



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA
VALLEJO CITY COUNCIL
SPECIAL JOINT MEETING
VALLEJO REDEVELOPMENT
AGENCY

AUGUST 26, 2008
VALLEJO SANITATION & FLOOD CONTROL
DISTRICT (6:00 P.M.)

MAYOR
Osby Davis

CITY COUNCIL
Tom Bartee, Vice Mayor
Hermie Sunga
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.

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
5:00 P.M. – COUNCIL CHAMBERS

- A. 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**
 - A. **PRESENTATION OF PROCLAMATION DECLARING AUGUST 26, 2008 AS WOMEN'S EQUALITY DAY 2008**

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 A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE MAINTENANCE DREDGING AND PASSENGER LOADING FLOAT UPKEEP VALLEJO – BAYLINK FERRY TERMINAL PROJECT AND AWARDING A CONSTRUCTION CONTRACT TO SALT RIVER CONSTRUCTION CORP, TIBURON, CA. IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS**

PROPOSED ACTION: Staff recommends adopting the resolution approving the plans and specifications and awarding a construction contract to Salt River Construction Corp, Tiburon, CA. in the amount of \$282,400.00 for the Maintenance Dredging and Passenger Loading Float Upkeep Vallejo – Baylink Ferry Terminal Project.

8. **PUBLIC HEARINGS – NONE**
9. **POLICY ITEMS – NONE**
10. **RECESS TO JOINT SPECIAL MEETING WITH THE REDEVELOPMENT AGENCY**

11. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT REPRESENTATION AND CONFLICT OF INTEREST WAIVER LETTER AGREEMENT WITH THE LAW FIRM OF GOLDFARB & LIPMAN, LLP AND CALLAHAN/DESILVA VALLEJO, LLC REGARDING GOLDFARB & LIPMAN PROVIDING LAND ACQUISITION ADVICE RELATED TO THE VALLEJO STATION/VALLEJO WATERFRONT PROJECT

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to execute a Joint Representation and Conflict of Interest Waiver Letter Agreement with the law firm of Goldfarb & Lipman, LLP and Callahan/DeSilva Vallejo, LLC regarding Goldfarb & Lipman providing land acquisition advice related to the Vallejo Station/Vallejo Waterfront Project.

12. RECONVENE TO CITY COUNCIL MEETING

13. ADMINISTRATIVE ITEMS (CONTINUED)

- B. STUDY SESSION ON FOREIGN TRADE ZONE

14. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

15. 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.

16. CITY MANAGER'S REPORT

17. CITY ATTORNEY'S REPORT

18. COMMUNITY FORUM

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

20. CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
PROPERTY: APN 056-191260 AND APN 056-191-100 (PARCEL A); APN 055-160-170 (PARCEL B); APN 055-160-300, APN 055-160-380, AND APN 055-160-240 (PARCEL C); APN 055-170-280 AND APN 055-170-290 (PARCEL D); APN 056-192-070, APN 056-192-080, AND APN 056-192-090 (PARCEL E); APN 056-194-110, APN 056-194-120, APN 056-194-130, AND APN 056-194-140 (PARCEL F); AND APN 056-223-030 (PARCEL G) (SEVEN CERTAIN PARCELS ASSOCIATED WITH THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF VALLEJO AND TRIAD DOWNTOWN VALLEJO, LLC.
CITY NEGOTIATORS: JOSEPH TANNER, CITY MANAGER; CRAIG WHITTON, ASSISTANT CITY MANAGER/COMMUNITY; SUSAN MCCUE, ECONOMIC DEVELOPMENT PROGRAM MANAGER; ANNETTE TAYLOR, SENIOR COMMUNITY DEVELOPMENT ANALYST; AND IRIS YANG, MCDONOUGH HOLLAND AND ALLEN
NEGOTIATING PARTIES: TRIAD DOWNTOWN VALLEJO, LLC
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
PROPERTY: 485 SANTA CLARA STREET, VALLEJO, CA
CITY NEGOTIATORS: JOSEPH TANNER, CITY MANAGER, GARY LEACH, PUBLIC WORKS DIRECTOR, SUSAN MCCUE, ECONOMIC DEVELOPMENT PROGRAM MANAGER, ALLAN PANGANIBAN, SENIOR CIVIL ENGINEER AND STEVEN LONG, OVERLAND PACIFIC & CUTLER
NEGOTIATING PARTIES: HILF - PAYARES PROPERTY, INC.,
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
PROPERTY: 415 SANTA CLARA STREET, VALLEJO, CA
CITY NEGOTIATORS: JOSEPH TANNER, CITY MANAGER, GARY LEACH, PUBLIC WORKS DIRECTOR, SUSAN MCCUE, ECONOMIC DEVELOPMENT PROGRAM MANAGER, ALLAN PANGANIBAN, SENIOR CIVIL ENGINEER AND STEVEN LONG, OVERLAND PACIFIC & CUTLER
NEGOTIATING PARTIES: A.J. HIGGINS COMPANY, INC.
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957
TITLE: CITY MANAGER

