

AGENDA

VALLEJO CITY COUNCIL SPECIAL MEETING – 4:30 P.M.

VALLEJO SANITATION AND FLOOD CONTROL DISTRICT REGULAR MEETING – 6:00 P.M.

VALLEJO CITY COUNCIL & VALLEJO CITY COUNCIL AS GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE FORMER VALLEJO REDEVELOPMENT AGENCY SPECIAL JOINT MEETING – 6:30 P.M.

MAYOR
Osby Davis

CITY COUNCIL
Jesus “Jess” Malgapo, Vice Mayor
Pippin Dew-Costa
Robert H. McConnell
Katy Miessner
Bob Sampayan
Rozzana Verder-Aliga, EdD



City Hall
555 Santa Clara Street
Vallejo, CA 94590
www.cityofvallejo.net

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

SEPTEMBER 15, 2015

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.

Pursuant to the Government Code Section 54954.3 (The Brown Act), members of the public shall be afforded the opportunity to speak on any agenda item of interest to them provided they are first recognized by the presiding officer. Members of the public wishing to be so recognized are requested to submit a completed speaker card to the City Clerk prior to the consideration of the item.

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 City Council to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA.

Members of the public have the right to speak on any item on this agenda. Those wishing to address the Council: 1) during the Community Forum are limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300; 2) on a Consent Calendar item are limited to three minutes pursuant to Vallejo Municipal Code Section 2.02.310; and an Action Calendar item are limited to five minutes pursuant to Vallejo Municipal Code Section 2.02.420.

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 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.

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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 4:30 PM
OF THE VALLEJO CITY COUNCIL
SEPTEMBER 15, 2015**

TO THE MEMBERS OF THE VALLEJO CITY COUNCIL:

You are hereby notified that I do hereby call the Vallejo City Council 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 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. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: City Manager
4. **ADJOURNMENT**

Dated: Thursday, September 10, 2015


Osby Davis, Mayor

I, Dawn Abrahamson, City Clerk, 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 Vallejo City Council, 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 5:00 p.m., Thursday, September 10, 2015.

Dated: Thursday, September 10, 2015


Dawn G. Abrahamson, City Clerk

**CALL AND NOTICE OF
SPECIAL JOINT MEETING
AT 6:30 PM
OF THE
VALLEJO CITY COUNCIL &
VALLEJO CITY COUNCIL AS
GOVERNING BOARD OF THE
SUCCESSOR AGENCY TO THE
FORMER VALLEJO
REDEVELOPMENT AGENCY,
COUNCIL CHAMBERS
555 SANTA CLARA STREET,
VALLEJO, CA
SEPTEMBER 15, 2015**

MAYOR/CHAIR
Osby Davis

MEMBERS:
Vice Mayor/Vice Chair
Jesus "Jess" Malgapo
Pippin Dew-Costa
Robert H. McConnell
Katy Miessner
Bob Sampayan
Rozzana Verder-Aliga, EdD

TO THE MEMBERS OF THE VALLEJO CITY COUNCIL AND VALLEJO CITY COUNCIL AS GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE FORMER VALLEJO REDEVELOPMENT AGENCY:

You are hereby notified that I do hereby call the Vallejo City Council and the Vallejo City Council as Governing Board of the Successor Agency to the former Vallejo Redevelopment Agency Authority in a special joint session to consider only the matters stated on the agenda listed below.

NOTICE: Members of the public shall have the opportunity to address these governing bodies 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**
4. **ACTION CALENDAR**

NOTICE: Members of the public wishing to address the Council on Action Calendar Items are requested to submit a completed speaker card to the City Clerk. Each speaker is limited to five minutes pursuant to Vallejo Municipal Code Section 2.02.420.

- A. **ADOPT A RESOLUTION FINDING THAT CITY'S ADVANCE OF 2003 CERTIFICATES OF PARTICIPATION BOND PROCEEDS TO THE REDEVELOPMENT AGENCY WAS FOR A LEGITIMATE REDEVELOPMENT PURPOSE AND DIRECTING STAFF TO SEEK OVERSIGHT BOARD APPROVAL FOR INCLUSION ON FUTURE RECOGNIZED OBLIGATION PAYMENT SCHEDULES (ROPS) FOR PAYMENT**

Recommendation: Adopt the attached City Council Resolution and Successor Agency Resolution finding that the 2003 City advance of Certificates of Participation (COPS) bond proceeds to the former Redevelopment Agency was for a legitimate redevelopment purpose and directing staff to seek oversight board approval for inclusion of the 2003 City Advance on future Recognized Obligation Payment Schedules (ROPS) for repayment.

