

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

555 Santa Clara Street, Vallejo, California

DECEMBER 13, 2022

1. CALL TO ORDER

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

2. ROLL CALL

Present: Mayor McConnell, Vice Mayor Verder-Aliga, Councilmembers Arriola, Brown, Dew, Loera-Diaz, and Miessner

Absent: None

Staff present: City Manager Malone, Chief Assistant City Attorney Risner and City Clerk Abrahamson

3. PLEDGE OF ALLEGIANCE

4. REPORT OUT OF CLOSED SESSION

Chief Assistant City Attorney Risner reported no action was taken in Closed Session with respect to Closed Session Items 3A and 3B and noted that following the conclusion of tonight's regular Council meeting, Council will resume back in Closed Session to discuss Closed Session Items 3C and 3D.

5. PRESENTATIONS AND COMMENDATIONS – None.

6. FIRST COMMUNITY FORUM

Speakers: Daniel Glaze, Daniel Boone, Edna D., Paul Winders, Anne Carr, and Najuawanda Daniels.

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, unless otherwise noted, approval of the Agenda and the Consent Calendar (Absent- Arriola).*

A. APPROVAL OF MINUTES

Recommendation: Approve minutes for the special and regular meetings of November 15, 2022

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

Dawn.Abrahamson@cityofvallejo.net

Action: *Approved minutes.*

B. 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

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. PAYMENT OF CLAIMS: SEPTEMBER 2022

Recommendation: Ratify the payment of claims for the period of September 1, 2022 through September 30, 2022.

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

Rekha.Nayar@cityofvallejo.net

Action: *Ratified payment of claims for September 1-30, 2022.*

D. ADOPT A RESOLUTION ESTABLISHING A SCHEDULE OF REGULAR CITY COUNCIL MEETINGS FOR 2023 AND 2024

Recommendation: Adopt a resolution establishing a schedule of regular City Council meetings for 2023 and 2024.

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

Dawn.Abrahamson@cityofvallejo.net

Action: *Adopted Resolution No. 22-195 N.C.*

E. ADOPT A RESOLUTION APPROVING A CONTRACT WITH TRIMBLE INC. FOR WATER PRESSURE MONITORING DEVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AND FINDING SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15301

Recommendation: Adopt a resolution authorizing the City Manager to execute a contract with Trimble, Inc. for Pressure Regulating Station monitors and ongoing subscription fees and lease fees for new and existing monitoring equipment.

Contact: Beth Schoenberger, Water Director

Beth.Schoenberger@cityofvallejo.net

Action: *Adopted Resolution No. 22-196 N.C.*

- F. **ADOPTION OF A RESOLUTION RECEIVING AND FILING THE SB 165 ANNUAL REPORT FOR FY 2021-22**
Recommendation: Adopt a Resolution to receive and file the annual reports relating to special taxes levied in the City's Northeast Quadrant Improvement District No. 2003-01 and Hiddenbrooke Improvement District No. 1998-1 for fiscal year ended June 30, 2022.
Contact: Rekha Nayar, Finance Director (707-648-4592)
Rekha.Nayar@cityofvallejo.net
Action: *Adopted Resolution NO. 22-197 N.C.*
- G. **ADOPT A RESOLUTION ACCEPTING, FILING, AND MAKING THE FINDINGS IDENTIFIED IN THE ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2022**
Recommendation: Adopt a resolution accepting, filing, and making the findings identified in the annual Development Impact Fee Report for the fiscal year ending June 30, 2022.
Contact: Melissa Tigbao, Public Works Director (707) 648-4301
melissa.tigbao@cityofvallejo.net
Action: *Adopted Resolution No. 22-198 N.C.*
- H. **APPROVE THE FOURTH AMENDMENT TO CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND AKIN GUMP STRAUS HAUER & FELD, EXTENDING THE TERM TO DECEMBER 31, 2023, AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAME**
Recommendation:
Approve the Fourth Amendment to the Consultant and Professional Services Agreement with Akin Gump Straus Hauer & Feld ("Akin Gump") for legislative affairs services, extending the term to December 31, 2023 and authorizing the City Manager to execute same.
Contact: Terrance Davis, Assistant City Manager (707) 648-4301
Terrance.Davis@cityofvallejo.net
Action: *Approved the Fourth Amendment to the Consultant and Professional Services Agreement with Akin Gump Straus Hauer & Feld ("Akin Gump") for legislative affairs services, extending the term to December 31, 2023 and authorized the City Manager to execute same.*
- I. **ADOPT FOUR RESOLUTIONS AUTHORIZING THE CITY MANAGER TO EXECUTE HISTORIC PROPERTY PRESERVATION AGREEMENTS PURSUANT TO THE MILLS ACT, CONSISTENT WITH THE RECOMMENDATIONS OF THE ARCHITECTURAL HERITAGE AND LANDMARKS COMMISSION, FOR THE PROPERTIES LOCATED AT 816 ALAMEDA STREET (APN 0056-152-200) (MILLS ACT #19-0001), 803 CAPITOL STREET (APN 0056-174-190) (MILLS ACT #22-0002), 705 GEORGIA STREET (APN 0056-204-010) (MILLS ACT #22-0003), AND 828 GEORGIA STREET (APN 0056-205-150) (MILLS ACT #22-0004) AND FINDING EACH OF THESE ACTIONS EXEMPT FROM THE CALIFORNIA**

ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15331

Recommendation: Adopt four resolutions authorizing the City Manager to execute Historic Property Preservation Agreements pursuant to the Mills Act, consistent with the recommendations of the Architectural Heritage and Landmarks Commission, for the properties located at 816 Alameda Street (APN 0056-152-200) (Mills Act #19-0001), 803 Capitol Street (APN 0056-174-190) (Mills Act #22-0002), 705 Georgia Street (APN 0056-204-010) (Mills Act #22-0003), and 828 Georgia Street (APN 0056-205-150) (Mills Act #22-0004) and finding each of the actions exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15331.

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

Christina.Ratcliffe@cityofvallejo.net

Action: Adopted Resolution Nos. 22-199 (816 Alameda Street), 22-200 (803 Capitol Street), 22-201 (705 Georgia Street), and 22-202 (828 Georgia Street).

J. ADOPT A RESOLUTION APPROVING A CONTRACT WITH LWP CLAIMS SOLUTIONS, INC. FOR WORKERS COMPENSATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

Recommendation: Adopt a resolution approving and authorizing the City Manager to execute an agreement for Third-Party Workers' Compensation Claims Administration Services with LWP Claims Solutions, Inc. for an amount not to exceed \$760,319 during the proposed three-year agreement from January 1, 2023 through December 31, 2025.

Contact: Rachel Furgeson, Human Resources Director

Rachel.Furgeson@cityofvallejo.net

Action: Adopted Resolution No. 22-203 N.C.

9. ACTION CALENDAR

A. AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) NOTICE TO AMEND THE BUDGET

Recommendation:

1. Receive a presentation regarding the American Rescue Plan Act and consider staff recommendations on the allocation of ARPA State and Local Fiscal Recovery Funds.
2. Give notice to amend the FY 2022-23 budget on behalf of the City.

Contact: Terrance Davis, Assistant City Manager

Terrance.Davis@cityofvallejo.net

(707) 648-4301

Assistant City Manager Davis provided introductory comments.
Administrative Analyst Wilson provided an overview of the ARPA Program,

funding allocation, eligible expenditures and first Tranche expenditures, discussed the research process, council direction and community input, and reviewed the project recommendations.

Staff responded to questions from Councilmembers.

Speakers: Anne Carr and Paul Winders.

Another question and answer period followed. Councilmembers provided comment.

Action: *(1) Moved by Councilmember Loera-Diaz and failed to (1) receive a presentation regarding the APRA and consider staff recommendations on the allocation of ARPA State and Local Fiscal Recovery Funds, and (2) continue the Notice of Intent to the January 24, 2023 regular City Council meeting (Ayes – Mayor McConnell, Councilmembers Arriola and Loera-Diaz; Noes – Councilmembers Brown, Dew, Miessner and Vice Mayor Verder-Aliga)*

(2) Moved by Vice Mayor Verder-Aliga and carried to (1) receive a presentation regarding the ARPA and consider staff recommendations on the allocation of ARPA State and Local Fiscal Recovery Funds, and (2) provided notice to amend FY 2022-23 budget on behalf of the City (Ayes – Councilmembers Brown, Dew, Miessner, and Vice Mayor Verder-Aliga; Noes – Mayor McConnell, Councilmembers Arriola and Loera-Diaz).

