

**VALLEJO CITY COUNCIL  
REGULAR MEETING MINUTES  
NOVEMBER 19, 2024**

**COUNCIL CHAMBERS  
555 Santa Clara Street, Vallejo, California**

**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**2. ROLL CALL**

**Present:** Mayor McConnell, Vice Mayor Loera-Diaz, Councilmembers Arriola, Bregenzer, Matulac, Palmares, and Verder-Aliga

**Absent:** None

**Staff present:** City Manager Murray, City Attorney Nebb and City Clerk Abrahamson

**3. PLEDGE OF ALLEGIANCE**

**4. REPORT OUT OF CLOSED SESSION**

City Attorney Nebb reported the following:

- Closed Session Item 3A – no action to report
- Closed Session Item 3B – no action to report
- Closed Session Item 3C – not heard this evening and continued to a future meeting
- Closed Session Item 3D – provided direction to its real property negotiators

**5. PRESENTATIONS AND COMMENDATIONS**

**Action:** *presentations were made by Councilmembers Arriola and Bregenzer.*

**A. PRESENTATION OF A PROCLAMATION IN RECOGNITION OF THE VALLEJO MUSEUM'S ANNIVERSARY**

**B. PRESENTATION OF A PROCLAMATION RECOGNIZING NATIVE AMERICAN HERITAGE MONTH - NOVEMBER 2024**

**6. FIRST COMMUNITY FORUM**

**Speakers:** Dionne Carter (Vallejo Together), Troy Skillman, Pastor Anthony Summers and Tehraleigh.

**7. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS**

**Speakers:** Brian Davis, Calyn Kelley, Amanda Wooding, and Joseph Hayden (Consent Item 8F).

**8. CONSENT CALENDAR AND APPROVAL OF AGENDA**

**Action:** moved by Vice Mayor Loera-Diaz and carried unanimously, unless otherwise noted, approval of the Agenda and the Consent Calendar with a noted correction to the original resolution contained in the agenda packet that included a typographical error related to the contract expiration date, correcting recitals 7 and 8 as outlined in a memo from the Planning & Development Services Director for Item 8C and the reordering of the Action Calendar making Item 9C as the first item and all other items in the order as they appear on the Agenda.

A. **WAIVE FULL READING AND AUTHORIZING INTRODUCTIONS AND/OR ADOPTION OF ORDINANCES BY TITLE ONLY**

**Recommendation:** Waive reading and authorize introductions and/or adoption of any and all ordinances on this agenda, if any, by title only. This is a standard procedural action so the City Council does not have to read an ordinance in its entirety.

Contact: Dawn G. Abrahamson, MMC, City Clerk (707) 648-4527

[Dawn.Abrahamson@cityofvallejo.net](mailto:Dawn.Abrahamson@cityofvallejo.net)

**Action:** waived reading and authorized introductions and/or adoption of any and all ordinances on this agenda, if any, by title only. This is a standard procedural action so the City Council does not have to read an ordinance in its entirety.

B. **PAYMENT OF CLAIMS: SEPTEMBER 2024**

**Recommendation:** Ratify the payment of claims for the period of September 1, 2024, through September 30, 2024.

Contact: Rekha Nayar, Finance Director (707) 648-4592

[Rekha.Nayar@cityofvallejo.net](mailto:Rekha.Nayar@cityofvallejo.net)

**Action:** ratified payments of claims for period of September 1-30, 2024.

C. **ADOPT A RESOLUTION APPROVING A THIRD AMENDMENT TO CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH TRB & ASSOCIATES, INC. TO INCREASE COMPENSATION TO A MAXIMUM NOT TO EXCEED \$400,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

**Recommendation:** Adopt a resolution approving a Third Amendment to the Consultant and Professional Services Agreement with TRB & Associates, Inc. to increase compensation to a maximum not to exceed \$400,000 and authorizing the City Manager to execute same.

Contact: Kristin Pollot, AICP, Planning & Development Services Director (707) 648-4382

[Kristin.Pollot@cityofvallejo.net](mailto:Kristin.Pollot@cityofvallejo.net)

**Action:** adopted Resolution No. 24-179 N.C. as amended correcting recitals 7 and 8 related to the current contract expiration date.

