

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES
VIA TELECONFERENCE**

SEPTEMBER 28, 2021

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Mayor McConnell, Vice Mayor Verder-Aliga, Councilmembers Arriola, Brown (arrived at 7:02 p.m.), Dew, Loera-Diaz, and Miessner

Absent: None

Staff Present: Interim City Manager Cardwell, City Attorney Nebb and City Clerk Abrahamson

City Attorney Nebb provided a report on the special council meetings (closed sessions) held on September 21 and September 28 as follows:

September 21: no action to report on Closed Session Items 3A, 3B, 3C, and 3D.

September 28: no action to report on Closed Session Item 3A and Council provided direction to its property negotiators on Closed Session Items 3B and 3C.

4. PRESENTATIONS AND COMMENDATIONS

Action: Presentation was made by Dr. Cesar Cruz (founder of Homies Empowerment).

A. PRESENTATION BY HOMIES EMPOWERMENT

5. FIRST COMMUNITY FORUM

Speakers: Melissa Swift, Stephen Hallett, Anne Carr, Jeann McDougald, Andrea Source, and Susan George

6. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Speakers: None.

7. CONSENT CALENDAR AND APPROVAL OF AGENDA

Action: Moved by Vice-Mayor Verder-Aliga and carried unanimously, unless otherwise noted, approval of the Agenda and the Consent Calendar with the removal of Items 7C and 7F making them items 8.1 and 8.2 respectfully.

A. APPROVAL OF MINUTES

Recommendation: Approve minutes of the special meeting of September 7, 2021, special and regular meetings of September 14, 2021 and the special meetings of September 21, 2021

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

Dawn.Abrahamson@cityofvallejo.net

Action: Approved minutes.

B. WAIVE READING AND AUTHORIZE 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, City Clerk (707) 648-4527

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.

C. ADOPTION OF AN ORDINANCE CREATING A CITY OF VALLEJO SURVEILLANCE ADVISORY COMMITTEE TO ADVISE THE CITY COUNCIL CONCERNING PRIVACY MATTERS RELATED TO THE USE BY THE CITY OF SURVEILLANCE TECHNOLOGY

Recommendation: Adopt an ordinance of the City Council of the City of Vallejo adding Chapter 2.27 of the Vallejo Municipal Code establishing a surveillance advisory board, providing for the appointment of members thereof, and defining the duties and functions of said board

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

Randy.Risner@cityofvallejo.net

Action: item was removed from the Consent Calendar.

Chief Assistant City Attorney Risner provided a brief overview of the proposed ordinance with changes made at the Council's September 14 regular meeting.

Speakers: Robert Schussel, Andrea Source, Tracy Rosenberg, Melissa Swift, Kris Kelley, Liat Meitzenheimer, and an unidentified member of the public.

Staff responded to questions raised by the speakers and councilmembers. Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried to adopt Ordinance No. 1856 N.C. (2d) as presented and return to Council at its October 26 meeting with the Mayor's and other suggested changes as presented during the discussion (Noes-Arriola and Loera-Diaz).

D. CAPITAL IMPROVEMENT PROGRAM SACRAMENTO STREET ROAD DIET PROJECT BUDGET AMENDMENT FOR FISCAL YEAR 21-22

Recommendation: Adopt a Resolution to amend the FY21-22 Capital Improvement Program (CIP) Budget to recognize revenue in the amount of \$73,093, of Transportation Development Act Article 3 (TDA3) funding from the Metropolitan Transportation Commission (MTC) and authorize the total expenditure of \$941,049, in PW9729: Sacramento Street Road Diet Project.

Contact: Terrance Davis, Public Works Director (707) 648-4301

terrance.davis@cityofvallejo.net

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

melissa.tigbao@cityofvallejo.net

Action: Adopted Resolution No. 21-106 N.C.

E. VAR TECHNOLOGY FINANCE LEASE FOR SECONDARY PALO ALTO FIREWALL

Recommendation: Authorize the City Manager to execute the attached 5-year lease agreement with VAR Technology Finance for a new Palo Alto secondary firewall. The amount of the lease is \$21,695.17 per year with a total lease amount not to exceed \$109,000.

