

# AMENDED AGENDA<sup>1</sup>

## VALLEJO CITY COUNCIL

### CITY COUNCIL CHAMBERS

**SPECIAL MEETING - 5:30 P.M.**  
**REGULAR MEETING – 7:00 P.M.**

**SPECIAL MEETING VALLEJO HOUSING  
AUTHORITY - 6:45 P.M.**

**SPECIAL MEETING VALLEJO  
REDEVELOPMENT AGENCY - 7:00 P.M.**

**SPECIAL MEETING VALLEJO PUBLIC  
FINANCING AUTHORITY – 7:00 P.M.**

MAYOR  
Osby Davis

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



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

## JULY 13, 2010

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.

### **VALLEJO REDEVELOPMENT AGENCY** **SPECIAL MEETING – CLOSED SESSION** **5:30 P.M. CITY COUNCIL CHAMBERS**

***NOTICE:** Members of the public shall have the opportunity to address the Redevelopment Agency 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**

<sup>1</sup>CITY COUNCIL SPECIAL MEETING AGENDA WAS AMENDED. CLOSED SESSION ITEM C WAS ADDED.

- A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9(b)(3)(C); NUMBER OF CASES: ONE

**4. ADJOURNMENT**

**VALLEJO CITY COUNCIL**  
**SPECIAL MEETING**  
**5:30 P.M. CITY COUNCIL CHAMBERS**

*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 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, LOCAL 1186 (IAFF); INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2376 (IBEW); VALLEJO POLICE OFFICERS' ASSOCIATION (VPOA) AND CONFIDENTIAL, ADMINISTRATIVE, MANAGERIAL, AND PROFESSIONALS (CAMP); THE CITY'S NEGOTIATORS ARE: ROBERT F. D. ADAMS, INTERIM CITY MANAGER, CRAIG WHITTON, ASSISTANT CITY MANAGER / COMMUNITY DEVELOPMENT DIRECTOR; 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 REAL PROPERTY NEGOTIATORS PROPERTY: BLUE ROCK SPRINGS GOLF COURSE LOCATED AT 655 COLUMBUS PARKWAY, VALLEJO, CALIFORNIA AGENCY NEGOTIATORS: CRAIG WHITTON, ASSISTANT CITY MANAGER/ COMMUNITY DEVELOPMENT AND STEVE ENGLAND, REAL PROPERTY ASSET MANAGER. NEGOTIATING PARTIES: CITY OF VALLEJO, VALLEJO GOLF CLUB. UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT"

**4. ADJOURNMENT**

**VALLEJO HOUSING AUTHORITY**  
**SPECIAL MEETING - 6:45 P.M.**  
**CITY COUNCIL CHAMBERS**  
**JULY 13, 2010**

CHAIRMAN  
Osby Davis

VICE CHAIR  
Stephanie Gomes

MEMBERS:  
Hermie Sunga  
Michael Wilson  
Joanne Schivley  
Erin Hannigan  
Marti Brown  
Lydia Pitchford  
Lorraine Hightower

*Members of the public shall have the opportunity to address the Housing Authority concerning any item listed on this agenda. 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. ADOPTION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH MAZE & ASSOCIATES ACCOUNTANCY CORPORATION FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR 2009/2010 (IN CONJUNCTION WITH THE CITY AND VALLEJO REDEVELOPMENT AGENCY) FOR AN AMOUNT NOT TO EXCEED \$108,800 FOR ALL THREE AGENCIES

PROPOSED ACTION: Adopt the Resolution.

- B. APPROVAL OF MINUTES FROM THE HOUSING AUTHORITY MEETINGS OF FEBRUARY 9, 2010, APRIL 13, 2010 AND MAY 11, 2010

PROPOSED ACTION: Approve the Minutes.