D. **ADOPT A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH SHUMS CODA & ASSOCIATES, INC. TO INCREASE COMPENSATION TO A MAXIMUM NOT TO EXCEED \$335,000.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

**Recommendation:**

Adopt a Resolution approving the Second Amendment to the Consultant and

Professional Services Agreement with Shums Coda & Associates, Inc. to increase compensation to a maximum not to exceed \$335,000 and authorizing the City Manager to execute same.

Contact: Krisitn Pollot, AICP, Planning & Development Services Director  
(707)648-4382

[Kristin.Pollot@cityofvallejo.net](mailto:Kristin.Pollot@cityofvallejo.net)

**Action:** adopted Resolution No. 24-180 N.C.

E. **ADOPT A RESOLUTION APPROVING THE THIRD AMENDMENT TO THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP, INC. TO INCREASE COMPENSATION TO A MAXIMUM NOT TO EXCEED \$200,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a Resolution approving the Third Amendment to the Consultant and Professional Services Agreement with Interwest Consulting Group, Inc. to increase compensation to a maximum not to exceed \$200,000 and authorizing the City Manager to execute same.

Contact: Kristin Pollot, AICP, Planning & Development Services Director (707) 648-4382

[Kristin.Pollot@cityofvallejo.net](mailto:Kristin.Pollot@cityofvallejo.net)

**Action:** adopted Resolution No. 24-181 N.C.

F. **ADOPT A RESOLUTION ACCEPTING TOBACCO GRANT PROGRAM GRANT FUNDS IN THE AMOUNT OF \$931,758 FROM THE STATE OF CALIFORNIA DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, AUTHORIZING THE CITY OF VALLEJO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND ANY ADDITIONAL DOCUMENTS NECESSARY TO EFFECTUATE SAME, AND PROVIDING NOTICE OF INTENT TO AMEND THE FISCAL YEAR 2024-25 CAPITAL GRANTS AND CONTRIBUTION FUND #221 BUDGET TO RECEIVE AND EXPEND THE GRANT REVENUE (STEP 1)**

Recommendation: Adopt a Resolution accepting Tobacco Grant Program grant funds in the amount of \$931,758 from the State of California Department of Justice, Office of the Attorney General, authorizing the City of Vallejo to enter into a Memorandum of Understanding and any additional documents necessary to effectuate same, and providing notice of intent to amend the fiscal year 2024-2025 capital grants and contribution fund #221 budget to receive and expend the grant revenue (Step 1).

Contact: Veronica A. F. Nebb, City Attorney (707) 648-4456

[veronica.nebb@cityofvallejo.net](mailto:veronica.nebb@cityofvallejo.net)

**Action:** adopted Resolution No. 24-182 N.C.

9. **ACTION CALENDAR**

Items under the Action Calendar were taken out of order with Item 9C being first and all other items in the order they appeared on the Agenda. Following the conclusion of 9C and a recess, Mayor McConnell took Item 9E out of order and this item was heard prior to all other items.

The minutes reflect the order of the items as they appear on the agenda.

- A. **ADOPT A RESOLUTION APPROVING A FIRST AMENDMENT TO THE SUPPLY OF FUEL AND PETROLEUM PRODUCTS AGREEMENT WITH HUNT OIL OF CALIFORNIA (FORMERLY HUNTS & SONS, INC.) TO INCREASE THE CONTRACT AMOUNT TO \$4,900,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a resolution approving a First Amendment to the Supply of Fuel and Petroleum Products Agreement with Hunt Oil of California (formerly Hunt & Sons, Inc.) to increase the contract amount to \$4,900,000 and authorizing the City Manager to execute same.

Contact: Melissa Tigbao, P.E., Public Work Director, 707-648-4433

[Melissa.tigbao@cityofvallejo.net](mailto:Melissa.tigbao@cityofvallejo.net)

Public Works Director Tigbao provided an overview of the staff report and outlined the recommendation.