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

Naveed.Ashraf@cityofvallejo.net

Action: Authorized the City Manager to execute the attached 5-year lease agreement with VAR Technology Finance for a new Palo Alto secondary firewall. The amount of the lease is \$21,695.17 per year with a total lease amount not to exceed \$109,000.

F. CONSIDERATION OF A RESOLUTION AMENDING FISCAL YEAR 2021-22 BUDGET IN THE AMOUNT OF \$25,727,736 TO RECOGNIZE REVENUE AND APPROPRIATE EXPENDITURES FROM THE AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (STEP 2)

Recommendation:

1. Adopt a Resolution to amend the Fiscal Year 2021-22 Adopted Budget in the amount of \$25,727,736 to recognize revenue and appropriate expenditures from the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and approve project allocations.
2. Adopt a Resolution to amend the City's Salary plan to add one Limited Term position of Personnel Analyst II to the Human Resources Department and three Limited Term positions of Police Assistant to the Police Department.
3. Adopt a Resolution authorizing the City Manager to purchase three (3) vehicles for the Police Department for an amount not to exceed \$105,000.

Contact: Anne Cardwell, Interim City Manager (707) 648-4576

Anne.Cardwell@cityofvallejo.net

Felicia Flores, Assistant to the City Manager, (707) 648-4577

felicia.flores@cityofvallejo.net

Action: item was removed from the Consent Calendar.

Speakers: Stephen Hallett, Ryan Loofbourrow, Liat Meitzenheimer, Melissa Swift, Anne Carr, Cristal Little (Vallejo Housing Coalition), Chris Grant, Ruscal Cayangyang, Kris Kelley, Tara Beasley-Stansberry, and an unidentified member of the public.

The meeting recessed at 9 p.m. and reconvened at 9:10 p.m.

Staff responded to comments raised by the speakers and to Councilmember questions. Councilmembers provided comment.

Action: (1) Moved by Vice Mayor Verder-Aliga to adopt a resolution amending the Fiscal Year 2021-22 Adopted Budget in the amount of \$25,727,736 to recognize revenue and appropriate expenditures from the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and approve project allocations.

(2) On a substitute motion offered by Mayor McConnell, which failed, it was moved for the Council to consider and take action on each ARPA project budget amendment allocation separately (Noes – McConnell and Arriola).

The main motion, as offered by Vice Mayor Verder-Aliga to adopt Resolution No. 21-107 N.C., a resolution amending the Fiscal Year 2021-22 Adopted Budget in the amount of \$25,727,736 to recognize revenue and appropriate expenditures from the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and approve project allocations carried (Noes – McConnell and Arriola).

(3) Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt Resolution No. 21-108 N.C., a resolution amending the City's Salary plan to add one Limited Term position of Personnel Analyst II to the Human Resources Department and three Limited Term positions of Police Assistant to the Police Department.

(4) Moved by Vice Mayor Verder-Aliga and carried to adopt Resolution No. 21-109 N.C., a resolution authorizing the City Manager to purchase three (3) vehicles for the Police Department for an amount not to exceed \$105,000 (Noes – McConnell, Arriola and Loera-Diaz).

8. ACTION CALENDAR

A. INTRODUCE AN ORDINANCE AMENDING ADDING CHAPTER 8.74 OF THE

VALLEJO MUNICIPAL CODE REGARDING PROHIBITION OF SPECTATORS AT ILLEGAL STREET RACES AND RECKLESS DRIVING EXHIBITIONS

Recommendation: Introduce an ordinance adding Chapter 8.74 of the Vallejo Municipal Code regarding the prohibition of spectators at illegal street races and reckless driving exhibitions.

Contact: Shawny Williams, Chief of Police

Shawny.Williams@cityofvallejo.net

Captain Jason Potts

Jason.Potts@cityofvallejo.net

Staff responded to questions from Mayor McConnell.

The presentation for this item was combined with Action Item 8B.

Police Chief Williams provided introductory comments and Captain Potts provided an overview of the staff report and outlined the recommendation.

Staff responded to questions from Councilmembers.

Speakers: None.

Another question and answer period followed. Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried unanimously to introduce an ordinance adding Chapter 8.74 of the Vallejo Municipal Code regarding the prohibition of spectators at illegal street races and reckless driving exhibitions.

