



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

# AMENDED AGENDA

**SEPTEMBER 29, 2009**

**VALLEJO CITY COUNCIL**

**Closed Session 6:00 pm  
Regular City Council 7:00 pm**


MAYOR  
Osby Davis

CITY COUNCIL  
Hermie Sunga, Vice Mayor  
Tom Bartee  
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.
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*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**  
**6:00 P.M. CITY COUNCIL CHAMBERS**

- A. 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.*

- B. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 UNREPRESENTED EMPLOYEES – MEMBERS OF THE EXEMPT EMPLOYEES COMPENSATION PLAN: CRAIG WHITTON, ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT, ROBERT STOUT, FINANCE DIRECTOR, DEBORA BOUTTE, 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
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 94956.8. PROPERTY: CERTAIN REAL PROPERTY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF LINCOLN STREET AND HUMBOLDT STREET (ADJACENT TO INTERSTATE 80); CITY NEGOTIATORS ARE: CRAIG WHITTON, ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT AND STEVE ENGLAND, REAL PROPERTY ASSET MANAGER; NEGOTIATING PARTIES: CLEAR CHANNEL OUTDOOR; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR LEASE OF PROPERTY
- D. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION: IN RE: CITY OF VALLEJO, CALIFORNIA, DEBTOR; UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF CALIFORNIA, CASE NO. 08-26813-A-9, PURSUANT TO SUBDIVISION (C) OF GOVERNMENT CODE SECTION 54956.9

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

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PRESENTATIONS AND COMMENDATIONS - None**
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. **ANNUAL REAL ESTATE REPORT – SURPLUS PROPERTY UPDATE**

PROPOSED ACTION: Informational only; no action will be taken.

- B. **APPROVAL OF A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR DOWNTOWN STREETScape IMPROVEMENT PROJECT PHASE 1A [FEDERAL AID PROJECT NO. 5030-048] AND AWARDDING A CONSTRUCTION CONTRACT TO NORTH BAY CONSTRUCTION COMPANY, PETALUMA, CA IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS**

PROPOSED ACTION: Adopt the Resolution.

- C. **APPROVAL OF A RESOLUTION EXTENDING THE DEADLINE FOR THE CHARTER REVIEW COMMITTEE TO SUBMIT RECOMMENDATIONS**

PROPOSED ACTION: Adopt the Resolution.

- D. FINAL READING OF AN ORDINANCE ADDING CHAPTER 7.90 TO TITLE 7 ESTABLISHING A COST-RECOVERY FEE FOR MISUSE OF THE 9-1-1 EMERGENCY CALLING SYSTEM.

PROPOSED ACTION: Adopt the Ordinance.

- E. APPROVAL OF A RESOLUTION AMENDING THE SECTION 457(B) DEFERRED COMPENSATION PLAN TO ADD SERVICE PROVIDERS AND TO AUTHORIZE THE CITY MANAGER AND/OR HIS/HER DESIGNEE AS THE PLAN ADMINISTRATOR TO AMEND THE PLAN TO ADD OR REMOVE SERVICE PROVIDER

PROPOSED ACTION: Adopt the Resolution.

**8. PUBLIC HEARINGS - None**

**9. POLICY ITEMS - None**

**10. ADMINISTRATIVE ITEMS**

- A. CONSIDERATION OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE ADDING SUBCHAPTER II TO TITLE 2 OF THE VALLEJO MUNICIPAL CODE, IMPLEMENTING THE PROVISIONS OF THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT OF 2006, CODIFIED IN CALIFORNIA PUBLIC UTILITIES CODE SECTION 5800 ET SEQ.

PROPOSED ACTION: Adopt the Resolution.

- B. CONSIDERATION OF A RESOLUTION AUTHORIZING AND APPROVING THE USE OF THE CITY LOGO FOR THE MAYOR'S CUP GOLF TOURNAMENT AND COMMUNITY RECOGNITION DINNER (REQUESTED BY MAYOR DAVIS)

PROPOSED ACTION: Adopt the Resolution.

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

**12. WRITTEN COMMUNICATIONS - None**

*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 PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL**

**17. CLOSED SESSION - None**

**18. ADJOURNMENT**

Ag9-29-V2

<b>AFFIDAVIT OF POSTING CITY OF VALLEJO</b>	
I, <u>A. WEDDELL</u>	certify that I caused to be posted the
notice of <u>SPECIAL MEETING / CLOSED SESSION</u>	in the areas
designated on <u>9/25/09</u>	, <u>A. WEDDELL</u>
(Date)	City Clerk / Designee