**4. ADJOURNMENT**

**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 – NONE**
  - A. PRESENTATION OF CERTIFICATES OF APPRECIATION TO ORGANIZER AND CONTRIBUTORS OF THE JULY 4TH FIREWORKS AT THE VALLEJO WATERFRONT CELEBRATION (AS REQUESTED BY COUNCILMEMBER JOANNE SCHIVLEY)
- 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 RATIFYING THE PAYMENT OF CLAIMS FOR THE TIME PERIOD OF JUNE 1, 2010 TO JUNE 30, 2010  
  
PROPOSED ACTION: Adopt the Resolution.
  - B. ADOPTION OF A RESOLUTION OF THE CITY OF VALLEJO AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH MAZE & ASSOCIATES ACCOUNTANCY CORPORATION FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR 2009/2010 (IN CONJUNCTION WITH THE CITY AND VALLEJO REDEVELOPMENT AGENCY) FOR AN AMOUNT NOT TO EXCEED \$108,800 FOR ALL THREE AGENCIES  
  
PROPOSED ACTION: Adopt the Resolution.

- C. ADOPTION OF A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR MARE ISLAND SEWER IMPROVEMENT PROJECT (HUD), AND AWARDING A CONSTRUCTION CONTRACT TO PACIFIC POWER SERVICE CORPORATION, FAIRFIELD, CA FOR THE AMOUNT OF \$140,800.00 IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS
- PROPOSED ACTION: Adopt the Resolution.
- D. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT THE CITY OF VALLEJO'S FISCAL YEAR 2010/2011 REGIONAL MEASURE 1 BRIDGE TOLL FUNDS APPLICATION FOR VALLEJO BAYLINK FERRY OPERATING ASSISTANCE TO THE METROPOLITAN TRANSPORTATION COMMISSION IN THE AMOUNT OF \$1,256,800
- PROPOSED ACTION: Adopt the Resolution.
- E. ADOPTION OF TWO RESOLUTIONS AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT THE CITY OF VALLEJO'S FISCAL YEAR 2010/2011 ALLOCATION REQUEST FOR: 1) TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS IN THE AMOUNT OF \$1,982,081; AND 2) REGIONAL MEASURE 2 (RM2) FUNDS IN THE AMOUNT OF \$6,646,042
- PROPOSED ACTION: Adopt the Resolution.
- F. ADOPTION OF TWO RESOLUTIONS: 1) AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF VALLEJO AND STANTEC, INC. FOR ADDITIONAL ENVIRONMENTAL PHASE AND ADVANCED CONCEPTUAL ENGINEERING CONSULTING SERVICES IN THE AMOUNT OF \$792,827 FOR THE TRANSIT CENTER PROJECT AT CURTOLA AND LEMON; AND 2) ADOPTING THE UPDATED INITIAL PROJECT REPORT (IPR) AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN ALLOCATION REQUEST IN THE AMOUNT OF \$795,000 TO THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR REGIONAL MEASURE 2 FUNDS FOR ENVIRONMENTAL PHASE OF THE TRANSIT CENTER PROJECT AT CURTOLA AND LEMON
- PROPOSED ACTION: Adopt the Resolutions.
- G. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE FERRY ENGINE OVERHAUL AGREEMENT WITH VALLEY POWER SYSTEM, NORTH, INC., HAYWARD, CALIFORNIA TO INCREASE THE CONTRACT FROM \$640,078 TO \$668,536.80
- PROPOSED ACTION: Adopt the Resolution.
- H. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTANT SERVICES AGREEMENT WITH PACIFIC MUNICIPAL CONSULTANTS, DBA PMC FOR DEVELOPMENT OF THE CITY OF VALLEJO CLIMATE ACTION PLAN IN AN AMOUNT NOT TO EXCEED \$99,976
- PROPOSED ACTION: Adopt the Resolution.

- I. APPROVAL OF MINUTES FROM THE CITY COUNCIL MEETINGS OF JUNE 9, 2009, JULY 21, 2009 AND JULY 28, 2009

PROPOSED ACTION: Approve the Minutes.

