

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES**

MAY 10, 2022

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

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

Absent: None

Staff present: City Manager Malone, City Attorney Nebb and City Clerk Abrahamson

4. REPORT OUT OF CLOSED SESSION

City Attorney Nebb reported Council provided direction to its real property negotiators with respect to Closed Session Item 3A and legal counsel with respect to Closed Session Item 3B.

5. PRESENTATIONS AND COMMENDATIONS

Action: Presentation was made by Mayor McConnell and Fire Chief Long.

A. CITIZEN AWARD & SPECIAL RECOGNITION TO TWO LOCAL HEROES FOR THEIR LIFE SAVING EFFORTS

6. FIRST COMMUNITY FORUM

Speakers: Thomas Prebula,, Ryan Messano, Kimberly Nunez-Brandao, David Haldane, and Andrea Sorce.

7. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Speakers: None.

8. CONSENT CALENDAR AND APPROVAL OF AGENDA

Action: Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt the Agenda as revised reordering the Action Calendar making Item 9D as the first item with all other items to follow in the order as they appeared on the Agenda, and approval of the Consent Calendar with the removal of items 8C, 8D and 8G making them items 8.1, 8.2 and 8.3 respectively.

A. **APPROVAL OF MINUTES**

Recommendation: Approve minutes for the joint special meeting of the City Council and Planning Commission of April 18 and the special and regular meetings of April 26, 2022

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

Dawn.Abrahamson@cityofvallejo.net

Action: *Approved minutes.*

B. **WAIVE FULL READING AND AUTHORIZING INTRODUCTIONS AND/OR ADOPTION OR 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. **ADOPT A RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 CAPITAL IMPROVEMENT PROJECT BUDGET BY ALLOCATING \$1,000,000 FROM THE GENERAL FUND TO THE PW9819 NORTH MARE ISLAND BUILDING DEMOLITION PROJECT FUND**

Recommendation: Adopt a Resolution to amend the FY 2021-22 Capital Improvement Project budget to allocate General Fund balance in the amount of \$1,000,000 to PW9819 North Mare Island Building Demolition.

Contact: Melissa Tigbao, Public Works Director, 707-648-4085

Melissa.Tigbao@cityofvallejo.net

Action: *Item was removed from the Consent Calendar at the request of Councilmember Arriola.*

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

Staff responded to questions from Councilmembers.

Speakers: David Haldane.

Action: *Following discussion, it was moved by Vice Mayor Verder-Aliga and carried to adopt Resolution No. 22-078 N.C. (Noes – Arriola).*

D. **NOTICE OF INTENT TO AMEND CAPITAL IMPROVEMENT PROJECT BUDGET FOR POLICE DEPARTMENT AND JFK LIBRARY RELOCATION FEASIBILITY STUDY**

Recommendation: Receive the Notice of Intent to amend the Capital Improvement Project budget to allocate \$500,000 from the General Fund to Project PW9818 to cover the costs of the feasibility study requested by the City Council.

Contact: Melissa Tigbao, Public Works Director, 707-648-4085

Melissa.Tigbao@cityofvallejo.net

Action: *Item was removed from the Consent Calendar.*

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

Speakers: David Haldane and Rusal Cayangyang.

Staff responded to questions from Councilmembers.

Action: *Moved by Vice Mayor Verder-Aliga and carried to receive the Notice of Intent to amend the Capital Improvement Project budget to allocate \$500,000 from the General Fund to Project PW9818 to cover the costs of the feasibility study requested by the City Council (Noes – McConnell).*

E. **ISSUE A PROCLAMATION RECOGNIZING MAY 2022 AS "OLDER AMERICANS MONTH"**

Recommendation: At the request of Carquinez Village, issue a proclamation recognizing May 2022 as "Older Americans Month"

Contact: Mayor McConnell

Robert.McConnell@cityofvallejo.net

Action: *Issue a proclamation recognizing May 2022 as "Older Americans Month."*

F. **ISSUE A PROCLAMATION COMMEMORATING 45 YEARS OF THE FLORENCE DOUGLAS CENTER**

Recommendation: At the request of Center Director Peter Wilson, issue a proclamation commemorating 45 years of the Florence Douglas Center

Contact: Mayor McConnell

Robert.McConnell@cityofvallejo.net

Action: *Issue a proclamation commemorating 45 years of the Florence Douglas Center.*

G. **ISSUE A PROCLAMATION DECLARING WEEK OF MAY 15 AS "NATIONAL PUBLIC WORKS APPRECIATION WEEK"**

Recommendation: At the request of Public Works Director Tigbao, issue a proclamation declaring the week of May 15 as "National Public Works Appreciation Week"

Contact: Mayor McConnell

Robert.McConnell@cityofvallejo.net

Action: *item was removed from the Consent Calendar.*

Speaker: David Haldane.