21. ADJOURNMENT

VALLEJO REDEVELOPMENT AGENCY
SPECIAL MEETING
7:00 P.M. – COUNCIL CHAMBERS

NOTICE: Members of the public shall have the opportunity to address the Redevelopment Agency concerning any item listed on this notice before or during consideration of that item. No other items may be discussed at this special meeting.

1. CALL TO ORDER

2. ROLL CALL

3. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT REPRESENTATION AND CONFLICT OF INTEREST WAIVER LETTER AGREEMENT WITH THE LAW FIRM OF GOLDFARB & LIPMAN, LLP AND CALLAHAN/DESILVA VALLEJO, LLC REGARDING GOLDFARB & LIPMAN PROVIDING LAND ACQUISITION ADVICE RELATED TO THE VALLEJO STATION/VALLEJO WATERFRONT PROJECT

PROPOSED ACTION: Adopt the resolution authorizing the City Manager to execute a Joint Representation and Conflict of Interest Waiver Letter Agreement with the law firm of Goldfarb & Lipman, LLP and Callahan/DeSilva Vallejo, LLC regarding Goldfarb & Lipman providing land acquisition advice related to the Vallejo Station/Vallejo Waterfront Project.

4. ADJOURN TO CITY COUNCIL MEETING



Agenda Item No.

CONSENT A

COUNCIL COMMUNICATION

Date: August 26, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Gary A. Leach, Public Works Director *AL*

SUBJECT: APPROVAL OF A RESOLUTION 1) APPROVING PLANS AND SPECIFICATIONS FOR THE MAINTENANCE DREDGING VALLEJO – BAYLINK FERRY TERMINAL PROJECT AND 2) AWARDDING A CONSTRUCTION CONTRACT TO SALT RIVER CONSTRUCTION CORP, TIBURON CA IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS

BACKGROUND

The work contemplated for this project includes removing and reinstalling passenger loading float, dredging and disposal of sediments, and performing final post-dredge surveys.

Maintenance dredging of the Vallejo – Baylink Ferry Terminal is required on an ongoing basis to support continued ferry operations. The ferry terminal once again is in need of dredging to maintain the service. The last dredging episode occurred in 2003 between the months of August and October.

In December 18, 2007, the City Council authorized the City Manager to execute a consultant services agreement with CLE Engineering (CLE) of Richmond, California for professional engineering services to acquire all permits and prepare all construction documents for maintenance dredging work at the Vallejo – Baylink Ferry Terminal.

CLE has completed their assigned tasks, including preparation of plans and specifications for bidding the work. Hydrographic measurements of the dredge area have been obtained and documented. Dredge volumes have been calculated. Sediment samples have been obtained and tested showing no adverse findings. A plan for temporary relocation of passenger ferry operations has been completed. All of these components are included in the City's master dredging permit application.

The master dredging permit application was prepared and forwarded to the Dredge Materials Management Office (DMMO) for approval. The DMMO board consists of the following eight agencies: (1) Bay Conservation & Development Commission (BCDC), (2) U.S. Army Corps of Engineers, (3) San Francisco Bay Regional Water Quality Control Board, (4) U.S. Environmental Protection Agency (EPA), (5) California State



Lands Commission, (6) California Department of Fish & Game, (7) U.S. National Marine Fisheries Service and (8) U.S. Fish and Wildlife Service. Initial feedback from the DMMO is that the City's application looks to be in good order. Final DMMO approval was received on July 8, 2008. The City has completed the approval process from the eight agency board to perform the work.

In order to completely dredge the basin, the existing gangway and float must be disconnect and removed. The existing gangway and float will remain in service in order to provide ferry service until a time that a temporary float and gangway are installed just south of the basin in the area behind the Vista Dental Building (see the site map). The old passenger float will be utilized for temporary ferry operations. It is anticipated that ferry service will not be disrupted. However, passenger loading and unloading times may become slightly longer due to somewhat narrower ramps and gangways.