Contact: Ron Millard, Interim Finance Director, 707-648-4592,
Ron.Millard@cityofvallejo.net

B. **ADOPT A RESOLUTION APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2016 THROUGH JUNE 30, 2016 ("ROPS 15-16B')**

Recommendation: Adopt a Resolution approving the Recognized Obligation Payment Schedule for January 1, 2016, through June 30, 2016 ("ROPS15-16B")

Contact: Ron Millard, Interim Finance Director, 707-648-4592,
Ron.Millard@cityofvallejo.net
Kathleen Diohep, Economic Development Manager, 707-553-7283,
Kathleen.Diohep@cityofvallejo.net

5. **ADJOURNMENT**

Dated: Thursday, September 10, 2015


Osby Davis, Mayor/Chair

I, Dawn Abrahamson, City Clerk, 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 Vallejo City Council and the Vallejo City Council as the Governing Board of the Successor Agency to the former Vallejo Redevelopment Agency, 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 5:00 p.m., Thursday, September 10, 2015.

Dated: Thursday, September 10, 2015


Dawn G. Abrahamson, City Clerk/Secretary

**CALL AND NOTICE OF
SPECIAL MEETING
AT 7:00 PM
OF THE VALLEJO CITY COUNCIL
SEPTEMBER 15, 2015**

TO THE MEMBERS OF THE VALLEJO CITY COUNCIL:

You are hereby notified that I do hereby call the Vallejo City Council 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 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. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESENTATIONS AND COMMENDATIONS**
 - A. Presentation of the American Public Works Association (APWA) Accreditation Award
 - B. Presentation of a Proclamation Declaring October 18-24, 2015 as "Freedom from Workplace Bullies Week"
 - C. Presentation of a Proclamation Declaring September 22, 2015 as National Voter Registration Day
- 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.
- 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) August 25, 2015 (special) and 2) August 25, 2015 (regular)

Contact: Dawn G. Abrahamson, City Clerk, (707) 648-4527,
dawn.abrahamson@cityofvallejo.net

B. **ADOPT A RESOLUTION OF INTENTION TO AMEND THE WATER ENTERPRISE FUND BUDGET TO APPROPRIATE FUNDS IN THE AMOUNT OF \$550,000 FOR THE MONTICELLO PIPELINE REPLACEMENT - PHASE 2 PROJECT**

Recommendation: As the first step in a two-step process, adopt a Resolution of Intention to amend the Fiscal Year 2015-16 Water Enterprise Fund budget by appropriating \$550,000 of unrestricted, unencumbered fund balance in the City Water Fund to the Monticello Pipeline Replacement - Phase 2 Project (WT7079).

Contact: Martin A. Querin, Asst. Public Works Director / Water, (707) 648-4307, Martin.Querin@cityofvallejo.net
Richard H. Wilson, Engineering Manager, (707) 648-4309,
Richard.Wilson@cityofvallejo.net

C. **PAYMENT OF CLAIMS - JULY 2015**

Recommendation: By motion, ratify the payment of claims totaling \$8,475,506.12 for the period July 1, 2015 through July 31, 2015.

Contact: Ron Millard, Interim Finance Director, (707) 649-3559
ron.millard@cityofvallejo.net

D. **ADOPT A RESOLUTION GRANTING AN EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY (PG&E) AT OLD GLEN COVE ROAD**

Recommendation: Adopt a Resolution granting an easement to Pacific Gas and Electric Company (PG&E) adjacent to their existing Herrmann Wye Station on Seahorse Drive near Old Glen Cove Road.

