



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA VALLEJO CITY COUNCIL

DECEMBER 8, 2009

MAYOR
Osby Davis

CITY COUNCIL
Stephanie Gomes, Vice Mayor
Hermie Sunga
Michael Wilson
Joanne Schivley
Erin Hannigan
Marti Brown

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

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

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



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

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

VALLEJO CITY COUNCIL **SPECIAL MEETING – CLOSED SESSION** **5:00 P.M. CITY COUNCIL CHAMBERS**

- A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION: IN RE: CITY OF VALLEJO, CALIFORNIA, DEBTOR; UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF CALIFORNIA, CASE NO. 08-26813-A-9, PURSUANT TO SUBDIVISION (C) OF GOVERNMENT CODE SECTION 54956.9
- B. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 CONCERNING THE FOLLOWING EMPLOYEE ORGANIZATIONS: INTERNATIONAL ASSOCIATION OF FIREFIGHTERS NO. 1186 (IAFF); INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2376 (IBEW) THE CITY'S NEGOTIATORS ARE: ROBERT F. D. ADAMS, INTERIM CITY MANAGER, CRAIG WHITTON, ASSISTANT CITY MANAGER / COMMUNITY DEVELOPMENT; ROBERT STOUT, FINANCE DIRECTOR; SANDY SALERNO, CONSULTANT/NEGOTIATOR

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

- C. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 UNREPRESENTED EMPLOYEES – MEMBERS OF THE EXEMPT EMPLOYEES COMPENSATION PLAN: CRAIG WHITTOM, ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT, ROBERT STOUT, FINANCE DIRECTOR, DEBORA BOUTTÉ, HUMAN RESOURCES DIRECTOR, GARY LEACH, PUBLIC WORKS DIRECTOR, ROBERT NICHELINI, POLICE CHIEF, RUSSELL SHERMAN, FIRE CHIEF, CLAUDIA QUINTANA, ASSISTANT CITY ATTORNEY, JULIA ERICKSON, EXECUTIVE ASSISTANT TO THE CITY MANAGER AND JEAN MILLER, EXECUTIVE ASSISTANT TO THE MAYOR. CITY NEGOTIATORS ARE: ROBERT F. D. ADAMS, INTERIM CITY MANAGER AND SANDY SALERNO, CONSULTANT/NEGOTIATOR

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATIONS AND COMMENDATIONS – NONE

- A. PRESENTATION BY REPRESENTATIVE OF THE U.S. CENSUS BUREAU ON THE 2010 CENSUS

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 RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF VALLEJO AND THE VALLEJO CONVENTION AND VISITORS BUREAU (VCVB), REGARDING USE OF CITY OWNED PROPERTY AT THE VALLEJO FERRY BUILDING

PROPOSED ACTION: Adopt the Resolution.

- B. APPROVAL OF A RESOLUTION ADOPTING THE PLANS AND SPECIFICATIONS AND AWARDING A CONSTRUCTION CONTRACT FOR THE WATER MAINS CAPITAL IMPROVEMENTS PROJECT FY 2009-2010 TO TEAM GHILOTTI INC. OF PETALUMA, CALIFORNIA IN THE AMOUNT OF \$1,372,844.00

PROPOSED ACTION: Adopt the Resolution.

- C. APPROVAL OF TWO RESOLUTIONS 1) APPROVING CONTRACT CHANGE ORDERS 1 THROUGH 13 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) – BENSON AVENUE IMPROVEMENT PROJECT AND 2) INTENT TO AMEND THE FISCAL YEAR 2009/10 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ADDING FUNDS (\$113,000.00) TO THE PROJECT

PROPOSED ACTION: Adopt the Resolutions.

- D. APPROVAL OF A RESOLUTION TO AMEND THE FISCAL YEAR 2009-2010 WATER ENTERPRISE FUND BUDGET BY ADDING \$65,000.00 TO THE APPROPRIATIONS FOR THE TRAVIS CLEARWELL INTEGRATION PROJECT (WT7040) FROM UNENCUMBERED, UNRESERVED FUND BALANCE IN THE TRAVIS CAPITAL EQUIPMENT RESERVE (FUND 410) WHICH IS FULLY FUNDED BY THE U.S. AIR FORCE
- PROPOSED ACTION: Adopt the Resolution.
- E. APPROVAL OF A RESOLUTION ACCEPTING THE RESIGNATION OF JOANNE VAN DER BRUGGEN FROM THE COMMISSION ON AGING
- PROPOSED ACTION: Adopt the Resolution.
- F. FINAL READING OF AN ORDINANCE AMENDING THE WHITE SLOUGH SPECIFIC PLAN/MASTER PLAN TO ALLOW RETAIL SALES, PERSONAL SERVICES-GENERAL AND FINANCE, AND INSURANCE AND REAL ESTATE SERVICES WITHIN ZONE 1A
- PROPOSED ACTION: Adopt the Ordinance.
- G. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERAGENCY COOPERATIVE AGREEMENT THROUGH SOLANO TRANSPORTATION AUTHORITY ESTABLISHING THE MODEL TECHNICAL ADVISORY COMMITTEE (MTAC) AND THE MODEL LAND USE COMMITTEE (MLUC)
- PROPOSED ACTION: Adopt the Resolution.
- H. CONSIDERATION OF A RESOLUTION OF INTENTION DIRECTING THE CITY MANAGER TO SUBMIT AN ORDINANCE FOR FIRST READING ADDING CHAPTER 7.63, "MAINTENANCE OF FORECLOSED RESIDENTIAL PROPERTIES" TO THE VALLEJO MUNICIPAL CODE
- PROPOSED ACTION: Adopt the Resolution.
- I. FINAL READING OF AN ORDINANCE AMENDING THE VALLEJO MUNICIPAL CODE REGARDING RESTRICTIONS AND REQUIREMENTS FOR EXISTING AND NEW TOBACCO RETAILERS
- PROPOSED ACTION: Adopt the Ordinance.
- J. APPROVAL OF TWO RESOLUTIONS, 1) APPROVING THE TOURO UNIVERSITY SOUTH CAMPUS FINAL MAP ON MARE ISLAND, AND 2) AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT, THE TRANSFER AGREEMENT, THE QUIT CLAIM DEED AND BILL OF SALE FOR CERTAIN WATER FACILITIES, THE AGREEMENT REGARDING COMMUNITY FACILITIES DISTRICT 2002-1 AND PAYMENT FOR CERTAIN INFRASTRUCTURE IMPROVEMENTS AND THE JOINT ESCROW INSTRUCTIONS FOR THE TOURO SOUTH CAMPUS FINAL MAP AND THE SALE OF THE PARCEL BY LENNAR MARE ISLAND LLC TO TOURO UNIVERSITY
- PROPOSED ACTION: Adopt the Resolution.

8. PUBLIC HEARINGS – NONE

9. POLICY ITEMS – NONE

10. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF CHARTER REVIEW COMMITTEE REPORTS REGARDING CITY OF VALLEJO CHARTER ARTICLES AND REQUEST OF CHARTER REVIEW COMMITTEE FOR EXTENSION OF COMMITTEE UNTIL JUNE 10, 2010

PROPOSED ACTION: Action as determined by City Council.

11. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

12. WRITTEN COMMUNICATIONS

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

13. CITY MANAGER'S REPORT

14. CITY ATTORNEY'S REPORT

15. COMMUNITY FORUM

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

17. CLOSED SESSION

18. ADJOURNMENT