

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES
APRIL 25, 2023**

**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 Verder-Aliga, Councilmembers Arriola, Bregenzer, Loera-Diaz, Matulac, and Palmares

Absent: None

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

3. PLEDGE OF ALLEGIANCE

4. REPORT OUT OF CLOSED SESSION

City Attorney Nebb reported there was no reportable action regarding Closed Session Item 3A. The Council will be meeting again on this item.

5. PRESENTATIONS AND COMMENDATIONS

Action: *a video introducing new city employees was aired and Councilmembers Arriola and Bregenzer presented the proclamations.*

A. INTRODUCTION OF NEW EMPLOYEES

B. PRESENTATION OF A PROCLAMATION IN RECOGNITION OF VOLUNTEER APPRECIATION

C. PRESENTATION OF A PROCLAMATION IN RECOGNITION OF TOURISM WEEK - May 7-13, 2023

6. FIRST COMMUNITY FORUM

Speakers: Vincent McMillan and Tehraleigh Martin

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, unless otherwise noted, approval of the Agenda and the Consent Calendar with the removal of Item 8F*

from the Consent Calendar making it Item 8.1.

A. **APPROVAL OF MINUTES**

Recommendation: Approve the minutes for the special and regular meetings of April 11, 2023 and the special meeting of April 14, 2023

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: FEBRUARY 2023**

Recommendation: Ratify the payment of claims for the period of February 1, 2023 through February 28, 2023.

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

Rekha.Nayar@cityofvallejo.net

Action: *Ratified payment of claims for February 1-28, 2023.*

D. **CITY TREASURER'S INVESTMENT REPORT**

Recommendation: Accept the City Treasurer's Investment Report for the quarter ended March 31, 2023

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

Rekha.Nayar@cityofvallejo.net

Action: *Accepted City Treasurer's Investment Report for quarter ended March 31, 2023.*

E. **ADOPTION OF A RESOLUTION APPROVING THE HUD-REQUIRED ANNUAL ACTION PLAN (AAP) FOR FISCAL YEAR (FY) 2023-24, AND FUNDING ALLOCATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM PROJECTS AND ACTIVITIES**

Recommendation: Adopt a Resolution approving the City of Vallejo's Annual Action Plan (AAP) for Fiscal Year (FY) 2023-24 and funding allocations for submission to the U. S. Department of Housing and Urban Development (HUD), as recommended by the Housing and Community Development (HCD)

Commission and staff.

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

Gillian.Hayes@cityofvallejo.net

Action: Adopted Resolution No. 23-051 N.C.

- F. **ADOPT A RESOLUTION APPROVING PROJECT PLANS AND SPECIFICATIONS FOR THE F3 MARINA TENANT IMPROVEMENT/BARRIER PROJECT (PWC111) (PROJECT); FINDING THE PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301; AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$471,565 TO MVP CONSTRUCTION, LLC IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS AND REJECTING ALL OTHER BIDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT**

Recommendation: Adopt a resolution approving project plans and specifications for the F3 Marina Tenant Improvement/Barrier Project (PWC111) (Project); finding the Project exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301; awarding a construction contract in the amount of \$471,565 to MVP Construction, LLC in accordance with the approved plans and specifications and rejecting all other bids; and authorizing the City Manager to execute the contract.

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

Melissa.Tigbao@cityofvallejo.net

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

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried unanimously to adopt Resolution No. 23-052 N.C.

- G. **ADOPT A RESOLUTION OF THE CITY COUNCIL OF VALLEJO AMENDING THE FISCAL YEAR BUDGET TO INCLUDE SOLANO COUNTY AMERICAN RESCUE PLAN ACT (ARPA) GRANT AWARD FUNDS IN THE AMOUNT OF \$3,000,000 (STEP 2 OF 2 STEP PROCESS)**

Recommendation: Adopt a Resolution amending the Capital Grants and Contributions Fund #221 (Project CARP23) fiscal year 2022-2023 budget to recognize County of Solano American Rescue Plan Act (ARPA) grant revenue and to appropriate funds in the amount of \$3,000,000 for the Broadway Project (step 2 of a 2-step process).

Contact: Michael Malone, City Manager (707) 648-4308

Mike.malone@cityofvallejo.net

Action: Adopted Resolution No. 23-053 N.C.