Contact: David A. Kleinschmidt, Public Works Director, (707) 648-4301,
david.kleinschmidt@cityofvallejo.net
Jill A. Mercurio, Asst. Public Works / City Engineer, (707) 648-4085,
jill.mercurio@cityofvallejo.net

- E. **ADOPT A RESOLUTION IDENTIFYING THE TERMS AND CONDITIONS TO FIRE DEPARTMENT RESPONSE AWAY FROM THE CITY OF VALLEJO**
Recommendation: Adopt a resolution identifying the terms and conditions for the Vallejo Fire Department response away from the City of Vallejo in order to comply with the State of California's requirement for City Council action setting such terms and conditions.
Contact: Jack McArthur, Fire Chief, (707) 648-4420, Jack.McArthur@cityofvallejo.net
- F. **ADOPT A RESOLUTION AUTHORIZING CITY MANAGER TO FILE A RESPONSE TO THE 2014-2015 SOLANO COUNTY GRAND JURY REPORT ENTITLED "FIRE PROTECTION: COMMUNICATION CONSOLIDATION"**
Recommendation: Adopt a resolution authorizing the City Manager to file a response to the 2014-2015 Solano County Grand Jury report entitled Fire Protection: Communication Consolidation
Contact: Jack McArthur, (707) 648-4420, Jack.McArthur@cityofvallejo.net
- G. **AUTHORIZE THE CITY MANAGER TO EXECUTE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENTS WITH INTERWEST CONSULTING GROUP, INC., 4 LEAF, INC., AND BUREAU VERITAS NORTH AMERICA, INC., FOR BUILDING SERVICES WITH THE TOTAL ANNUAL AGGREGATE OF COMPENSATION NOT TO EXCEED \$175,000.00**
Recommendation: Authorize the City Manager to enter into three separate agreements with the below listed firms for a two-year term ending June 30, 2017, with the total annual aggregate of agreements not-to-exceed \$175,000 for Building Division related services.
 1. Interwest Consulting Group, Inc.
 2. 4LEAF, Inc.
 3. Bureau Veritas North America, Inc.Contact: Andrea Ouse, Community and Economic Development Director, (707) 648-4163, andrea.ouse@cityofvallejo.net
Lonell Butler, Chief Building Official, (707) 648-4387, lonell.butler@cityofvallejo.net
- H. **AUTHORIZE THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THREE CONSULTANT AGREEMENTS WITH THE FOLLOWING FIRMS: BUREAU VERITAS NORTH AMERICA, INC., TRB+ASSOCIATES, INC., AND WEST COAST CODE CONSULTANTS, INC. TO EXTEND CONTRACT TERM UNTIL SEPTEMBER 30, 2015, INCREASE FISCAL YEAR 2014/2015 TOTAL COMPENSATION TO \$627,751, TOTAL FISCAL YEAR 2015/2016**

Recommendation: Authorize the City Manager to execute the First Amendment to three separate Consultant and Professional Agreements with the below listed consulting firms and ratify payments for services exceeding the contract amount and made after June 30, 2015.

1. Bureau Veritas North America, Inc. Agreement No. 13-061, extending the contract term to September 30, 2015 and authorize payment of \$9,000.00 for staffing services provided for the period of July 10 to July 31, 2015.

2. TRB+Associates, Inc. Agreement No. 13-059, extending the contract term to September 30, 2015 and authorize a FY 15-16 payment of \$3,360.00 for essential staffing services provided from July 1 to July 31, 2015.

3. West Coast Code Consultants, Inc. Agreement No. 13-058, extending the contract term to September 30, 2015, increase total compensation to \$449,718.12, ratify FY 14-15 payment of \$94,718.12 for essential services provided between March 1-June 30, 2015 and authorize FY15-16 payments anticipated not-to-exceed \$55,000.00 for closing plan review and staffing services provided for the three month period of July 1 to September 30, 2015.

Contact: Andrea Ouse, Community and Economic Development Director, (707) 648-4163, andrea.ouse@cityofvallejo.net
Lonell Butler, Chief Building Official, (707) 648-4387, lonell.butler@cityofvallejo.net

I. **ADOPT TWO RESOLUTIONS: A RESOLUTION OF INTENTION TO CREATE A NUISANCE ABATEMENT FUND AND A RESOLUTION OF INTENTION TO AMEND THE NUISANCE ABATEMENT FUND FY 2015-2016 BUDGET TO RECOGNIZE REVENUE AND APPROPRIATE EXPENDITURES IN THE AMOUNT OF \$96,752.85 FOR ABATEMENT EFFORTS, AND TO AUTHORIZE THE TRANSFER OF \$96,752.85 FROM GENERAL FUND RESERVES TO THE NUISANCE ABATEMENT FUND**

