



AGENDA

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

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

JULY 3, 2019

MAYOR
Bob Sampayan

CITY COUNCIL
Vice Mayor, Pippin Dew
Hakeem Brown
Robert H. McConnell
Katy Miessner
Hermie Sunga
Rozzana Verder-Aliga, EdD

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.

Want more City Information - Members of the public can:

Like us on Facebook (www.facebook.com/cityofvallejo)

Sign up to receive City Communications via e-mail (www.cityofvallejo.net/living/connect)

Sign up to receive City updates and get connected with your neighbors on Nextdoor (www.nextdoor.com)



Vallejo City Council Chambers 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 PM
OF THE VALLEJO CITY COUNCIL
JULY 3, 2019**

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. PLEDGE OF ALLEGIANCE

4. ACTION CALENDAR

**A. RATIFICATION OF A PROCLAMATION OF EMERGENCY BY THE
DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF VALLEJO
CONCERNING RENTAL HOUSING PRICE GOUGING**

Recommendation: Approve a resolution confirming and ratifying the Proclamation of Emergency By the Director of Emergency Services of the City of Vallejo issued by the City Manager/Director of Emergency Services on June 27, 2019.

Contact: Randy Risner, Chief Assistant City Attorney (707) 648-4548
randy.risner@cityofvallejo.net

5. ADJOURNMENT

Dated: Monday, July 1, 2019



Bob Sampayan, 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., Monday, July 1, 2019.



Dated: Monday, July 1, 2019

Dawn G. Abrahamson, City Clerk



DATE: July 3, 2019
TO: Mayor and Members of the City Council
FROM: Claudia Quintana, City Attorney; Randy Risner, Chief Assistant City Attorney
SUBJECT: **RATIFICATION OF A PROCLAMATION OF EMERGENCY BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF VALLEJO CONCERNING RENTAL HOUSING PRICE GOUGING**

RECOMMENDATION

Approve a resolution confirming and ratifying the Proclamation of Emergency By the Director of Emergency Services of the City of Vallejo issued by the City Manager/Director of Emergency Services on June 27, 2019.

REASONS FOR RECOMMENDATION

Nearly 600 residents at the Strawberry Hill and Holiday Gardens apartments face displacement, eviction and possible homelessness as the result of a 100 percent rent increase imposed upon those residents by the new owners of those properties. Confirmation and ratification of the City Manager's Proclamation of Emergency will temporarily prevent the 100 percent rent increase.

BACKGROUND AND DISCUSSION

At its meeting on June 25, 2019, the Council directed staff to return with an urgency ordinance to prevent approximately 600 residents at the Strawberry Hill and Holiday Gardens apartment complexes from displacement because of a 100 percent rent increase proposed by the new owners. Additionally, staff has become aware that other property owners may also increase rents to similar levels. Staff has determined that conditions presently exist to support the declaration of an emergency. Such a declaration will essentially stop all rent increases that are above 10 percent per year. Staff will return at another special meeting with an urgency ordinance which will support the Proclamation of Emergency. Staff will also begin studying potential permanent solutions including a potential rent control ordinance. The Proclamation of Emergency initiates the application of Penal Code Section 396 which makes it a crime to raise rents above 10 percent per year with certain exceptions.

FISCAL IMPACT

There is no immediate fiscal impact to the City. In the event it becomes necessary to enforce, the Solano County District Attorney's office has indicated their interest in prosecution.

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

**Subject: RATIFICATION OF A PROCLAMATION OF EMERGENCY BY THE DIRECTOR OF EMERGENCY
SERVICES OF THE CITY OF VALLEJO CONCERNING RENTAL HOUSING PRICE GOUGING**

ATTACHMENTS

1.	Emergency Proclamation
2.	Emergency resolution

CONTACT

Randy Risner, Chief Assistant City Attorney (707) 648-4548

randy.risner@cityofvallejo.net

**A PROCLAMATION OF EMERGENCY BY THE DIRECTOR OF EMERGENCY
SERVICES OF THE CITY OF VALLEJO**

WHEREAS, Charter Section 502 of the City of Vallejo and Ordinance No. 179 of the City of Vallejo codified at Chapter 2.50 of the Vallejo Municipal Code authorizes extensive emergency powers to the City Manager and empowers the City Manager, acting as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, in 2017 and 2018 the counties of Solano, Lake, Mendocino, Shasta, Napa, and Sonoma (the "Impacted Counties") faced unprecedented wildfires causing widespread destruction and displacement of persons; and

