

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBERS**

MARCH 10, 2020

1. CALL TO ORDER

The meeting was called to order at 7:01 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: City Manager Nyhoff, Interim City Attorney Risner, City Clerk Abrahamson

Absent: None

Staff present: City Manager Nyhoff, Interim City Attorney Risner and City Clerk Abrahamson

4. PRESENTATIONS AND COMMENDATIONS

Action: Presentations were made by Councilmember Verder-Aliga representatives from Southern Land Company team and Robert Burris (Solano Economic Development Corporation).

A. **PRESENTATION OF A PROCLAMATION RECOGNIZING MARCH 2020 AS "AMERICAN RED CROSS MONTH"**

B. **INTRODUCTION OF SOUTHERN LAND COMPANY**

C. **CENSUS 2020 UPDATE**

5. FIRST COMMUNITY FORUM

Speakers: Stan Clark and Ryan Messano.

6. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Speakers: None.

7. CONSENT CALENDAR AND APPROVAL OF AGENDA

Action: Moved by Vice Mayor Sunga and carried unanimously, unless otherwise noted, approval of the Agenda and the Consent Calendar with the removal of Items E and G from the Consent Calendar making them Items 7.1. and 7.2, and the reordering of the

Action Calendar taking Item C before Item B.

A. APPROVAL OF MINUTES

Recommendation: Approve the City Council minutes for the special meetings of February 19, 2020 and February 24, 2020, and the special and regular meetings of February 25, 2020

Contact: Dawn G. Abrahamson, City Clerk (707) 648-4528

Dawn.Abrahamson@cityofvallejo.net

Action: Approved minutes.

B. ADOPTION OF AN ORDINANCE REPEALING CHAPTER 8.56 OF THE VALLEJO MUNICIPAL CODE

Recommendation: Adopt an ordinance repealing chapter 8.56 of the Vallejo Municipal Code, "Operation of Sound Amplifying Device or Lighting Equipment"

Contact: Randy Risner, Interim City Attorney (707) 648-4545

Randy.Risner@cityofvallejo.net

Action: Adopted Ordinance No. 1842 N.C. (2d)

C. SCHOOL RESOURCE OFFICER PROGRAM MEMORANDUM OF UNDERSTANDING

Recommendation: Authorize the City Manager to ratify the Third Amendment and the Fourth Amendment to the Memorandum of Understanding (MOU) between the City of Vallejo and the Vallejo City Unified School District (VCUSD) for the School Resource Officer Program, subject to any non-substantive changes as approved by the City Attorney.

Contact: Jason Potts, Acting Captain of Police (707) 651-7105

jason.potts@cityofvallejo.net

Action: Authorized the City Manager to ratify the Third Amendment and the Fourth Amendment to the Memorandum of Understanding (MOU) between the City of Vallejo and the Vallejo City Unified School District (VCUSD) for the School Resource Officer Program, subject to any non-substantive changes as approved by the City Attorney.

D. CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT - CAL INC. ENVIRONMENTAL SERVICES

Recommendation: Authorize the City Manager to execute the attached Consultant and Professional Services Agreement with Cal Inc. Environmental Services in an amount not to exceed \$600,000, for a period of four years, for as-needed hazardous waste and environmental services.

Contact: Robert Newman, Environmental Services Manager (707) 648-5410

Robert.Newman@cityofvallejo.net

Action: Authorized the City Manager to execute the attached Consultant and Professional Services Agreement with Cal Inc. Environmental Services in an amount not to exceed \$600,000, for a period of four years, for as-needed hazardous waste and environmental services.

E. **PROJECT DELIVERY AGREEMENT FOR THE SACRAMENTO STREET BRIDGE**

Recommendation: Adopt a Resolution authorizing the City Manager to execute the Project Delivery Agreement for the Sacramento Street Bridge Project.

Contact: Melissa Tigbao, City Engineer/Assistant Public Works Director (707) 648-4085

Melissa.Tigbao@cityofvallejo.net

Action: Item was removed from the Consent Calendar at the request of Mayor Sampayan.

Staff responded to questions from Councilmembers.

Action: Moved by Vice Mayor Sunga and carried unanimously to adopt Resolution No. 20-022 N.C.

F. **CONFIRM RE-APPOINTMENTS TO BUILDING STANDARDS CODE APPEALS BOARD**

Recommendation:

Adoption of a resolution to confirm reappointments to the Building Standards Code Appeal Board from the following disciplines, pursuant to VMC section 2.75.050:

1. Design Professional
2. Fire Protection Engineering Professional
3. General Contractor
4. General Industry or Business Representative

Contact: Steve Arnold, Chief Building Official (707) 648-4387

steve.arnold@cityofvallejo.net

Action: Adopted Resolution No. 20-023 N.C.

