



# AGENDA VALLEJO CITY COUNCIL JULY 17, 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/>



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** **5:30 P.M. -- CITY COUNCIL CHAMBERS**

- A. ECONOMIC DEVELOPMENT COMMISSION INTERVIEWS

## **VALLEJO CITY COUNCIL** **SPECIAL MEETING -- CLOSED SESSION** **6:15 P.M. -- CITY COUNCIL CHAMBERS**

- B. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: LUMSEY, et al. v. TRAVEL INN, et al., SOLANO COUNTY SUPERIOR COURT, CASE NO. FCS023582, PURSUANT TO GOVERNMENT CODE SECTION 54956.9  
(a).

**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
  - A. PRESENTATION OF ARTWORK DONATED BY PHILIPPINES SPEAKER OF THE HOUSE OF CONGRESS, JOSE deVENICIA, PRESENTED BY VALLEJO BUSINESS ALLIANCE OF THE CHAMBER OF COMMERCE
  - B. PRESENTATION OF RECOGNITION TO VALLEJO POLICE DEPARTMENT FOR TOBACCO STING OPERATION BY LORETTA HUDDART-WOLFE OF SOLANO COUNTY HEALTH AND SOCIAL SERVICES

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. APPROVAL OF MINUTES OF THE JUNE 26, 2007 MEETING  
PROPOSED ACTION: Approve the minutes.
- B. FINAL READING OF AN ORDINANCE ADOPTING THE MARE ISLAND SPECIFIC PLAN, AS AMENDED, AS THE MARE ISLAND MASTER PLAN  
PROPOSED ACTION: Adopt the Ordinance.
- C. FINAL READING OF AN ORDINANCE AMENDING CHAPER 16.38 OF THE VALLEJO MUNICIPAL CODE "ARCHITECTURAL HERITAGE AND HISTORIC PRESERVATION"  
PROPOSED ACTION: Adopt the Ordinance.

- D. APPROVAL OF A RESOLUTION ESTABLISHING NEW RATES AT THE VALLEJO MUNICIPAL MARINA EFFECTIVE AUGUST 1, 2007, PROVIDING AUTHORIZATION FOR FUTURE RATE INCREASES, APPROVAL OF FEE WAIVERS TO BENEFIT THE CITIZENS OF VALLEJO OR BERTH RENTERS AND PROVISIONS FOR INCENTIVES TO INCREASE OCCUPANCY

PROPOSED ACTION: Staff recommends approving a resolution: 1) rescinding Resolution No. 06-247; 2) establishing new rates and fees at the Vallejo Municipal Marina for Fiscal Year 2007/2008; 3) providing authorization to the City Manager to increase rates over the next five (5) years; 4) authorizing the City Manager, or his designated representative, to waive berthing fees; and 5) authorizing the City Manager, or his designated representative to offer promotional discounts or incentives to increase occupancy/revenue.

## 7. PUBLIC HEARINGS

- A. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF USE PERMIT #07-0002 FOR A TOWING SERVICE/AUTO STORAGE YARD AT 107 COUCH STREET

On April 16, 2007, the Planning Commission considered Use Permit application #07-0002 for a towing service/auto storage yard at 107 Couch Street, submitted by Arrow Tow Service. The Planning Division staff had recommended that the proposed project be conditionally approved provided the site and associated use was adequately screened from public view. The Planning Commission unanimously denied the proposal based on their determination that the proposed use was inconsistent with efforts to beautify Sonoma Boulevard and that the proposed use was incompatible with other uses in the immediate area.

On April 23, 2007, Timothy Jones filed an appeal of the Planning Commission's denial of Use Permit #07-0002, but also modified his project proposal to attempt to address some of the Planning Commission concerns expressed for the project. On June 18, 2007, the Planning Commission voted 5-2 not to rehear the applicant's modified proposal.

PROPOSED ACTION: Staff recommends that the City Council grant the appeal of Use Permit #07-0002 subject to the revised staff conditions of approval and require the applicant to revise the plans as recommended in the staff report.

## 8. POLICY ITEMS

- A. CONSIDERATION OF SECURITY ALARM ORDINANCE

The City's existing alarm ordinance does not provide for the imposition of penalties until four false alarms have been reported. As such, there is little incentive to reduce false alarms and the Police Department responds to over 6,500 such incidents each year. False alarm responses waste the equivalent time of two police officers.

PROPOSED ACTION: Adopt the resolution holding the proposed ordinance updating security alarm standards and establishing an effective penalty system to reduce false alarms on first reading.

- B. CONSIDERATION OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE RELATING TO CAMPING ON PUBLIC AND PRIVATE PROPERTY AND THE STORAGE OF PERSONAL PROPERTY ON PUBLIC AND PRIVATE PROPERTY

The City Council directed staff to prepare an ordinance regulating camping on public and private property at their regularly scheduled meeting on May 22, 2007. As a result, an appropriate ordinance has been prepared for Council consideration.

PROPOSED ACTION: Adopt a resolution holding the proposed ordinance regulating camping on public and private property and the storage of personal property on public and private property on first reading.

9. **ADMINISTRATIVE ITEMS**

- A. MOTION TO RECONSIDER PLANNED DEVELOPMENT (UNIT PLAN) 06-0018, 1757 DURROW COURT, VALLEJO, AT THE REQUEST OF COUNCILMEMBER SUNGA

On May 22, 2007, the Vallejo City Council considered an appeal from a Planning Commission's decision granting unit plan approval for an 11,754 custom single family home at 1757 Durrow Court. After the hearing, the Council voted to uphold the appeal, and modify the decision of the Planning Commission regarding the unit plan by a vote of 5-2. Pursuant to Vallejo Municipal Code section 2.02.650, Councilmember Sunga requests that a motion to reconsider the denial of Unit Plan 06-0018 be voted on by the Council.

PROPOSED ACTION: Determine whether Unit Plan 06-0018 should be considered at a future time. If the Council votes to grant the motion to reconsider, such matter will be placed on a future agenda, and the statutory notice to interested parties shall be provided.

- B. CONSIDERATION OF A RESOLUTION HOLDING ON A FIRST READING AN ORDINANCE AMENDING CHAPTERS 7.40 THROUGH 7.52 OF THE VALLEJO MUNICIPAL CODE

On September 12, 2006, the City Council awarded a franchise to Vallejo Garbage Service to extend the curbside recycling franchise through June 30, 2017, and authorized the City Manager to sign a Revised and Restated Franchise Agreement for Collection and Disposal of Solid Waste and Recyclables with Vallejo Garbage Service. That action made it necessary to amend the Vallejo Municipal Code to ensure that the franchise agreement and City's Municipal Code are consistent. At that time as automated collection service was not scheduled to begin until July 2007, the necessary changes to the Municipal Code related to the new service were not made. Staff informed Council that it would be necessary to return at a later date to make these changes and they are now being presented to City Council for consideration.

PROPOSED ACTION: Adopt the resolution holding on the first reading an Ordinance amending Chapters 7.40 through 7.52 of the Vallejo Municipal Code.

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

**A. APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION**

Council interviewed applicants for the Economic Development Commission earlier this evening.

PROPOSED ACTION: Appoint one member to the Economic Development Commission.

**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**