**Action:** *moved by Vice Mayor Loera-Diaz and carried unanimously to adopt Resolution No. 24-183 N.C.*

- B. **RECEIVE A PRESENTATION, CONSIDER STAFF RECOMMENDATIONS, AND PROVIDE DIRECTION TO STAFF REGARDING THE REALLOCATION OF UNSPENT AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL FISCAL RECOVERY FUNDS AND PROVIDE NOTICE OF INTENT TO AMEND THE FY 2024-25 BUDGET (STEP 1)**

Recommendation: Receive a presentation, consider staff recommendations, and provide direction to staff regarding the reallocation of unspent American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds and provide notice of intent to amend the FY 2024-25 budget (Step 1).

Contact: Andrew Murray, City Manager, (707) 645-2630

[Andrew.Murray@cityofvallejo.net](mailto:Andrew.Murray@cityofvallejo.net)

Rekha Nayar, CPA, Finance Director, (707) 648-5433

[Rekha.Nayar@cityofvallejo.net](mailto:Rekha.Nayar@cityofvallejo.net)

Finance Director Nayar provided an overview, program summation as of September 30, 2024, outlined active and completed projects and recommended projects, and concluded the presentation discussing next steps.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

**Action:** *moved by Mayor McConnell to receive a presentation, consider staff recommendations, and provide direction to staff to reallocate unspent American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds for the 6 projects as staff recommended, and provide notice of intent to amend the FY 2024-25 budget (Step 1).*

*On a substitute motion by Vice Mayor Loera-Diaz, which carried, receive a presentation, consider staff recommendations and provide direction to staff to*

*reallocate unspent ARPA State and Local Fiscal Recovery Funds for the following projects (Noes: Palmares and Verder-Aliga):*

- \$865,000 – Police Department Building Design
- \$352,990 – Fire: Fleet Vehicle Type I & Type VI Shortfall
- \$391,000 – IT Firewall
- \$205,000 – Citywide Assessment Management
- \$100,000 – Police Department Recruitment Costs
- \$208,453 – Remaining balance to extending term Police Assistant positions

C. **INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 5.10 TO THE VALLEJO MUNICIPAL CODE RELATING TO TOBACCO RETAIL LICENSING AND AMENDING CHAPTERS 7.68, 16.301, 16.340, AND 16.701 RELATING TO TOBACCO RETAILERS AND USE PERMIT REQUIREMENTS AND REPEALING CHAPTER 7.69 RELATING TO RESTRICTIONS ON ACCESSIBILITY OF TOBACCO PRODUCTS**

Recommendation: Introduction of an ordinance adding Chapter 5.10 to the Vallejo Municipal Code relating to tobacco retail licensing and amending Chapters 7.68, 16.301, 16.340, and 16.701 relating to tobacco retailers and use permit requirements and repealing Chapter 7.69 relating to restrictions on accessibility of tobacco products including modifications directed by the Council.

Contact: Veronica A.F. Nebb, City Attorney (707) 648-4545

[Veronica.Nebb@cityofvallejo.net](mailto:Veronica.Nebb@cityofvallejo.net)

City Attorney Nebb provided an overview of the staff report, outlined various options and the recommendation.

Staff responded to questions from Councilmembers.

**Speakers:** Brian Davis, Joseph Hayden, Paul Matharu, Bali D., Antonio Preciado, Mileyna Rojas, Andres Preciado, Nefer Fariss, Ruby Garcia, Tracy Nachand, Jimmy Ancira, Amaya Wooding, Paul Hayer, Dave H., Sim S., Harkirat Singh, Tehraleigh, Bob Gordon, Calvin Harrell, Camille Cummings, Blythe Young, and Celyn Kelley.

Another question and answer period followed. Councilmembers provided comment.

Council underwent multiple straw votes to arrive at a final motion related to Sections 5.10.050 3(a) and 3(c).

