

# AMENDED AGENDA<sup>1</sup> VALLEJO CITY COUNCIL



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

**VALLEJO CITY COUNCIL  
SPECIAL MEETING – 4:30 P.M.  
REGULAR MEETING – 7:00 P.M.  
CITY COUNCIL CHAMBERS**

**VALLEJO SANITATION AND FLOOD  
CONTROL DISTRICT  
REGULAR MEETING 6:00 P.M.**

**SEPTEMBER 28, 2010**

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 4:30 P.M. COUNCIL CHAMBERS**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CLOSED SESSION**
  - A. PUBLIC EMPLOYMENT**  
Title: City Manager - pursuant to Government Code Section 54957 (b) (1)

<sup>1</sup> CITY COUNCIL SPECIAL MEETING AGENDA AMENDED TO ADD ITEM G

- B. 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
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Gary Leach, Utilities Director and Erik Nugteren, Water Superintendent concerning Real Property (Solano County APN 0147-010-010, Solano County APN 0147-010-090, Solano County APN 0147-010-100 and 110; Lake Madigan Reservoir and Solano County APN 0147-010-020, portion of Wild Horse Valley Ranch) regarding the negotiation of Price and Terms of Payment with Kenzo Estates, Inc. regarding an Easement Agreement pursuant to Government Code Section 54956.8
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Gary Leach, Utilities Director and Erik Nugteren, Water Superintendent concerning Real Property (Solano County APN 0147-010-010, Lake Madigan Reservoir) regarding the negotiation of Price and Terms of Payment with Michele Dupont Goss, Rijaho Land Company, Inc. and S.B.'s Treasure Chest, Inc. regarding an Easement Agreement pursuant to Government Code Section 54956.8
- E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Gary Leach, Utilities Director and Erik Nugteren, Water Superintendent concerning Real Property (Solano County APN 0147-010-010, Lake Madigan Reservoir) regarding the negotiation of Price and Terms of Payment with Kenzo Estates, Inc. Richard C. Bronson and Edna Elvira Bronson, the Catherine E. Nicol separate Property Trust executed March 22, 1983, Maesta I, LLC, Brian R. Silver and Diane S. Silver, Eli A. Silver, Ethel Solomon, the Nancy C. Gressinger Family Trust, dated June 22, 2000, Owen Hamel Hill Ranch, LLC, Frances Goodwin, the Lyons 1984 Family Trust, Wild Horse Ridge, LLC, the Gibbons Family Trust dated September 27, 1995, the Michele Dupont Goss Trust dated June 18, 2003, the Richard W. Goss II Trust, dated June 18, 2003, Rijaho Land Company, Inc., S.B.'s Treasure Chest, Inc. and David M. Bergin and Sydney Bergin regarding an Easement Agreement pursuant to Government Code Section 54956.8
- F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Property: Reuse Area 1 property (North Mare Island); Agency Negotiator: Robert F.D. Adams, Interim City Manager; Craig Whitton, Assistant City Manager/Community Development; Annette Taylor Senior Community Development Analyst. Negotiating Parties: Lathrop, LLC; City of Vallejo. Under negotiation: price and terms of payment.
- G. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Property: Reuse Area 1 property (North Mare Island); Agency Negotiator: Robert F.D. Adams, Interim City Manager; Craig Whitton, Assistant City Manager/Community Development; Annette Taylor Senior Community Development Analyst. Negotiating Parties: Jacobson Dolter & Poole, LLC; City of Vallejo. Under negotiation: price and terms of payment.