Action: *Moved by Vice Mayor Verder-Aliga and carried unanimously to issue a proclamation declaring the week of May 15 as "National Public Works Appreciation Week"*

H. **ISSUE A PROCLAMATION RECOGNIZING NATIONAL NURSES MONTH - MAY 2022**

Recommendation: At the request of Kaiser Permanente Napa-Solano Public Affairs Director Shiyama Clunie, issue a proclamation recognizing National Nurses Month - May 2022

Contact: Mayor McConnell

Robert.McConnell@cityofvallejo.net

Action: *Issue a proclamation declaring National Nurses Month – May 2022.*

9. **ACTION CALENDAR**

Items on the Action Calendar were taken out of order with Action Item 9D being the first item and all other items following in the order as they appeared on the Agenda with Item 9C as the last item. The minutes reflect the items in the order as they appeared on the Agenda.

A. **ADOPT RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH ECONOMIC FORENSICS AND ANALYTICS, INC. FOR DEVELOPMENT OF THE 2022 VALLEJO ECONOMIC DEVELOPMENT STRATEGIC PLAN IN AN AMOUNT NOT TO EXCEED \$245,000 AND ALLOCATING \$155,000 TO IMPLEMENT THE PROJECTS RECOMMENDED BY THE PLAN**

Recommendation: Adopt a resolution authorizing the city manager to execute a professional services agreement with Economics, Forensics & Analytics, Inc. (EFA) for development of the Economic Development Strategic Plan in an amount not to exceed \$245,000 and allocate \$155,000 to implement the projects recommended by the plan.

Contact: Emi Thériault, Economic Development Program Manager (707) 649-5454

emi.theriault@cityofvallejo.net

Paul Kelley, Special Advisor to City Manager - Economic Development Manager (707) 648-4109

Paul.Kelley@cityofvallejo.net

Gillian Hayes, Assistant City Manager (707) 648-4163

gillian.hayes@cityofvallejo.net

Special Advisor to City Manager-Economic Development Manager Kelly and Economic Development Program Manager Thériault outlined the recommendation, provided an overview of the background and project summary and discussed the schedule and budget. Dr. Eyler (President, Economics Forensics and Analytics) presented Vallejo as a City economy, provided context

and forecast information and discussed the approach to developing a strategic plan for Vallejo including tools for accountability and momentum, community outreach, social equity/inclusiveness, focusing on community ascension and concluding with a visual roadmap illustration.

Speakers: Andrea Sorce, Chris Platzter and David Haldane.

Staff and Dr. Eyler responded to questions from Councilmembers. Councilmembers provided comment.

Action: *Moved by Vice Mayor Verder-Aliga and carried to adopt Resolution No. 22-079 N.C. (Noes – Arriola and Loera-Diaz).*

B. INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING CHAPTER 12.28 OF THE VALLEJO MUNICIPAL CODE RELATING TO FIREWORKS

Recommendation: Introduction and First Reading of an Ordinance Amending Vallejo Municipal Code by Repealing and Replacing Chapter 12.28 Relating to Fireworks.

Contact: Vincent Sproete, Fire Prevention Manager (707) 648-4566
Vincent.Sproete@cityofvallejo.net

Fire Chief Long discuss the purpose to repeal and replace Chapter 12.28, provided background information and discussed the proposed changes including clarifying permit requirements, violations and fines.

Speakers: David Haldane.

Councilmembers provided comment.

Action: *Moved by Vice Mayor Verder-Aliga and carried unanimously to introduce and hold first reading of an Ordinance Amending Vallejo Municipal Code by Repealing and Replacing Chapter 12.28 Relating to Fireworks.*

C. PUBLIC HEARING OF APPEAL OF PLANNING COMMISSION DENIAL OF REQUEST TO MODIFY CONDITIONS OF APPROVAL OF MAJOR USE PERMIT #20-0008 AUTHORIZING V-TOWN FARMS TO OPERATE A RETAIL CANNABIS BUSINESS LOCATED AT 5184 SONOMA BOULEVARD, SUITE 300

Recommendation: Conduct the public hearing and adopt a Resolution denying Appeal (APP) #22-0001, and uphold the Planning Commission denial of a request to amend Major Use Permit (UP) #20-0008 for V-Town Farms at 5184 Sonoma Boulevard, Suite 300.

Contact: Christina Ratcliffe, AICP, Planning and Development Services Director
Christina.Ratcliffe@CityofVallejo.net

Councilmember Brown recused himself due to a Conflict of Interest related to a

financial interest as a business owner of a collective in town and left the dais and Council Chamber and was excused for the remainder of the meeting.

