



**AGENDA  
VALLEJO CITY COUNCIL  
MARCH 27, 2007**

**MAYOR**  
Anthony Intintoli, Jr.

**CITY COUNCIL**  
Gary Cloutier, Vice Mayor  
Gerald Davis  
Tom Bartee  
Hermie Sunga  
Stephanie Gomes  
Tony Pearsall

City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

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.

Copies of written documentation relating to each item of business on the AGENDA are on file in the Office of the City Clerk and are available for public inspection. Information may be obtained by calling (707) 648-4527, TDD (707) 649-3562, or at our web site: <http://www.ci.vallejo.ca.us/>

The Vallejo Sanitation & Flood Control District is located at 450 Ryder Street, (707) 644-8949. A public agenda book is available at the District Office during regular business hours for those desiring additional information on agenda items.



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.

**ITEM**

**ACTION**

**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 - NONE**
- 5. 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.

**6. CONSENT CALENDAR AND APPROVAL OF AGENDA**

All matters are approved under one motion unless requested to be removed for discussion by a Councilmember, City Manager, or member of the public subject to a majority vote of the Council.

- A. CITY COUNCIL MINUTES FEBRUARY 27 AND MARCH 13, 2007
- B. APPROVAL OF A LEASE AGREEMENT BETWEEN THE CITY OF VALLEJO AND VALLEJO CONVENTION AND VISITORS BUREAU FOR OFFICE SPACE LOCATED AT 289 MARE ISLAND WAY

PROPOSED ACTION: Approve the resolution authorizing the City Manager to execute the lease agreement between the City of Vallejo and Vallejo Convention and Visitors Bureau through June 30, 2007 and to execute any other documents necessary to effect the agreement.

- C. CONSIDER RESIGNATION OF JOYCE SCHARF FROM THE COMMISSION ON CULTURE AND THE ARTS

Scharf

PROPOSED ACTION: Adopt a resolution accepting the resignation of Joyce from the Commission on Culture and the Arts.

- D. APPROVAL OF A RESOLUTION OF SUPPORT FOR SB 286, ALLOCATION OF PROPOSITION 1B LOCAL STREETS AND ROAD FUND

PROPOSED ACTION: Staff recommends support of proposed legislation SB 286 which guarantees that every city will receive at least half of their Prop 1B funds for local streets and roads to spend in the next two fiscal years (FY2007/08 and 2008/09).

- E. CONSIDERATION OF FIRST AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

Mr. Tanner has completed his interim appointment as outlined in his original employment agreement, effective March 7, 2007. It is now time to prepare the necessary documents to begin Mr. Tanner's regular full-time appointment as City Manager. The original employment agreement contains provisions specific to the California Public Employer's Law (CalPERS) related to the appointment as City Manager. After review of said language, CalPERS has recommended that the contract be amended to reflect the proper language regarding any PERSable compensation.

PROPOSED ACTION: Approve the Resolution authorizing the Mayor to amend the City Manager's Agreement to ensure it complies with the CalPERS regulations.

- F. CONSIDERATION OF PERFORMANCE BASED SALARY ADJUSTMENT FOR THE CITY ATTORNEY AND THE FOURTH AMENDMENT TO HIS EMPLOYMENT AGREEMENT

Mr. Soley completed five and one-half years of service as the City Attorney on January 1, 2007. Mr. Soley received his last salary increase on January 1, 2003. On December 19, 2006 and January 9, 2007, the City Council conducted a closed session performance evaluation concerning Mr. Soley. The Council designated the Mayor as the City's negotiator for salary and benefit negotiations with Mr. Soley. The Council will consider amending Mr. Soley's employment agreement to provide comparable salary and benefits to the Bay Area region cities with a similar position.

PROPOSED ACTION: 1) Approve the Resolution to amend the City Attorney's Agreement (as previously amended) and authorization of a salary increase. 2) Approve the Resolution to Report and Pay the Value of the Employer Paid Member Contributions for the Council Appointed Executives Group.

## 7. PUBLIC HEARINGS

- A. CONSIDERATION OF A MITIGATED NEGATIVE DECLARATION AND MONITORING PROGRAM, ZONING MAP AMENDMENT #05-0002 TO REZONE TWO PARCELS FROM INTENSIVE USE LIMITED (IU-L) TO PLANNED DEVELOPMENT RESIDENTIAL (PDR), AND A PLANNED DEVELOPMENT (MASTER PLAN / UNIT PLAN) #05-0012 TO CONSTRUCT SIX DETACHED SINGLE FAMILY MANUFACTURED HOMES. THE PROJECT IS LOCATED ON ILLINOIS STREET APPROXIMATELY 500 FEET WEST OF BROADWAY AND 1,050 FEET EAST OF SONOMA BOULEVARD AT FERN STREET.

On November 20, 2006 the Planning Commission voted 5 to 0 to recommend that the City Council approve the Mitigated Negative Declaration; adopt the Zoning Map Amendment #05-0002 to rezone two parcels from Intensive Use Limited (IU-L) to Planned Development Residential (PDR); and to adopt a Planned Unit Development (Master Plan / Unit Plan) #05-0012 to construct six detached single family manufactured homes on lots ranging from 2,936 square feet to 3,915 square feet with an overall project density of 12.76 units per acre. The project is located on Illinois Street approximately 500 feet west of Broadway and 1,050 feet east of Sonoma Boulevard at Fern Street.

PROPOSED ACTION: Adopt a resolution approving the Mitigated Negative Declaration, holding on first reading an ordinance amending the Vallejo Zoning Map from Intensive Use Limited to Planned Development Residential (Zoning Map amendment #05-0002), and holding on first reading an ordinance approving the Planned Development Residential Master Plan/Unit Plan. (Planned Development Master Plan/Unit Plan #05-0012).

## 8. POLICY ITEMS

- A. CONSIDERATION OF AN INTERIM ORDINANCE OF THE CITY OF VALLEJO ADOPTED AS AN URGENCY MEASURE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 MAKING FINDINGS AND ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF CERTAIN NEW ACTIVITIES AND FACILITIES INVOLVING THE SALE OF TOBACCO OR TOBACCO RELATED PRODUCTS OR PARAPHERNALIA.

Consideration of an urgency ordinance prohibiting new retailers of tobacco and tobacco related products from establishing new or expanded uses within the City of Vallejo for a period of 45 days and making findings of urgency regarding the health, safety and general welfare of Vallejo citizens.

PROPOSED ACTION: It is recommended that the urgency ordinance be adopted.

**9. ADMINISTRATIVE ITEMS - NONE**

**10. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - NONE**

**11. 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.*

**12. CITY MANAGER'S REPORT**

**13. CITY ATTORNEY'S REPORT**

**14. 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. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.*

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

**16. CLOSED SESSION:** *May recess to consider matters of pending litigation (GC 54956.9), personnel (GC 54957), labor relations (GC 54957.6), and real property negotiations (GC 54956.8). Records are not available for public inspection.*

**17. ADJOURNMENT**