with the General Plan designation of Employment for the development site.

The overall vision for Reuse Area 1A of the Mare Island Specific Plan area in which the project site is located is characterized by the Specific Plan as follows:

“Given the direct freeway access and the relative absence of historic properties, Reuse Area 1A is intended for comprehensive development with new buildings as a warehouse/distribution district or office park.”

The proposed use is further consistent with the Specific Plan designation of Research and Development for the site. A Specific Plan development transfer was approved by the Planning Division on March 31, 2008 to permit the site to be developed with up to 125,000 square feet of Research and Development uses. Please refer to attached letter of transfer approval for background regarding this item.

The site is zoned Mixed Use Planned Development (MUPD). The application process for all Planned Development (PD) zoned areas is Master Plan approval and Planned Development (Unit Plan) approval. For zoning purposes, the Mare Island Specific Plan also serves as the Master Plan for Mare Island, allowing all Specific Plan development projects to be implemented through the City’s Unit Plan process, subject to the policies, standards, guidelines, and provisions of the Specific Plan.

Site Plan – With regard to Reuse Area 1A, the Specific Plan indicates that:

“The relative absence of historic resources enables Reuse Area 1A to be comprehensively redeveloped with new buildings. Proposed buildings should be laid out in conformance with the established street grid system. Larger foot print buildings should be located in the western portion of the reuse area (in which the project site is located).”

The proposed grid alignment of project area streets is consistent with the existing North Mare Island street grid pattern, and the proposed Center and parking structure are oriented at 90 degree angles to the grid for consistency with the siting pattern established throughout Mare Island.

Substantial building/parking structure setbacks are proposed to create a campus-like setting similar to other sites containing major buildings on Mare Island located south of the site. Use of the parking structure further helps to emphasize the campus-like effect by adding building mass while negating the need for grade level parking. Proposed building setbacks range from 75 to 560 feet. Together, the building and parking structure cover approximately 13 percent of the site.

Truck turn-around area within the utility yard/outdoor storage yard is not specified on plans. This area includes the trash storage bins that will require access by garbage trucks. Staff is recommending that sufficient turn-around area be specified on project construction plans for approval by the Planning Division and Garbage Company.

Architecture - The Center building complex is connected to, and architecturally integrated with, the parking structure. Both structures have flat roofs and are proposed to be constructed using concrete, steel and glass materials, with limited use of wood cladding. Modern in architectural style, the unique design of the proposed building and parking structure are considered by staff

to be consistent with the Mare Island Specific Plan's overall design objective for Reuse Area 1A "which is to look forward to the 21st century with the best of contemporary urban form, landscape and architecture while respecting Mare Island's unique cultural and natural resources."

The height, scale and mass of the building complex and adjacent parking structure appear to be compatible with the substantial 19-acre size of the site on which they are to be located. Large-scale buildings such as the proposed Center and parking structure are encouraged by the Mare Island Specific Plan to be located in the western portion of Reuse Area 1A in which the site is situated (smaller buildings are to occupy the eastern portion of Reuse Area 1A).

The proposed Center/parking structure height, scale and mass are further compatible with other prominent large historic developments on Mare Island and would better relate to the historic character of Mare Island than do the existing low-profile and more sprawling buildings on the site and in the surrounding development to the north and east.

With regard to exterior building materials, the Mare Island Specific Plan indicates that a large number of existing "utilitarian" buildings and other structures on Mare Island contribute in an important way to its unique visual character as illustrated by Reuse Areas 3 and 5. Many of the buildings in these reuse areas have exposed mechanical systems on the exterior walls, multiple oversized vents on the roofs, skylights with wire glass, and corrugated metal roofs. The project architecture is similar in this regard.

Landscaping – The proposed landscape plan features a somewhat formal and symmetrical design featuring an approximately 20-foot high earth berm that surrounds the western portion of the Center, a 1- 1/2-acre landscaped storm water detention basin, reflective gardens, a total of approximately 10-acres of lawn area, and mostly native plant materials. All existing on-site trees (nearly all ornamentals) are proposed to be removed and replaced with more trees.

The approximately ten-acres of lawn area would require a substantial amount of water for irrigation. Section 4.5vii of the Specific Plan indicates that: "lawn planting should be used sparingly." Staff is therefore recommending that the project landscape architect work with the City Landscape Superintendent and the Planning Division to integrate a combination of less water intensive ground cover materials into the project.

In an effort to preserve open views of the marshlands to the west of the Center, the applicant has agreed to work with the City during the final landscape design phase to maintain existing views of the marshlands from along Azuar Drive. This agreement is reflected as a condition of Unit Plan approval.

The proposed 20-foot high earth berm that surrounds the western portion of the building complex is planned to be angled at a 2:1 slope and planted with lawn and eucalyptus trees.

Staff feels that this steep of a slope planted with lawn would present mowing, irrigation and other maintenance problems. Staff is therefore recommending that a different kind of groundcover be proposed for this area for staff approval.

The G Street intersections with Azuar Drive, Walnut Avenue and Railroad Avenue are the primary vehicular and pedestrian entries to North Mare Island from the Causeway. These intersections are further identified as "special intersections" by the Specific Plan, thus requiring sensitive and coordinated design attention. Staff is recommending that a coordinated "special intersection" design plan be prepared for the above street intersections and submitted for approval by staff.

Views of the site from G Street are particularly important since G Street is one of only two vehicular entries to Mare Island. Staff is therefore recommending that landscaping along this frontage be particularly sensitive to this condition and be designed to incorporate planting schemes and materials that build upon and enhance the existing character of G Street.

G Street, Azuar Drive and Railroad Avenue are identified as "gateway and entrance corridors" in the Specific Plan to be developed with street trees, landscaped medians, and signing.

Street trees are proposed along the four streets that are planned to be reconstructed as a part of the project. Most of these trees are shown on plans to be spaced at 60- to 70- foot centers. Section 4.5.iv of the Specific Plan provides that: "street trees should be selected, located and maintained so that they may grow to form a canopy over the street." Staff is recommending that final landscape plans provide for sufficient infill for all street and street median trees.

A decorative street light design standard for the North Mare Island area has not as of yet been established. As a condition of project approval, staff is recommending that a program be developed, subject to approval by the Public Works Department and Planning Division, and that the future lighting standards be planned for the current project off-site street improvement areas consistent with the plan.

Section 4.8.2i of the Specific Plan requires that exterior lighting be consistent with the exterior building design. The design of the exterior building light fixtures and site lighting is recommended by staff to be submitted by the project architect and landscape architect for approval by the Planning Division.

Both the street sidewalk system and a portion of the on-site private walkway system are shown to be constructed in very close proximity to each other around the perimeter of the western half of the site. As an alternative to two sidewalks, staff is recommending that the two be combined into a single walkway that meanders around the perimeter of this site area and jointly serves both public and private purposes. A public access easement would need to be recorded for the combined walkway since it would generally be situated on private property beyond the public street right-of-way.

The 1-1/2-acre on-site storm water detention basin is designed with a curvilinear perimeter that will create a natural appearance. Creating a similar irregular bank slope for the basin would further accentuate the natural appearance. Plans do not indicate perimeter fencing around the basin which will greatly enhance its visual appearance, however, attention will have to be given to the design of the basin bank slope in order to insure that public safety is adequately accommodated.

The one-acre off-site storm water detention basin is more geometrically shaped than the on-site basin in terms of its linear perimeter and its consistently angled banks. Staff is recommending that a more naturally contoured basin be developed for aesthetic reasons, similar to the on-site basin. Since the off-site basin is remotely located, safety fencing may be required until such time as the site on which it is located is developed.

Section 4.8.4 of the Mare Island Specific plan includes discussion regarding the use of public art as an element of Mare Island project developments. The Specific Plan further identifies particular areas where public art might be included to enhance the overall character of areas such as in the Historic Core and at entry locations. The Plan provides examples of public art such as fountains, sculptures, memorials, murals, decorative banners, and mosaics. In addition, public art, where it is used, should commemorate the history of the area or provide an interpretation of a place, event, building or group of buildings associated with its location. At this point in the project conceptual planning process, the matter of public art has not as of yet been explored. However, since the G Street site frontage is identified as having three "special intersections," (including intersections with Azuar Drive, Railroad Avenue, and the future north terminus of Walnut Avenue at the project site on G Street) staff is recommending that project plans provide for public art at each of these three locations as an integral part of the landscape design.

The proposed project sign design plan has not as of yet been submitted. All future signs are required to conform to the Mare Island Specific Plan Sign Program as summarized in Section 4.9.2 of the Plan. The project sign design plan is conditioned to be submitted for review and approval by the Planning Division.

Circulation and Other Public Infrastructure Improvements – The project proposes various off-site infrastructure improvements required to serve the Center. Infrastructure will be over-sized to also address build-out conditions of Mare Island as anticipated in the Mare Island Specific Plan. Planned off-site improvements include the reconstruction of portions of G Street, Azuar Drive, Railroad Avenue, I Street, and the State Route 37 Interchange, as well as off-site storm drainage improvements. More specifically, improvements will consist of the following:

Azuar Drive – Approximately 4,100 feet of Azuar Drive from G Street to Railroad Avenue will be regarded, repaved and widened within a 102-foot wide right-of-way with four traffic lanes, 12-foot wide parkways and a central median divider. A new water line, sewer line, storm drain and dry utilities (electrical, gas, cable TV and communications) will also be installed.

Railroad Avenue – An approximately 900-foot long section of Railroad Avenue adjacent to the project site will be regraded and resurfaced within a 120-foot right-of-way to provide six traffic lanes, 12-foot wide parkways, and a central median divider. New water and sewer lines, storm drain and dry utilities will also be installed. Additionally, the applicant will construct interim improvements to Railroad Avenue, including restriping, to allow two-way traffic from G Street to the Highway 37 interchange.

I Street – I Street will be reconstructed as a new street and provide the primary access to the Center. A new water line is to be installed to replace the existing line and a new sewer line will also be installed.

G Street – The approximately 1,330-foot by 17-foot parkway along the project site frontage on G Street will be regraded and reconstructed to provide a new sidewalk and landscape improvements.

State Route 37 Interchange Improvements – The existing interchange will be modified to align with the internal street system of Reuse Area 1A. Improvements will also include construction of a bike/pedestrian path that connects to a scenic viewpoint to the north of State Route 37.

Off-Site Storm Drainage System Connecting to the Mare Island Straight Area – An approximately 2,000-foot long storm drain will be constructed to collect runoff from portions of Azuar Drive and I Street and convey it to an extended detention basin located east of Railroad Avenue. The detention basin will tie into an existing 36-inch RCP that connects to an existing outfall which then discharges to Mare Island Straight. No new outfalls and no modifications to the existing outfall point are proposed.

Parking – All parking is proposed to be provided on-site within a 3-story/4-level parking structure containing a total of 444 parking spaces. The minimum required parking ratio for research and development uses, such as the current project, is one space per 250 square feet of first floor gross floor area (66,740 square feet), and one space per 350 square feet of gross floor area for each floor above the ground floor (58,020 square feet). These ratios result in a minimum requirement of 444 on-site parking spaces to accommodate the proposed project. This is considered to be more than enough parking for the actual proposed level of use intensity.

Green Building Measures – The applicant is proposing to attempt to develop a LEED platinum project, reaching approximately 62 LEED scorecard points. This includes the following point values per LEED scorecard category:

- Sustainable site – 13 out of 14 possible points
- Water efficiency – 5 out of 5 possible points
- Energy and atmosphere – 15 out of 17 possible points
- Materials and resources – 10 out of 13 possible points

- Indoor environmental quality – 15 out of 15 possible points
- Innovation in design process – 4 out of 4 possible points.

Development Agreement - The proposed initial term of the Development Agreement is five years from the date that the ordinance approving the Development Agreement becomes effective and upon the applicant's acquisition of the property. The term may be extended by the City for one additional two (2) year period upon Touro's request in accordance with the terms of the Development Agreement.

Additional terms of the Development Agreement include the following:

- Touro will pay all regular City processing fees in effect at the time applications for permits are submitted.
- Touro will pay all City impact fees in effect as of the effective date of the Development Agreement, and any citywide increases to those fees.
- The project will be "revenue neutral" to the City; the annual cost of City services will be fully recouped from project property taxes, CFD payments and other project-related revenues.
- Touro will construct the infrastructure improvements (Azuar Drive, Railroad Avenue, and other improvements) as described in this staff report and the conditions of approval.
- The parties will use good faith efforts to negotiate a reimbursement agreement among Touro, Lennar Mare Island (LMI) and the City, or the City will form a benefit assessment district, setting forth Touro and LMI obligations and reimbursements for constructing over-sized infrastructure serving Mare Island.
- Touro will pay \$2,500 per month on an interim basis to be used exclusively for the maintenance of North Mare Island Reuse Area 1A properties owned by the City.
- The project and the infrastructure improvements will be subject to Davis-Bacon prevailing wage laws.
- Touro will make reasonable efforts to design the project to meet and achieve "LEED" platinum certification under the Green Building Rating System.
- Touro and its contractors will make good faith efforts to hire qualified Vallejo residents or former Mare Island employees, and to use qualified Vallejo businesses for services and products.

A resolution (attached) has been prepared for Planning Commission consideration, finding that the Development Agreement, as proposed, is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan; is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located; is in conformity with public convenience, the general welfare and good land use practice; will not be detrimental to the health, safety and general welfare; and will not adversely affect the orderly development of property or the preservation of property values.

ENVIRONMENTAL DETERMINATION

In connection with the approval of the Mare Island Specific Plan, the City certified a Final

Environmental Impact Statement/Environmental Impact Report for Disposal and Reuse of Mare Island ("EIS/EIR") on November 17, 1998, and adopted an addendum to those documents in February of 1999. A Subsequent Environmental Impact Report (SEIR) was approved by the City on November 29, 2005 in connection with the adoption of the Mare Island Specific Plan, Amended and Restated. The SEIR identified and analyzed the significant impacts associated with the incremental change in intensity and distribution of land uses on Mare Island from the original 1999 Specific Plan. Substantial environmental analysis and mitigations contained in these environmental documents have been relied upon in conjunction with the analysis of the Touro Cancer Treatment and Research Center project. All mitigation measures specified in these previous Mare Island environmental documents which are pertinent to the Touro Mare Island, LLC project are incorporated by reference into the project resolution that recommends adoption of the Mitigated Negative Declaration.

An Initial Study has been prepared for the proposed project. Potential significant impacts were identified in the areas of air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise. In all cases, mitigation measures were included that would reduce the potentially significant impacts to a less-than-significant level. Please refer to the Initial Study for a discussion of all potential significant impacts and listing of all mitigation measures. Following is a summary of these impacts and proposed mitigations:

Air Quality – Anticipated vehicle and construction-related air quality impacts are typical of other similar scale projects. Standard mitigation measures provided by the Bay Area Air Quality Management District (BAAQMD) are incorporated into the project to reduce these impacts to a less-than-significant level. These measures are generally aimed at reducing vehicular emissions and construction activity related particulate matter that is released into the air during construction and throughout the life of the use. Mitigation measures pertain to a variety of solutions such as carpool/vanpool programs, provisions to accommodate bicycling, reducing dust during construction, keeping the construction site and vicinity streets clean of mud and dirt, proper maintenance of construction vehicles, utilizing the services a dust control manager, etc.

Cultural Resources – No known historical, anthropological or paleontological resources are known to exist at the project site. For any project requiring grading, the potential exists that unexpected resources of this sort or human remains may be discovered. In the event that such should occur during project construction, land alteration work in the vicinity of the find is required to be stopped and a qualified professional consulted to evaluate the resource and to determine an appropriate management plan. If human remains are discovered, the County Coroner must be notified. If the Coroner determines that the remains are of Native American descent, the Coroner must contact the Native American Heritage Commission within 24 hours of the determination.

Geology and Soils – The Bay Area is a seismically active area. Construction within such areas has the potential of exposing people and structures to seismic-related hazards.

Construction techniques are required to insure that potential impacts are reduced to a less-than-significant level.

The preliminary geotechnical investigation report prepared for the project indicates that groundwater has been encountered at depths ranging from three to nine feet below the ground surface. Shallow groundwater could significantly impact grading and construction. Mitigation measures have therefore been incorporated into the project to reduce these to a less-than-significant level. Measures relate to dewatering, geotextile/gravel bedding, and aerated fill materials. Project design and construction are further required to conform to the requirements of a final geo-technical report with peer review by a City consulting engineering geologist.

Hazards and Hazardous Materials – The Center will produce contained radiation for curative cancer treatment procedures. A variety of mitigation measures are incorporated into the project to ensure that no significant impacts will result from the construction, transport, use and disposal of such materials, or from the risk of reasonable foreseeable upset or accident. Design, construction and operation will be subject to approval and on-going monitoring at the federal level by the Nuclear Regulatory Commission and at the state level by the California Department of Public Health - Radiologic Health Branch.

The construction of a new storm drain line, outfall and detention basin are planned to occur within the vicinity of a listed “leaky” underground storage tank site. Either this site will be fully remediated prior to construction of these improvements or the improvements will need to be specifically designed to mitigate potential hazardous impacts to less-than-significant level, or be relocated a significant distance away from this area to avoid potential impacts.

