

AGENDA



City Hall
555 Santa Clara Street
Vallejo, CA 94590

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

**JOINT VALLEJO CITY COUNCIL &
HOUSING AUTHORITY
SPECIAL MEETING
6:55 P.M.**

MAYOR
Osby Davis

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

NOVEMBER 29, 2011

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.

**CALL AND NOTICE OF
SPECIAL MEETING AT 6:00 P.M.
OF THE
VALLEJO CITY COUNCIL
VALLEJO REDEVELOPMENT AGENCY
COUNCIL CHAMBERS
555 SANTA CLARA STREET, VALLEJO, CA
NOVEMBER 29, 2011**

TO THE MEMBERS OF THE VALLEJO CITY COUNCIL AND VALLEJO REDEVELOPMENT AGENCY:

You are hereby notified that I do hereby call the Vallejo City Council and the Vallejo Redevelopment Agency in special session to consider only the matters stated on the agenda listed below.

NOTICE: Members of the public shall have the opportunity to address the City Council and the Vallejo Redevelopment Agency Board concerning any item listed on the agenda *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 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 Government Code Section 54956.9 (c)

ADJOURN TO A JOINT CLOSED SESSION WITH THE CITY COUNCIL AND REDEVELOPMENT AGENCY

- B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION-Significant Exposure to Litigation pursuant to Subdivision (b) of Government Code Section 54956.9; (Number of cases: one)
- C. CONFERENCE WITH REAL PROPERTY NEOGIATORS-Property: Approximately 92-acres located along the City of Vallejo's southern, central and northern waterfront and roughly bound by Solano Avenue on the South, Downtown Vallejo on the East and Mare Island Way on the North (A.P. Nos: 58-050-050; 58-050-040; 58-050-070; .58-090-070;58-090-090; 58-090-190; 58-090-040; 58-090-130; 58-050-090; portion of A.P. No. 058-090-220 and a portion not assessed; 058-091-210; portion of 058-09-220; portion of A.P. No. 058-090-220; portion of AP Nos.: 055-180-020, 050, 060 and 070; 055-180-080; 055-180-020, 040, 050 and 060; 058-090-110); City Negotiators: Phil Batchelor, City Manager; Craig Whittom, Assistant City Manager/Community Development; Ursula Luna-Renyosa, Economic Development Director; Susan McCue, Waterfront Project Manager; Iris Yang, Special Counsel; Negotiating Parties: Callahan DeSilva; Callahan Property Co.; City of Vallejo; Under Negotiations: Price and terms of payment

4. ADJOURNMENT

Dated: November 23, 2011

Osby Davis, Mayor

I, Dawn Abrahamson, City Clerk/Board Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the City Council and Redevelopment Agency Board, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 1:00 p.m., Wednesday, November 23, 2011.

Dated: November 23, 2011

Dawn Abrahamson, City Clerk/Secretary

**CALL AND NOTICE OF
SPECIAL MEETING
AT 6:55 P.M.
OF THE
VALLEJO CITY COUNCIL
HOUSING AUTHORITY
COUNCIL CHAMBERS
555 SANTA CLARA STREET,
VALLEJO, CA
NOVEMBER 29, 2011**

MAYOR/CHAIR
Osby Davis

CITY COUNCIL/MEMBERS:
Vice Mayor/Vice Chair Michael Wilson
Marti Brown
Stephanie Gomes
Erin Hannigan
Joanne Schivley
Hermie Sunga
Lorrayne Hightower
Lydia Pitchford

TO THE MEMBERS OF THE VALLEJO CITY COUNCIL AND VALLEJO HOUSING AUTHORITY BOARD:

You are hereby notified that I do hereby call the Vallejo City Council and the Vallejo Housing Authority in special session to consider only the matters stated on the agenda listed below.

NOTICE: Members of the public shall have the opportunity to address the City Council and the Vallejo Housing Authority Board concerning any item listed on the agenda *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. CONSENT CALENDAR AND APPROVAL OF AGENDA

A. Approval of Minutes

Recommendation: By motion, approve the City Council and Housing Authority minutes for the joint meetings of 1)September 27, 2011 (special joint meeting); November 15, 2011 (closed); and 3) November 15, 2011 (special joint meeting)

B. Deferral of Temple Art Lofts Impact Fees

Housing Authority

Recommendation: Adopt a Resolution authorizing the Executive Director to amend Fund 122 of the Fiscal Year 2011/2012 Housing Authority budget by allocating \$150,000 from the available fund balance to Housing Development (HSG-01) for the Temple Art Lofts project located at 707-715 Marin Street
Contact: Melinda Nestlerode, Housing and Community Development Manager, 648-4408

City Council:

Recommendation: 1) By motion, hold on second reading an ordinance approving no interest fee deferral agreement for Traffic Impact Mitigation fees and City Property Development Excise taxes in an amount not to exceed \$93,238 for the Temple Art Lofts project located at 707-715 Marin Street
Contact: Melinda Nestlerode, Housing and Community Development Manager, 648-4408

5. ADJOURNMENT

Dated: November 23, 2011

Osby Davis, Mayor/Chair

I, Dawn Abrahamson, City Clerk/Board Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the City Council and Housing Authority Board, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 1:00 p.m., Wednesday, November 23, 2011.

