



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA

VALLEJO CITY COUNCIL

JUNE 30, 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** **6:00 P.M. – COUNCIL CHAMBERS**

- A. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 CONCERNING THE FOLLOWING EMPLOYEE ORGANIZATION: 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 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

- C. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: IN RE: LANDSOURCE COMMUNITIES DEVELOPMENT LLC, DEBTOR; UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, CASE NO. 08-11111 (KJC), 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**
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 to address the City Council. 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. When called upon, each speaker should step to the podium to address the City Council. 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 TO EXECUTE ADDENDUM NO. 5 TO THE WATER SERVICE AGREEMENT WITH THE CITY OF AMERICAN CANYON AUTHORIZING ONE ADDITIONAL TEMPORARY WATER CONNECTION

PROPOSED ACTION: Adopt the resolution.

- B. APPROVAL OF TWO RESOLUTIONS: 1) APPROVING CONTRACT CHANGE ORDER NO. 1; AND ACCEPTING THE WORK PERFORMED BY BCM CONSTRUCTION COMPANY, INC., FOR THE CONSTRUCTION OF THE FERRY MAINTENANCE FACILITY SERVICE FLOAT AND AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION

PROPOSED ACTION: Adopt the resolutions.

- C. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONSULTANT SERVICES AGREEMENTS WITH KC ENGINEERING, INC., AND CONSTRUCTION TESTING SERVICES FOR MATERIALS TESTING SERVICES FOR THE LEMON STREET PAVEMENT REHABILITATION PROJECT

PROPOSED ACTION: Adopt the resolution.

- D. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE CITY'S RESPONSE TO THE 2008-2009 GRAND JURY REPORT ENTITLED "CARRY CONCEALED WEAPONS LICENSE REPORT"

PROPOSED ACTION: Adopt the resolution.

- E. APPROVAL OF A RESOLUTION AWARDDING TEN CONTRACTS AND EXTENDING ONE CONTRACT FOR SUPPLY OF CHEMICALS FOR APPLICATION TO AND TREATMENT OF WATER FOR FISCAL YEAR 2009/2010

PROPOSED ACTION: Adopt the resolution.

- F. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY ATTORNEY AND CITY MANAGER TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS

PROPOSED ACTION: Adopt the resolution.

- G. APPROVAL OF A RESOLUTION 1) SETTING A PUBLIC HEARING DATE FOR SETTING AD VALOREM ASSESSMENTS FOR FOURTEEN (14) LANDSCAPE MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010, 2) A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF VALLEJO TO AMEND THE FISCAL YEAR 2009/2010 BUDGET FOR THE DISTRICTS

PROPOSED ACTION: Adopt the resolution.

- H. APPROVAL OF A RESOLUTION 1) INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS, PRELIMINARY APPROVAL OF ENGINEER'S REPORT AND DECLARATION OF INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR TEN (10) LANDSCAPE MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010 AND SETTING A PUBLIC HEARING, 2) A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF VALLEJO TO AMEND THE FISCAL YEAR 2009/2010 BUDGET FOR THE DISTRICTS

PROPOSED ACTION: Adopt the resolution.

- I. APPROVAL OF A RESOLUTION 1) INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS, PRELIMINARILY APPROVING OF THE ENGINEER'S REPORT, DECLARATION OF INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE HIDDENBROOKE MAINTENANCE DISTRICT, SETTING THE FY 2009/2010 PUBLIC HEARING, 2) A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2009/2010 BUDGET FOR THE DISTRICTS

PROPOSED ACTION: Adopt the resolution.

8. PUBLIC HEARINGS - NONE

9. POLICY ITEMS – NONE

10. ADMINISTRATIVE ITEMS

- A. SUBMISSION OF THE CHARTER REVIEW COMMITTEE REPORT AND MINORITY REPORTS ON CITY CHARTER SECTION 809, ENTITLED “EMPLOYER-EMPLOYEE RELATIONS MEDIATION ARBITRATION” (BINDING INTEREST ARBITRATION), STAFF’S SUMMARY OF THE CHARTER REVIEW COMMITTEE PROCESS REGARDING THESE REPORTS, AND CONSIDERATION OF THE COMMITTEE’S RECOMMENDATION TO PLACE A MEASURE TO REPEAL CITY CHARTER SECTION 809 ON THE BALLOT FOR THE NOVEMBER 3, 2009 ELECTION

PROPOSED ACTION: Action as determined by City Council.

- B. APPROVAL OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING CHAPTERS 2.46 AND RESCINDING CHAPTER 2.47 OF THE VALLEJO MUNICIPAL CODE CONSOLIDATING THE COMMUNITY DEVELOPMENT COMMISSION AND THE HOUSING AND REDEVELOPMENT COMMISSION

PROPOSED ACTION: Adopt the resolution.

- C. UPDATE ON STAFF'S REVIEW OF THE LOCAL BIDDER PREFERENCE ORDINANCE PREPARED BY THE VALLEJO CHAMBER OF COMMERCE (AS REQUESTED BY MAYOR DAVIS)

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