Recommendation: Adopt two Resolutions: a Resolution of Intention to create the Nuisance Abatement Fund and a Resolution of Intention to Amend the Nuisance Abatement Fund FY 2015-2016 Budget to Recognize Revenue and Appropriate Expenditures in the amount of \$96,752.85 for abatement efforts, and to Authorize the transfer of \$96,752.85 from General Fund Reserves to the Nuisance Abatement Fund

Contact: Claudia Quintana, City Attorney, (707) 648-4545, Claudia.Quintana@cityofvallejo.net

Eli Flushman, Deputy City Attorney, (707) 648-4146, Eli.Flushman@cityofvallejo.net

Brandon Gerstle, Neighborhood Law Attorney, (707) 648-4147, Brandon.Gerstle@cityofvallejo.net

8. ACTION CALENDAR

NOTICE: Members of the public wishing to address the Council on Action Calendar Items are requested to submit a completed speaker card to the City Clerk. Each speaker is limited to five minutes pursuant to Vallejo Municipal Code Section 2.02.420.

A. ADOPT A RESOLUTION REQUESTING THE CALIFORNIA SECRETARY OF STATE TO INVESTIGATE COMPLAINTS OF ILLEGAL CONDUCT BY SIGNATURE GATHERERS FOR THE REFERENDUM PETITION ON MEDICAL MARIJUANA ORDINANCE NO. 1715 N.C. (2d)

Recommendation: Adopt a Resolution requesting that the California Secretary of State elections fraud unit investigate illegal conduct by signature gathers for a referendum petition on medical marijuana ordinance No. 1715 N.C. (2d).

Contact: Daniel E. Keen, (707) 648-4576, daniel.keen@cityofvallejo.net
Claudia Quintana, City Attorney, (707) 648-4547,
claudia.quintana@cityofvallejo.net

B. ACCEPT THE RECOMMENDATION OF THE SOLID WASTE AD HOC COMMITTEE TO DIRECT STAFF TO PREPARE, FOR FUTURE COUNCIL CONSIDERATION, A NEW FRANCHISE AGREEMENT WITH RECOLOGY VALLEJO FOR SOLID WASTE AND RECYCLING SERVICES, AND TO CONTINUE PREPARATION OF A FORMAL REQUEST FOR PROPOSAL PROCESS

Recommendation: By motion, accept the recommendation of the City of Vallejo Solid Waste Ad Hoc Committee (Ad Hoc Committee) to direct staff to prepare, for future Council consideration, a new franchise agreement with Recology Vallejo for solid waste and recycling services, and to continue with the preparation of a formal Request for Proposal (RFP) process.

Contact: Mayor Osby Davis, Mayor@cityofvallejo.net
Vice Mayor Jess Malgapo, Jess.Malgapo@cityofvallejo.net
City Councilmember Robert McConnell, Robert.McConnell@cityofvallejo.net

C. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HGAC FOR PURCHASE AND INSTALLATION OF A VHF RADIO SYSTEM FOR THE FIRE DEPARTMENT AT A COST OF \$303,534.29

Recommendation: By motion, authorize the City Manager to execute an agreement to purchase a federally compliant VHF radio communications system from Motorola Corporation under the Houston-Galveston Area Council's (HGAC) Cooperative Purchasing contract in the total amount of \$303,535.

Contact: Jack McArthur, Fire Chief, (707) 648-4420,
Jack.McArthur@cityofvallejo.net

9. **INFORMATION CALENDAR**
10. **CITY MANAGER'S REPORT**
11. **CITY ATTORNEY'S REPORT**
12. **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.

13. **REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE CITY COUNCIL**
14. **CLOSED SESSION**
15. **ADJOURNMENT**

Dated: Thursday, September 10, 2015


Osby Davis, Mayor

I, Dawn Abrahamson, City Clerk, 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 Vallejo City Council, 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 5:00 p.m., Thursday, September 10, 2015 .

Dated: Thursday, September 10, 2015


Dawn G. Abrahamson, City Clerk