B. INTRODUCE AN ORDINANCE ADDING SECTION 8.74.050 TO CHAPTER 8.74 TO PROHIBIT ENCOURAGING SPECTATORS TO GATHER AT STREET RACES AND RECKLESS DRIVING EXHIBITIONS

Recommendation: Introduce an ordinance of the City of Vallejo adding Section 8.74.050 to Chapter 8.74 of the Vallejo Code to prohibit encouraging spectators to gather at street races and reckless driving exhibitions.

Contact: Shawny Williams, Chief of Police

Shawny.Williams@cityofvallejo.net

Captain Jason Potts

Jason.Potts@cityofvallejo.net

Presentation on this item was combined with Item 8A.

Speakers: None.

Action: Moved by Vice Mayor Verder-Aliga and carried unanimously to introduce an ordinance of the City of Vallejo adding Section 8.74.050 to Chapter

8.74 of the Vallejo Code to prohibit encouraging spectators to gather at street races and reckless driving exhibitions.

C. **PRESIDENT OBAMA'S MY BROTHER'S KEEPER COMMUNITY CHALLENGE**

Recommendation: Consider adopting a resolution directing the City of Vallejo to accept President Obama's "My Brother's Keeper" Challenge as a call to action to build a safe and supportive community for boys and young men of color where they feel valued and have clear pathways to opportunity.

Contact: Anne Cardwell, Interim City Manager
anne.cardwell@cityofvallejo.net

Interim City Manager Cardwell provided an overview of the staff report and outlined the recommendation.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Speakers: Anne Carr and Dr. Cesar Cruz.

Another question and answer period followed. Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt Resolution No. 21-110 N.C.

D. **ADOPT RESOLUTION APPOINTING MIKE MALONE AS INTERIM CITY MANAGER, APPROVING AN EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

Recommendation: Adopt a resolution appointing Mike Malone as Interim City Manager, approve Employment Agreement and authorize the Mayor to execute same.

Contact: Mark Love, Director of Human Resources (707) 648-4852
mark.love@cityofvallejo.net

Human Resources Director Love provided an overview of the staff report and outlined the recommendation.

Speakers: Melissa Swift, Ruscal Cayangyang, Jimmie Jackson, and Dave.

Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried to adopt Resolution No. 21-111 N.C. (Noes – Arriola and Loera-Diaz).

E. **PROVIDE DIRECTION REGARDING INITIATION OF IN-PERSON PUBLIC**

MEETINGS

Recommendation: Consider whether to return to in-person City Council and board and commission meetings or continue with virtual meetings in accordance with the provisions and findings of AB 361 and provide direction to staff.

Contact: Anne Cardwell, Assistant City Manager (707) 648-4579

anne.cardwell@cityofvallejo.net

Interim City Manager Cardwell provided an overview of the staff report and outlined the recommendation.

Staff responded to questions from Councilmembers.

Speakers: Melissa Swift, Jeann McDougald, Andrea Source, and Kris Kelley.

Another question and answer period. Councilmembers provided comment.

Action: Following considerable Council discussion, staff was directed to return to council at a special meeting to be held on October 5 at 6 p.m. for the Council to take the necessary steps to continue with teleconference meetings in accordance with the provisions and findings of AB 361. Staff was further directed to return to Council at its October 26 regular meeting for consideration to either continue with teleconference meetings per the provisions of AB 361 or return to in-person Council board and commission meetings with information regarding hybrid meetings, including costs and in-person and hybrid options.

9. INFORMATION CALENDAR – None.

10. CITY MANAGER’S REPORT

Interim City Manager Cardwell provided a brief report

11. CITY ATTORNEY’S REPORT

City Attorney Nebb addressed comments made by members of the public earlier in the meeting.

12. COMMUNITY FORUM

Speakers: Dave Lavezzo.

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

Councilmembers reported on various community events and meetings attended.

14. CLOSED SESSION – City Attorney Nebb provided a report earlier in the meeting after roll call.

15. ADJOURNMENT

The meeting adjourned at 11:50 p.m.

DocuSigned by:

ROBERT H. MCCONNELL

ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

Dawn G. Abrahamson

DAWN G. ABRAHAMSON
CITY CLERK