While the existing float and gangway are removed and out of service, the City under a separate contract will perform preventative maintenance and painting of passenger float. Once dredging is complete, the new float and gangway will be reinstalled by the dredging contractor. Once re-installed, ferry operation will revert to normal and the temporary float and gangway will be removed and returned to the ferry maintenance facility at Mare Island. Temporary ferry operations are expected to last for six weeks starting on or around September 9, 2008.

The 4 bids received on August 14, 2008 for the Maintenance Dredging Vallejo – Baylink Ferry Terminal Project are as follows:

Salt River Construction Corp. Tiburon CA	\$282,400.00
Dutra Dredging, San Rafael CA	\$ 400,500.00
Manson Construction Co., Seattle WA	\$ 478,700.00
Gordon N. Ball Construction Alamo CA	\$727,000.00

Gordon N. Ball's Construction bid was deemed non-responsive; as their bid package was submitted incomplete.

The apparent low bidder, Salt River Construction Corp was responsive in submitting all required documents and upon investigating references submitted by the low bidder, Salt River Construction is deemed responsible and acceptable for performing this work.

Fiscal Impact

The City obtained federal capital grant of \$800,000 for this project. In addition \$200,000 has been provided from State Proposition 1B. Approximately \$150,000 is already obligated for permitting and preparation of plans and specifications. Therefore,



\$850,000 remains to fund the dredging work and the repairs and painting of the passenger float. The call for bids is solely for the dredging work. There will be no impact on the City's General Fund.

RECOMMENDATION

Staff recommends adopting the resolution 1) approving the plans and specifications and 2) awarding a construction contract to Salt River Construction Corp, Tiburon, California in the amount of \$282,400.00 for the Maintenance Dredging, Vallejo-Baylink Ferry Terminal Project.

ENVIRONMENTAL REVIEW

Dredging of the Vallejo - Baylink Ferry Terminal qualifies as a CEQA Class 4 categorical exemption (15304 (g)) – Maintenance dredging where the spoils are deposited in a spoil area authorized by all applicable state and federal regulatory agencies) under Sections 21083 and 21087 of the Public Resources Code. No dredging will take place until all permits have been issued by applicable state and federal regulatory agencies. A Notice of Exemption has been filed with the Solano County Clerk on May 22, 2008.

ALTERNATIVES CONSIDERED

A "No Dredging" option was considered but not recommended. The build-up of sediment around the facilities will hamper the operations of the ferry vessels.

PROPOSED ACTION

Adoption of the resolution 1) approving the plans and specifications and 2) awarding a construction contract to Salt River Construction Corp, Tiburon, California in the amount of \$282,400.00 for the Maintenance Dredging Vallejo – Baylink Ferry Terminal Project

DOCUMENTS AVAILABLE FOR REVIEW

- a. A resolution 1) approving the plans and specifications and 2) awarding a construction contract to Salt River Construction Corp, Tiburon CA in the amount of \$282,400.00 for the Maintenance Dredging Vallejo – Baylink Ferry Terminal Project.
- b. Project Site Map



CONTACT PERSON

Gary A. Leach, Public Works Director
648-4315
garyl@ci.vallejo.ca.us

David A. Kleinschmidt, City Engineer
648-4301
david@ci.vallejo.ca.us

AUGUST 26, 2008
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RESOLUTION NO. 08-_____ N.C.

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, those certain plans and specifications for the Maintenance Dredging Vallejo – Baylink Ferry Terminal Project., prepared by CLE Engineering, Inc., Point Richmond, California, located in the City of Vallejo, County of Solano, California are hereby approved and adopted for said work; and

WHERE AS, the City Council has appropriated \$1,000,000 of funding for the Maintenance Dredging Vallejo – Baylink Ferry Terminal Project. (Fund 421)

NOW THEREFORE BE IT RESOLVED that an invitation for bids was duly advertised and Salt River Construction Corp, Tiburon, California was determined to be the lowest responsive and responsible bidder in the amount of Two Hundred Eighty Two Thousand Four Hundred Dollars, (\$282,400.00), and is hereby accepted and a contract is awarded to said low bidder at the prices bid.