Planning & Development Services Director Ratcliffe provided an overview of the purpose of the item, discussed the project history and setting, reviewed V-Town Farms operation, outlined the existing conditions and requested proposed amendments, including transparency and community benefit, summarized the Planning Commission hearing and decision, addressed staff responses to Appellant's claims, outlined the public notification and written communications process, and concluded with staff's recommendation.

Mayor McConnell opened the public hearing. Councilmembers disclosed receiving written communication from the Appellant/Applicant.

Charles Wesley (Appellant/Applicant) provided a business update and addressed the 60% transparency and the \$600K donation requirements.

Staff addressed comments made by the Appellant/Applicant.

Staff and the Appellant/Applicant responded to questions from Councilmembers.

Speakers: David Haldane, Kimberly Nunez-Brandao, Mishel Deniz Adolph, Garrett Toles, Lawrence Ornelas, Sandy Wesley, Rhonda Chadwick, Kenneth P., and Anne Carr.

There being no further speakers, Mayor McConnell closed the public hearing.

An additional question and answer period followed. Councilmembers provided comment.

Action: *Straw vote requested by Councilmember Loera-Diaz that Council is in agreement with \$300,000 flat fee for the 1st year (July 30, 2021 – July 29, 2022) and will address further adjustments when the matter returns to the Council on September 20, 2022 (Abstain Due to Conflict of Interest – Brown).*

Moved by Mayor McConnell and carried unanimously by Councilmembers present to continue the matter to a special Council meeting scheduled for September 20, 2022 for further discussion (Abstain Due to Conflict of Interest – Brown).

D. **INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING CHAPTER 7.68 OF THE VALLEJO MUNICIPAL CODE RELATED TO THE PROHIBITION OF SMOKING**

Recommendation: Introduce an ordinance amending Chapter 7.68 of the Vallejo Municipal Code, Regulation of Smoking in Public Places and Work Places, to prohibit smoking in and around multi-unit residences and other publically accessible places and to update outdated provisions of the Chapter to conform

with State law.

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

Veronica.Nebb@cityofvallejo.net

Mayor McConnell recused himself due to a Conflict of Interest due to a business relationship with a business that would be impacted by this item and left the dais and the Council Chamber. Vice Mayor Verder-Aliga resumed presiding over the meeting.

Councilmember Brown recused himself due to a Conflict of Interest – Economic matter.

City Attorney Nebb noted this item was continued from the Council's April 26 meeting and summarized the staff report and recommendation.

Speakers: Joseph Hayden, Brian Davis, Calyn Kelley, Jimmy Ancira, David Haldane, Deontee Moses, Kristen Vinluan, Maricruz Octaviano, Genesis Miguel, Heidi Wohlwend, Annabelle Salvatierra, Kelley Farias, Ruscal Cayangyang, Tino Ratliff, Rhonda Chadwick, Sarah Armstrong, Teresa, Tracy Nachand, Vinita Verma, Tony Bowles, Amaya Wooding, Sam Houston, and Liz Williams.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: *Moved by Councilmember Miessner and carried unanimously by Councilmembers present to introduce an ordinance amending Chapter 7.68 of the Vallejo Municipal Code, Regulation of Smoking in Public Places and Work Places, to prohibit smoking in and around multi-unit residences and other publically accessible places and to update outdated provisions of the Chapter to conform with State law as amended to add the following language to Section 7.68.020 (Q): "Private smokers lounge – means any enclosed area in or attached to a retail tobacco shop **or licensed retail cannabis business** that is dedicated to the use of tobacco products **or cannabis**, including, but not limited to, cigars and pipes." (Abstain Due to Conflicts of Interests – McConnell and Brown).*

The meeting recessed at 9:24 p.m. and reconvened at 9:34 p.m.

Mayor McConnell and Councilmember Brown resumed their seats at the dais. Action Calendar Items 9A through 9C were taken up.

10. INFORMATION CALENDAR

A. QUARTERLY COUNCIL UPDATE FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT AND THE ECONOMIC DEVELOPMENT DIVISION

Recommendation: Item is for informational purpose only and no action is required. There is no staff report associated with this item.

Contact: Christina Ratcliffe, Planning & Development Services Manager (707) 648-4326

Christina.Ratcliffe@cityofvallejo.net

Paul Kelley, Special Advisory to City Manager/Economic Development Director (707) 649-5452

Paul.Kelley@cityofvallejo.net

Action: item was continued to a future meeting.

11. CITY MANAGER'S REPORT – None.

12. CITY ATTORNEY'S REPORT – None.

13. COMMUNITY FORUM

Speakers: Kenneth P. and Rhonda Chadwick.

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 12:59 a.m.

DocuSigned by:

ROBERT H. MCCONNELL

ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

DAWN G. ABRAHAMSON

DAWN G. ABRAHAMSON
CITY CLERK