**8. RECESS TO SPECIAL MEETING OF THE VALLEJO REDEVELOPMENT AGENCY**

**9. RECONVENE TO CITY OF VALLEJO CITY COUNCIL MEETING**

**10. PUBLIC HEARINGS**

- A. ADOPTION OF A RESOLUTION SETTING A TOBACCO REGULATORY FEE AND HOLDING ON FIRST READING THREE ORDINANCES: (1) ADOPTING VALLEJO MUNICIPAL CODE CHAPTER 5.14 (LICENSURE OF TOBACCO RETAILERS AND REGULATIONS), (2) AMENDING TITLE 16 (ZONING ORDINANCE) OF THE CITY OF VALLEJO MUNICIPAL CODE REGARDING SMOKE SHOP RETAILERS, AND (3) AMENDING CHAPTER 7.69 (PUBLIC HEALTH SAFETY AND WELFARE) OF THE VALLEJO MUNICIPAL CODE REGARDING SMOKE SHOP RETAILERS

PROPOSED ACTION: Adopt the Resolution.

- B. ADOPTION OF A RESOLUTION ACCEPTING THE TRIENNIAL REPORT (2007-2009) ON WATER QUALITY RELATIVE PUBLIC HEALTH GOALS

PROPOSED ACTION: Adopt the Resolution.

- C. ADOPTION OF TWO RESOLUTIONS: 1) APPROVING THE ENGINEER'S ANNUAL LEVY REPORT; 2) ORDERING THE LEVY AND COLLECTION OF THE HIDDENBROOKE MAINTENANCE DISTRICT FISCAL YEAR 2010/2011 ASSESSMENTS (CONTINUED FROM 6/22/10 MEETING)

PROPOSED ACTION: Adopt the Resolutions.

**9. RECESS TO SPECIAL MEETING OF THE VALLEJO PUBLIC FINANCING AUTHORITY**

**10. RECONVENE TO CITY OF VALLEJO CITY COUNCIL MEETING**

**11. POLICY ITEMS – NONE**

**12. ADMINISTRATIVE ITEMS**

- A. ADOPTION OF A RESOLUTION OF INTENT TO TRANSFER THE BAYLINK FERRY SERVICES TO THE WATER EMERGENCY TRANSPORTATION AUTHORITY, SUBJECT TO NEGOTIATIONS AND AGREEMENT BY THE CITY.

PROPOSED ACTION: Adopt the Resolution.

- B. ADOPTION OF A RESOLUTION HOLDING ON FIRST READING AN ORDINANCE REPEALING CHAPTER 2.62 OF THE VALLEJO MUNICIPAL CODE ENTITLED, "COLLECTIVE NEGOTIATIONS"

PROPOSED ACTION: Adopt the Resolution.

- C. ADOPTION OF TWO RESOLUTIONS: 1) RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT WITH THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND 2) RESOLUTION HOLDING ON FIRST READING AN ORDINANCE AMENDING THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM CONTRACT WITH THE CITY OF VALLEJO TO ADD THE PROVISIONS OF GOVERNMENT CODE SECTION 21548 (PRE-RETIREMENT OPTION 2W DEATH BENEFIT) FOR LOCAL SAFETY MEMBERS, AND GOVERNMENT CODE SECTION 20516 (4.4% EMPLOYEES SHARING COST OF ADDITIONAL BENEFITS) APPLICABLE TO GOVERNMENT CODE SECTION 21363.2 (3% @ 50 FULL FORMULA) FOR LOCAL FIRE MEMBERS ONLY

PROPOSED ACTION: Adopt the Resolution.