Hydrology and Water Quality – In order that project related construction and post-construction activities avoid potential violation of water quality standards, a Storm Water Pollution and Prevention Plan (including Best management Practices), and a Soil Erosion and Sedimentation Control Plan are to be prepared and implemented.

Noise – If not properly mitigated, construction vehicles and activities can create significant noise impacts. Mitigations have therefore been integrated into the project to ensure that construction related noise is held to a less-than-significant level. Mitigations include among other things: mandatory compliance with the noise level standards provided in the Vallejo General Plan, maximizing the physical separation between noise generators and noise receptors, limiting noisy construction activities and use of noisy vehicles and equipment to between the hours of 9 A.M. and 6 P.M., use of City approved haul routes, implementation of construction methods to minimize noise impacts created by pile driving, and through the appointment of a project construction “disturbance coordinator” to work with neighbors in an effort to pro-actively minimize project noise impacts.

Traffic volumes were not considered to present potentially significant impacts due to the relatively limited P.M. peak hour traffic generation projected for the project, and because of the substantial level of proposed off-site street and State Route 37 interchange improvements. The focused trip generation analysis completed by Omni-Means Engineers and Planners for the project and attached to this report projected that the project would generate only about 135 peak hour trips.

During the public review process for the project Initial Study and Mitigated Negative Declaration, however, concerns were raised by Lennar Mare Island and others about the sequencing of the proposed street improvements. In an effort to respond to and minimize these concerns, representatives of the City staff, Lennar Mare Island and Touro conducted a recent series of joint meetings. The result was the development of a street improvements sequencing plan intended to minimize impacts on the flow of traffic on Mare Island during and after the street improvements construction process. The sequencing plan consists of the following:

1. Completion of improvements to Azuar Drive north of G Street
2. Completion of the State Route 37 Interchange improvements
3. Completion of I Street improvements
4. Completion of limited G Street improvements
5. Interim improvements to Railroad Avenue from I Street to the State Route 37 Interchange (following the construction of the interim improvements on Railroad Avenue, the City will authorize two-way traffic on Railroad Avenue from G Street to the State Route 37 Interchange)
6. Walnut Avenue closure

The above street improvements sequencing plan is recommended by City staff to be incorporated into the project by way of a condition of approval of the PD Unit Plan.

Agency and Public Environmental Comments – The project Mitigated Negative Declaration and Initial Study were distributed on April 5, 2008 to the various City departments, local agencies, State Clearinghouse, federal agencies, and members of the public asking to be placed on the project mailing list. Some of the fourteen state agencies receiving these documents included: Department of Health Services, Department of Toxic Substances Control, Office of Statewide Health Planning and Development, Department of Public Health-Radiologic Health Branch, Caltrans, and the San Francisco Bay Area Water Quality Control Board. Federal agencies included the Nuclear Regulatory Commission and the Environmental Protection Agency. In addition, notice of the Mitigated Negative Declaration and public hearing were mailed to all property owners within 500 feet of the project site, published in the local newspaper, and posted at the City Offices.

The 30-day public agency and public comment period extended to June 2, 2008. During this period, comment letters were received from:

State Clearinghouse
State Department of Toxic Substances Control

State Department of Transportation
Lennar Mare island (2)
Morrison/Foerster on behalf of Lennar Mare Island
Alco Iron & Metal Company
Russ Barnes
Myrna Hayes

A City response to comments document pertaining to each of the above comment letters is attached to this report.

Conclusion - Although the proposed project could have a significant effect on the environment as described above and more specifically in the Initial Study, there is not expected to be a significant effect in this case because the mitigation measures and project revisions described in the Initial Study as to each potentially affected environmental factor will result in a project that has no significant effect on the environment. Each listed mitigation measure and project revision has been agreed to by the project proponent. Staff is therefore recommending that a Mitigated Negative Declaration be granted for the project.

STAFF RECOMMENDATIONS

Staff feels that the proposed project, as conditioned, is consistent with the Vallejo General Plan, Mare Island Specific Plan, Vallejo Municipal Code, and all other applicable City ordinances, standards, guidelines and policies. Therefore, staff recommends that the Planning Commission take the following actions:

- 1) Adopt the attached resolution approving the proposed Initial Study/Mitigated Negative Declaration and the proposed Mitigation Monitoring and Reporting Plan for the project;
- 2) Adopt the attached resolution approving the PD Unit Plan application for the project, subject to the conditions contained within the resolution;
- 3) Adopt the attached resolution recommending to the City Council that it approve the Development Agreement for the project.

ATTACHMENTS

1. Draft resolution approving the project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan
2. Draft Resolution approving PD Unit Plan #08 0002
3. Draft resolution recommending that the City Council approve Development Agreement #DA08-0002
4. Applicant's letter of consent to comply with the mitigations contained in the Mitigated Negative Declaration

5. Focused Trip Generation Analysis, dated January 24, 2008, prepared by Omni-Means Engineers and Planners
6. Development transfer approval letter, dated March 31, 2008
7. PD Unit Plan information package
8. PD Unit Plan Site, architectural and landscape design plans

PD Unit Plan #08 002 CONDITIONS OF APPROVAL

Planning Division

1. The street sidewalk system and the portion of the on-site private walkway system that circle the perimeter of the medical facility site shall be combined to jointly serve both public and private purposes subject to approval by the Planning Division and Public Works Department. A public access easement shall be recorded over the sidewalk.
2. Adequate truck turn-around area within the utility/outdoor storage yard shall be specified on project construction plans for approval by the Planning Division and Garbage Company prior to the issuance of a building permit.
3. A combination of low water use ground cover materials shall be used to replace the majority of the proposed on-site lawn areas. These changes shall be integrated into project landscape plans for review and approval by the City Landscape Manager and Planning Division prior to the issuance of a building permit.
4. The 1-1/2-acre on-site storm water detention basin shall be designed with irregular bank slopes to create a more natural appearance. The basin bank design shall be confirmed, or modified as necessary, so as to not require safety perimeter fencing.
5. The one-acre off-site storm water detention basin shall be designed with an irregular perimeter and vertical bank slopes to create a more natural appearance. The basin bank shall be designed so as to not require safety perimeter fencing. However, since this site is remotely located, safety fencing may be required until such time as the site on which it is located ultimately develops.
6. A coordinated "special intersection" design plan shall be prepared for the street intersections of G Street with Azuar Drive, Walnut Avenue, and Railroad Avenue and submitted for review and approval by the City Landscape Manager and Planning Division prior to the issuance of a building permit.
7. Views of the site from G Street are particularly important since G Street is one of only two vehicular entries to Mare Island. Landscaping along the G Street site frontage shall be sensitive to this condition and be designed to incorporate landscape schemes and plant materials that build upon and enhance the existing character of G Street, subject to review and approval by the City Landscape Manager and the Planning Division.
8. All street and street median trees shall be selected, located and maintained so as to grow to form a canopy over the street, subject to review and approval of the tree species by the City Landscape Manager. This condition applies to street medians, when constructed, on Azuar Drive and Railroad Avenue.

9. The applicant shall cooperate with the City during the planning of landscaping along the street frontage of Azuar Drive to maintain existing views of the marshlands from Azuar Drive.
10. Final project landscaping and irrigation design plans shall be prepared by a licensed landscape architect.
11. The exterior on-site lighting design shall be reflective of the building architectural design and consistent with the applicable provisions of Section 4.8.2 of the Mare Island Specific Plan, subject to approval by the Planning Division prior to the issuance of a building permit.
12. A decorative street light design program for North Mare Island shall be developed subject to approval by the Public Works Department and Planning Division, and the lighting standards planned for the current project street improvement areas shall be consistent with this plan. The lighting program standards shall be consistent with the applicable provisions of Section 4.8.2 of the North Mare Island Specific Plan.
13. Public art shall be provided at the G Street intersections with Railroad Avenue and Azuar Drive, and the north side of G Street at Walnut Avenue. The art design shall be consistent with Section 4.8.4 of the Mare Island Specific Plan, subject to review and approval by the Planning Division.
14. All future project signs shall be consistent with the Mare Island Specific Plan Sign Program as outlined in Section 4.9.2 of the Specific Plan, subject to sign design review and approval by the Planning Division prior to the issuance of sign permits.
15. The lawn proposed for the 20-foot high earthen berm that surrounds the western portion of the building shall be replaced with a ground cover(s) that is more suitable for maintenance on the 2:1 slope, subject to approval by the Planning Division.

Fire Department

1. The required fire flow shall be specified on the building and public improvement plans consistent with the 2007 California Fire Code, subject to approval by the Fire Prevention Division.
2. Fire hydrant locations and specifications shall be indicated on public improvement plans, subject to approval by the Fire Prevention Division.
3. Submit a numbered list to the Fire Prevention Division stating how each condition of project approval will be satisfied.

4. Automatic fire sprinkler extinguishing systems are required for all residential, commercial and industrial occupancies (2007 CFC Section 903 amended in VMC Section 12.28.060).
5. Prior to building permit issuance, building construction plans and plans required fire protection systems; automatic sprinklers, smoke alarms, etc. shall be submitted to the Fire Prevention Division for review and approval. All applicable plan review and inspection fees shall be paid.
6. Prior to the building permit issuance, the applicant shall install an approved and tested water supply system capable of supplying the required fire flow as determined by the Fire Chief. Water supply systems for staged construction shall provide required fire flows at all stages. (2007 CFC Section 508, Appendix B)
7. Prior to permit issuance, paved fire apparatus roads shall be installed for every building or stockpile of combustible materials located more than 150 feet from fire department vehicle access. Said access roads are to be posted "No Parking Fire Lane" and shall be not used for storage of materials. (2007 CFC Section 503.1.1)
8. Prior to occupancy/final building inspection, install 3A-40BC portable fire extinguishers as required by the Fire Prevention Division. (2007 CFC Standard 10-1; NFPA 10)
9. Prior to occupancy/final building inspection, install approved numbers or addresses on all buildings in such a position as to be clearly visible and legible from the street. Commercial occupancies shall have numerals or letters not less than 6 inches in height of contrasting background, and illuminated at night. (2007 CFC Section 505; amended VMC Section 12.28.1)
10. Prior to occupancy/final building inspection, install "No Parking Fire Lane" signs along interior access roadways, in location where vehicle parking would encroach on a 20-foot clear width of roadway (CVC Section 22500.1; CalTrans Traffic Manual, sign #R26f).
11. Prior to occupancy/final building inspection, all applicable fees shall be paid before a final Fire Prevention inspection shall be conducted. All meeting and inspections require a minimum 24-hour advance request.
12. Development sites shall be maintained weed free during construction. (2007 CFC Section 304.1.2)

City Traffic Engineering

1. Upon completion of the required improvements, Railroad Avenue will be available for truck traffic, one lane in each direction until the full improvements for Railroad Avenue are constructed. There is no requirement for full improvements to Railroad Avenue from "I" Street to new intersection of Railroad and Azuar Drive as part of this project approval. The construction of Azuar Drive will be phased so as not to disrupt access to existing businesses

located in Reuse Area 1B where the Alco Iron & Metal Company is located. Azuar Drive will not be closed. Access and construction staging plans are to be part of the construction documents to be reviewed and approved by the City Engineer.

Public Works Engineering Division

1. Prior to acceptance of improvements, submit to Public Works a Record of Survey for review and approval. The record of survey shall be prepared by a licensed land surveyor or registered civil engineer authorized to practice land surveying in the State of California. The purpose of the Record of Survey is to set street monuments and show all proposed dedications describing the G Street, Azuar Drive, Railroad Avenue and I Street rights of way, Public Utility Easements, Landscape Maintenance Easements and any other dedications intended for the City.
2. Prior to acceptance of improvements, deliver grant deed(s) of public rights of way to the City for G Street, Azuar Drive, Railroad Avenue and I Street and such grant deed(s) shall reference the Record of Survey. The public rights of way shall be wide enough to accommodate the ultimate design of the road.
3. The public right of way for Azuar Drive shall be a minimum of sixty-nine feet wide to accommodate one fourteen-foot lane, one twelve-foot lane and a one and one-half-foot gutter in both the northbound and southbound directions from the intersection of Railroad Avenue to Station 29+00, to the satisfaction of the City Engineer.
4. The width of the medians at left turn pockets shall be a minimum of four feet wide from face of curb to face of curb.
5. Provide a traffic analysis to determine required left turn pocket lengths.
6. Prior to acceptance of improvements, deliver grant deed(s) of easements to the City for Public Utility Easements, Landscape Maintenance Easements and any other type of public easement. Such grant deed(s) shall reference the Record of Survey.
7. Identify on the Record of Survey landscape maintenance easements (LME), open spaces and public utilities easements (PUE) to be conveyed to the City.
8. All public roadways shall be monumented per City standards. If monuments are not installed prior to approval of the Record of Survey, the applicant shall furnish to the City security, guaranteeing the payment of the cost of setting monuments for the Record of Survey prior to the approval of Record of Survey.
9. Sufficient right of way shall be dedicated to accommodate the traffic signals proposed at the intersection of G Street and Azuar Drive as well as Railroad Avenue and Azuar Drive and any other intersection. The right of way dedication shall also be sufficient to accommodate the curb returns, including curb ramps.

10. Prior to approval of the Record of Survey, the developer shall pay to the City charges required by Solano County for providing copies of the recorded map to the City and applicable Public Works Department map check fees.
11. Prior to commencement of construction, the applicant shall enter into a Public Improvement Construction Agreement with the City, and pay to the City all applicable plan check and inspection fees for on-site and off-site grading and improvements, and post performance and payment bonds for site grading and improvements as required by City Standard.
12. Applicant is responsible for the improvements along the northern right of way of G Street, beginning at the back of curb.
13. Within two years of the execution of the Public Improvement Agreement, applicant shall complete the process and obtain acceptance, of the G Street, Azuar Drive, Railroad Avenue and I Street improvements, by the City. The applicant may request for a time extension per the details outlined in the Public Improvement Agreement.
14. Prior to approval of the Improvement Plans, obtain permits required for development from governmental and other jurisdictional agencies, such as California Water Quality Control Board, Dept. of Toxic Substance Control, U.S. Fish and Wildlife Service, etc., as applicable, and submit copies to the City Engineer.
15. Prior to approval of the Improvement Plans, provide evidence that the existing off-site Mare Island infrastructure planned to be used to support this project meets City Standards.
16. Submit street signing and striping plans for review and approval by the City Engineer. Plans shall comply with CalTrans and City of Vallejo standards.
17. Submit hydrology calculations to the City Engineer to show that the proposed street sections have been designed to include drainage (the dry travel lanes to be a minimum of ten feet), so as to serve the drainage and collect runoff, per City Standards. A street gutter is not part of the travel lane.
18. Driveway location, width, and slope shall conform to City Standard.
19. Adequate line of sight per the Highway Design Manual shall be provided for all the access locations, including driveways.
20. The public utility and street tree easement width must be as wide as is necessary (normally six to ten feet) to house, without any conflict, all utility boxes and appurtenances, street trees, gas, electric, street lights, fire hydrants, water meters, telephone, cable, etc. Show proof that adequate room is provided to the satisfaction of the City Engineer.
21. Relocate any existing utility line that may be in conflict with the proposed improvements into a public utility easement. This shall not preclude abandonment in place of utility lines where appropriate and approved by the City Engineer.
22. Bus circulation shall be considered during the construction design of North Mare Island. City standard bus stops shall be provided to the reasonable satisfaction of the City Engineer. The

location and amount of bus stops shall be determined by the City Engineer and at minimum there shall be two City standard bus stops.

23. Prior to approval of the Improvement Plans a Local Improvement Benefit District, pursuant to Chapter 14.36 of the Vallejo Municipal Code or other funding mechanism acceptable to the City, for backbone infrastructure on Mare Island shall be formed.
24. Prior to issuance of building permits, existing Island Energy (IE) easements and any other easements affected by the proposed project shall be quit claimed to developer by IE or easement beneficiary. Acceptance of right of way by the City shall be conditioned upon the existing easements within the proposed right of way being quit claimed.
25. The Federal Emergency Management Agency (FEMA) has provided the City with a "MARE ISLAND WORK MAP" dated May 26, 2005. According to the "MARE ISLAND WORK MAP", portions of the off-site improvements are within the 100-year flood zone. All improvements, including utilities, within the flood zone shall be in conformance with Chapter 7.98 of the Vallejo Municipal Code pertaining to floodplain management standards and regulations.
26. Centerline of streetlights within landscape strips shall be installed 2.5 feet from face of curb.
27. Submit turning templates for the parking structure and cul de sac showing how adequate vehicular turning movements are provided to the satisfaction of the City Traffic Engineer and City Engineer. Parking aisles shall have a minimum width of twenty-five feet.
28. Prior to issuance of a certificate of occupancy, establish a CDF or other funding mechanism mutually acceptable to the City and developer for operation and maintenance of public open space, landscaping, irrigation systems, drainage ditches, operation and maintenance of non-standard street lighting and other public facilities subject to the approval of the Planning Division, Public Works Director, and the City Attorney.
29. During construction, it shall be the responsibility of the contractor to provide for safe traffic control in and around the site. This may include but not be limited to signs, flashing lights, barricades and flag persons.
30. All curb returns shall be a minimum of 30-foot radius per the City Standards and Specifications.
31. Provide full roadway width asphalt concrete overlay where multiple transverse utility crossings have been installed within existing roadways per City Standard.
32. All grading shall be in conformance with Chapter 12.40 of the Vallejo Municipal Code for grading and excavation.
33. Site drainage shall be collected on-site and conveyed to the public storm drain system. Sheet flow of water over driveways, sidewalks, slopes, or onto adjacent parcels shall not be permitted. Sidewalk cross drains shall be installed per City Standard to carry surface water into the gutter.
34. Retaining walls over 1-foot in height shall be reviewed and approved by the Public Works Department and Building Division. Building permits shall be required.