**4. ADJOURNMENT**

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

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of Proclamation to Anthony J. Pearsall, Executive Director of Fighting Back Partnership, for their 20<sup>th</sup> 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 City Council Minutes: 1) September 14, 2010 (special - closed); 2) September 14, 2010 (regular); and 3) September 21, 2010 (special – closed)  
**PROPOSED ACTION:** Approve the Minutes
- B. Adoption of a Resolution approving Fiscal Year 2009-10 Consolidated Annual Performance and Evaluation Report (CAPER)  
**PROPOSED ACTION:** Adopt the Resolution
- C. Adoption of a Resolution finding an exemption from bidding procedures and authorizing the Water Division to Sole Source Purchase Specialized Filter Backwash Sluice Gates in an amount not to exceed \$110,000 for the Fleming Hill Water Treatment Plant  
**PROPOSED ACTION:** Adopt the Resolution

- D. Adoption of a Resolution finding an exemption from the formal bidding procedures and authorizing the City Manager to sign a five-year Agreement with Orica Watercare, Inc. for the supply of Proprietary Miex® Resin and authorizing future renewals as necessary to ensure the future supply of Resin  
PROPOSED ACTION: Adopt the Resolution
  - E. Adoption of a Resolution authorizing the City Manager to execute a First Amendment to the Consultant and Professional Services Agreement between the City and Applied Materials and Engineering, Inc. for Materials Testing and Special Inspection Services in the amount of \$60,742 for the Vallejo Station Parking Station Phase A Project  
PROPOSED ACTION: Adopt the Resolution
  - F. Adoption of a Resolution authorizing the City Manager to execute Amendment No. 3 to the Banking Services Agreement with Wells Fargo Bank, N.A. for an additional five years until September 30, 2015 for an annual amount of approximately \$217,000  
PROPOSED ACTION: Adopt the Resolution
  - G. Adoption of a Resolution clarifying the method of determining and establishing the Settlement Authority of the Finance Director and Risk Manager for Workers' Compensation Claims and rescinding prior Resolutions  
PROPOSED ACTION: Adopt the Resolution
  - H. Adoption of a Resolution establishing the Compromise and Settlement Authority of the City Attorney, Finance Director and Risk Manager for Liability Claims and Litigation and rescinding Resolution Nos. 76-363 N.C., 84-954 N.C., and 94-90 N.C.  
PROPOSED ACTION: Adopt the Resolution
- 8. RECESS TO THE SPECIAL MEETING OF THE VALLEJO REDEVELOPMENT AGENCY**
- 9. RECONVENE TO THE CITY OF VALLEJO CITY COUNCIL MEETING**
- 10. PUBLIC HEARINGS - NONE**
- 11. POLICY ITEMS - NONE**
- A. Discussion of City Cost Recovery of Permit, Plan Check and Inspection Costs relating to Greater Vallejo Recreation District (GVRD) Capital Projects on City owned Lands leased to GVRD in the GVRD/City Master Lease  
PROPOSED ACTION: This is for discussion only with no formal Council action at this time.

**12. ADMINISTRATIVE ITEMS**

- A. Adoption of a Resolution authorizing the City Manager or his designee to seek Request for Proposals (RFP) from developers, developer teams, and other entities to purchase and redevelop Reuse Area 1, North Mare Island  
PROPOSED ACTION: Adopt a Resolution

**13. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

- A. Adoption of a Resolution confirming Appointment of Adult Advisors to the Youth Commission and confirming the Mayor's nomination of Council liaisons to the Youth Commission  
PROPOSED ACTION: Adopt the Resolution

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

**19. CLOSED SESSION - NONE**

**20. ADJOURNMENT**

**VALLEJO REDEVELOPMENT AGENCY  
SPECIAL MEETING  
7:00 P.M. - CITY COUNCIL CHAMBERS  
SEPTEMBER 28, 2010**

*Members of the public shall have the opportunity to address the Redevelopment Agency concerning any item listed on this agenda. No other items may be discussed at this special meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT CALENDAR AND APPROVAL OF AGENDA**
  - A. Approval of Redevelopment Agency Minutes for the meeting of August 17, 2010  
PROPOSED ACTION: Approve the Minutes
  - B. Adoption of a Resolution authorizing the Executive Director to execute an Agreement between the Redevelopment Agency and Eden Housing regarding Loan Modifications effective upon Eden Housing or their affiliate become the Managing General Partner of Sereno Village Apartments and to execute the Second Amendment to the Affordable Housing Covenant between the Redevelopment Agency and Sereno Village Associates  
PROPOSED ACTION: Adopt the Resolution
- 4. ADJOURN TO CITY COUNCIL MEETING**