**Action:** *moved by Mayor McConnell and carried to introduce an ordinance adding Chapter 5.10 to the Vallejo Municipal Code relating to tobacco retail licensing and amending Chapters 7.68, 16.301, 16.340, and 16.701 relating to tobacco retailers and use permit requirements and repealing Chapter 7.69 relating to restrictions on accessibility of tobacco products including the following amendments:*

1. *Section 5.10.050(3)(a) amended to permit the business to be transferred*

- for a period of 7 years (transferring of a business to a new proprietor any time after January 1, 2032) in arm's length transaction, and*
2. *Section 5.10.050(3)(c) amended to add a restriction on the transferability of the exemption relating to retailer locations if the retailer has committed 3 or more violations of this chapter within a 1 year period, and*
  3. *Striking the word "cohabitant."*

*Vice Mayor Loera-Diaz offered a substitute motion to bifurcate the motions related to Sections 5.10.050(3)(a) and 3(c) which was overruled by Mayor McConnell with no objection from the Council.*

*The motion as presented by Mayor McConnell in the paragraph above carried by the following vote: (Ayes: McConnell, Arriola, Bregenzer, Palmares, and Verder-Aliga; Noes: Loera-Diaz and Matulac).*

The meeting recessed at 10:17 p.m. and reconvened at 10:27 p.m. to take up Items 9E, 9A, 9B, and 9D.

**D. DISCUSSION AND DIRECTION ON CITY COUNCIL REFERRALS**

Recommendation: Receive the scopes of work that City staff developed for sixteen City Council referrals and provide direction to staff on whether or not to implement the referrals.

Contact: Andrew Murray, City Manager (707) 648-4576  
[Andrew.Murray@cityofvallejo.net](mailto:Andrew.Murray@cityofvallejo.net)

**Action:** *moved by Mayor McConnell and carried unanimously to continue this item to the 2nd regular meeting in February 2025.*

**E. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE SCOTTS VALLEY BAND OF POMO INDIANS OF CALIFORNIA RELATING TO THE PROPOSED APPLICATION TO PLACE LAND WITHIN THE CITY OF VALLEJO IN TRUST FOR THE BENEFIT OF THE TRIBE**

Recommendation: Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Scotts Valley Band of Pomo Indians of California relating to the proposed application to place land within the City of Vallejo in trust for the benefit of the Tribe.

Contact: Gillian Haen, Assistant City Manager (707) 648-4576  
[gillian.haen@cityofvallejo.net](mailto:gillian.haen@cityofvallejo.net)

Assistant City Manager Haen shared a rendering of the proposed project site, provided background information and project description, reviewed the environmental assessment, project process, fee to trust process and gaming compact process, outlined the purpose of the agreement, the benefits and risks, and concluded with next steps.

**Speakers:** Krista Ray (representing the Scotts Valley Band Development Board) Tristan Stidham, Matt Rodriguez (San Pablo City Manager), Sergio

Barajas, Greg Lee, and Matthew Adams.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

**Action:** moved by Vice Mayor Loera-Diaz and carried unanimously to adopt Resolution No. 24-184 N.C. with an amendment to the Cooperative Agreement to correct an error related to Attachment A and additional language to strengthen the verbiage related to the City's easements and infrastructure on the site to including the following additional language to Section 4.4 of the Agreement as outlined in a correction memo to the Council and as follows:

*"Notwithstanding the above, the City expressly retains its full authority over all exiting easements and infrastructure located on the Property, and nothing in this Agreement shall be construed as a release, waiver, or limitation of the City's rights or jurisdiction concerning such easements and infrastructure. Should the Secretary of the Interior, pursuant to 12.C.F.R. 151.14(b), identify and require the elimination of such easements or encumbrances as a condition for acceptance of the Project Site into trust status due to a determination that they render title unmarketable, the Parties will meet and confer regarding any possible relocation of said easements or encumbrances at the sole cost of the Tribe. Nothing in this Agreement shall obligate the City to agree to any such relocation or elimination of any City easement or encumbrance."*

10. **INFORMATION CALENDAR** – None.

11. **CITY MANAGER'S REPORT** – None.

12. **CITY ATTORNEY'S REPORT** – None.

13. **COMMUNITY FORUM**  
**Speakers:** None.

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

Councilmembers reported on various community events and meetings attended.

15. **ADJOURNMENT**

The meeting adjourned at 12:48 a.m.

DocuSigned by:

ROBERT H. MCCONNELL

ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

*Dawn G. Abrahamson*

DAWN G. ABRAHAMSON, CITY CLERK