35. Prior to acceptance of the project, the landscape architect for the project must perform a complete and thorough field review of the landscape irrigation and planting within the project and provide the City in writing a certificate that all landscaping, planting, and irrigation within the project is in full compliance with the City ordinances and guidelines and approved landscape, planting and irrigation plans.
36. Any off-site grading shall require written permission from the owner(s) of the property on which grading is to be performed.
37. Dust and erosion control shall be in conformance with City Standard and ordinances. State Water Quality Control Board regulations and the project Storm Water Pollution Prevention Plan (SWPPP) shall be adhered to.
38. Prior to occupancy, all utilities and street improvements necessary to support the project to be occupied shall be substantially complete to the satisfaction of the City Engineer.
39. If decorative street lighting is proposed for the project, prior to acceptance of the project deliver one complete streetlight assembly (pole, luminaire and lamp) to the City of Vallejo Corporation yard for every 25 city street lights, or fraction thereof, identified on the approved street light plan.
40. Walnut Avenue shall remain open to the public until Azuar Drive and the interim Railroad Avenue improvements have been substantially completed as determined by the City Engineer.
41. All public curb ramps and walkways shall comply with the Americans with Disabilities Act (ADA).
42. Prior to obtaining a grading permit submit a complete and comprehensive soil and geological report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor.

Vallejo Sanitation and Flood Control District

1. Existing storm drain and/or sanitary sewer facilities that are to be abandoned in place shall be filled with grout, otherwise they shall be removed.
2. The storm overflow pattern will need to be shown on the grading plans. Determine the 100-year storm tributary area. This may differ from the 15-year tributary area. Ensure that there are no buildings within the limits of the 100-year storm overflow pattern. Ensure that there is an overland release of pond surface water at least one foot below any building floor space (habitable living space, storage, etc.), and at least 6-inches below the ground surface outside of any subterranean basement space.
3. There will need to be a geotechnical report that addresses the potential for settlement, and differential settlement, of underlying soils as a result of cut, fill and grading. The report will need to address the ultimate slope of the gravity pipes based on the as-built slopes and the potential for settlement.
4. There will need to be a master utility plan (MUP) for the sanitary sewer system. The MUP will need to show rims and inverts, slopes for pipes and pump station(s) to ultimately serve the Touro campus. Design

will need to be supported by calculations. VSFCDD will need to see it demonstrated that SS will not ultimately be required in Azuar Drive from stations 9+00 to 49+00. If SS will be required in this part of Azuar Drive it should be constructed as part of the subject improvements. Note that there is existing live SS in Azuar Drive that serves properties SW of Azuar Drive. This will need to be accounted for in the design of the new roadway.

Water Superintendent

1. For all of the buildings to be removed, any existing water services serving the buildings shall be abandoned at the water main in the street per the Water Superintendent requirements.
2. Existing water facilities and services shall be shown on the plans and shall be kept in service until the proposed water facilities and services are placed in service.
3. The proposed 20-inch water main can be reduced to an 18-inch water main.
4. The proposed water main pipe material shall be C-900 or C-905 PVC with push-on DIP fittings and valves.
5. All buried metal material installed for the water system shall be triple-wrapped with polyethylene (minimum 24 mils thickness) and securely taped in place.
6. The proposed water system shall also connect to the existing water system at Railroad Avenue and I Street and at Railroad Avenue and Highway 37.
7. Some of the existing water services were not shown on the plans. These need to be shown on plans and connected to the proposed water system.
8. All existing water meters and BFD's shall be relocated to the back of the proposed sidewalk.
9. The proposed meters and BFD's for the proposed building shall be placed in a landscaped area at the back of sidewalk.

Vallejo Garbage Service

1. The final site plan shall indicate the location of the proposed trash enclosure and compactor area. These facilities shall be architecturally screened consistent with the building architecture from all on-and off-site public views, subject to design approval by the Vallejo Garbage Service and the City of Vallejo Planning Division. Vehicular access to this area shall further be subject to approval by the Vallejo Garbage Service and the City Planning Division.

STANDARD REQUIREMENTS

Planning Division

1. All parking spaces shall be demarcated, per City of Vallejo standards.
2. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
3. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
4. There shall be no outdoor storage or display of any kind except as allowed per Chapter 16.70 and 16.77 (VMC).
5. All mechanical equipment and utility meters shall be screened in a manner approved by the Planning Division. Electrical transformers shall be screened or placed underground.

6. All vents, gutters, downspouts, flashings, electrical conduits, etc., shall be painted to match the color of the adjacent surface.
7. All roof-mounted mechanical devices and their components such as air conditioners, heating equipment, exhaust fans, vents or ducts, or similar equipment shall be screened from view in a manner approved by the Planning Division. All wall-mounted air conditioners shall be flush mounted.
8. Obtain an inspection from the Planning Division prior to occupancy/final building inspection. All inspections require a minimum 24-hour notice. Occupancy permits shall not be granted until all construction and landscaping are completed and finalized in accordance with the approved plans and required conditions of approval or a bond has been posted to cover all costs of the unfinished work as agreed to by the Planning Manager.
9. The conditions herein contained shall run with the property and shall be binding on the applicant and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.
10. The applicant shall establish a recycling program for the building in coordination with the Planning Division and when established, either participate in the Citywide commercial recycling program or demonstrate to the satisfaction of the Planning Division that the established recycling program is sufficient.

Fire Department

1. Additional fire hydrant(s) may be required. Submit a complete set of plans for review and approval. All fire hydrants are to have "blue dot" highway reflectors installed on the adjacent street of the driveway to clearly identify the fire hydrant locations. (2007 CFC Section 508.5, Appendix C)
2. If security gates are desired at any entrances to the project, they shall be provided with an entry system approved by the Fire Department.
3. An approved manual, and/or automatic fire alarm system is required for this project in accordance with section 1006.2 of the CFC.

Public Works Engineering Division

1. Prior to building permit issuance, submit a numbered list to the Planning Division stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
2. All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The City Engineer has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (COV, Regulations & Standard Specifications, 1992).
3. Prior to building permit submittals, submit three sets of plans for onsite and offsite improvements to the Department of Public Works for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations and pertinent reports. (COV, Regulations & Standard Specifications, 1992 Section 1.1.7-A).

4. Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor. Site grading shall comply with City Municipal Code. (VMC, Chapter 12.40).
5. In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary. (VMC, Section 10.14).
6. During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the Department of Public Works shall shut down the grading operation. (VMC, Section 12.40.080).
7. Prior to building permit issuance or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the Department of Public Works for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (VMC, Section 12.40.070-R).
8. Entrances to any private project must be standard driveway approaches unless deviation is permitted by the City Engineer. If a curb return is permitted for a private entrance, the entrance shall have stamped asphalt concrete five feet in depth for the width of the entrance, as a delineation of private property. (VMC, Section 12.04.100 and 16.62.150).
9. Obtain a street excavation permit from the Department of Public Works prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (VMC, Section 10.08).
10. Prior to building permit issuance, obtain an encroachment permit from the Department of Public Works for all work proposed within the public right-of-way. (VMC, Section 10.16).
11. Prior to start of construction, submit a traffic control plan to the Department of Public Works for review and approval. (Caltrans Traffic Manual).
12. Construction inspection shall be coordinated with the Department of Public Works and no construction shall substantially deviate from the approved plans. (COV, Regulation & Standard Specification Sections 1.1.4 & 1.1.5).
13. The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the Department of Public Works and, when applicable, by Vallejo Sanitation and Flood Control District. Changes shall be made in the field only after approval by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (COV, Regulation & Standard Specification Section 1.1.9).

14. Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance. (VMC, Section 15.12.090, Resolution Nos. 84-554 N. C. and 02-55 N. C.)
15. Prior to occupancy/final building inspection, install the improvements required by the Department of Public Works including but not limited to streets and utilities. (VMC, Section 12.04.060).
16. Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the City Engineer. (VMC, Section 10.04), unless a time extension for completion of improvements has been granted by the City Engineer.
17. Prior to release for occupancy, plant required street trees in accordance with City Municipal Code. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (VMC, Section 15.06.190 and Regulations and Standard Specifications Section 3.3.48).
18. The developer shall provide joint trench plans for the underground electrical, gas, telephone, cable television and communications conduits and cables including the size, location and details of all trenches, location of all building utility service stubs and meters and placement or arrangements of junction structures as a part of the Improvement Plans submitted for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. (VMC, Sections 15.06.160&170).
19. There are fiber optic and /or copper signal inter connect cables located at the edge of the roadway or under the sidewalk. The plans should address either the relocation of these cables or a note should be made of the cable location. A warning should be included on the plans stating that if the cable damaged, the entire length of the cable between the two nearest hubs will be replaced by the contractor unless otherwise authorized by the City Engineer.

Vallejo Sanitation and Flood Control District

1. Applicant shall pay all fees (plan review fees, connection fees, etc.) required by VSFCDD for the subject project.
2. Improvement plans shall comply with the VSFCDD Engineering Design Standards and Policies, within the Master Bid Document dated March 2007 or later, regarding design and construction of storm drains (SD) and sanitary sewer (SS) facilities. Improvement plans shall indicate that proposed improvements are to be constructed in accordance with Standard Plans and Specifications included in the VSFCDD Master Bid Document dated March 2007, or later edition.
3. Grading and improvement plans shall include storm water pollution prevention plans for use during site development and building construction to mitigate impacts of this development. This plan shall include calculations, measures related to debris, refueling areas, disposal of excess materials, site clean-

up, hazardous substance containment, street cleaning, catch basin cleaning, and other similar measures (see Section 10 Storm Water Runoff of the VSFCO Engineering Design Standards and Policies).

4. VSFCO reserves the right to require that gravity sewers with lateral connections be no more than 10-feet deep.

5. Pretreatment of storm drainage water runoff is required. Storm drainage runoff shall be conveyed over landscaped areas or otherwise treated using structures before discharging into the public system. This is to improve the storm water quality leaving the site. As much as practicable, developer shall incorporate measures described in "Start at the Source" a residential site planning and design guidance manual for storm water quality protection (written by BASMA) as a means of mitigating project impacts, and reduce impacts of increases in impervious surfaces. For the current phase of work this requirement will be satisfied by the on-site detention basin.

6. The development shall be planned so that all VSFCO SD and SS facilities shall be accessible by standard access. Standard access means that each structure (MH or CB) shall be accessible by an AC paved path, 15-feet wide from the public street to each maintenance structure (MH, CB, etc.), such that VSFCO maintenance vehicles can drive to and park over the facilities. Unless otherwise allowed by VSFCO, District vehicles must be able to drive forward in and forward out. The designer shall refer to VSFCO Engineering Design Standards and Policies (No. 2-03 and 5-07) and VSFCO standard detail No 25 for access criteria.

Water Superintendent

1. All water system improvements shall be consistent with the Vallejo Water System Master Plan, 1985, prepared by Kennedy/Jenks Engineers as updated by Brown & Caldwell, 1996. Prior to improvement plan approval and building permit issuance, water system improvement plans shall be submitted to the Water Division for review and approval, and shall contain at least:

- a. Location and size of fire service connection(s)
- b. Location and size of domestic service connection(s)
- c. Location and size of irrigation service connections(s)
- d. Location of fire hydrants
- e. Location of structures with respect to existing public water system improvements, such as mains, meters, etc.
- f. Location and size of any new water mains
- g. Location and size of backflow prevention devices (required on water service connections to irrigation systems, certain commercial water users, and to commercial fire sprinkler systems, per City Ordinance 922 N.C. (2d).Code

2. Fire flow requirements of the Fire Department shall be complied with. Fire flow at no less than 25 psig residual pressure shall be available within 1,000 feet of any structure. One-half of the fire flow shall be available within 300 feet of any structure.

- a. For single-family residential units, the fire flow is 1,500 gpm.
- b. For other developments, see the Vallejo Water System Master Plan, 1985, prepared by Kennedy Jenks and its latest update by Brown Caldwell dated April 1996.

3. Prior to improvement plan approval and building permit issuance, hydraulic calculations shall be submitted to the Water Superintendent demonstrating that the fire flow requirements are complied with.
4. Fire hydrant placement and fire sprinkler system installation, if any, shall meet the fire requirements of the Fire Department. For combined water and fire services, the requirements of both the Fire Department and the Vallejo Water System Master Plan, with the latest revisions, shall be satisfied.
5. Easements shall be granted for all water system improvements installed outside the public right-of-way in the City's Standard Form for Grant of Water Line Easement with the following widths:
 - a. 15 feet wide (minimum) for water mains
 - b. 10 feet wide (minimum) for fire hydrants, water meters, backflow preventers, double detector check valves, etc.
 - c. Other facilities will be reviewed by the Water Division.
6. Water service shall be provided by the City of Vallejo following completion of the required water system improvements and payment of applicable fees. Performance and payment bonds shall be provided to the City of Vallejo prior to construction of water system improvements. Fees include those fees specified in the Vallejo Municipal Code including connection and elevated storage fees, etc., and fees for tapping, tie-ins, inspections, disinfection, construction water, and other services provided by the City with respect to the water system improvements. The Water Division may be contacted for a description of applicable fees.
7. Prior to occupancy or final building inspection, install water system improvements as required. Backflow device(s) where required, shall be installed in areas hidden from public view and/or shall be mitigated by landscaping.

GENERAL CONDITION

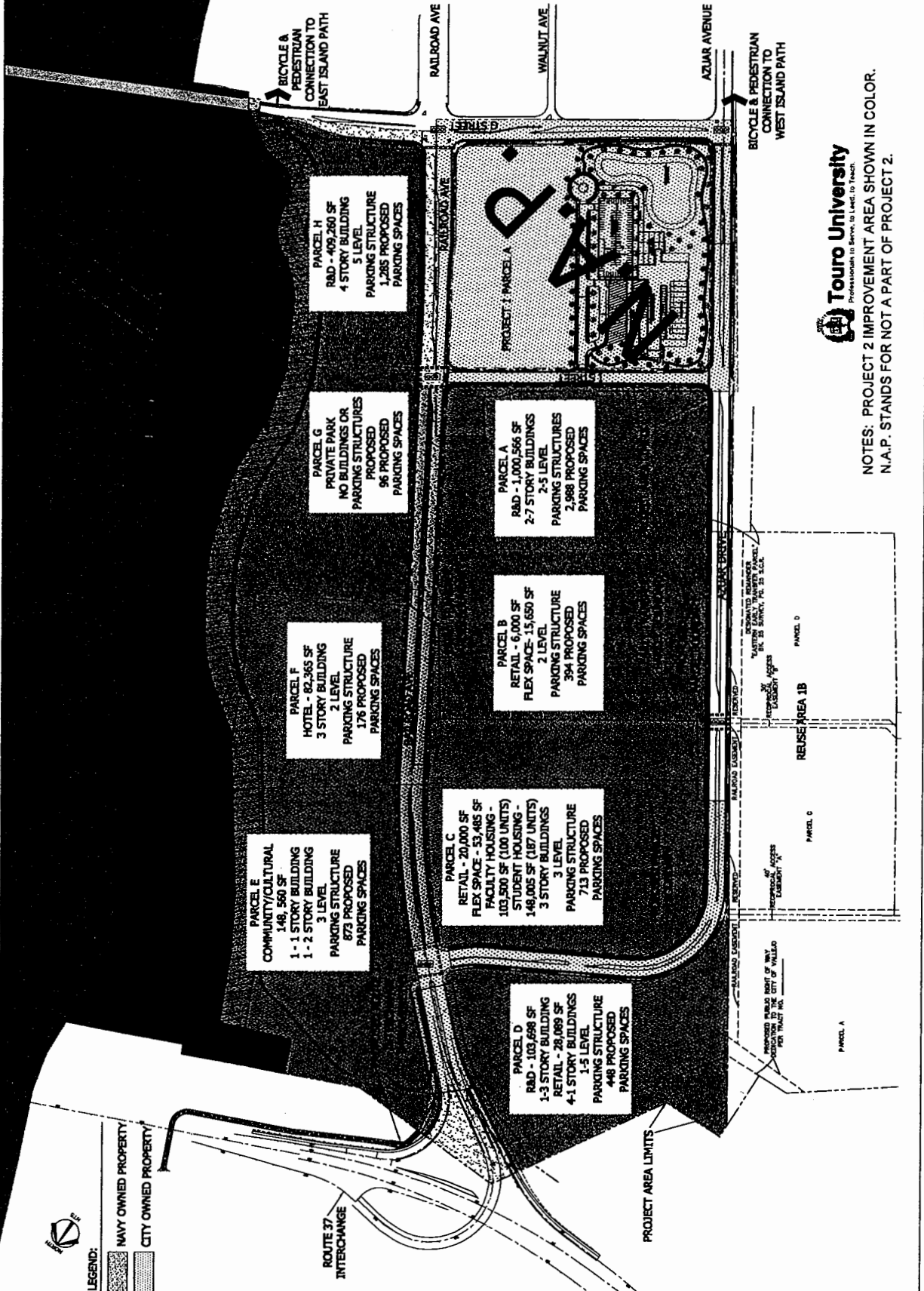
1. The applicant shall defend, indemnify, and hold harmless the City of Vallejo and its agents, officers, and employees from any claim, action, or proceeding against the City and its agents, officers, and employees to attack, set aside, void, or annul this approval by the City. The City may elect, at its discretion, to participate in the defense of any action.

