



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA

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

APRIL 23, 2013

MAYOR
Osby Davis

CITY COUNCIL
Stephanie Gomes, Vice Mayor
Marti Brown
Jesus "Jess" Malgapo
Robert H. McConnell
Bob Sampayan
Hermie Sunga

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.

Pursuant to the Government Code Section 54954.3 (The Brown Act), members of the public shall be afforded the opportunity to speak on any agenda item of interest to them provided they are first recognized by the presiding officer. Members of the public wishing to be so recognized are requested to submit a completed speaker card to the City Clerk prior to the consideration of the item.

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 City Council to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA.

Members of the public have the right to speak on any item on this agenda. Those wishing to address the Council: 1) during the Community Forum are limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300; 2) on a Consent Calendar item are limited to three minutes pursuant to Vallejo Municipal Code Section 2.02.310; and an Action Calendar item are limited to five minutes pursuant to Vallejo Municipal Code Section 2.02.420.

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.

AFFIDAVIT OF POSTING CITY OF VALLEJO

I, Tarienne Groves certify that I caused to be posted the
notice of City Council Agenda in the areas
designated on 04/18/13 [Signature]
(Date) City Clerk / Designee

**VALLEJO CITY COUNCIL
REGULAR MEETING – 7:00 P.M.
COUNCIL CHAMBERS
APRIL 23, 2013**

NOTE: The Public Hearing as Noticed in the Vallejo Times Herald regarding amendment of Chapter 16.60 of the Vallejo Municipal Code Clarifying Home Occupation Business Standards and Activities will be re-noticed and rescheduled for a future date.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATIONS AND COMMENDATIONS

A. Presentation of Proclamations in Recognition of Retiring City Employees: Kelly Schroeder, Police Sergeant; Brian Estudillo, Police Corporal; Mary Pedretti, Police Officer; and Ronald Braxton, Police Officer

B. Presentation of a Proclamation Declaring April 26, 2013 as "Arbor Day"

C. Presentation of a Proclamation Declaring May 2013 as "Tourism Month"

D. Presentation of a Proclamation Declaring May 2013 as "Older Americans Month"

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 Minutes

Recommendation: By motion, approve City Council Minutes for the meetings of
1) April 9, 2013 (special) and 2) April 9, 2013 (regular)
Contact: Dawn G. Abrahamson, City Clerk, 648-4527

- B. Claims**
Recommendation: By motion, ratify the payment of claims totaling \$4,262,010.99 for the period March 1, 2013 through March 31, 2013
Contact: Deborah Lauchner, Finance Director, 648-4592
- C. Accept Work as Complete with ND Electrical Construction, Inc. for the Bus Shelter Installation Project**
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to accept the work as complete with ND Electrical Construction and authorizing the City Clerk to file a Notice of Completion
Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- D. Adoption of a Resolution Amending the Fiscal Year 2012-2013 Fire Department Budget**
Recommendation: Adopt a Resolution amending the Fire Department budget for Fiscal Year 2012-2013 in the amount of \$327,459 related to the acceptance of a 2011 Staffing for Adequate Fire and Emergency Response (SAFER) grant
Contact: Ron Prince, Interim Fire Chief, 648-4526
- E. Budget Adjustment Slurry Seal Project**
Recommendation: Adopt a Resolution to amend the Fiscal Year 2012-2013 Capital Improvement Program (CIP) Budget to transfer funds in the amount of \$32,000 from the Hiddenbrooke Improvement District Fund and \$18,000 from the Glen Cove Maintenance Capital Fund, and appropriate funds in the total amount of \$50,000 to the Slurry Seal Project
Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- F. Budget Adjustment Public Works Department**
Recommendation: Adopt a Resolution to amend Fiscal Year 2012/2013 Public Works General Fund Budget and the Fiscal year 2012-2013 Water Enterprise Budget to transfer funds in the amount of \$34,000 from the Water Fund to the General Fund to pay for an Associate (Civil) Engineer to work in the Water Division
Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- G. Budget Adjustment Gas Tax and Capital Improvement Program**
Recommendation: Adopt a Resolution to amend the Fiscal Year 2012/2013 Gas Tax and Capital Improvement Program (CIP) budgets to reduce budgeted Gas Tax revenues by \$108,575, increase Gas Tax expenditures by \$30,000 and to transfer funds in the amount of \$138,575 from CIP budget to the Gas Tax Fund
Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- H. Authorization to Execute the Second Amendment to the Agreement By and Between the City of Vallejo and Kennedy-Wilson Properties, LTD.**
Recommendation: By motion, authorize the City Manager to execute the Second Amendment to the Consultant and Professional Services Agreement by and between the City of Vallejo and Kennedy-Wilson Properties, LTD in the amount of \$52,000
Contact: Dan Marks, Interim Economic Development Director, 648-4382

I. **Downtown Streetscape Phase 3 Project Establishment and Budget Adjustment**

Recommendation: Adopt a Resolution of Intention to amend the Fiscal Year 2012-2013 Capital Improvement Program (CIP) budget to: 1) establish the Downtown Streetscape Phase 3 project and appropriate funds in the total amount of \$2,323,000 to the Project; and 2) transfer funds in the amount of \$89,000 from the Prop 42 Replacement Fund

Contact: David A. Kleinschmidt, Public Works Director, 648-4301

8. **ACTION CALENDAR**

NOTICE: Members of the public wishing to address the Council on Action Calendar Items are requested to submit a completed speaker card to the City Clerk. Each speaker is limited to five minutes pursuant to Vallejo Municipal Code Section 2.02.420.

A. **Proposed Fiscal Year 2013-2014 Action Plan, and Proposed Estimated Fiscal Year 2013-2014 and Fiscal Year 2014-2015 Community Development Block Grant (CDBG) Program and HOME Investment Partnerships Program Funding Allocations**

Recommendation: Adopt two Resolutions: (1) allocating \$18,500 in Fiscal Year 2013-2014, and \$18,500 in Fiscal Year 2014-2015, in CDBG Program funds, to Fighting Back Partnership, as recommended by the Housing and Redevelopment Commission (HRC) and staff; and (2) approving the Fiscal Year 2013-2014 Action Plan, including estimated Fiscal Year 2013-2014 CDBG Program and HOME Program funding recommendations, not including a CDBG Program funding allocation to Fighting Back Partnership; and estimated Fiscal Year 2014-2015 CDBG Program and HOME Program funding recommendations, not including a CDBG Program funding allocation to Fighting Back Partnership; as presented by the HRC and staff

Contact: Craig Whittom, Assistant City Manager, 648-4579

Anne Putney, Housing and Community Development Manager, 648-4408

B. **Urgency Ordinance Imposing Temporary Moratorium on Medical Marijuana Dispensaries**

Recommendation: By a four-fifths vote, adopt by motion the proposed urgency ordinance imposing a temporary moratorium on the establishment and operation of medical marijuana dispensaries within any zoning district in the City of Vallejo

Contact: Dan Marks, Interim Economic Development Director, 648-4382

Andrea Ouse, Planning Manager, 648-4163

9. **INFORMATION CALENDAR**

10. **CITY MANAGER'S REPORT**

11. **CITY ATTORNEY'S REPORT**

A. **Fiscal Year 2012-2013 – Third Quarter Report**

Recommendation: Informational item only; no action requested

Contact: Claudia Quintana, City Attorney, 648-4545

12. COMMUNITY FORUM

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

14. CLOSED SESSION

15. ADJOURNMENT