- D. PRESENTATION ON FIRE DEPARTMENT OPERATIONAL CHANGES BASED ON FISCAL YEAR 2010/2011 BUDGET APPROPRIATIONS

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

- E. CONSIDERATION OF WHETHER THE CITY COUNCIL SHOULD DIRECT THE CITY MANAGER TO PREPARE A RESOLUTION ENCOURAGING THE VALLEJO UNIFIED SCHOOL DISTRICT BOARD, THE GREATER VALLEJO RECREATION DISTRICT BOARD AND THE HIDDENBROOKE PROPERTY OWNERS' ASSOCIATION TO WORK TOGETHER DILIGENTLY AND IN GOOD FAITH TO ACHIEVE AN AMICABLE SOLUTION OF THE HIDDENBROOKE PARK/SCHOOL PROJECT DEVELOPMENT ISSUE SO THAT THE RESIDENTS OF HIDDENBROOKE CAN BE PROVIDED A NEW PARK IN THE NEAR FUTURE (REQUESTED BY COUNCILMEMBER BROWN)

PROPOSED ACTION: Discussion and provide direction, if desired by the Council, to the City Manager to prepare a resolution of support/encouragement consistent with Council's intentions.

**13. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES - NONE**

**14. WRITTEN COMMUNICATIONS - NONE**

*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.*

**15. CITY MANAGER'S REPORT**

**16. CITY ATTORNEY'S REPORT**

**17. COMMUNITY FORUM**

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**18. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL**

**19. CLOSED SESSION - NONE**

**20. ADJOURNMENT**



**VALLEJO REDEVELOPMENT  
AGENCY**

**SPECIAL MEETING-7:00 P.M.**

**CITY COUNCIL CHAMBERS  
JULY 13, 2010**

CHAIRMAN  
Osby Davis

VICE CHAIR  
Stephanie Gomes

MEMBERS:  
Hermie Sunga  
Michael Wilson  
Joanne Schivley  
Erin Hannigan  
Marti Brown

*Members of the public shall have the opportunity to address the Redevelopment Agency concerning any item listed on this agenda. 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. ADOPTION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH MAZE & ASSOCIATES ACCOUNTANCY CORPORATION FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR 2009/2010 (IN CONJUNCTION WITH THE CITY AND VALLEJO HOUSING AUTHORITY) FOR AN AMOUNT NOT TO EXCEED \$108,800 FOR ALL THREE AGENCIES

PROPOSED ACTION: Adopt the Resolution.

- B. APPROVAL OF MINUTES FROM THE VALLEJO REDEVELOPMENT AGENCY MEETINGS OF JUNE 9, 2009, JANUARY 5, 2010, JANUARY 12, 2010, FEBRUARY 9, 2010, FEBRUARY 23, 2010 AND APRIL 13, 2010

PROPOSED ACTION: Approve the Minutes.

**4. ADJOURN TO CITY COUNCIL MEETING**

**VALLEJO PUBLIC FINANCING  
AUTHORITY**

**SPECIAL MEETING-7:00 P.M.**

**CITY COUNCIL CHAMBERS  
JULY 13, 2010**

CHAIRMAN  
Osby Davis

VICE CHAIR  
Stephanie Gomes

MEMBERS:  
Hermie Sunga  
Michael Wilson  
Joanne Schivley  
Erin Hannigan  
Marti Brown

*Members of the public shall have the opportunity to address the Vallejo Public Financing Authority concerning any item listed on this agenda. No other items may be discussed at this special meeting.*

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. ADMINISTRATIVE ITEM**

- A. ADOPTION OF A RESOLUTION DIRECTING THE AUTHORITY'S TREASURER TO APPLY SURPLUS FUNDS UNDER THE INDENTURE, DATED AS OF AUGUST 1, 2004, IN CONNECTION WITH THE AUTHORITY'S LOCAL AGENCY REVENUE BONDS (HIDDENBROOKE IMPROVEMENT DISTRICT) 2004 SERIES A IN THE SUM OF \$1,000,000 FOR THE REDEMPTION OF BONDS AND IN THE SUM OF \$500,000 TO REDUCE THE IMPROVEMENT LEVIES FOR FISCAL YEAR 2010/2011

PROPOSED ACTION: Adopt the Resolution.

**4. ADJOURN TO CITY COUNCIL MEETING**