APPEAL PROCEDURE

The applicant or any party adversely affected by a decision of the Planning Commission may within ten days after the rendition of the decision of the Planning Commission appeal in writing to the City Council by filing a written appeal with the City Clerk and Planning Division. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision by the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

EXPIRATION

Approval of a unit plan shall expire automatically thirty-six months after approval of the master plan unless authorized construction has commenced prior to the expiration date; however, after this thirty-six month period, if said authorized construction has commenced, the unit plan shall expire upon expiration of the building permits.



Touro University
 Professionals to Serve, to Lead, to Teach.
 NOTES: PROJECT 2 IMPROVEMENT AREA SHOWN IN COLOR.
 N.A.P. STANDS FOR NOT A PART OF PROJECT 2.



COUNCIL COMMUNICATION

Date: July 22, 2008

TO: Mayor and Members of the City Council

FROM: Craig Whittom, Assistant City Manager / Community Development
Bob Adams, Development Services Director
Don Hazen, Planning Manager

SUBJECT: UPDATE ON TEMPORARY LAND USE REGULATIONS FOR THE GEORGIA STREET CORRIDOR IN THE DOWNTOWN SPECIFIC PLAN AREA

BACKGROUND & DISCUSSION

On June 12, 2007, the City Council adopted temporary land use regulations for the Georgia Street Corridor in the Downtown Specific Plan area (Attachment 1). The regulations became effective on July 26, 2007. One of the provisions of the adopted resolution was for staff to provide the City Council an update after one year.

The intent of the temporary regulations is to ease the restriction on ground floor uses to help reduce the vacancy rate and stimulate the economic development of downtown. The temporary regulations permit the establishment of specific non-retail uses until July 26, 2009, and once established, those uses would be permitted to remain until July 26, 2015. Beyond that date, the interim tenants would be required to vacate their space and the Specific Plan would become the sole guide for determining future uses.

During the past year, the Planning Division only received one application for an interim use--an indoor children's recreational facility. However, staff continues to receive numerous inquiries from potential tenants proposing uses that are neither permitted as permanent nor temporary. Irrespective of the broader economy, it is staff's opinion that the temporary regulations have not achieved the desired objectives and that further analysis is justified.

Planning and Economic Development staff will meet with representatives of the downtown groups to explore other options that could help stimulate development in the downtown. Just before this report deadline date, the Georgia Street Corridor Task Force submitted a proposed resolution outlining revisions they would like to see for the Georgia Street corridor. Staff has not yet been able to analyze the proposal, but intends to meet with the group to further discuss their ideas. Staff also recognizes the need to balance temporary regulations with the need to preserve the long term integrity of the Specific Plan. Staff anticipates bringing an update and possible resolution of intention to the City Council in 3-4 months.

ENVIRONMENTAL REVIEW

This is an information item only and is not considered a "project" under the California Environmental Quality Act (CEQA).

FISCAL IMPACT

This is an information item only and will have no fiscal impact on the City. Any proposed future changes in the downtown land use regulations will include an analysis of fiscal impact.

RECOMMENDATION

Receive and file.

ATTACHMENTS

1. Excerpt, temporary downtown land use regulations
2. Georgia Street Corridor Task Force proposal

PREPARED BY/CONTACT

Don Hazen, Planning Manager, 707-648-4328; dhazen@ci.vallejo.ca.us

Exhibit A

TEMPORARY LAND USE REGULATIONS, GEORGIA STREET CORRIDOR
(GROUND FLOOR)

1. For a period of time beginning on July 26, 2007 and ending on July 26, 2009, the following land use types may be permitted to establish occupancy on the ground floor of the Georgia Street Corridor with approval of an Administrative Permit from the Planning Department, and subject to any conditions applied with such permit, including but not limited to a recorded land use agreement between the City, property owner and tenant. Once such occupancy has been legally established*, the use may be permitted to continue occupancy until July 26, 2015, at which time the use must cease in accordance with the terms of the land use agreement. All other requirements shall otherwise be subject to the applicable regulations of the Downtown Vallejo Specific Plan.

Land Use Types:

Administrative & Professional Services (VMC Sec. 16.06.240)
Business Support Services (VMC 16.06.300)
Communications Services (VMC Sec. 16.06.310)
Financial Insurance and Real Estate Services (VMC Sec. 16.06.360)
Participant Sports and Recreation, Indoor (VMC Sec. 16.06.420)
(e.g. fitness clubs, yoga, martial art studios, dance, etc.)

2. For a period of time beginning on July 26, 2007 and ending on July 26, 2009, Medical Offices (VMC Sec. 16.06.405) and Medical Services (VMC Sec. 16.06.410) may be permitted to establish occupancy on the ground floor of the Georgia Street Corridor with approval of a Conditional Use Permit pursuant to VMC 16.82 and subject to any conditions applied with such permit, including but not limited to a recorded land use agreement between the City, property owner and tenant. Once such occupancy has been legally established*, the use may be permitted to continue occupancy until July 26, 2015, at which time the use must cease in accordance with the terms of the land use agreement. All other requirements shall otherwise be subject to the applicable regulations of the Downtown Vallejo Specific Plan.

*NOTE: Temporary Use approval under this amendment does not give rise to any rights to occupy the building which do not already exist. Compliance with applicable Vallejo Municipal Code sections prior to occupancy may be required.

MEMORANDUM

To: Participants in the Georgia Street Corridor Task Force
and Other Interested Parties
From: David Fischer
Re: Proposed Ordinance (Rev. #5)
Date: 07/13/08

I. BACKGROUND

The Task Force was set-up to seek a relaxation of the current land use restrictions within the Georgia Street Corridor of the Downtown Specific Plan. With the poor economic situation, a high vacancy rate, and the lack of a project being constructed by Triad, it was thought that the land use regulations within the Georgia Street corridor need to be revised to encourage businesses to move in. The Task Force recognized that a total repeal of the current land use restrictions would probably not be in the best interests of the Downtown, so a balance was sought between uses that could bring new people (employees and/or customers) into the Downtown, and uses that would be detrimental to that goal (uses perceived to harbor crime, perceived to be anti-family, etc.).

Because I was, until recently, the acting Municipal Attorney for Bethel Island, California, and have had several years of experience writing Ordinances, I was given the assignment of drafting a proposed Ordinance to resolve the Task Force's issues for the Georgia Street Corridor.

I started my assignment by reviewing Table 8.1 and Table 8.2 of the Downtown Specific Plan (available on the City's website at www.ci.vallejo.ca.us/uploads/155/1575.pdf). Those tables refer to, and incorporate by reference, uses in the Vallejo Municipal Code. Unfortunately, when it comes to land use descriptions, the Vallejo Municipal Code is antiquated and leaves a lot to be desired. When I pointed that out to the Planning Department, I was informed that the Planning Department uses a 21 page "cheat sheet" for guidance on how to classify specific uses among the Municipal Codes's broad definitions.

I then went through the "cheat sheet" and compared its contents to Table 8.1 and Table 8.2, in an attempt to identify undesirable uses that would be allowed unless the Specific Plan was changed, and desirable uses that would be prohibited unless the Specific Plan was changed.

Next, I drafted a proposed Ordinance that implements the changes I identified. That proposed Ordinance was circulated to the Task Force members, and some refinements were made at the July 10, 2008 Task Force meeting. A "revision #5" of the proposed Ordinance was then created.

Below are specific notes on the changes that would be made to the Specific Plan's Land Use Regulations if "revision #5" of the proposed Ordinance were to be adopted.

MEMORANDUM

To: Participants in the Georgia Street Corridor Task Force
and Other Interested Parties

From: David Fischer

Re: Proposed Ordinance (Rev. #5)

Date: 07/13/08

Page 2 of 5

SPECIFIC CHANGES MADE BY THE PROPOSED ORDINANCE

Section 2.A: This provision abolishes all of the land use regulations within the Georgia Street Corridor, and substitutes the land use regulations for the Central Downtown area (i.e. Virginia Street), except as noted in later subsections.

Section 2.B: The provisions in this subsection contain the uses that are allowed on Virginia Street that the Task Force did not want on Georgia Street. (Note: The uses are listed in the same order as they now appear in Table 8.1 of the Specific Plan.)

2.B.(a) contains the Task Forces' prohibition on certain types of Medical uses.

2.B.(b) is the Task Force's prohibition on certain sub-categories of "Personal services, general." The prohibited uses are: (i) Barber shops; (ii) Bath (steam, Turkish or other); (iii) Beauty shops; (iv) Dating services; (v) Escort services; (vi) Massage parlor; and (vii) Shoeshine stands. (This list of sub-categories was created by examining pages 13 and 14 of the "cheat sheet" referred to above.)

2.B.(c) and 2.B.(d) are necessary because adult uses are allowed on Virginia Street. (It was the consensus of the Task Force that somehow we all missed this in our prior examination of the Specific Plan.)

2.B.(e) prohibits a "welfare office" which, according to page 2 of the "cheat sheet," is a sub-category of "Administrative service" and therefore is presently allowed (on the upper floors) in the Georgia Street Corridor.

2.B.(f) will prohibit all clinics.

Section 2.C: This provision specifies that certain uses are allowed on Georgia Street even though the Specific Plan prohibits them on Virginia Street.

2.C.(a) eliminates a technical prohibition on the sale of anything involving construction, including tools. As page 9 of the "cheat sheet" reveals, the sale of construction related items is classified as "Construction sales and services." Sub-category #39, for example, is the sale of tools. The Planning Department assured me that they have been ignoring this technical prohibition throughout Vallejo by classifying stores such as Harbor Freight (a tool store) as "retail sales." However, that policy could easily change with a different administration at City Hall, so it was decided that the Task Force had better "officially" cure the problem now, at least in so far as the Georgia Street Corridor is concerned. So, all 41 sub-categories on page 9 of the "cheat sheet" were examined and those sub-categories that the Task Force thought should be allowed Downtown were extracted. "Wholesale" sales were allowed for the simple purpose of getting businesses downtown.

MEMORANDUM

To: Participants in the Georgia Street Corridor Task Force
and Other Interested Parties

From: David Fischer

Re: Proposed Ordinance (Rev. #5)

Date: 07/13/08

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2.C.(b) is necessary because medical offices (of the type that we will allow on Georgia Street) are prohibited on the ground floor on Virginia Street, and the Task Force determined that those specific Medical uses should be allowed on any floor within the Georgia Street corridor.

2.C.(c) is intended to allow, without any special permit, some sub-categories of "Participant sports and recreation, Indoor." Specifically, the following sub-categories would be allowed: (i) Body building studios; (ii) Clubs, athletic; (iii) Gymnastics/aerobic studios; and (iv) Health clubs and spas. (This list of sub-categories was created by examining page 12 of the "cheat sheet" referred to above.)

Section 2D: This provision allows in the Georgia Street Corridor, with a minor use permit, certain uses that the Task Force wanted to treat differently than they are treated on Virginia Street.

2.D.(a) takes certain sub-categories within the "Personal services, general" category, and requires that they obtain a Minor Use Permit. Those sub-categories are: (i) Schools; (ii) Service organizations; and (iii) Tattoo parlors. (This list of sub-categories was created by examining pages 13 and 14 of the "cheat sheet" referred to above.) With regard to "schools," there was a concern that certain types of classes would not be compatible in the Georgia Street corridor. For example, a clever applicant could disguise undesirable classes under the broad category of "schools," (such as classes on "how to kick your drug habit"). In order to give some oversight to these uses, it was decided that they should require a minor use permit on any floor in the Georgia Street Corridor.

2.D.(b) allows Bingo on any floor with a minor use permit. On Virginia Street, bingo requires a minor use permit, but is only allowed on the upper floors of a building. Therefore, the only change is to allow bingo on the ground floor.

2.D.(c) would allow higher education on any floor in the Georgia Street Corridor, with a Minor Use Permit. On Virginia Street this use is allowed (without a use permit) on the upper floors, but is prohibited on the ground floor. There was a brief discussion by the Task Force concerning the school that was turned away from renting the old bank / police substation building at the corner of Georgia and Sacramento Streets because it was on the ground floor. The consensus of the Task Force was that, depending on the type of classes offered, such a use should not be automatically prohibited, but instead should be subject to approval after appropriate review. (See discussion of "schools" above under Section 2.D.(a).)

MEMORANDUM

To: Participants in the Georgia Street Corridor Task Force
and Other Interested Parties

From: David Fischer

Re: Proposed Ordinance (Rev. #5)

Date: 07/13/08

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2.D.(d) deals with the issue of parking lots. At present, parking lots are prohibited on Georgia Street, and on Virginia Street they are prohibited on the ground floor. (This latter requirement may be a typo in the Specific Plan, because the ground floor, or the ground itself, is the most common location for a parking lot.) Also, under the current Specific Plan, all new parking lots on Virginia Street require a Major Use Permit unless they are ancillary to a permitted or conditional use. It is believed that the Major Use Permit requirement was imposed primarily to give a "full hearing" to the construction and design of a large public parking facility to serve the Downtown. However, that regulation has a chilling effect on the creation of small, private, parking lots. Since the Task Force desires to encourage private parking lots, (especially if Triad eventually eliminates the public parking lot at Virginia and Sacramento Streets), it was decided that such a use should be allowed in the Georgia Street corridor with only a minor use permit. There is one parking lot in the corridor (next to the old bank in the 300 block of Georgia Street) which could easily be turned into pay parking, and thus help reduce the parking impacts caused by a loss of the nearby public parking lot. (Note: "Parking services" appears on page 4 of the "cheat sheet" and on page 8.6 of the Specific Plan. "Parking facilities" is a use defined in the Specific Plan, and is mentioned or discussed on pages 8.4 and 8.12 of the Specific Plan.)

Section 2.E: The provisions in this subsection amend Table 8.2 to implement the above and make a few other adjustments.

2.E.(a) amends Table 8.2 so that the automotive provisions are the same for both Virginia Street and Georgia Street. (Note: Allowing the repair of light equipment was considered by the Task Force but rejected.)

2.E.(b) serves to "break out" the Medical subcategories that the Task Force seeks to prohibit, from the main Medical categories already in the Plan. Adding a new explanatory section to Table 8.2 was the only way we could see to do this.

2.E.(c) and 2.E.(d) will "break out" certain sub-categories of "Personal services, general" and either prohibit those uses or require a minor use permit.

2.E.(e) addresses the issue of construction related sales (such as tools) as discussed in more detail above.

2.E.(f) deals with prohibiting "welfare offices" while at the same time allowing other offices that fall under the category of "Administrative services."

2.E.(g) will "break out" certain sub-categories of "Participant sports and recreation, Indoor," and allow them without any special permits.

MEMORANDUM

To: Participants in the Georgia Street Corridor Task Force
and Other Interested Parties

From: David Fischer

Re: Proposed Ordinance (Rev. #5)

Date: 07/13/08

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2.E.(h) addresses the issue of private parking lots, and will reduce the requirements so that only a Minor Use Permit will be necessary.

Section 2.F. and **Section 2.G.:** These sections add references, in Table 8.1, to the new lettered regulations that the Task Force seeks to add to Table 8.2.

Section 3.A. and **Section 3.B.:** These sections repeal the temporary uses and deed restrictions adopted in June, 2007. (This repeal includes a repeal of the so-called 2015 deadline to eliminate temporary uses, as contained in the June, 2007 amendments.)

Respectfully submitted,
David Fischer

ORDINANCE NO. _____ N.C. (2d)

AN ORDINANCE OF THE CITY OF VALLEJO AMENDING THE LAND USE REGULATIONS WITHIN THE GEORGIA STREET CORRIDOR OF THE DOWNTOWN VALLEJO SPECIFIC PLAN (#SPL04-0001 AND REPEALING TEMPORARY LAND USES ADOPTED IN ORDINANCE NO. 1591 N.C. (2d).

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings and Determination.

The City Council hereby finds and determines that:

A. [Staff to insert proper findings.]

...

...

SECTION 2. Amendment of Land Use Regulations Within the Georgia Street Corridor.

Based upon the findings herein above, the City Council hereby amends the land use regulations within the Georgia Street Corridor of the Downtown Vallejo Specific Plan (#SPL04-0001), herein referred to as the "Specific Plan," as follows:

- A. All of the Land Use Regulations in "Table 8.1: Permitted and Conditional Land Uses," which are made applicable to District 1 (Georgia Street Corridor) of the Specific Plan, are deleted and replaced with all of the Land Use Regulations which are made applicable to District 2 (Central Downtown) of the Specific Plan in said Table, except as noted below in Subsections B through F, inclusive.
- B. Notwithstanding Subsection A, above, the following land uses are prohibited in District 1 (Georgia Street Corridor) of the Specific Plan:
 - (a) "Medical offices" and "Medical services" if the primary purpose is to treat and/or counsel patients in the fields of drug abuse, alcohol abuse, sexual abuse, spousal abuse and/or anger management.
 - (b) "Personal services, general" if the use consists primarily of any of the following or a combination thereof: (i) Barber shops; (ii) Bath (steam, Turkish or other); (iii) Beauty shops; (iv) Dating services; (v) Escort services; (vi) Massage parlor; or (vii) Shoeshine stands.
 - (c) "Retail sales," "Adult Uses."
 - (d) "Spectator sports and entertainment," "Adult uses."
 - (e) "Administrative services," if the primary purpose is a welfare office.
 - (f) "Clinic Services."