BE IT FURTHER RESOLVED that the all other bids to-wit:

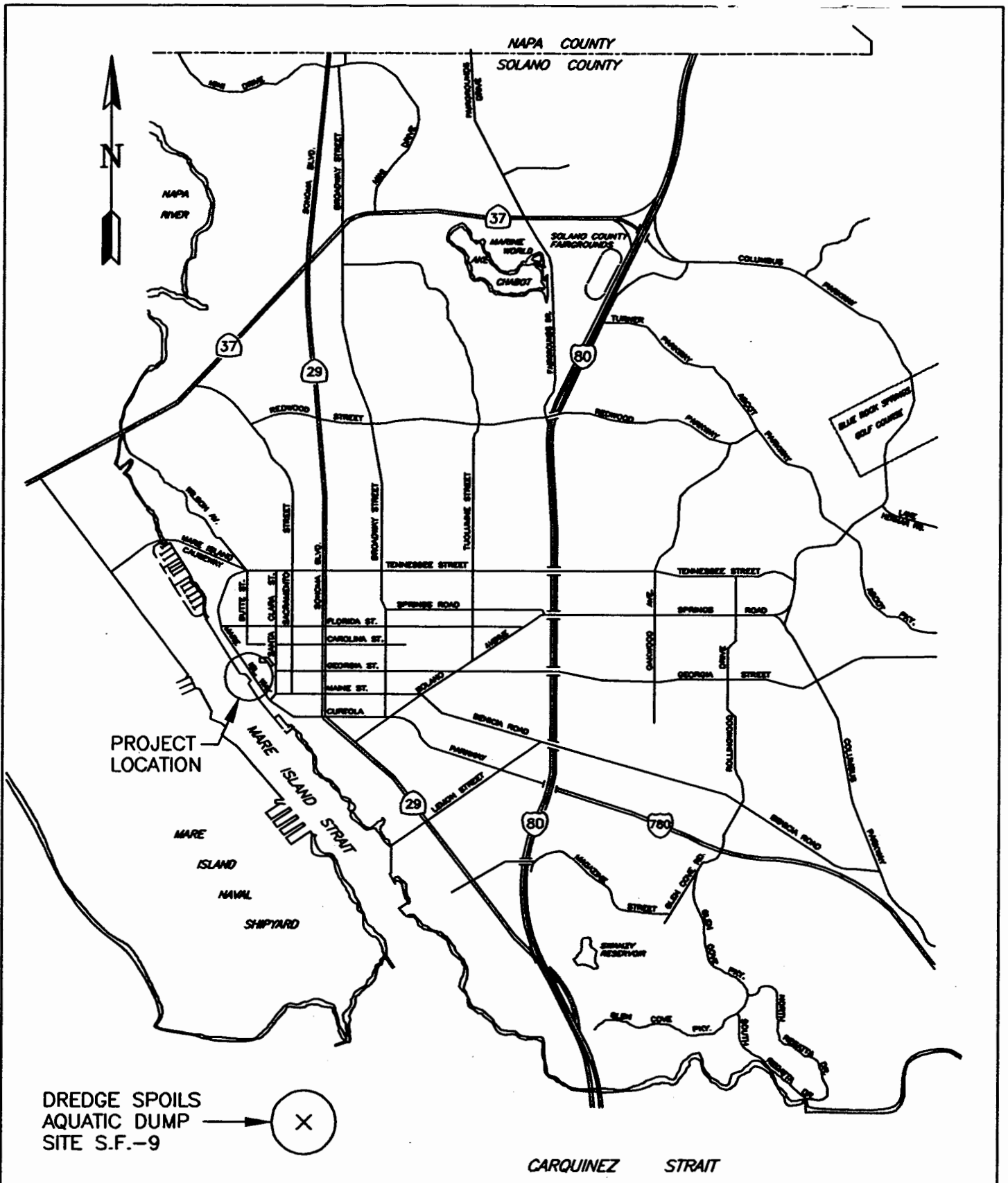
Dutra Dredging, San Rafael CA	\$400,500.00
Manson Construction Corp Seattle WA.	\$478,700.00
Gordon N. Ball Construction Alamo CA	\$727,000.00

Are hereby deemed rejected, upon the full execution of the contract documents by the successful bidder, with notice of rejection to be given thereupon by the City Clerk.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign an Agreement between the City of Vallejo and Salt River Construction Corp, Tiburon, California, with any modifications recommended by City Attorney or the Risk Manager, and the City Clerk to attest the signing of that Agreement.

AUGUST 26, 2008

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CITY OF VALLEJO

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

DWG. NO. <u>NONE</u>	SHEET <u>1</u> OF <u>1</u>
DRAWN BY <u>DRS</u>	PROJ. NO. <u>9860</u>
DATE <u>8/26/08</u>	REF _____
CHECKED <u>AP</u>	SCALE <u>N.T.S.</u>

FERRY DREDGE PROJECT PROJECT LOCATION MAP

APPROVED: _____ ON _____ DATE _____
DIRECTOR OF PUBLIC WORKS