



AGENDA VALLEJO CITY COUNCIL DECEMBER 1, 2009

MAYOR
Osby Davis

CITY COUNCIL
Hermie Sunga, Vice Mayor
Tom Bartee
Stephanie Gomes
Michael Wilson
Joanne Schivley
Erin Hannigan

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.

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

- C. CONFERENCE WITH CITY'S LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6 UNREPRESENTED EMPLOYEES – MEMBERS OF THE EXEMPT EMPLOYEES COMPENSATION PLAN: CRAIG WHITTON, ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT, ROBERT STOUT, FINANCE DIRECTOR, DEBORA BOUTTÉ, HUMAN RESOURCES DIRECTOR, GARY LEACH, PUBLIC WORKS DIRECTOR, ROBERT NICHELINI, POLICE CHIEF, RUSSELL SHERMAN, FIRE CHIEF, CLAUDIA QUINTANA, ASSISTANT CITY ATTORNEY, JULIA ERICKSON, EXECUTIVE ASSISTANT TO THE CITY MANAGER AND JEAN MILLER, EXECUTIVE ASSISTANT TO THE MAYOR. CITY NEGOTIATORS ARE: ROBERT F. D. ADAMS, INTERIM CITY MANAGER AND SANDY SALERNO, CONSULTANT/NEGOTIATOR

VALLEJO CITY COUNCIL
SPECIAL MEETING – 6:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **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.

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

- A. **APPROVAL OF RESOLUTION RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2009 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

PROPOSED ACTION: Adopt the Resolution.

5. **PRESENTATION AND COMMENDATIONS TO AND COMMENTS BY OUT-GOING COUNCILMEMBER**
6. **ADJOURN SPECIAL MEETING**

VALLEJO CITY COUNCIL
REGULAR MEETING
7:00 P.M. -- CITY COUNCIL CHAMBERS

1. **CALL TO ORDER**
2. **ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG**
4. **ROLL CALL OF NEW COUNCIL**
5. **REMARKS BY NEWLY ELECTED COUNCILMEMBERS**
6. **ELECTION OF VICE MAYOR**
7. **SELECTION OF COUNCIL SEATING**
8. **TEN-MINUTE RECESS**
9. **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.

10. 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.

11. CONSENT CALENDAR AND APPROVAL OF AGENDA

- A. **APPROVAL OF A RESOLUTION ADOPTING THE TENTATIVE TWO-YEAR SCHEDULE OF CITY COUNCIL MEETINGS PURSUANT TO VALLEJO CITY CHARTER SECTION 308**

PROPOSED ACTION: Adopt the Resolution.

- B. **APPROVAL OF A RESOLUTION TO AMEND THE FISCAL YEAR 2009-2010 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ADDING \$59,000.00 TO THE SAFE ROUTE TO SCHOOLS CITYWIDE RADAR SPEED SIGN PROJECT**

PROPOSED ACTION: Adopt the Resolution.

- C. **APPROVAL OF A RESOLUTION TO AMEND THE FY 2009-2010 WATER ENTERPRISE FUND BUDGET BY TRANSFERRING \$30,000.00 IN APPROPRIATIONS FROM THE LAKES CAPITAL FUND (LAKES FACILITIES RENOVATION PROJECT – WT7031) TO THE LAKES OPERATING FUND (DISTRIBUTION MAINTENANCE) FOR UNANTICIPATED MAINTENANCE ACTIVITIES**

PROPOSED ACTION: Adopt the Resolution.

- D. APPROVAL OF A RESOLUTION OF INTENTION TO AMEND THE FISCAL YEAR 2009-2010 WATER ENTERPRISE FUND BUDGET BY ADDING \$65,000.00 TO THE APPROPRIATIONS FOR THE TRAVIS CLEARWELL INTEGRATION PROJECT (WT7040) FROM UNENCUMBERED, UNRESERVED FUND BALANCE IN THE TRAVIS CAPITAL EQUIPMENT RESERVE (FUND 410) FULLY FUNDED BY THE U.S. AIR FORCE

PROPOSED ACTION: Adopt the Resolution.

- E. APPROVAL OF A RESOLUTION TO AMEND THE FISCAL YEAR 2009-2010 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ADDING \$500,000.00 TO THE SERENO TENNESSEE PAVEMENT REHABILITATION PROJECT

PROPOSED ACTION: Adopt the Resolution.

- F. APPROVAL OF A RESOLUTION ACCEPTING THE RESIGNATION OF PATRICIA CRESWELL FROM THE VALLEJO HOUSING AUTHORITY

PROPOSED ACTION: Adopt the Resolution.

- G. APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A PURCHASE ORDER TO BUFFALO ELECTRIC WHOLESALE IN THE AMOUNT OF \$31,637.47 FOR THE PURCHASE OF SUB-METERS FOR J-DOCK AT THE VALLEJO MUNICIPAL MARINA

PROPOSED ACTION: Adopt the Resolution.

- H. APPROVAL OF A RESOLUTION TO AMEND THE FISCAL YEAR 2009-2010 TRANSPORTATION CAPITAL FUND BUDGET BY ADDING \$312,000.00 TO THE FERRY TERMINAL REPAIR AND IMPROVEMENT PROJECT

PROPOSED ACTION: Adopt the Resolution.

- I. APPROVAL OF A RESOLUTION TO AMEND FY 2009-2010 COMMUNITY DEVELOPMENT BLOCK GRANT (FUND 101) AND HOME INVESTMENT PARTNERSHIPS (FUND 102) PROGRAM BUDGETS

PROPOSED ACTION: Adopt the Resolution.

- J. APPROVAL OF RESOLUTIONS OF CONDOLENCE TO THE FAMILIES OF JAMES EARSELL MACKBEE AND GARY DUBNOFF (REQUESTED BY MAYOR DAVIS)

PROPOSED ACTION: Adopt the Resolutions.

12. PUBLIC HEARINGS

- A. CONSIDERATION OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING THE VALLEJO MUNICIPAL CODE REGARDING RESTRICTIONS AND REQUIREMENTS FOR EXISTING AND NEW TOBACCO RETAILERS (CONTINUED FROM NOVEMBER 17, 2009)

PROPOSED ACTION: Adopt the Resolution.

13. POLICY ITEMS – NONE

14. ADMINISTRATIVE ITEMS

- A. CONSIDERATION OF A RESOLUTION ACCEPTING THE QUARTERLY RIDGECREST REPORT

PROPOSED ACTION: Adopt the Resolution.

15. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - NONE

16. 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.

17. CITY MANAGER'S REPORT

18. CITY ATTORNEY'S REPORT

19. COMMUNITY FORUM

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

21. CLOSED SESSION – NONE

22. ADJOURNMENT

AFFIDAVIT OF POSTING CITY OF VALLEJO	
I, <u>A. WEDDELL</u> certify that I caused to be posted the	
notice of <u>CITY COUNCIL MEETINGS</u> in the areas	
designated on <u>11/24/2009</u> , <u>A. WEDDELL</u>	
(Date)	City Clerk / Designee