B. **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A LEASE WITH THE YOCHA DEHE WINTUN NATION FOR 35 YEARS WITH FOUR 5-YEAR OPTIONAL EXTENSIONS FOR THE PROPERTY LOCATED AT 285 MARE ISLAND WAY, VALLEJO, CA 94590 (APNS 0055 170 040 AND 0055 170 410) AFTER FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO GUIDELINES SECTION 15301**

Recommendation: Adopt a resolution authorizing the City Manager to sign a lease with the Yocha Dehe Wintun Nation for 35 years with four 5-year optional extensions for the property located at 285 Mare Island Way, Vallejo, California 94590 (APNs 0055 170 040 and 0055 170 410) after finding the action exempt from the California Environmental Quality Act pursuant to Guidelines Section 15301.

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

Gillian.Hayes@cityofvallejo.net

Assistant City Manager Hayes identified the site location, provided background information on the project, outlined the proposed lease agreement terms and next steps and staff recommendation.

Speakers: Anne Carr and Jimmy Genn.

Councilmembers provided comment.

Action: *Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt Resolution No. 22-204 N.C. to include making the date of the Lease after December 20, 2022 when a resolution will return to Council making certain findings that this is surplus property and is exempt.*

C. **CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION ESTABLISHING NEW PUBLIC WORKS DEPARTMENT-ENGINEERING DIVISION FEES AND CHARGES FOR FISCAL YEAR 2022-2023 EFFECTIVE JANUARY 1, 2023**

Recommendation: Conduct a public hearing and, upon conclusion, adopt a resolution establishing new Public Works Department - Engineering Division fees and charges for FY 2022-2023 effective January 1, 2023.

Contact: Melissa L. Tigbao, Public Works Director (707) 648-4433
Melissa.Tigbao@cityofvallejo.net

Public Works Director Tigbao and Assistant Public Works Director/City Engineer Sequeira provided introductory comments.

Ruben Rivas (MGT Contacts) provided background and project history information, shared the objectives, reviewed the study methodology and summarized the results and outlined the recommendations.

Mayor McConnell opened the public hearing.

Speakers: Anne Carr.

There being no further speakers, the public hearing was closed.

Staff responded to questions from the speaker and Councilmembers. Councilmembers provided comment.

Action: *Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt Resolution No. 22-205 N.C.*

D. **INTRODUCE AN ORDINANCE AMENDING CHAPTER 2.52 OF THE VALLEJO MUNICIPAL CODE RELATED TO COMPENSATION OF THE MAYOR AND COUNCIL**

Recommendation: Introduce an Ordinance amending Chapter 2.52 of the Vallejo Municipal Code related to compensation of the Mayor and Council

Contact: Terrance Davis, Assistant City Manager (707) 648-4301
Terrance.Davis@cityofvallejo.net

Assistant to the City Manager Peterson provided background information, shared a salary comparison containing 12 other cities, discussed the increase

and what is legally allowed under the statute, and concluded the presentation by outlining next steps.

Speakers: Anne Carr.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: *Moved by Vice Mayor Verder-Aliga and carried unanimously to introduce an Ordinance amending Chapter 2.52 of the Vallejo Municipal Code related to compensation of the Mayor and Council.*

E. **REQUEST BY COUNCILMEMBER LOERA-DIAZ TO ADD AN AGENDA ITEM AT A FUTURE MEETING TO CONSIDER ADOPTION OF AN ORDINANCE RELATING TO SEPARATION REQUIREMENTS FOR HOMELESS ENCAMPMENTS FROM SCHOOLS OR DAY CARE FACILITIES**

Recommendation: Consider Councilmember Loera-Diaz's request and direct staff to prepare and present relevant materials at a subsequent meeting.

Contact: Councilmember Loera-Diaz

Mina.Loera-Diaz@cityofvallejo.net

Councilmember Loera-Diaz discussed the nature of her request.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: *Moved by Mayor McConnell and carried to terminate further debate and schedule a study session on homelessness and problems that contribute to homelessness and give staff sufficient time to make that investigation and report for February 7, 2023 (Noes – Brown).*

10. INFORMATION CALENDAR – None.

11. CITY MANAGER'S REPORT

Assistant to the City Manager Peterson provided an update on the Warming Center. City Manager Malone acknowledged Public Works Director Tigbao and the Saint Vincent Neighborhood group for its work related to traffic issues and additional lighting.

12. CITY ATTORNEY'S REPORT – None.

13. COMMUNITY FORUM

Speakers: Kenneth P.

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

Councilmembers reported on various meetings and community events attended.

15. ADJOURNMENT

The meeting adjourned at 10:50 p.m. to reconvene into Closed Session to discuss Items 3C and 3D.

DocuSigned by:

FDEED3EAE234444F
ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

1489DDA6695D425
DAWN G. ABRAHAMSON
CITY CLERK