- C. Notwithstanding Subsection A, above, the following land uses are permitted in District 1 (Georgia Street Corridor) of the Specific Plan:
- (a) "Construction sales and services" only if the primary use is one or more of the following: (i) Building maintenance materials sales; (ii) Building materials sales; (iii) Burglar alarm system services and sales; (iv) Electrical supplies sales; (v) Fire fighting equipment and supplies sales; (vi) Fixture sales; (vii) Glass sales; (viii) Hardware sales; (ix) Heating equipment sales; (x) Janitorial supplies sales; (xi) Lumber (specialty species, hobby) sales; (xii) Ornamental iron sales; (xiii) Paint sales; (xiv) Plumbing equipment sales; (xv) Swimming pool equipment and supplies service and sales; and (xvi) Tool sales. ("Sales" shall refer to retail and/or wholesale sales.)
 - (b) "Medical offices" and "Medical services" on any floor (unless of a type prohibited in Subsection B, above).
 - (c) "Participant sports and recreation, Indoor," if the use consists primarily of any of the following or a combination thereof: (i) Body building studios; (ii) Clubs, athletic; (iii) Gymnastics/aerobic studios; or (iv) Health clubs and spas.
- D. Notwithstanding Subsection A, above, the following land uses require a Minor Use Permit in District 1 (Georgia Street Corridor) of the Specific Plan:
- (a) "Personal services, general" if the use consists primarily of any of the following or a combination thereof: (i) Schools; (ii) Service organizations; or (iii) Tattoo parlors.
 - (b) "Participant sports and recreation," "Bingo" on any floor.
 - (c) "Community education," "College/university," on any floor.
 - (d) "Parking facilities" and "Parking services," on any floor, if privately owned.
- E. The Special Land Use Provisions appearing in Table 8.2 of the Plan are amended as follows:
- (a) The first sentence of Special Land Use Provision "G" is changed to read: "Limited to automotive and equipment sales in District 1 and District 2."
 - (b) A new Special Land Use Provision "L" is added as follows:

Land Use or Use Condition: Medical offices and Medical services, if the primary purpose is to treat and/or counsel patients in the fields of drug abuse, alcohol abuse, sexual abuse, spousal abuse and/or anger management.

Conditions, Limitations or Prohibitions: These classifications are prohibited in District 1 (Georgia Street Corridor).

- (c) A new Special Land Use Provision "M" is added as follows:

Land Use or Use Condition: Personal services, general, if the use consists primarily of any of the following or a combination thereof: (i) Barber shops; (ii) Bath (steam, Turkish or other); (iii) Beauty shops; (iv) Dating services; (v) Escort services; (vi) Massage parlor; or (vii) Shoeshine stands.

Conditions, Limitations or Prohibitions: These classifications are prohibited in District 1 (Georgia Street Corridor).

- (d) A new Special Land Use Provision "N" is added as follows:

Land Use or Use Condition: Personal services, general, if the use consists primarily of any of the following or a combination thereof: (i) Schools; (ii) Service organizations; or (iii) Tattoo parlors.

Conditions, Limitations or Prohibitions: These uses require a Minor Use Permit in District 1 (Georgia Street Corridor).

- (e) A new Special Land Use Provision "O" is added as follows:

Land Use or Use Condition: Construction sales and services.

Conditions, Limitations or Prohibitions: The following uses are allowed in District 1 (Georgia Street Corridor): (i) Building maintenance materials sales; (ii) Building materials sales; (iii) Burglar alarm system services and sales; (iv) Electrical supplies sales; (v) Fire fighting equipment and supplies sales; (vi) Fixture sales; (vii) Glass sales; (viii) Hardware sales; (ix) Heating equipment sales; (x) Janitorial supplies sales; (xi) Lumber (specialty species, hobby) sales; (xii) Ornamental iron sales; (xiii) Paint sales; (xiv) Plumbing equipment sales; (xv) Swimming pool equipment and supplies service and sales; and (xvi) Tool sales. ("Sales" shall refer to retail and/or wholesale sales.)

- (f) A new Special Land Use Provision "P" is added as follows:

Land Use or Use Condition: Administrative services if the primary purpose is a welfare office.

Conditions, Limitations or Prohibitions: This use is prohibited in District 1 (Georgia Street Corridor).

- (g) A new Special Land Use Provision "Q" is added as follows:

Land Use or Use Condition: Participant sports and recreation, Indoor, if the use consists primarily of any of the following or a combination thereof: (i) Body building studios; (ii) Clubs, athletic; (iii) Gymnastics/aerobic studios; and (iv) Health clubs and spas.

Conditions, Limitations or Prohibitions: These uses are permitted in District 1 (Georgia Street Corridor). (All other uses under the

Participant sports and recreation, Indoor, classification require a Minor Use Permit in District 1.)

- (h) A new Special Land Use Provision "R" is added as follows:

Land Use or Use Condition: "Parking facilities" and "Parking services," if privately owned.

Conditions, Limitations or Prohibitions: These uses require a Minor Use Permit. (If publicly owned, a Major Use Permit is required.)

- F. In order to memorialize the land use differences between District 1 (Georgia Street Corridor) of the Specific Plan and District 2 (Central Downtown), as described above, the following shall appear in Table 8.1:

- (a) "Construction sales and services" shall be designated as "P(O)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (b) "Medical offices" and "Medical services" shall be designated as "P(L)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (c) "Participant sports and recreation," "Indoor" shall be designated as "P or MNUP (C,Q)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (d) "Participant sports and recreation," "Bingo" shall be designated as "MNUP(C)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (e) "Personal services, general" shall be designated as "P or MNUP (E,M,N)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (f) "Retail sales," "Adult Uses," shall be designated as "--" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (g) "Spectator sports and entertainment," "Adult uses," shall be designated as "--" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (h) "Administrative services" shall be designated as "P(P)" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (i) "Clinic services" shall be designated as "--" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (j) "Community education," "College/university," shall be designated as "MNUP" in Column 1 (Georgia Street Corridor) of Table 8.1.
- (k) "Parking facilities" and "Parking services" shall be designated as "MNUP or MJUP(R)" in Column 1 (Georgia Street Corridor) of Table 8.1.

- G. The third "bullet point" on page 8.2 of the Plan is amended to read: "Permitted land uses (P) are allowed by right, subject to the securing of a business license, when needed, however, some classifications within a

broader land use category may be prohibited by the special regulations and limitations provided for in Table 8.2.”

SECTION 3. Repeal of Temporary Land Use Regulations Within the Georgia Street Corridor.

- A. Section 3 of Ordinance No. 1591 N.C. (2d) is repealed.
- B. Resolution No. 07-155 N.C. is rescinded.

SECTION 4. Effective Date.

The effective date of this shall be thirty (30) days after the final passage.

FIRST READ at a regular meeting of the Council of the City of Vallejo held the ____ day of _____, 2008, and finally passed and adopted at a regular meeting of the Council held on the _____ day of _____, 2008 by the following vote.

AYES:
NOES:
ABSENT:
ABSTENTIONS:

OSBY DAVIS, Mayor

ATTEST:

MARY ELLSWORTH, Acting City Clerk



CITY OF VALLEJO REDEVELOPMENT AGENCY

Agenda Item No.

RDA
POLICY A

BOARD COMMUNICATION

Date: July 22, 2008

TO: Chairman and Members of the Redevelopment Agency

FROM: Craig Whittom, Assistant City Manager for Community Development *CW*
Susan McCue, Economic Development Program Manager *SM*

SUBJECT: PRESENTATION OF PUBLIC OUTREACH SUMMARY AND THREE
NORTHERN WATERFRONT PARK PROGRAM ALTERNATIVE DESIGNS
AND CONSIDERATION OF RESOLUTION IDENTIFYING PREFERRED
PROGRAM ALTERNATIVE DESIGN

BACKGROUND

The Waterfront Project's 96 acres of mixed-use, master-planned development includes 35 acres of open space and parks connected by the pedestrian promenade along Mare Island Way. Among those parks is a future 3.5 acre Northern Waterfront Park meant to be a recreation destination for Vallejo, as well as a neighborhood park for Marina users, area residents and future residents of the planned Northern Waterfront townhome development to be constructed by master developer Callahan/DeSilva.

The Redevelopment Agency (RDA) sponsored a public outreach effort to solicit ideas and concepts regarding the park's character, amenities and design features. To conduct this public outreach, the RDA retained Gates & Associates, a well-known landscape architecture and park planning firm.

In a two-step process, Gates & Associates first solicited input from key stakeholders, such as City Council members, Planning Commissioners and GVRD staff. The second step, two well-attended community workshops held on February 27th and April 5th, 2008, resulted in consensus about amenities including a large grassy meadow or lawn, shade/wind structure, tot lot and play structure, public restrooms and lighting. Workshop participants explored the ways these different elements could work together and talked about their visions for the new park.

Finally, Gates & Associates generated three park program alternatives that reflect community consensus that the park should have a marina-related theme combined with a more natural-looking landscape.

DISCUSSION

As the final step to the public outreach effort, staff is asking the Redevelopment Agency Board (Agency) to review and select one of the three program alternatives generated from the community workshops. It should be noted that there will not be a fiscal impact at this time, as a

detailed design of the preferred program alternative will not be prepared until the developer, Callahan/DeSilva, proceeds with the townhome development. In advance of the development, it is important to continue to make progress on planning for the waterfront park. With the Agency's direction, staff and the developer will be poised to move forward upon the commencement of the town home development, at which time staff will return to the Agency for approval of a Detailed Design Contract and budget authority.

FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

Staff recommends that the Redevelopment Agency Board hear the presentation and provide direction to staff and Gates & Associates regarding the three park program alternatives. Agency selection of a preferred program alternative will position staff to move forward with detailed design work in the future.

PROPOSED ACTION

Approve the resolution authorizing a preferred program alternative design.

DOCUMENTS ATTACHED

Attachment A: Resolution

Attachment B: Northern Waterfront Park: Public Outreach Summary

CONTACT: Craig Whittom, Assistant City Manager / Community Development
707-648-4579 or cwhittom@ci.vallejo.ca.us

Susan McCue, Economic Development Program Manager
707-553-7283 or smccue@ci.vallejo.ca.us

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RESOLUTION NO. 08-_____ N.C.

BE IT RESOLVED, by the Redevelopment Agency of the City of Vallejo as follows:

THAT WHEREAS, the Waterfront master-planned development includes 35 acres of open space and parks along Mare Island Way; and

WHEREAS, among those parks is a future 3.5 acre Northern Waterfront Park meant to be a recreation destination, as well as a neighborhood park for Marina users, area residents and future residents of the planned Northern Waterfront townhome development to be constructed by master developer Callahan/DeSilva; and

WHEREAS, the Redevelopment Agency (RDA) sponsored a public outreach effort to solicit ideas and concepts regarding the park's character, amenities and design features by retaining Gates & Associates, a landscape architecture and park planning firm; and

WHEREAS, Gates & Associates solicited input from key stakeholders and held two community workshops which resulted in consensus about amenities, explored ways these different elements could work together and talked about visions for the new park; and

WHEREAS, Gates & Associates has generated three park alternatives which reflect community consensus.

NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Agency of the City of Vallejo hereby approves this resolution and identifies Northern Waterfront Park design option number _____ as the design to be implemented upon the execution of a Detailed Design Contract at a future date.

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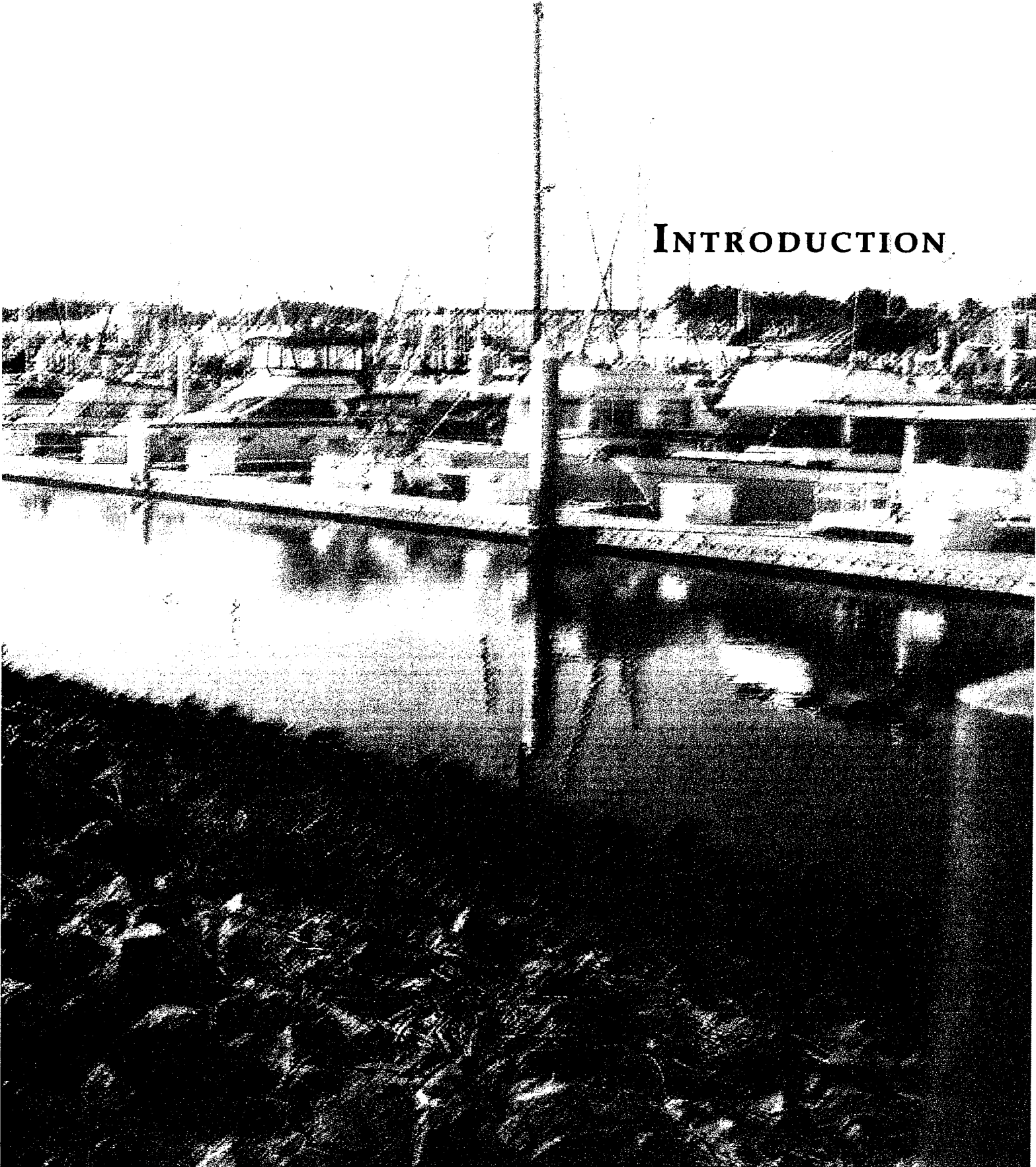
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INTRODUCTION



Preface

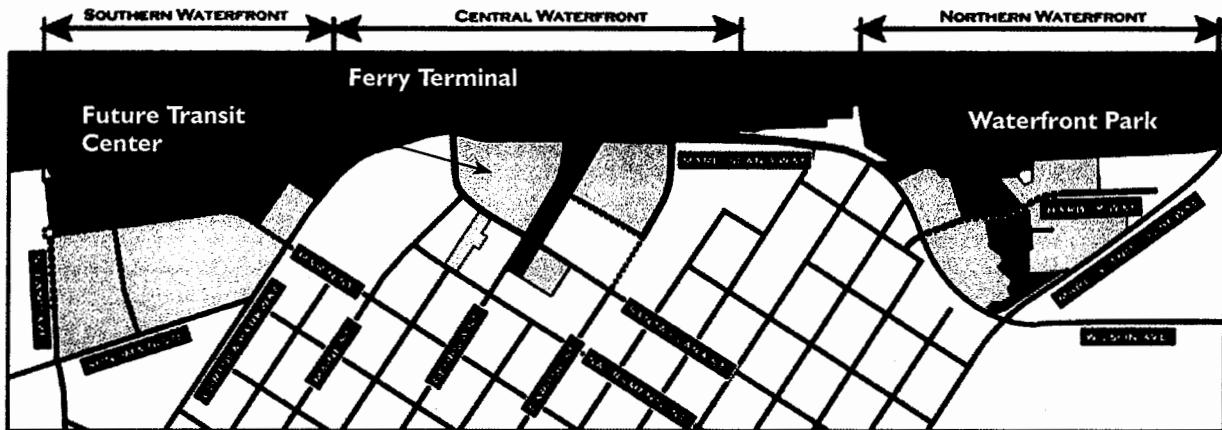
This book documents the findings from a public outreach process conducted by Gates and Associates for the Northern Waterfront Park in the City of Vallejo, California.