G. **OPERATING AGREEMENT WITH EAST BAY REGIONAL COMMUNICATIONS SYSTEM AUTHORITY (EBRCSA)**

Recommendation: Authorize the City Manager to execute the attached East Bay Regional Communications System Authority (EBRCSA) agreement and any other associated documents related to this agreement. The agreement

allows the City of Vallejo to become a temporary member of EBRCSA. The EBRCSA membership will ensure the City's public safety personnel (Police and Fire) to have reliable radio communication as they respond to service calls throughout the City.

Contact: Naveed Ashraf, Chief Innovation Officer (707) 648-5200

Naveed.Ashraf@cityofvallejo.net

Action: Item was removed from the Consent Calendar at the request of Mayor Sampayan.

City Manager Nyhoff recognized staff for their work on progress made to date.

Action: Moved by Vice Mayor Sunga and carried unanimously to authorize the City Manager to execute the attached East Bay Regional Communications System Authority (EBRCSA) agreement and any other associated documents related to this agreement. The agreement allows the City of Vallejo to become a temporary member of EBRCSA. The EBRCSA membership will ensure the City's public safety personnel (Police and Fire) to have reliable radio communication as they respond to service calls throughout the City.

H. **MOTOROLA SOLUTIONS RADIOS PURCHASE AGREEMENT**

Recommendation: Authorize the City Manager to execute the attached Motorola finance lease document to purchase 310 police and fire dual band APX 8000 radios, and other necessary Motorola radio infrastructure. See attached finance documents.

Contact: Naveed Ashraf, Chief Innovation Officer (707) 648-5200

Naveed.Ashraf@CityofVallejo.net

Action: Authorized the City Manager to execute the attached Motorola finance lease document to purchase 310 police and fire dual band APX 8000 radios, and other necessary Motorola radio infrastructure. See attached finance documents.

I. **AGREEMENT WITH RADIO COMMUNICATION SERVICES WITH CONTRA COSTA COUNTY**

Recommendation: Authorize the City Manager to execute the attached agreement with Contra Costa County, Information Technology Department's staff to perform the necessary Motorola radio programming to connect to the East Bay Regional Communications Authority (EBRCA).

Contact: Naveed Ashraf, Chief Innovation Officer, (707) 648-5200

Naveed.Ashraf@CityofVallejo.net

Action: Authorized the City Manager to execute the attached agreement with Contra Costa County, Information Technology Department's staff to perform

the necessary Motorola radio programming to connect to the East Bay Regional Communications Authority (EBRCA).

J. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH DAY WIRELESS SYSTEMS

Recommendation: Authorize the City Manager to execute the First Amendment to the Consultant and Professional Services Agreement with Day Wireless Systems for radio maintenance services increasing the contract by \$60,000 and the total not to exceed amount by \$150,000.

Contact: Naveed Ashraf, Chief Innovation Officer (707) 648-5200

Naveed.Ashraf@cityofvallejo.net

Action: Authorized the City Manager to execute the First Amendment to the Consultant and Professional Services Agreement with Day Wireless Systems for radio maintenance services increasing the contract by \$60,000 and the total not to exceed amount by \$150,000.

K. VAR TECHNOLOGY FINANCE LEASE

Recommendation: Authorize the City Manager to execute the attached 5-year Lease Agreement with VAR Technology Finance of new virtualization hardware for City Hall, Police Department, and Water Department data centers through SourceWell Cooperative at a cost of \$59,312.06 per year, for a not to exceed amount of \$296,561.

Contact: Naveed Ashraf, Chief Innovation Officer 707-648-5200

Naveed.Ashraf@cityofvallejo.net

Action: Authorized the City Manager to execute the attached 5-year Lease Agreement with VAR Technology Finance of new virtualization hardware for City Hall, Police Department, and Water Department data centers through SourceWell Cooperative at a cost of \$59,312.06 per year, for a not to exceed amount of \$296,561.

8. ACTION CALENDAR

Items on the Action Calendar were taken out of order with Item C heard before Item B. The minutes reflect the items in the order as they appeared on the agenda.

A. APPOINTMENTS TO HOUSING & COMMUNITY DEVELOPMENT AND MCCUNE COLLECTION COMMISSIONS AND THE PARTICIPATORY BUDGETING STEERING COMMITTEE

Recommendation: Adopt a Resolution making one appointment to the Housing & Community Development Commission, one appointment to the McCune

Collection Commission and one appointment to the Participatory Budgeting Steering Committee (PBSC)

Contact: Dawn G. Abrahamson, City Clerk, (707) 648-4528

Dawn.Abrahamson@cityofvallejo.net

Following the nomination of applicants, it was moved by Vice Mayor Sunga and carried unanimously to adopt Resolution No. 20-024 N.C., a resolution making the following appointments:

Housing & Community Development Commission: Christina Long for a term to expire June 30, 2023.

McCune Collection Commission: James Petka for a term to expire June 30, 2023.