- H. **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE**

AN AGREEMENT WITH CONTRA COSTA COUNTY FOR PUBLIC SAFETY RADIO COMMUNICATION SERVICES

Recommendation: Adopt a resolution authorizing the City Manager to execute an agreement with Contra Costa County for public safety radio communication services.

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

Action: *Adopted Resolution No. 23-054 N.C.*

I. ADOPT RESOLUTION AMENDING THE FY22-23 SALARY PLAN TO ADD ONE HOUSING DIRECTOR

Recommendation: Adopt a resolution to amend the City's Salary Plan, as follows, effective April 25, 2023:

On Full-Time Equivalent listing:

1. Delete one 1.0 FTE Housing and Community Development Manager
2. Add one 1.0 FTE Housing Director

On the Salary Schedule

1. Add Housing Director classification at range 636.

Contact: Terrance Davis, Interim Human Resources Director (707) 648-4301
Terrance.Davis@cityofvallejo.net

Action: *Adopted Resolution No. 23-055 N.C.*

J. AUTHORIZE THE MAYOR TO SIGN A LETTER EXPRESSING THE CITY OF VALLEJO'S SUPPORT FOR THE VALLEJO CITY UNIFIED SCHOOL DISTRICT'S STRATEGIC PLAN

Recommendation: Authorize the Mayor to sign a letter on behalf of the City of Vallejo, expressing the City's support for the Vallejo City Unified School District's Strategic Plan for the years 2022-2027.

Contact: Michael Malone, City Manager (707) 648-4308,
mike.malone@cityofvallejo.net

Action: *Authorized the Mayor to sign a letter on behalf of the City of Vallejo, expressing the City's support for the Vallejo City Unified School District's Strategic Plan for the years 2022-2027.*

K. ADOPT RESOLUTION APPROVING THE FIFTH AMENDMENT TO CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND AKIN GUMP STRAUS HAUER & FELD, INCREASING THE NOT-TO-EXCEED BY \$130,000, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME

Recommendation: Adopt a resolution approving the Fifth Amendment to the Consultant and Professional Services Agreement with Akin Gump Straus Hauer & Feld ("Akin Gump") for legislative affairs services, increasing the not-to-exceed amount by \$130,000 and authorizing the City Manager to execute same.

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

Action: *Adopted Resolution No. 23-056 N.C.*

- L. **APPROVE A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN AGREEMENT FOR LEGAL SERVICES WITH THE LAW FIRM OF WHITE BRENNER LLP IN SACRAMENTO, CALIFORNIA FOR LITIGATION AND ADVISORY SERVICES RELATED TO WATER LAW AND ENVIRONMENTAL LAW**

Recommendation: Adopt resolution authorizing the City Attorney to execute a fee agreement with the law firm of White Brenner in an amount not to exceed \$500,000.

Contact: Randy Risner, Chief Assistant City Attorney

randy.risner@cityofvallejo.net

Action: Adopted Resolution No. 23-057 N.C.

- M. **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE A 60-DAY EXTENSION (WITH A POTENTIAL ADDITIONAL 60-DAY EXTENSION) TO LESSEE'S DUE DILIGENCE PERIOD PURSUANT TO SECTION 3.3 OF THE LEASE OF 285 MARE ISLAND WAY AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15309**

Recommendation: Adopt a resolution authorizing the City Manager to approve a 60-day extension to Lessee's due diligence period pursuant to Section 3.3 of the Lease for 285 Mare Island Way and finding the action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15309.

Contact:

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

Gillian.Hayes@cityofvallejo.net

Michael Nimon, Economic Development Director, (707) 648-4109;

Michael.Nimon@cityofvallejo.net

Action: Adopted Resolution No. 23-058 N.C.

9. ACTION CALENDAR

- A. **RECEIVE PRESENTATION ON OPPORTUNITIES TO PROTECT MINORS FROM ACCESS TO TOBACCO PRODUCTS INCLUDING A POSSIBLE TOBACCO RETAIL LICENSE ORDINANCE AND ENFORCEMENT OPTIONS RELATING TO STATE AND LOCAL LAW AND PROVIDE DIRECTION TO STAFF**

Recommendation: Receive presentation on opportunities to protect minors from access to tobacco products including a possible tobacco retail license ordinance and enforcement options relating to state and local law and provide direction to staff.

Contact: Councilmember Bregenzer

Peter.Bregenzer@cityofvallejo.net

Joseph Hyden and members of the LGBTQ Minus Tobacco and Bay Area Community Resources (BACR) provided a presentation.

