



City Hall
555 Santa Clara Street
Vallejo, CA 94590

AGENDA
VALLEJO CITY COUNCIL
SPECIAL MEETING – 6:30 P.M.
REGULAR MEETING – 7:00 P.M

MAY 24, 2011

MAYOR
Osby Davis

CITY COUNCIL
Michael Wilson, Vice Mayor
Marti Brown
Stephanie Gomes
Erin Hannigan
Joanne Schivley
Hermie Sunga

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.

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.
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VALLEJO CITY COUNCIL
SPECIAL MEETING – 6:30 P.M.
COUNCIL CHAMBERS
MAY 24, 2011

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.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **CLOSED SESSION**
 - A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 94956.8 – Property – Reuse Area 1A Property, North Mare Island; City Negotiators – Phil Batchelor, City Manager, Craig Whittom, Assistant City Manager; Annette Taylor, Senior Community Development

Analyst; Negotiating Parties – Mare Island Studios LLC.; City of Vallejo; Under Negotiations – Price and Terms of Payment

- 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 REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8 – Property - Lake Madigan Reservoir (Solano County APN 0147-010-010); City Negotiators – Phil Batchelor, City Manager, David Kleinschmidt, Utilities Director, Erik Nugteren, Water Superintendent; Negotiating Parties: Kenzo Estate, Inc., Richard C. Bronson and Edna Elvira Bronson, The Catherine E. Nicol Separate Property Trust executed March 22, 1983, Maesta I, LLC, Brian R. Silver and Diane S. Silver, Eli A. Silver, Ethel Solomon, The Nancy C. Gressinger Family Trust, dated June 22, 2000, Owen Hamel Hill Ranch, LLC, Frances Goodwin, The Lyons 1984 Family Trust, Wild Horse Ridge, LLC, The Gibbons Family Trust dated September 27, 1995, The Michele Du Pont Goss Trust, dated June 18, 2003, The Richard W. Goss II Trust, dated June 18, 2003, Rijaho Land Company, Inc., S.B.'S Treasure Chest, Inc., David M. Bergin and Sydney Bergin, and the Barletta Group; Under Negotiations: Price and Terms of Payment

4. ADJOURNMENT

**VALLEJO CITY COUNCIL
REGULAR MEETING – 7:00 P.M.
COUNCIL CHAMBERS
MAY 24, 2011**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATIONS AND COMMENDATIONS

A. Recognition of Elisia-Ricciardi-Thomas, Dispatcher of the Year

B. Proclamation declaring June 2011 as Philippine Cultural Month

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 Minutes

Recommendation: By motion, approve City Council Minutes for the meetings of 1) May 10, 2011 (closed) and 2) May 10, 2011 (regular)
Contact: Sherry M. Kelly, Interim City Clerk, 648-4527

B. Commission Regulations and Revisions

Recommendation: Second reading and adoption of eight Ordinances amending the Vallejo Municipal Code Title 2 to: 1) eliminate the Community Development Council and provide for general rules and regulations for boards, commissions and committees; 2) eliminate the Beautification Advisory Commission and Code Enforcement Appeals Board and establish a new Beautification Advisory and Code Enforcement Commission; 3) eliminate the Economic Development Commission and establish a new Economic Vitality Commission; 4) reduce the number of members and clarify duties of the Architectural Heritage and Landmarks Commission; 5) reduce the number of members and clarify the duties

of the Library Board; 6) reduce the number of members, clarify the duties, and suspend the Commission on Aging through June 2012; 7) reduce the number of members, clarify the duties, and suspend the Commission on Culture and Arts through June 2012; and 8) reduce the number of members and clarify the duties of the Sister City Commission
Contact: Sherry M. Kelly, Interim City Clerk, 648-4527

C. **Claims for April 2011**

Recommendation: By motion, ratify the payment of claims totaling \$7,836,610.08 for the period April 1, 2011 through April 30, 2011
Contact: Deborah Lauchner, Finance Director, 648-4592