Participatory Budgeting Steering Committee: Alicia Griffin for two, 12-month cycles of Vallejo's PB process, expiring on June 30, 2021.

B. PUBLIC HEARING - 829 WILSON AVENUE PROJECT APPEAL OF PLANNING COMMISSION APPROVAL

Recommendation: Conduct the public hearing and upon completion, adopt a Resolution denying an appeal of Friends of River Park, and upholding the Planning Commission's decision to approve the project at 829 Wilson Avenue.

Contact: Gillian Hayes, Planning and Development Services Director, (707) 648-4163

gillian.hayes@cityofvallejo.net

Aaron Sage, Principal Planner, (707) 648-5391

aaron.sage@cityofvallejo.net

Councilmember McConnell recused himself due to a conflict of interest as he is a member of an organization that owns property within the prohibited 500 foot radius of the project and his spouse is the director of the organization that owns the property. Councilmember McConnell left the dais and the Council Chambers.

Planning & Development Services Director Hayes provided introductory comments.

Principal Planner Sage reviewed and discussed the project location and existing conditions, outlined the project timeline and plan evolution and provided responses to appeal points and closing comments.

Mayor Sampayan declared the public hearing open.

Richard Underwood (representing Friends of River Park) presented their reasons for granting the appeal and denying the Planning Commission's decision to approve the project at 829 Wilson Avenue.

Shashi Sharma (Project Applicant) commented in support of the Project.

Mr. Underwood (on behalf of Friends of River Park) provided additional comments.

Staff and Mr. Sharma (Project Applicant) responded to questions from Councilmembers.

Mayor Sampayan invited members of the public to speak.

Speakers: Michael Daley, Anne Carr, Carlos Ortega, Rinkesh Naran, Steve Souza, Tim Hiemstra, Gina Marr-Hiemstra, Tim Moore, Donald Osborne, Emily Boyd, Jim Geddes, Joseph Tarega, and Diana Lang.

Staff, Mr. Underwood and Mr. Sharma responded to comments from the speakers.

Mayor Sampayan closed the public hearing.

Another question and answer period followed. Councilmembers provided comment.

Action: (1) Moved by Councilmember Miessner and failed, to continue the matter until after a CEQA determination and traffic analysis has been completed. (Ayes: Miessner; Noes: Mayor Sampayan, Brown, Dew, Sunga, and Verder-Aliga; Abstain Due to Conflict of Interest: McConnell).

(2) Moved by Vice Mayor Sunga and carried to adopt Resolution 20-025 N.C. denying an appeal of Friends of River Park, and upholding the Planning Commission's decision to approve the project at 829 Wilson Avenue (Noes: Miessner; Abstain Due to Conflict of Interest: McConnell).

Councilmember McConnell resumed his seat at the dais.

C. **INTRODUCTION OF TWO ORDINANCES ON VACANT PROPERTY REGISTRATION AND FIRE PREVENTION VEGETATION MANAGEMENT;**

RESOLUTION SETTING FEES

Recommendation: Introduce two ordinances amending Vallejo Municipal Code Chapters 7.56 and 7.62 to require registration for vacant and foreclosed properties, amending fire prevention's vegetation management program, and adopt a resolution setting vacant and foreclosed property registration fees.

Contact: Dylan Brady, Deputy City Attorney, (707) 648-4147

dylan.brady@cityofvallejo.net

Randy Risner, Interim City Attorney, (707) 648-4545

Randy.Risner@cityofvallejo.net

Deputy City Attorney Brady discussed current enforcement of vacant lots and buildings, outlined the weed abatement procedure and issues with current enforcement, reviewed how the vacant residential property registration operates, provided details of the requirements of property registration and facts about vacant residential property and concluded with staff's recommendation.

Speakers: Charmaine Ferraz (Common Ground), Anne Carr and Ryan Messano.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: Moved by Vice Mayor Sunga and carried unanimously to introduce two ordinances amending Vallejo Municipal Code Chapters 7.56 and 7.62 to require registration for vacant and foreclosed properties and amending fire prevention's vegetation management program.

The meeting recessed at 9:25 p.m. and reconvened at 9:34 p.m. to take up Action Item B.

9. INFORMATION CALENDAR – None.

10. CITY MANAGER'S REPORT

City Manager Nyhoff reported on COVID-19 and the City's steps moving forward.

11. CITY ATTORNEY'S REPORT

Interim City Attorney Risner provide an update on the dismissal of several lawsuits and an illegal dumping case.

12. COMMUNITY FORUM

Speakers: None.

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

Councilmembers reported on community events and meetings attended.

14. CLOSED SESSION – None.

15. ADJOURNMENT

The meeting adjourned at 11:48 p.m.

BOB SAMPAYAN, MAYOR

ATTEST:

DAWN G. ABRAHAMSON
CITY CLERK