Dated: November 23, 2011

Dawn Abrahamson, City Clerk/Secretary

**VALLEJO CITY COUNCIL
REGULAR MEETING – 7:00 P.M.
COUNCIL CHAMBERS
NOVEMBER 29, 2011**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **COUNCIL DEDICATION OF MEETING IN MEMORY OF VALLEJO POLICE OFFICER JAMES CAPOOT**
5. **PRESENTATIONS AND COMMENDATIONS**
 - A. Proclamation to Dijj Christian in honor of her 90th Birthday
 - B. Presentation of awards to the City of Vallejo by the Solano Transportation Authority (STA)
 - C. Greater Vallejo Recreation District Annual Report presentation by Shane McAfee, General Manager
6. **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.
7. **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.
8. **CONSENT CALENDAR AND APPROVAL OF AGENDA**
 - A. **Approval of Minutes**

Recommendation: By motion, approve City Council Minutes for the meetings of 1) November 15, 2011 (closed); 2) November 15, 2011 (joint Council and Housing Authority special meeting); and 3) November 15, 2011 (regular)
Contact: Dawn G. Abrahamson, City Clerk, 648-4527
 - B. **2011/12 CDBG and HOME Budget Amendments**

Recommendation: Adopt a Resolution to amend the Fiscal Year 2011-2012 CDBG and HOME Program Budgets
Contact: Melinda Nestlerode, Housing & Community Development Manager, 648-4507

- C. **Agreement – Mortgage Credit Certificate (MCC) Program**
Recommendation: By motion, authorize the City Manager to execute a Cooperative Agreement with Solano County to permit the City to participate in the Solano County Mortgage Credit Certificate (MCC) Program
Contact: Melinda Nestlerode, Housing & Community Development Manager, 648-4507
- D. **Assessment Update for October 2011**
Recommendation: Accept report on completion and implementation of assessment tasks that were due to be completed by October 2011
Contact: Phil Batchelor, City Manager, 648-4576
- E. **Sunshine Ordinance**
Recommendation: Accept annual review of the Sunshine Ordinance with no amendments
Contact: Frederick G. Soley, City Attorney, 648-4456
- F. **Agreement – Public Access Television**
Recommendation: Adoption of a Resolution 1) Authorizing the City Manager to execute an Operating and Capital Grant Agreement with Vallejo Community Access Television, Inc. (“VCAT”), 2) Approve a Fiscal Year 2011-2012 \$25,000 Operating Grant and a \$5,000 matching grant to VACT; 3) Approve a Fiscal Year 2011-2012 \$150,000 Capital Grant to VCAT; 4) Authorizing the City Manager to execute a Lease Agreement with Vallejo City Unified School District; 5) Authorizing the City Manager to execute a Sub-Lease Agreement with VCAT; and 6) Authorizing the Mayor to sign a letter of support of H.R. 1746 (2011 Community Access Preservation Act) and any future federal legislation that allows greater flexibility in the use of Public, Education and Government fees
Contact: Craig Whittom, Assistant City Manager, 648-4579
- G. **Award Fuel Contract – Baylink Ferry Services**
Recommendation: Adopt a Resolution authorizing the City Manager to award a contract for diesel fuel for the Baylink Ferry System to Pinnacle Petroleum for two years, with an option for three (3) one year extensions
Contact: David Kleinschmidt, Public Works Director, 648-4301
- H. **Office of Traffic Safety Grants for DUI Enforcement**
Recommendation: Adopt a Resolution accepting grant awards for DUI enforcement and awareness programs totaling \$374,200 from the California Office of Traffic Safety and declaring the Council’s Intention to amend the Fiscal Year 2011-2012 budget in the amount of \$174,200
Contact: Robert W. Nichelini, Chief of Police, 648-4540
- I. **Amendment to Track Use Agreement between City of Vallejo and T&O Railroad Company, Inc.**
Recommendation: By motion, authorize the City Manager to issue a onetime reduction in the annual minimum fees due from T&O Railroad Company, Inc. DBA Mare Island Railroad Service (MIRS) by crediting MIRS \$54,582
Contact: Craig Whittom, Assistant City Manager, 648-4579

9. ACTION CALENDAR

A. Public Hearing – Continued from November 15, 2011: Appeals of Planning Commission’s Approval of WinCo Food Store Project, 2850 Redwood Boulevard

Recommendation: Close the Public Hearing and upon conclusion, adopt a Resolution denying the appeals and upholding the Planning Commission's certification of the Environmental Impact Report, adoption of the Statement of Overriding Considerations and approval of the Mitigation Monitoring and Reporting Program, and approval of Site Development Permit #10-0004 and Use Permit #10-0002

Contact: Michelle Hightower, Acting Planning Manager, 648-4506

B. Public Hearing – Amendments to the Downtown Vallejo Specific Plan

Recommendation: Conduct a Public Hearing and upon conclusion, adopt a Resolution to amend the Downtown Vallejo Specific Plan regarding alcohol restrictions and interim land uses in the Specific Plan Area

Contact: Michelle Hightower, Acting Planning Manager, 648-4506

C. Public Hearing – Imposing Provisions of Vehicle Code to Vallejo Mobile Estates

Recommendation: Conduct a Public Hearing and upon conclusion, adopt a Resolution to impose the provisions of the California Vehicle Code to privately owned and maintained roads pursuant to the request of the owner of Vallejo Mobile Estates

Contact: David A. Kleinschmidt, Public Works Director, 648-4301

10. INFORMATION CALENDAR

11. CITY MANAGER’S REPORT

12. CITY ATTORNEY’S REPORT

13. 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. Each speaker is limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.

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

15. CLOSED SESSION

16. ADJOURNMENT