The outreach process collected public input to define:

- the type of recreational uses and amenities desired,
- the overall visual character of the park,
- the priority for development of amenities within the proposed park budget.

This document provides three conceptual design alternatives which incorporates community feedback. These alternatives will be the foundation for the future final park design.





LAND USES AFTER PLAN IMPLEMENTATION

- NORTHERN WATERFRONT PARK
- DEVELOPMENT PARCELS
- PUBLIC ACCESS/PARKS/PLAZAS
- NEW ROAD IMPROVEMENTS



Background

The Vallejo Waterfront Project is a mixed-use, master-planned effort that extends from Solano Street North to Mare Island Causeway. This 96-acre development includes a total of 35 acres of parks and open spaces as part of the master plan. The parks and open space are located primarily along the Mare Island Strait looking across to Historic Mare Island. There is currently a pedestrian path along the water's edge that would be extended to the south upon project build out. This pedestrian promenade will be the main connection between the 35 acres of parks and open space.

The Master Plan divides Vallejo Waterfront into three areas; The Northern Waterfront, The Central Waterfront and the Southern Waterfront. The ferry terminal is located at the center of Vallejo Waterfront. A transit center is currently under construction at the Central Waterfront vicinity. The Northern Waterfront Park is a recreation destination for the Vallejo community. It is also a neighborhood park for the Marina users, local residents in the surrounding area, and future residents as a part of the proposed Northern Waterfront townhome development.



The Setting

Northern Waterfront currently has an active Marina & Harbor Master office, a Coast Guard facility, some marina retail and a restaurant. The Waterfront master plan proposes to develop 175 townhomes, two commercial pads, a restaurant, and two parks. One of the parks, a 4-acre site nestled between the two townhome villages, is designated to be a “Wetland” park as a part of a settlement agreement with the Vallejo Waterfront Coalition. This park would include a tidal wetlands area, passive overlooks and a pedestrian trail system that links the intersection of Mare Island Way & Mare Island Causeway to the waterfront.

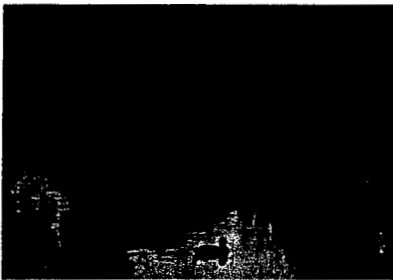
The second, 3.5-acre Northern Waterfront Park, is proposed along the water’s edge. To define the appropriate character and amenities for this park, the Vallejo Redevelopment Agency sponsored a public outreach program.

The Northern Waterfront Park is located partially on the existing waterfront parking adjacent the Vallejo Municipal Marina.

INTRODUCTION

The north edge of the site will be bounded by the existing Harbor Master office and a reconfigured joint-use parking area. As part of the proposed development, the existing Harbor Way Road will be shifted up to 150' to the east, and will form the Eastern boundary of the park. The existing parking areas within the proposed park site boundary would be relocated north to replace the existing "Jazz Green". The southern edge would be redeveloped with retail and restaurant uses with a second joint-use parking lot. These future parking areas have been sized to accommodate shared use by the Marina, Retail Development and Park users. There is also an existing public restroom.

Vehicular access to the park would be via Mare Island Way and Harbor Way. There are multiple pedestrian access points to the Northern Waterfront Park from the surrounding community. The promenade along the waterfront will be the primary pedestrian access. Alternatively, there is also a sidewalk along Harbor Way. Finally, there will also be a pedestrian path through the adjacent Wetland Park linking to the Mare Island Causeway / Mare Island Way intersection.



Wetland Park

The Outreach Process

The process was structured to acquire input in two ways. First, phone interviews were conducted with key stakeholders such as council members, the planning commission members, representatives of community groups and the Greater Vallejo Recreation District (GVRD) staff. Input from these interviews was used to develop exhibits to facilitate discussions at community workshops. Two workshops were held in the beginning of 2008 to solicit input from the community at large. The first workshop on February 27 sought to define the program and character for the park. The second workshop on April 5 refined the programs, desired character and identified implementation priorities.



Workshop

Northern Waterfront Park
 CHARACTER AND AMENITIES
SATURDAY APRIL 5TH 9:30-12:00
 MEET AT THE HARBOR MASTER BUILDING
 HARBOR MASTER BUILDING
 For more information, please contact the City of Vallejo
 Economic Development Division (707) 649-5452

Workshop Flyer

CITY OF VALLEJO
NORTHERN WATERFRONT PARK
PUBLIC WORKSHOP
 The Vallejo Community is invited to attend the Northern Waterfront Park Public Workshop. The City of Vallejo is hosting the first of two workshops in the Joseph Room of the JFK Library on Wednesday, February 27, 2008, from 6:30 p.m. - 9:00 p.m. Participants will have an opportunity to shape the character and amenities for this future park. Inquiries can be made to the City of Vallejo, Economic Development Division at (707) 649-5452.

Public Notice

CITY SEEKS INPUT ON WATERFRONT PROJECT

By SARAH ROHRS/Times-Herald staff writer. Article Launched: 04/02/2008 06:38:39 AM PDT

A water fountain, pavilion and large lawn or meadow could be part of a new park along the Vallejo waterfront.

Those interested in learning more and voicing ideas for the park are encouraged to attend a public workshop Saturday morning.

The waterfront park is slated for a 3.5-acre parcel adjacent to Harbor Way, near the Vallejo Marina. The park is part of the Callahan DeSilva Vallejo waterfront development project. Under the latest plans, Harbor Way would be moved further inland to free up land along the waterfront for the park, officials said.

Prior to the workshop, participants will meet at 9:30 a.m. Saturday at the Harbor Master Building on Harbor Way to look at the park site. Then, the group will meet 10 a.m. to noon at the Mare Island Conference Center, 375 G. St. on Mare Island for the workshop led by Gates and Associates park planners.

The first public workshop on the park in late February drew about 30 people and generated numerous suggestions, said Tim Collins, Gates and Associates project manager. "We had a very healthy discussion on the kinds of things people want in the park," he said.

Saturday, Collins will show park features in different configurations for more comment and review. Park features suggested in the first workshop include a fountain, a meadow or lawn, plus areas sheltered from wind and sun.

Workshop participants will be able to explore how those different elements work together and then give more opinions on what they would like to see in the final design, he added.

The workshops and the preliminary plans for the new park are of keen interest to the Vallejo Waterfront Coalition, which fought for more park areas in the waterfront development.

Coalition co-chairwoman Marti Brown said she and other coalition members were pleased with the February workshop and believe Saturday's session will allow more in-depth work on the designs.

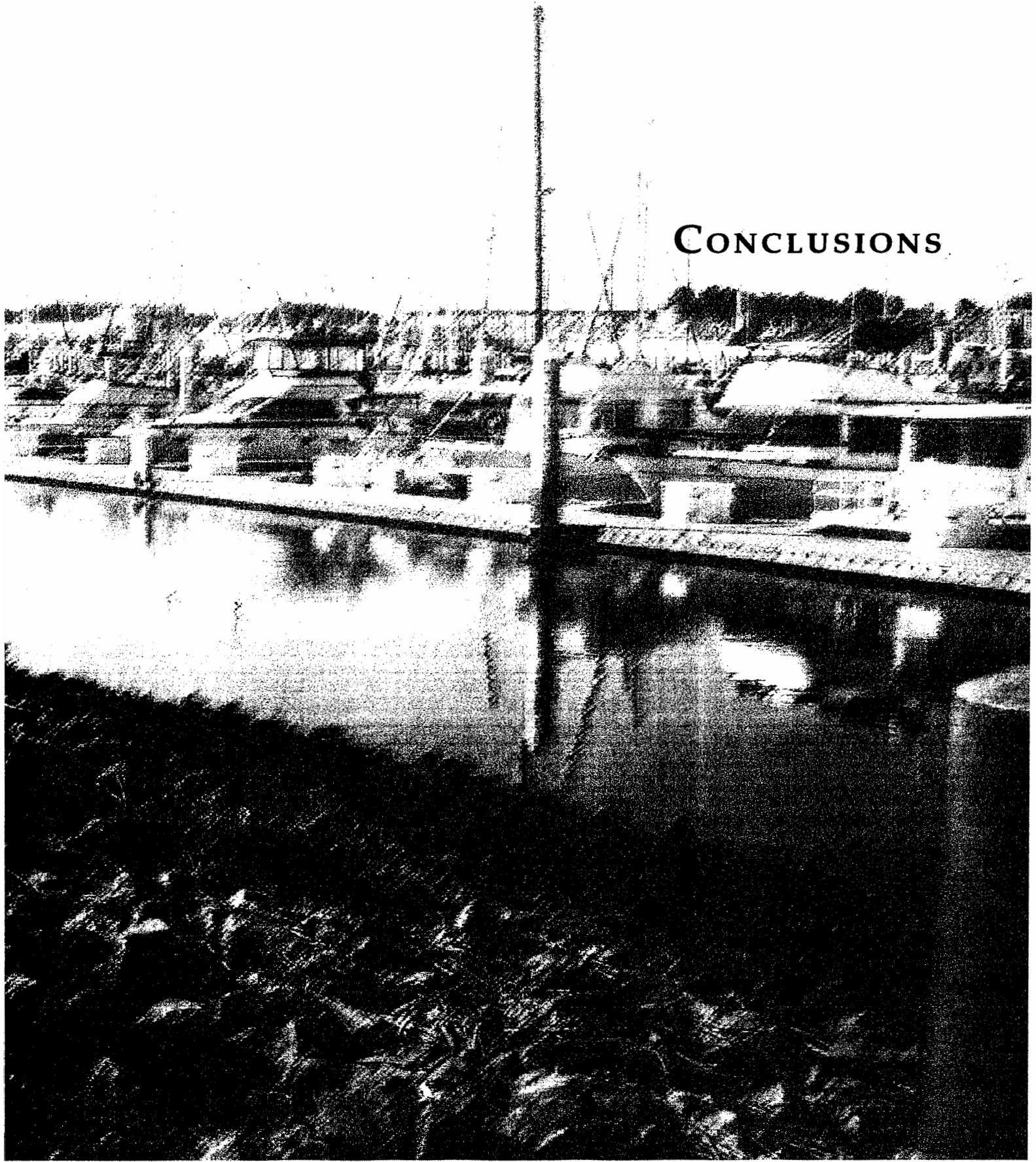
The 3.5-acre park is separate from the 4-acre park and wetland area required as a result of the lawsuit the grassroots group filed in 2005.

Features to connect the 4-acre wetland area to the new waterfront park will likely be part of final designs, Brown said.

"We've been participating as a way to have a good public discussion on what we would like to have on our waterfront," Brown said.

News Article

CONCLUSIONS



Summary

Based on community input, the following recommendations were collected regarding park character and amenities. The community recognized that the Northern Waterfront Park can not meet all users' needs. Nor can the proposed park development budget provide all the amenities desired. The second workshop focused on refining community opinions for park improvements.

In the process of identifying the priorities, the participants of the workshop discussed:

- Opportunities unique to this park site vs. other park sites along the Waterfront or within the Vallejo community.
- Relationships to the existing and proposed residential and Marina community.
- Long term maintenance implications.
- The park's appeal to a broad cross section of the Vallejo community at large.

Based on the interactive and lengthy discussion, the following priorities emerged:

- Pedestrian connectivity
- Create a unique place
- Emphasize family – friendly uses

Pedestrian Connectivity

The Vallejo Waterfront is a community destination. Pedestrian links to the Northern Waterfront Park should be emphasized. The Waterfront promenade is a unique resource and the enhancement of pedestrian activities along the promenade and connections to Mare Island Causeway and River Park were given a very high priority. However, the emphasis was on creating a useable pedestrian system with a modest level of pedestrian enhancements.

The level of Waterfront promenade improvements would vary according to context:

- The promenade area adjacent to the park, overlooking the Marina would be developed as a plaza extension of the park.





This area between the proposed Retail area and the Harbor Master office would include decorative lighting, special paving, seating area and low planting or decorative railing along water's edge. Improvements would be compliant with the active ambiance of the park.

- North of the Harbor's Master office, the promenade should be more natural in character, similar to the existing path in this area. The path should be repaved and extended under the Causeway underpass. Pedestrian scale lighting should be added as appropriate for safety. Railings should be avoided to keep cost down. The natural ambiance should be retained. Landscaping along the path should be improved with an emphasis towards low maintenance, low-growing plant materials. Seating and trash receptacles should be provided.
- A pedestrian connection should be provided under the existing Causeway to River Park. The area should be well lit and designed to provide safe passage without excessive embellishments.
- A pedestrian connection should be created between the promenade area and the sidewalk along the southern edge of Mare Island Causeway. This ramp should be designed to provide as direct a connection as possible, and still be ADA compliant. The ramp should be lit for safety, and designed to discourage skateboard use.

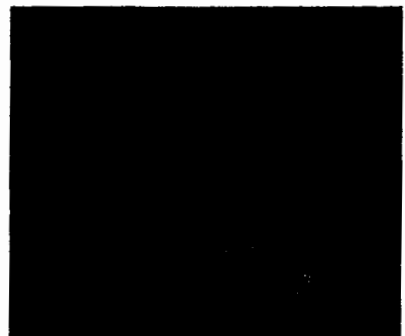
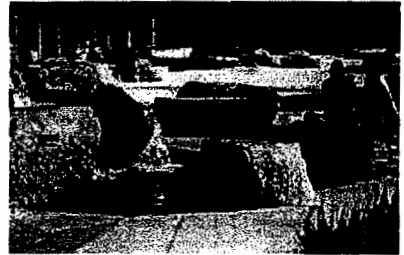
Park Character "Create a Special Place"

The park should be a distinct and memorable place. The character of the park should celebrate the shoreline setting. It should have an elegant and timeless character, a juxtaposition of naturalistic planting patterns and traditional geometrics. The park should be a safe, family-friendly place.

Specific recommendations include:

- A seamless visual transition between the natural passive ambiances of the "Wetland" park, to the active nautical character of Marina.
- The celebration of the Nautical character, and not the Military theme of Mare Island.

- A predominately green park. The central space would be a multi-use meadow or lawn edged and enclosed with Nature Gardens.
- Understated paving materials. As appropriate, de-emphasize the use of grey concrete paving. Consider alternate, permeable paving.
- Creating a comfortable environment to relax, sheltered from the climate. Use trees, land shaping and architectural screens to mitigate the impact of wind and provide shade trees and structures for solar control.
- Water play area with a “natural” ambiance. Avoid spraying water into the air. Rather, let water trickle over boulders and create shallow pools for play or a “creek” system visually linking Wetland Park to the Waterfront.
- The acknowledgement of the local artist community through their designs of park amenities (benches, structures, paving). Provide opportunities for art display, both temporary and permanent.
- Play areas and architectural elements that reflect the nautical theme.
- Land forms that are sculpted to provide visual interest, protection along street edge, informal seating and definition of “outdoor rooms” within the park.
- The emphasis of a “sustainable” design in the selection of plant materials, use of solar power, site amenities and storm water management.
- A well-lit park with no overflow into the residential areas.





Emphasize Family-Friendly Use

The Northern Waterfront Park should be family-friendly; a place where the community would want to relax and spend time. It should appeal to a wide range of user groups while celebrating the City's unique social, cultural, geographic and environmental history. The experience should be enjoyable and educational.



The park should:

- Have a large open lawn which can accommodate informal sports activities.
- Include reservable picnic areas that accommodate groups. These facilities should be located in discrete areas that do not cater to barbecues. Picnic areas should be accessible from parking areas.
- Provide public restrooms for park areas. The existing public restrooms are primarily available to Marina users. Public access needs to be expanded.
- Have a staging area for small events. Large, noisy performances are not appropriate because of potential impacts on existing and proposed residential neighborhoods. Events such as the Jazz Festival are more appropriate in other parks along the Waterfront, near the ferry terminal.
- Avoid the development of sports fields, hard court games or skateboard park.
- Consider that water sports such as kayaking, canoeing and fishing are inappropriate for the Northern Waterfront Park because of potential conflicts with the existing Marina.
- Develop the water play zone either as part of the children's play area, or as the focus of a plaza. Design of water play area should address maintenance issues.
- Include nature gardens to enhance park experience and provide opportunities to learn about plants.
- Provide ample seating throughout the park for people watching, relaxing and brown bag lunches.

- Develop play areas with unique thematic elements, not standard catalog items. Wind-protected seating areas should be provided adjacent to play area.
- Allow dogs on leashes with frequent waste stations provided.
- Encourage lower profile events such as farmers' market or art shows to be staged. Accommodations should be made within the design to provide power to facilitate this type of use.
- Include special uses such as large chessboards to attract diversity of users to park. Bocce ball might be a future use.
- Be sensitive to maintenance issues and operational costs.
- Provide a plaza overlooking the water where observers can appreciate this unique Vallejo feature.