WHEREAS, as a result of those wildfires, the County of Solano, which includes the City of Vallejo, was subjected to significant economic impact, not only because of the wildfires but also because of the displacement of residents from other counties who lost their homes in the wildfires; and

WHEREAS, the City of Vallejo has been subjected to an influx of displaced residents and other related impacts resulting in a reduction of available rental housing stock from 3.35 percent to 1.7 percent meaning there is essentially no rental housing available in the City of Vallejo; and

WHEREAS, in recognition of these severe economic impacts, Governor Brown issued Executive Order B-51-18 extending the protections of California Penal Code section 396 to the Impacted Counties and to the City of Vallejo; and

WHEREAS, Executive Order B-51-18 expired in December 2018 and was not extended thereby aggravating the housing crisis in the City of Vallejo; and

WHEREAS, it is estimated that nearly 21,000 residents in the City of Vallejo live in poverty and depend upon the availability of affordable housing for survival; and

WHEREAS, many of the people living in poverty are seniors and children; and

WHEREAS, homelessness is at record levels within the City of Vallejo because of a diminishing level of available affordable housing; and

WHEREAS, as a result of the decrease in available rental housing, the cost of rents is skyrocketing with at least two properties raising rents by amounts exceeding 100 percent resulting in the potential immediate displacement of approximately 600 residents of the City of Vallejo many of whom could become homeless; and

WHEREAS, the City of Vallejo is aware that other property owners may increase rental rates by similar amounts resulting in the further displacement of City of Vallejo citizens and resulting in further displacement of residents as well as an increase in homelessness; and

WHEREAS, the Director of Emergency Services of the City of Vallejo does hereby find that conditions of extreme peril to the safety of persons and property have arisen within the City of Vallejo, caused by a housing crisis precipitated by the aforementioned wildfires as well as the lack of available affordable housing; and

That the City Council of the City of Vallejo is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of Vallejo, and

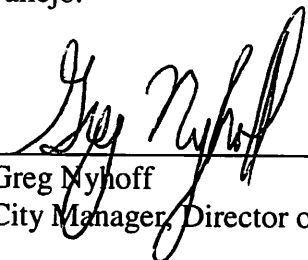
IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City; and

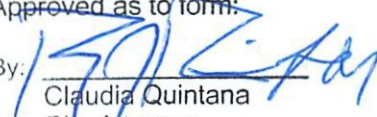
That the prohibitions on price gouging in time of emergency set forth in Penal Code section 396, including the prohibitions against raising rental rates for real property, shall be in effect in the City; and

That this emergency proclamation shall expire in seven (7) days after issuance unless confirmed and ratified by the governing body of the City of Vallejo.

Dated: June 27, 2019

By: _____


Greg Nyhoff
City Manager, Director of Emergency Services

Approved as to form:
By: 
Claudia Quintana
City Attorney

RESOLUTION NO. 19-_____ N.C.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEJO CONFIRMING AND RATIFYING THE PROCLAMATION OF EMERGENCY BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF VALLEJO DATED JUNE 27, 2019

WHEREAS, on June 27, 2019, the City Manager/Director of Emergency Services of the City of Vallejo issued A Proclamation of Emergency By the Director of Emergency Services of the City of Vallejo (the "Proclamation"); and

WHEREAS, the purpose of the Proclamation, among other things, is to prevent the displacement, eviction and possible homelessness of approximately 600 residents at the Strawberry Hill and Holiday Gardens apartment complexes resulting from a 100 percent increase in rent imposed by the new owners of those complexes; and

WHEREAS, the City Manager/Director of Emergency Services is authorized by Chapter 2.50 of the Vallejo Municipal Code to issue Proclamations of Emergency; and

WHEREAS, after the issuance of such a proclamation, Chapter 2.50 requires that the City Council confirm and ratify the Proclamation within seven days.

NOW THEREFORE, the City Council does hereby resolve as follows:

1. That the Proclamation is hereby confirmed and ratified as required by Chapter 2.50 of the Vallejo Municipal Code.
2. That the City Manager/Director of Emergency Services is hereby directed to take all necessary action to abate the emergency and to consider all available options for a permanent solution including a possible rent control ordinance.
3. That the City Manager return to the City Council every 30 days during the pendency of the emergency to reconfirm the continuance of the Proclamation.

Adopted by the City Council of the City of Vallejo at a regular meeting held on _____, with the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

BOB SAMPAYAN, MAYOR

ATTEST:

DAWN ABRAHAMSON, CITY CLERK