Speakers: Monica Brown, William Downer, Heena B., Raymond Courtemanche, Blythe Young, Mary Kemp, Tino Ratliff, Bob Gordon, Camille Cummings, Antonio Preciado, Tehraleigh Martin, and Nefer Faris.

Staff responded to questions from Councilmembers. Councilmembers provided comment and direction to staff to return to Council with a comprehensive ordinance for its consideration.

B. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SIDE LETTER OF AGREEMENT APPROVAL BETWEEN THE CITY OF VALLEJO AND THE VALLEJO POLICE OFFICERS' ASSOCIATION

Recommendation: Adopt a resolution authorizing the City Manager to execute a side letter of agreement to the amended 2019 Tentative Agreement between the City of Vallejo and the Vallejo Police Officers' Association for Master Officer Program pay to become pensionable compensation.

Contact: Terrance Davis, Assistant City Manager (707) 648-4301

Terrance.Davis@cityofvallejo.net

Staff responded to questions from Councilmembers.

Speakers: Anne Carr and Joe Estrada.

City Attorney Nebb addressed concerns raised by the speakers. Councilmembers provided comment.

Action: Moved by Vice Mayor Verder-Aliga and carried to adopt Resolution No. 23-059 N.C. (Noes – Arriola; Abstain - Palmares- abstention was cast as an aye vote pursuant to Vallejo Municipal Code Section 2.02.680(c)).

The meeting recessed at 9:10 p.m. and reconvened at 9:23 p.m.

C. COUNCIL DISCUSSION AND POSSIBLE DIRECTION ON ESTABLISHING COUNCIL SENIORITY AS REQUESTED BY COUNCILMEMBER MATULAC (STEP 2)

Recommendation: Council to consider and possibly provide direction on policy establishing Council seniority that could be used in determining seating at the dais following a General Municipal Election when newly elected members of the Council are seated, when the position of Vice Mayor is rotated annually in non-election years, and potentially in determining the selection of a Vice Mayor.

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

Dawn.Abrahamson@cityofvallejo.net

Councilmember Matulac explained the reason for his request.

Councilmembers provided comment.

Action: *By consensus of the Council, seniority will be determined in January 2025 when the newly elected mayor and councilmembers are seated.*

10. INFORMATION CALENDAR

A. PAVEMENT MANAGEMENT PLAN UPDATE

Recommendation: This item is for informational purposes only. There is no action or staff report associated with this item.

Contact: Melissa Tigbao, Public Works Director (707) 648-4433

Melissa.Tigbao@cityofvallejo.net

Public Works Director Tigbao provided an update on Vallejo's roadway network, reviewed how pavement condition is measured and how it deteriorates over time, discussed financing options and goals, estimated improvements and project planning for success, and concluded the presentation by outlining next steps.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

B. MARE ISLAND CFD INFORMATIONAL PRESENTATION

Recommendation: This item is for informational purposes only. There is no action or staff report associated with this item

Contact: Gillian Hayes, Assistant City Manager (707) 648-4576

Gillian.Hayes@cityofvallejo.net

Assistant City Manager Hayes provided introductory comments and introduced Susan Goodwin (Goodwin Consulting Group) who provided a presentation.

Speakers: Daniel Glaze, Daniel Boone, Monica Brown, Susan Nichols, Sherianne Grimm, Wendell Quigley, Brian Nagy, and Anne Carr.

Staff and the Consultant responded to comments from the speakers and questions from Councilmembers. Councilmembers provided comments and directed staff to agendize a 30 minute presentation by MISTY and to confirm a date certain with Council at its next meeting.

11. CITY MANAGER'S REPORT

City Manager Malone announced Thursday is Take Your Child to Work Day and provided an update on staff's efforts at being present at the Farmers Market.

12. CITY ATTORNEY'S REPORT

City Attorned Nebb provided highlights of her quarterly report.

A. QUARTERLY REPORT FOR FISCAL YEAR 2022/2023, THIRD QUARTER (JAN – MAR 2023)

Recommendation: This item is for informational purposes only. There is no action associated with this item.

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

Veronica.Nebb@cityofvallejo.net

13. COMMUNITY FORUM

Speakers: an unidentified member of the public.

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 12:00 a.m.

DocuSigned by:

ROBERT H. MCCONNELL

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ROBERT H. MCCONNELL, MAYOR

ATTEST:

DocuSigned by:

Dawn G. Abrahamson

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DAWN G. ABRAHAMSON
CITY CLERK