PROGRAM ALTERNATIVES



Design Elements and Components

The following design elements are commonly addressed in each of the 3 design alternatives:

- Improvements will be made to the promenade, as well as trail connections to River Park and Mare Island Causeway.
- View corridor into the Northern Waterfront Park from the intersection of Mare Island and Harbor Way will be created.
- A low landscape edge around the park will preserve views while controlling errant balls and random pedestrian access.
- Convenient connections to adjacent shared parking areas.
- Pedestrian link and visual connection to Wetlands Park will be established.

The conceptual alternatives also feature the following 7 components identified during the outreach process. In each case, the components have different priorities, and are located to create varied spatial relationships and park character. They include:

Nature Gardens: Areas landscaped with a blend of low-growing native and drought-tolerant plant materials. The visual character will look less manicured and more natural.

Play Area: Innovative, thematic play elements will provide an interactive learning experience.

Multi-use Meadow: A central lawn that is shaped and sized to accommodate informal sports and other recreational activities.

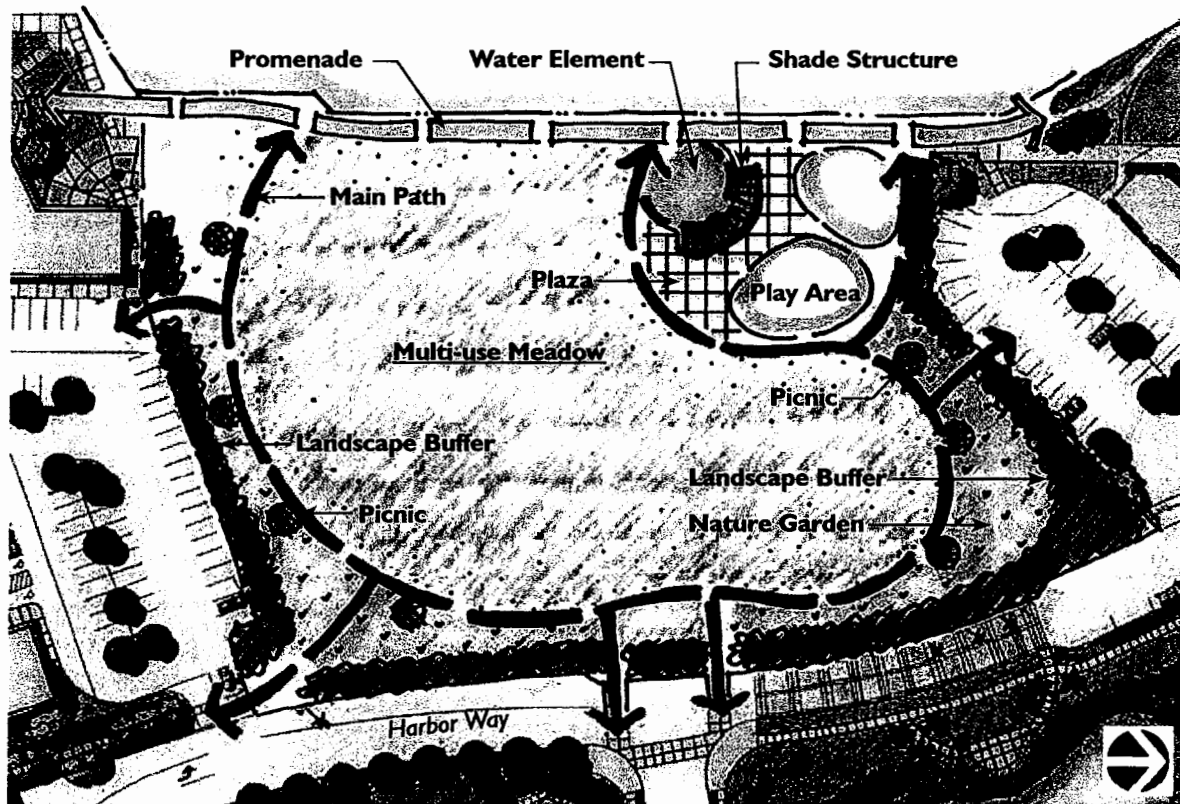
Water Element: Based on the location, the water element could take the form of an interactive play area, or a sculptural art piece. The water element will highlight marina and wind character.

Shade Structure: While providing sun and wind protection, the visual image of the structure will also contribute to the character of the park.

Plaza: A paved area with seating and focal element that is appropriate for informal gathering or small events.

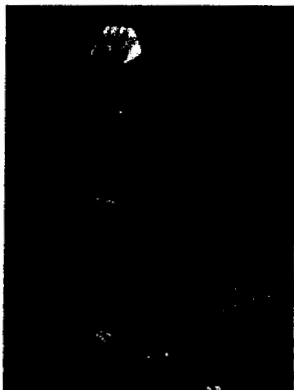
Main Path: An 8' wide, toned concrete path will accommodate pedestrian and maintenance circulation, while linking picnic areas.

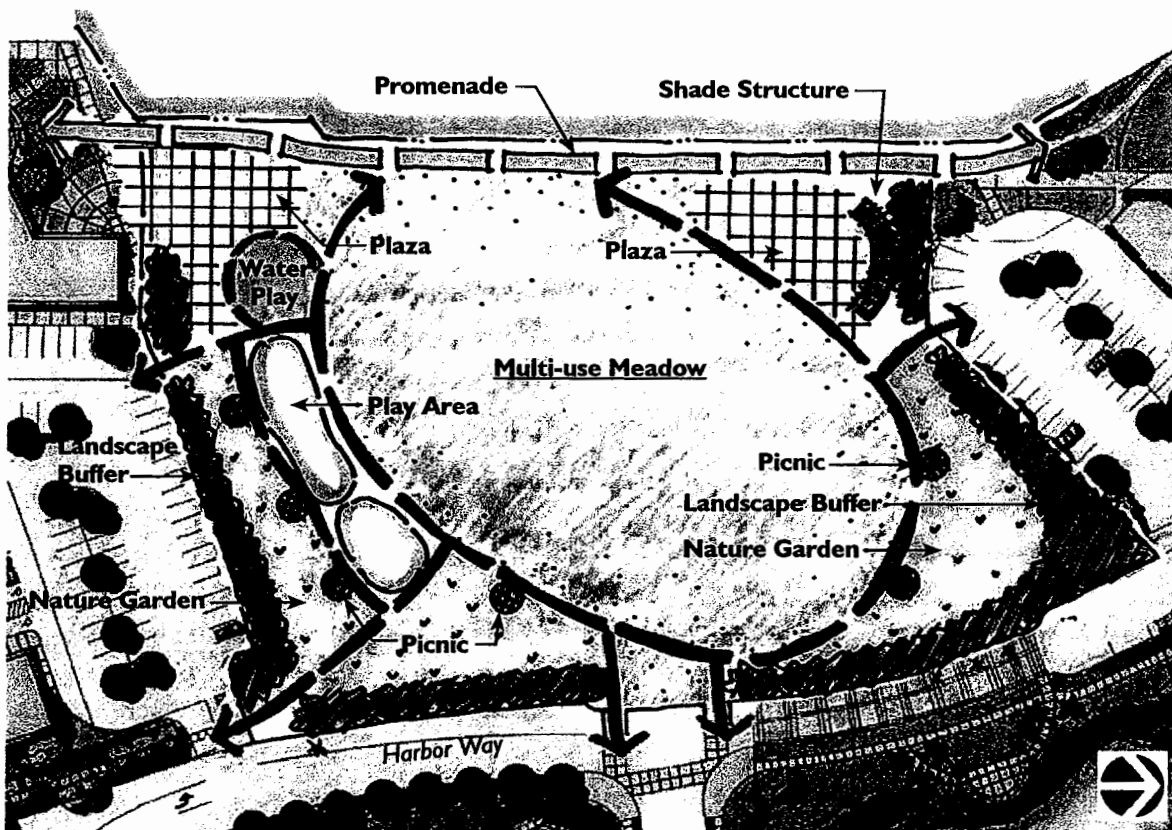




Alternative 1

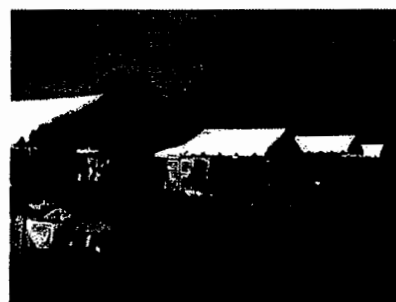
- The plaza, play area and water element are consolidated and located adjacent to the promenade and close to the Harbor Master.
- This alternative features the largest multi-use meadow.

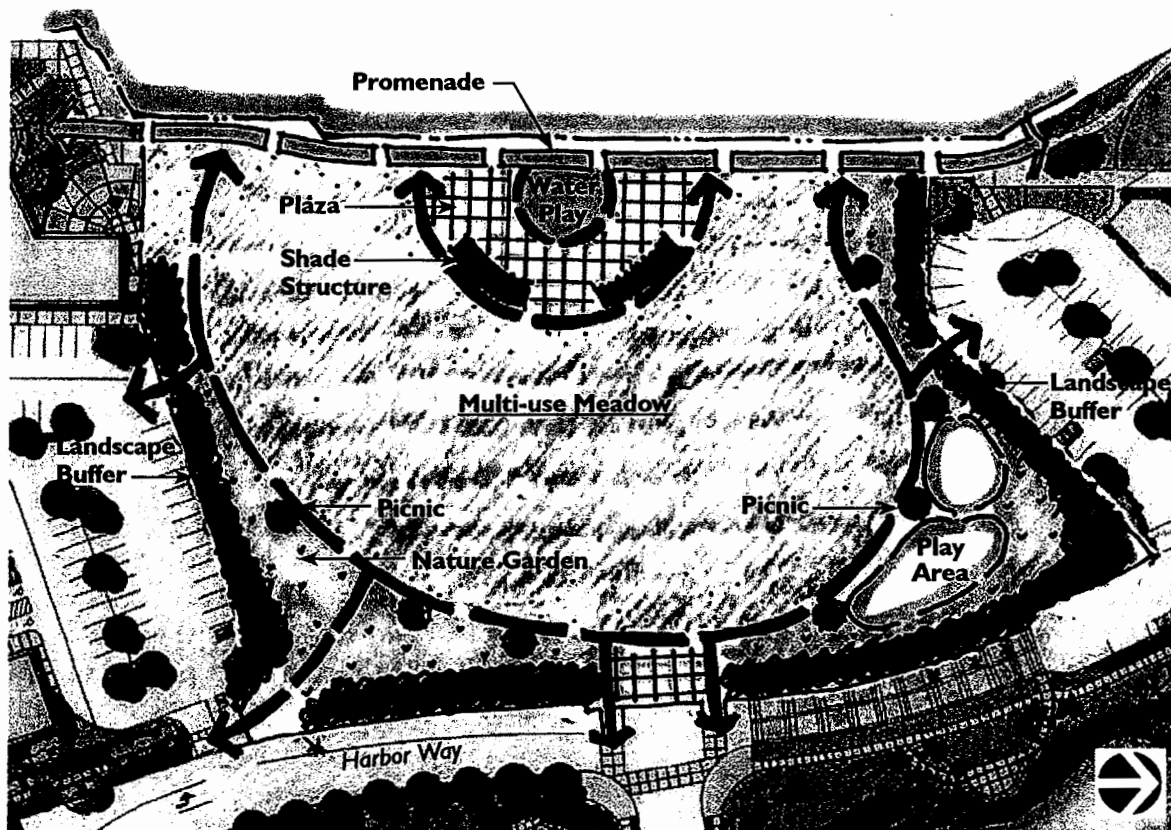




Alternative 2

- There are two plazas in this alternative. The south plaza with the water play relates to the retail and play areas. It will have a more formal character. The north plaza, with a shade structure, will have a more natural feel that relates to the Harbor Master.
- The meadow is smaller, and counter balanced with larger nature gardens.



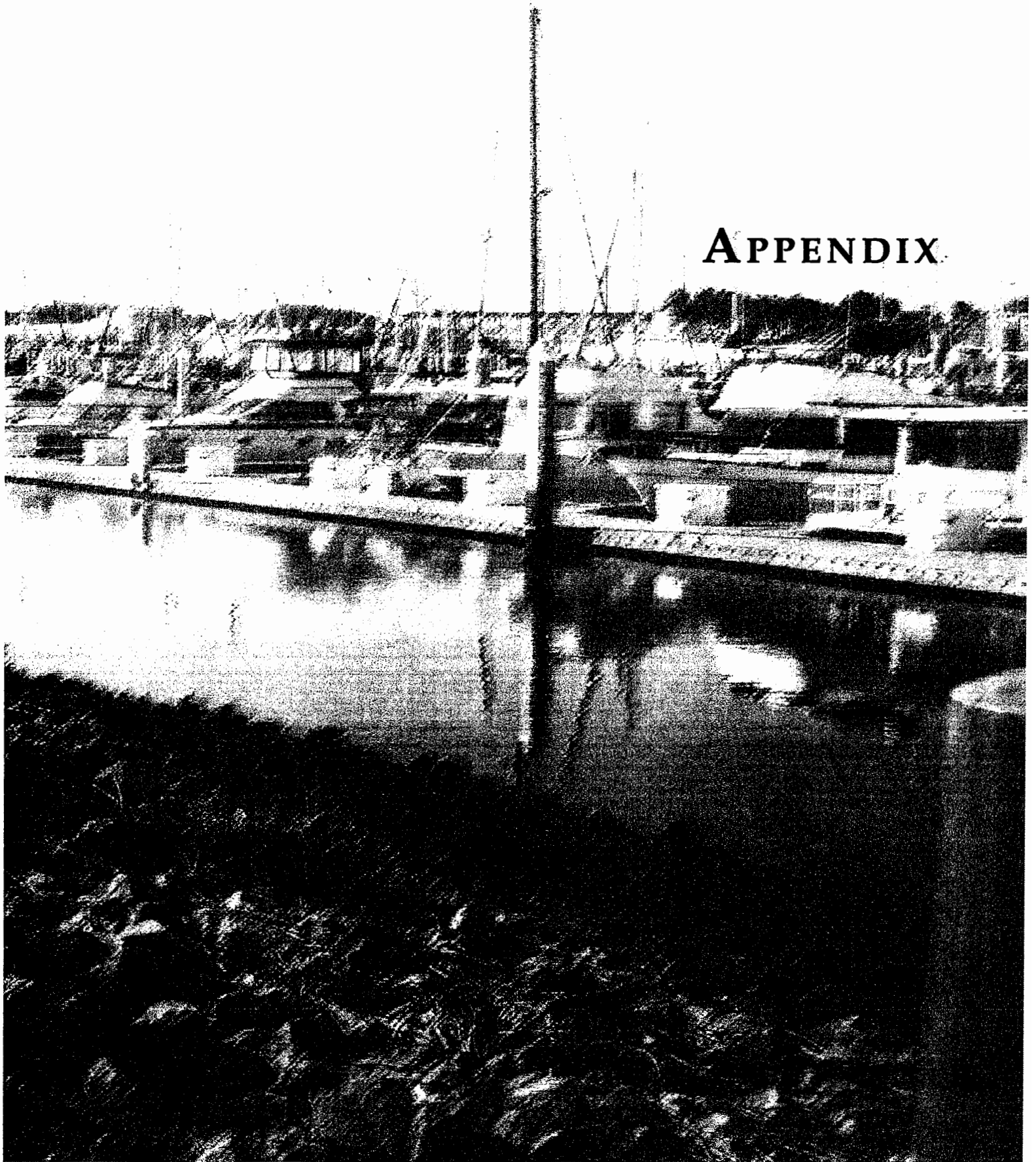


Alternative 3

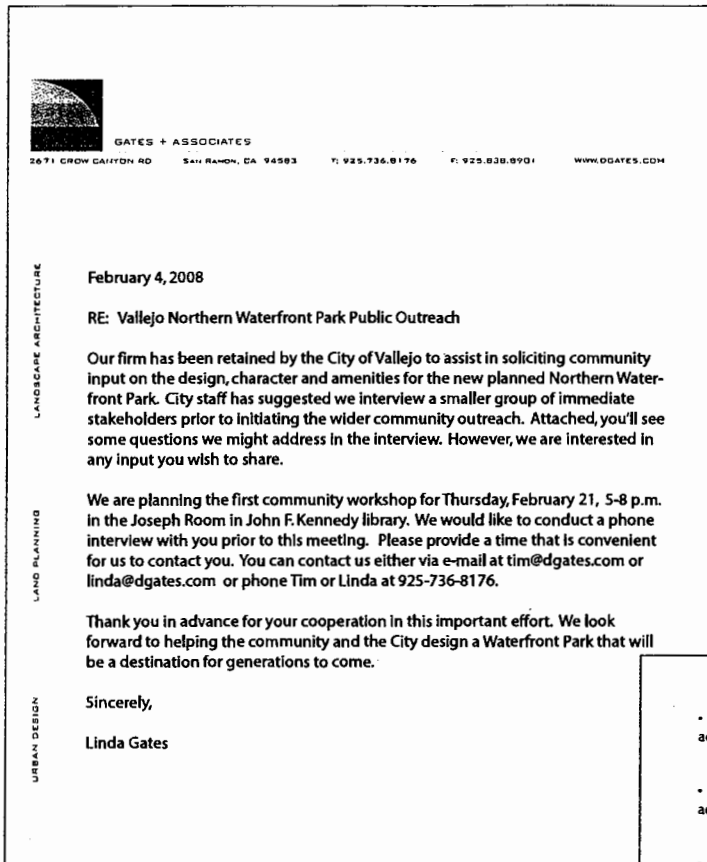
- The water play, plaza and shade structure are centrally located in this alternative, creating a visual focus for the main pedestrian approach across Harbor Way.
- The play area will be incorporated into the nature garden and will have a more natural setting.