D. **Contract for Hiddenbrooke Landscape Maintenance Services**

Recommendation: By motion, authorize the City Manager to award a Contract to Coast Landscape Management to perform Fiscal Year 2011-12 Landscape Maintenance Services in Hiddenbrooke Maintenance District, Region 2, for the period July 1, 2011 through June 30, 2012 in an amount not to exceed \$131,300 and authorize the City Manager, at his sole discretion, to exercise options to extend the contract for up to four additional one year periods
Contact: David A. Kleinschmidt, Public Works Director, 648-4301

E. **Assessment – Hiddenbrooke Maintenance District**

Recommendation: Adopt a Resolution preliminarily approving the Engineer's Report, setting a Public Hearing for June 28, 2011, and declaring intention for the levy and collection of Assessments for the Hiddenbrooke Maintenance District (HMD)
Contact: David A. Kleinschmidt, Public Works Director, 648-4301

F. **Assessments – 1911 Act Landscape Maintenance Districts**

Recommendation: Adopt a Resolution setting a Public Hearing for June 28, 2011 regarding Fiscal Year 2011-12 Assessments for the following Ad Valorem Landscape Maintenance Districts: 1) Cimarron Hills/Madigan; 2) College Hills; 3) Costa Del Rio (Seaview); 4) Somerset Highlands I/II; 5) Summit II; 6) Hunter Ranch I/II; 7) Monica Place; 8) Ridgecrest; 9) Somerset Highlands III; 10) Springtree/Fleming Hill; 11) Town & Country I; 12) Woodridge; 13) Glen Cove I/II; and 14) Greenmont/Seaport Hills
Contact: David A. Kleinschmidt, Public Works Director, 648-4301

G. **Assessments – 1972 Act Landscape Maintenance Districts**

Recommendation: Adopt a Resolution preliminarily approving the Engineer's Report, setting a Public Hearing for June 28, 2011, and declaring intention for the levy and collection of Assessments for Fiscal Year 2011-12 for the following Landscape Maintenance Districts: 1) Bordoni Ranch; 2) Carriage Oaks; 3) Garthe Ranch; 4) Glen Cove III; 5) Hunter Ranch III; 6) Marine World/Fairgrounds; 7) Marinview; 8) Sandpiper Point; 9) South Vallejo Business Park; 10) Town and Country II-V; and 11) Northeast Quadrant
Contact: David A. Kleinschmidt, Public Works Director, 648-4301

- H. **Ridgecrest Landscape Maintenance District Budget Amendment**
Recommendation: Adopt a Resolution amending the Fiscal Year 2010-11 Budget by increasing expenditures in Fund No.169 by \$9,397 to \$35,096.52 for the Ridgecrest Landscape Maintenance District
 Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- I. **Enterprise Asset Management System Purchase**
Recommendation: By motion, authorize the City Manager to issue a Purchase Order to MaintStar Inc. of Irvine, CA in an amount not to exceed \$377,825 for the purchase of an Enterprise Asset Management System for the Public Works Department and to reject all other bids
 Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- J. **Contract – Fairgrounds Drive Soundwall Replacement**
Recommendation: Adopt a Resolution rejecting the Bid of C.F. Contracting as non-responsive and authorizing the City Manager to award a Contract to Maggiora & Ghilotti, Inc., San Rafael, CA for the Fairgrounds Drive Soundwall Replacement Project in an amount not to exceed \$479,479 and approving Change Order No. 1 to reduce the contract amount by \$68,000
 Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- K. **Baylink Ferry Maintenance Facility**
Recommendation: Adopt a Resolution approving the Subsequent Mitigated Negative Declaration for the Vallejo Baylink Ferry Maintenance Facility at Mare Island
 Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- L. **Agreement – Consulting Services for Sonoma Boulevard Corridor Design Plan**
Recommendation: By motion, authorize the City Manager to execute a Professional Services Agreement with MIG for Consulting Services in an amount not to exceed \$303,795 for the Sonoma Boulevard Corridor Design Plan
 Contact: Michelle Hightower, Acting Planning Manager, 648-4506
- M. **Nuisance Vehicles**
Recommendation: Adopt a Resolution holding on first reading an Ordinance amending the Vallejo Municipal Code by adding Chapter 7.71, Nuisance Vehicles, declaring Vehicles used in the commission or attempted commission of crimes of soliciting an act of prostitution, pandering, pimping or illegal dumping a Public Nuisance and authorizing the seizure and impoundment for up to 30 days
 Contact: Robert Nichelini, Chief of Police, 648-4540
- N. **Vallejo Intermodal Facility**
Recommendation: Adopt a Resolution adopting the Update Initial Project Report (IPR) for the Vallejo Station Intermodal Facility Project and authorizing the City Manager to submit an allocation request for Regional Measure 2 Funds to the Metropolitan Transportation Commission for additional design in the amount of \$460,000
 Contact: David A. Kleinschmidt, Public Works Director, 648-4301

