



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA

VALLEJO CITY COUNCIL FEBRUARY 10, 2009

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.

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 5:30 P.M. CITY COUNCIL CHAMBERS

1. 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
2. LIABILITY CLAIM, PURSUANT TO GOVERNMENT CODE SECTION 54956.95(A) DISCUSSION OF THREE CLAIMS CONCERNING WATER MAIN FLOODING ON TENNESSEE STREET FILED BY: 1) PERCY AND ALMA GUBA; 2) PATRICK AND GINA GRATE; AND 3) GLORIA VAN ZERERN

3. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 CONCERNING THE FOLLOWING EMPLOYEE ORGANIZATIONS: INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1186 (IAFF); INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2376 (IBEW), AND CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL, AND PROFESSIONALS (CAMP). THE CITY'S NEGOTIATORS ARE: JOSEPH M. TANNER, 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.

4. 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. **VALUE (VALLEJO ADDS LIFE TO THE URBAN ENVIRONMENT) PROJECT**

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 AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AMENDMENT TO THE CURRENT LICENSE AGREEMENT WITH THE SAN FRANCISCO PORT COMMISSION FOR LANDING RIGHTS FOR BAYLINK FERRY OPERATIONS**

PROPOSED ACTION: Adopt the resolution.

- B. **APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) PROVIDING FOR RELINQUISHMENT OF PORTIONS OF OLD STATE ROUTE 37 BETWEEN WILSON AVENUE AND ANTIOCH DRIVE**

PROPOSED ACTION: Adopt the resolution.

- C. **APPROVAL OF A RESOLUTION RATIFYING THE PAYMENT OF CLAIMS TOTALING \$5,498,575.67 FOR THE TIME PERIOD OF JANUARY 2, 2009 TO JANUARY 30, 2009**

PROPOSED ACTION: Adopt the resolution.

- D. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR ACQUISITION OF REAL PROPERTY AND ESCROW INSTRUCTIONS AND ACCEPT THE GRANT DEED TO THE REAL PROPERTY LOCATED AT 415 SANTA CLARA STREET, VALLEJO, CA

PROPOSED ACTION: Adopt the resolution.

8. PUBLIC HEARINGS – NONE

9. POLICY ITEMS - NONE

10. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL LABOR AGREEMENT WITH THE CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL AND PROFESSIONAL ASSOCIATION OF VALLEJO (CAMP)

PROPOSED ACTION: Adopt the resolution.

- B. DISCUSSION AND DETERMINATION WHETHER TO DIRECT THE CITY ATTORNEY TO PREPARE A PROPOSED CITY CHARTER AMENDMENT TO ELIMINATE BINDING ARBITRATION FROM THE CITY CHARTER (SECTION 809) AND DIRECTION TO THE CITY MANAGER TO “MEET AND CONFER” WITH APPROPRIATE UNION BARGAINING GROUPS (Requested by Councilmembers Schivley and Gomes)

PROPOSED ACTION: Action as determined by the City Council.

- C. DISCUSSION ABOUT AND POSSIBLE ESTABLISHMENT OF A CHARTER REVIEW COMMITTEE, SCOPE OF COMMITTEE’S REVIEW AND DIRECTION TO STAFF (Requested by Mayor Davis)

PROPOSED ACTION: Action as determined by the City Council.

- D. PRESENTATION OF THE DRAFT CITY OF VALLEJO WATER UTILITY FINANCING PLAN AND RATE STUDY

PROPOSED ACTION: Informational item only. No action will be taken.

- E. UPDATE ON TOURO UNIVERSITY CANCER TREATMENT CENTER UNIT PLAN AMENDMENT

PROPOSED ACTION: Informational item only. No action will be taken.

11. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES – NONE

12. 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.

13. CITY MANAGER'S REPORT

14. CITY ATTORNEY'S REPORT

15. COMMUNITY FORUM

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

17. CLOSED SESSION - NONE

18. ADJOURNMENT