APPENDIX

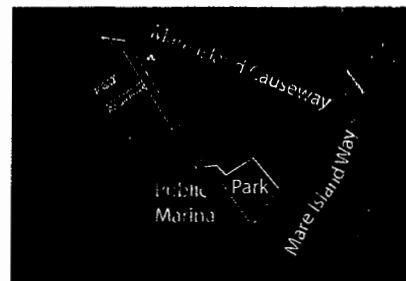



Stakeholder Interviews



Outreach Letter to Stakeholders

- Are there any special Vallejo activities or events that you would like to see accommodated in the park design?
- Are there any user groups (for example, boaters, joggers, etc.) that could be accommodated in park design?
- Are there other Bay Area parks which have a character you especially like?
- What are some key words you would use to describe the desired character for the Northern Waterfront Park?
- Are there any special needs, issues or considerations you feel should be addressed in the design process?
- Are there any other community members we should try to reach out to directly to invite their participation in this public outreach process?





**CITY OF VALLEJO
NORTHERN
WATERFRONT PARK
PUBLIC WORKSHOP**

The Vallejo Community is invited to attend the Northern Waterfront Park Public Workshop. The City of Vallejo is hosting the first of two workshops in the Joseph Room of the JFK Library on Wednesday, February 27, 2008, from 6:30 p.m. - 9:00 p.m. Participants will have an opportunity to shape the character and amenities for this future park. Inquiries can be made to the City of Vallejo, Economic Development Division at (707) 649-5452.

Workshop 1 Summary

Park Character

The group had consensus that a historical maritime theme was not appropriate. They felt there was enough of that type of character on Mare Island and other parts of Vallejo. They were interested in exploring a Marina or Nautical theme that was more contemporary and modern. The group also gravitated towards a naturalistic look and feel. Images that were popular illustrated organic site geometry with generous groups or pockets of planting.

The group discouraged play structures that are off the shelf and generic. They should be designed in a unique fashion that matches the overall theme of the park. Some type of sailboat structure could promote creative play.

Below is a list of amenities that were supported by the stakeholders and workshop attendees:

- 1) Botanical Garden
- 2) Picnic areas that are scattered or not grouped
- 3) Water Play fountain
- 4) Art display
- 5) Sun\wind screen structure
- 6) Water access for kayaking or Canoeing
- 7) Multipurpose lawn or meadow
- 8) Restrooms
- 9) Performance/Events/stage area

Other amenities that were discussed but did not seem appropriate for this park:

















- 1) Soccer field - Although informal play would be good
- 2) Basketball
- 3) Bocce Ball

- 4) Volleyball
- 5) Fishing
- 6) Farmers Market

















Other amenities that received some support are listed below:

- 1) Dog Park
- 2) Roller Blading
- 3) Bicycling

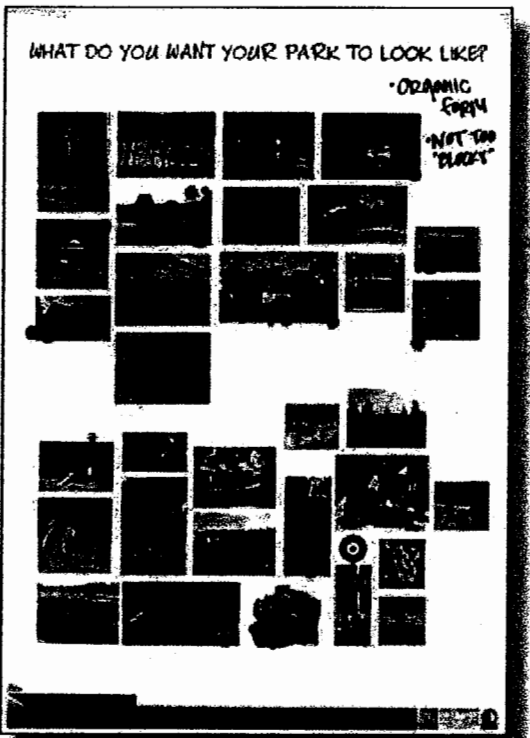
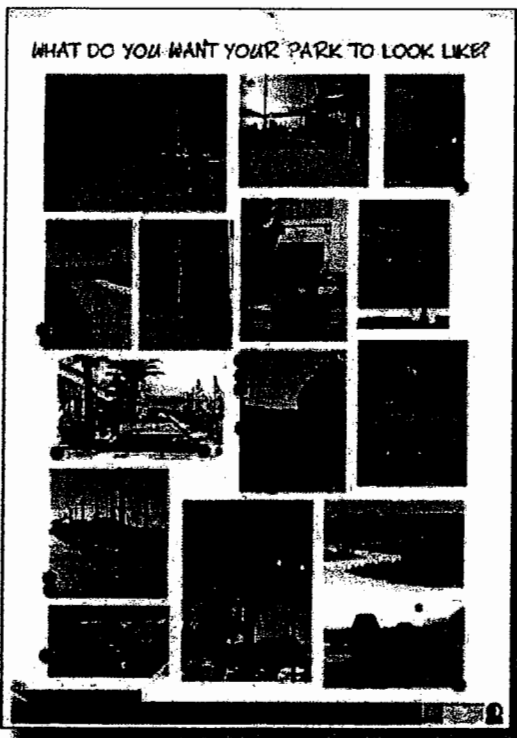
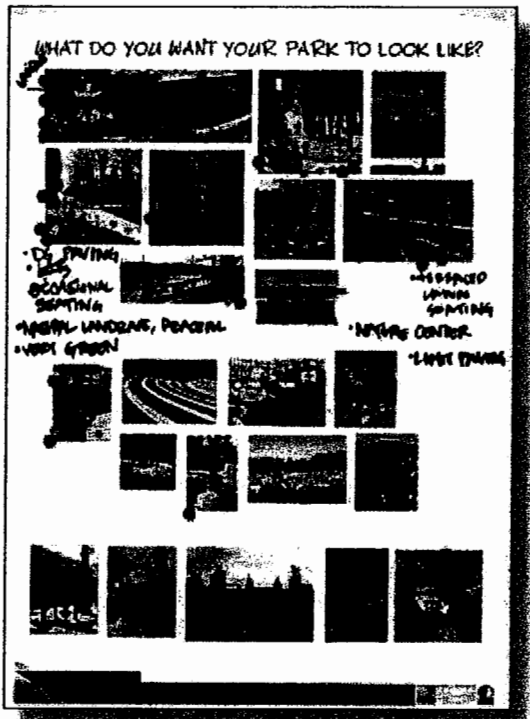
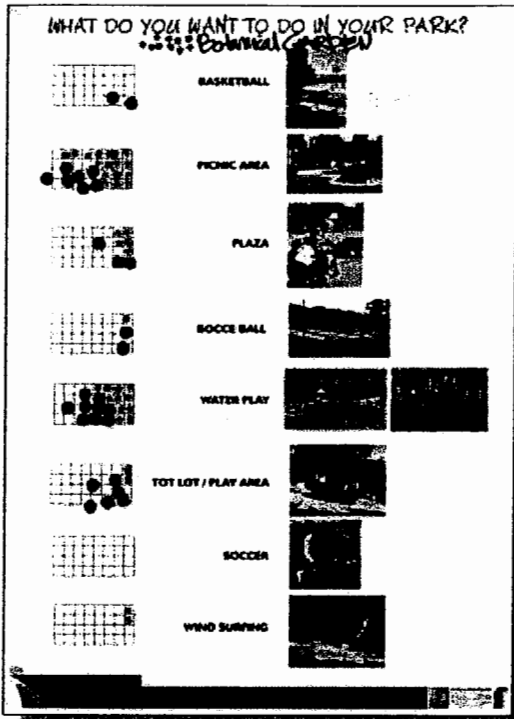
WHAT DO YOU WANT TO DO IN YOUR PARK?
• Chessboard

	ART DISPLAY	
	<i>•••••</i> Restrooms	
	FISHING	
	DOG PARK	
	VOLLEYBALL	
	RENTAL BIKE SHOP	
	KAYAKING	
	ROLLER BLADES	

WHAT DO YOU WANT TO DO IN YOUR PARK?
• Boat rentals

	EVENTS / FESTIVITIES	
	<i>Amphitheater (wooden)</i>	
	STAGE / PERFORMANCES	
	FOUNTAIN	
	WINDSCREEN / SHADE STRUCTURE	
	FARMERS' MARKET	
	WIND SURFING	
	CANOEING	

Workshop 1 Exhibits



Workshop 1 Exhibits

Workshop 2 Summary

Park Amenities

There was ample discussion about the amenities that were most important given the park construction budget. The group agreed that items such as botanical gardens and a large performance stage was not a top priority due to the high cost.

The amenities that were agreed upon are as follows:

- Large grassy meadow or lawn
- Shade/wind structure – Adjacent to kids play area desirable
- Tot lot and play structure that fit the character (not standard)
- Fountain with water play element
- Picnic areas for small groups and single picnic tables scattered in park
- Ample benches/seating
- Restrooms that are for general public and not marina users
- Designated locations for art display (temporary and permanent)
- 1 large plaza area centered along the waterside of the park
- Path to Mare Island Causeway underpass slightly improved
- Mare Island Causeway bridge underpass slightly improved
- Pedestrian connection to Mare Island Causeway bridge from the water's edge path
- Lights in the park, down the path to and under the Mare Island Causeway

Park Character

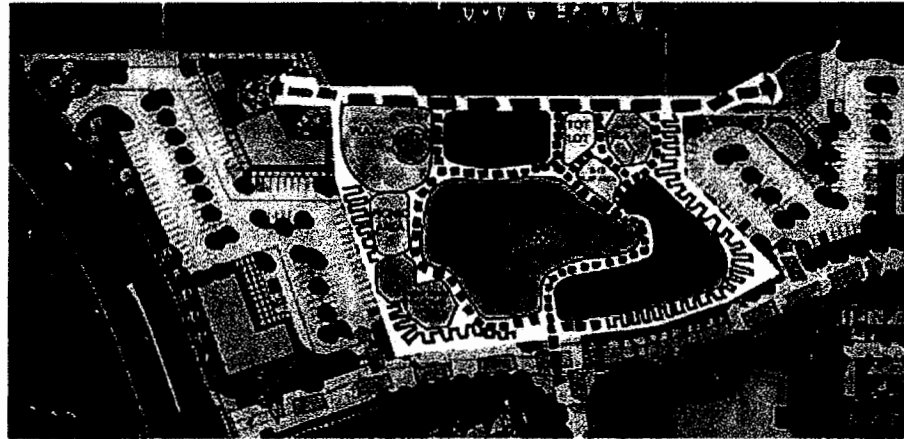
The character of the park was almost unanimous that have a Marina theme combined with a naturalistic planting approach. Once again group felt that the military theme has reached a saturation point with the Vallejo community. There was respectful appreciation of that theme for Mare Island and other places in Vallejo. The Northern Waterfront Park shall be elegant and timeless with an interesting juxtaposing of nautical design elements that transi-



tion to Naturalistic forms and planting towards Harbor Way. This transition to the Naturalistic theme will carry over to the Northern Waterfront Wetland Park across Harbor Way.

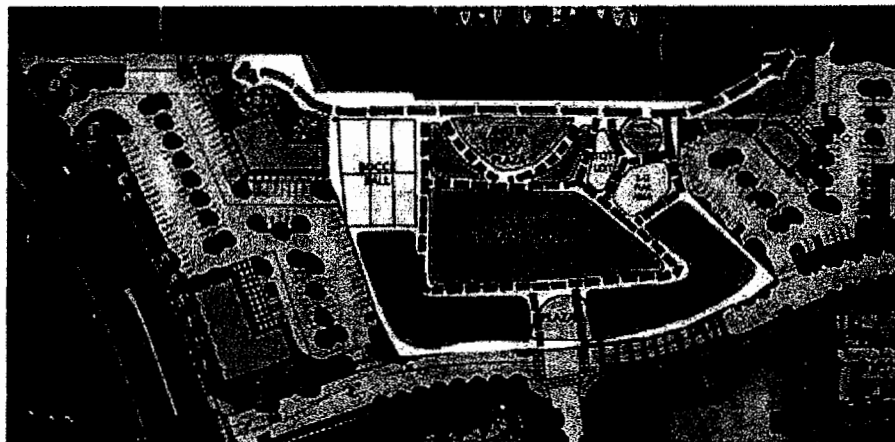
General Meeting Comments

- Art studios/displays
- Future – no more past
- Alternative transportation
- Pedestrians and bikes
- Creek to connect to wetland – not culvert
- Connection! (all waterfront)
 - Safe
 - Friendly
- Visual communication between both parks & architect (existing and future)
- Water play related to nature/wetland area
- Green design
- Active uses in this park
- Wetland to remain passive (different uses)
- Native plants/bay-friendly
- Pavement understated
- Balance maintenance/"nature look"
- Event space somewhere else on waterfront (central waterfront)
- Lighting
- Bocce in other locations already
- No bocce
- Art sculptures
- Surfacing on path-softer materials
- Causeway and switch back – minimum with lighting and surfacing



North Facing Stage, 1 Main Plaza Scheme

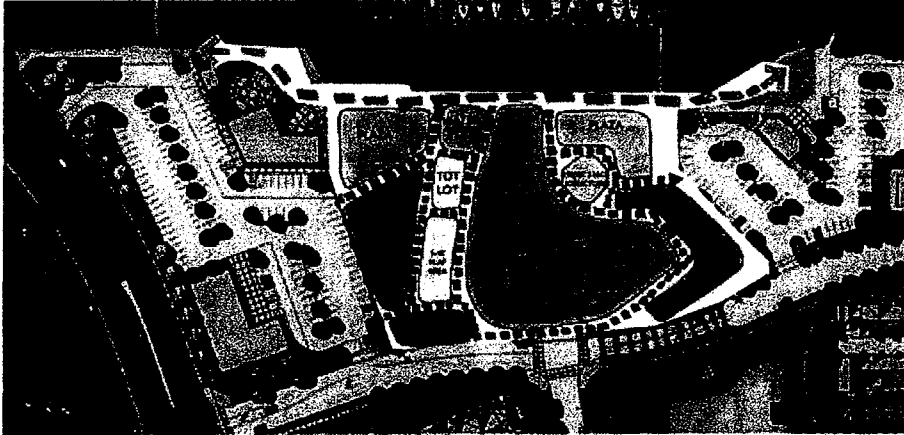
Multi Use Great Meadow	\$275,000	Tot Lot	\$100,000
Botanical Gardens	\$325,000	Kids Play Structure	\$125,000
Plaza & Hardscape	\$300,000	Benches and Picnic Tables	\$25,000
Event Stage With Shade Structure	\$175,000	Lights	\$80,000
Shade \ Wind Structure	\$80,000		
Water Play Area	\$25,000		
		Total	\$1,510,000



Bocce Ball, 2 Plaza Scheme

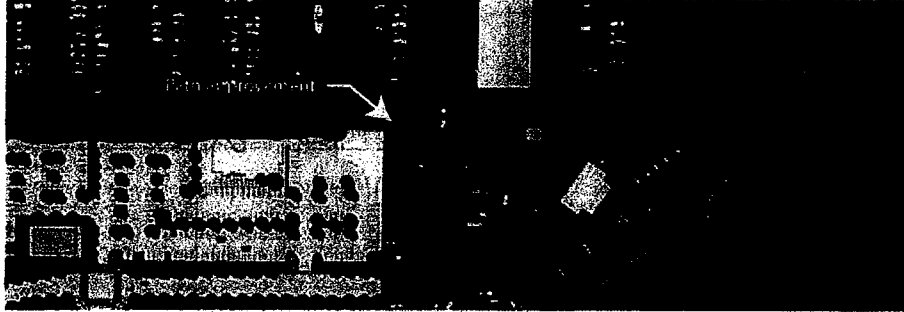
Multi Use Great Meadow	\$225,000	Tot Lot	\$100,000
Botanical Gardens	\$380,000	Kids Play Structure	\$125,000
Plaza & Hardscape	\$260,000	Benches and Picnic Tables	\$25,000
Bocce Ball Courts	\$60,000	Lights	\$110,000
Shade \ Wind Structure	\$80,000		
Water Play Area	\$25,000		
		Total	\$1,390,000

Workshop 2 Exhibits







South Facing Stage, 2 Plaza Scheme

Mult Use Great Meadow	\$275,000	Tot Lot	\$125,000
Botanical Gardens	\$250,000	Kids Play Structure	\$175,000
Plaza & Hardscape	\$300,000	Benches and Picnic Tables	\$25,000
Event Stage With Shade Structure	\$100,000	Lights	\$80,000
Water Play Area	\$40,000		
		Total	\$1,370,000



\$160,000 **\$260,000** **\$340,000**

			
Existing Path Conditions	Path Resurface	Path Resurface Add Decorative Railing	Path Resurface Add Decorative Railing Add New Lights and Benches

Workshop 2 Exhibits