- O. **Ferry Service Funding**
Recommendation: Adopt a Resolution authorizing the City Manager to submit Fiscal Year 2011-12 Bridge Toll Regional Measure 2 Funds for continued operation of the Ferry Service
Contact: Davaid A. Kleinschmidt, Public Works Director, 648-4301
- P. **Central Permit Center**
Recommendation: Adopt a Resolution amending the Fiscal Year 2010-11 Budget appropriating \$56,000 of un-appropriated permit streamlining fund balance for central permit counter expenses
Contact: Craig Whittom, Assistant City Manager, 648-4579
- Q. **Wild Horse Valley Road Easement Agreement**
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Easement Agreement with property owners that have historically used Wild Horse Valley Road located at Lake Madigan Reservoir (Solano County APN 0147-010-010)
Contact: David A. Kleinschmidt, Public Works Director, 648-4301
- R. **Settlement Authority for Liability Claims and Litigation**
Recommendation: Adopt a Resolution transferring up to \$50,000 in Settlement Authority of Liability Claims and Litigation from the Finance Director to the City Manager, or his designee, or the City Attorney and rescind prior Resolution No. 10-219 N.C.
Contact: Phil Batchelor, City Manager, 648-4576
- S. **Settlement Authority for Workers' Compensation Claims**
Recommendation: Adopt a Resolution transferring Settlement Authority of Worker's Compensation Claims from the Finance Director to the City Manager, or his designee, and rescinding prior Resolution No. 19-218 N.C.
Contact: Phil Batchelor, City Manager, 648-4576
- T. **Assessment Update**
Recommendation: Accept report on completion and implementation of assessment tasks that were due to be completed by April 2011
Contact: Phil Batchelor, City Manager, 648-4576
- U. **Vallejo Community Access Television Channel 27 Studio**
Recommendation: By motion, authorize the City Manager to issue a Purchase Order to Core Microsystems in an amount not to exceed \$37,000 to procure broadcasting equipment and to execute a Loan Agreement with Vallejo Community Access Television for the equipment to be used in operation of Channel 27
Contact: Gonzalo Gonzalez, Chief Information Officer, 648-4468

8. ACTION CALENDAR

A. Sales Tax Measure on November 8, 2011

Recommendation: 1) Review and provide comments on draft ballot measure language for a Sales Tax Measure to be placed on the November 8, 2011 ballot; 2) Approve proposed schedule of actions; 3) Review and discuss propriety of developing a Resolution to identify Council expenditure priorities to restore critically needed services; 4) Review and discuss the propriety of developing a Resolution to identify Council priorities regarding Pension obligations; and 5) Direct the City Manager to negotiate an Agreement with Municipal Resource Group to provide Project Management Services and Lew Edwards Group to provide Election Consulting Services and return to Council for approval
Contact: Phil Batchelor, City Manager, 648-4576

B. Regulatory and Taxation Options for Medical Marijuana Cooperatives and Collectives

Recommendation: Discuss the Regulatory and Taxation Options for Medical Marijuana Cooperatives and Collectives as stated in the staff report and authorize the City Manager to take such actions as are considered prudent by the Council
Contact: Phil Batchelor, 648-4576

C. Council Referrals

Recommendation: By motion, receive Report on response to Council Referrals of March 27, 2011
Contact: Phil Batchelor, City Manager, 648-4576

9. CITY MANAGER'S REPORT

10. CITY ATTORNEY'S REPORT

11. COMMUNITY FORUM

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

13. CLOSED SESSION

14. ADJOURNMENT