

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES
APRIL 23, 2024**

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

1. CALL TO ORDER

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

2. ROLL CALL

Present: Mayor McConnell, Vice Mayor Loera-Diaz, Councilmembers Arriola, Bregenzer, Matulac, Palmares, and Verder-Aliga

Absent: None

Staff present: Interim City Manager Marshall, City Attorney Nebb and City Clerk Abrahamson

3. PLEDGE OF ALLEGIANCE

4. REPORT OUT OF CLOSED SESSION

City Attorney Nebb reported Council provided direction to staff regarding the April 16 closed session item (Public Employment pursuant to GC 54957(b)(1), Title: City Manager) and noted there was no reportable action for tonight's Closed Session Item 3A. Council provided direction to its legal counsel regarding Closed Session Item 3B. on tonight's closed session agenda.

5. PRESENTATIONS AND COMMENDATIONS

Action: *presentations were made by Councilmember Palmares and Mayor McConnell.*

A. **PRESENTATION OF A PROCLAMATION IN RECOGNITION OF NATIONAL DRINKING WATER WEEK, MAY 5-11, 2024**

B. **PRESENTATION OF A PROCLAMATION RECOGNIZING STAFF MEMBERS ACHIEVEMENTS**

6. FIRST COMMUNITY FORUM

Speakers: Anne Carr, Josh Davidson, James Olson, Kim Carmity, Guy Stevenson, Ryan Messano, Lillie Hurd, Reynaldo C., Patricia Hunter, Leticia Hernandez, and Debbie T.

The meeting recessed at 7:56 p.m. and reconvened at 8:01 p.m.

7. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Speakers: Daniel Boone (Items 8H, 8I and 8J)

8. CONSENT CALENDAR AND APPROVAL OF AGENDA

Action: moved by Vice Mayor Loera-Diaz and carried unanimously, unless otherwise noted, approval of the Agenda and the Consent Calendar with the removal of Information Calendar Item 9A from the agenda to be rescheduled at a future meeting and the removal of Item 8H from the Consent Calendar making it Item 8.1.

A. **APPROVAL OF MINUTES**

Recommendation: Approve minutes for the special meetings of April 1 and the special and regular meetings of April 9, 2024

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 2024**

Recommendation: Ratify the payment of claims for the period of February 1, 2024, through February 29, 2024.

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

Rekha.Nayar@cityofvallejo.net

Action: ratified payment of claims for February 1-29, 2024.

D. **ADOPT A RESOLUTION TO AMEND FISCAL YEAR 2023-24 GENERAL FUND BUDGET TO RECOGNIZE REVENUE FROM UNCLAIMED PROPERTY IN AN AMOUNT NOT TO EXCEED \$104,181.40 (STEP 2 OF 2)**

Recommendation: As the second step in a two-step process, adopt a Resolution to amend the Fiscal Year 2023-24 General Fund budget to recognize revenue from Unclaimed Property in an amount not to exceed \$104,181.40.

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

Rekha.Nayar@cityofvallejo.net

Action: adopted Resolution No. 24-045 N.C.

E. **ACCEPT THE JFK LIBRARY ELEVATOR MODERNIZATION PROJECT (PROJECT NO. PW9405) PERFORMED BY DREAM RIDE ENGINEERING, INC, DBA DREAM RIDE ELEVATOR, AS COMPLETE, AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE SOLANO COUNTY RECORDER'S OFFICE**

Recommendation: Accept the JFK Library Elevator Modernization Project (Project No. PW9405)(Proejct) performed by Dream Ride Engineering, Inc. dba Dream Ride Elevator of Benica, California, as complete, and authorize the City

Clerk to file a Notice of Completion with the Solano County Recorder's Office.

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

Melissa.Tigbao@cityofvallejo.net

Action: *accepted the JFK Library Elevator Modernization Project (Project No. PW9405)(Proejct) performed by Dream Ride Engineering, Inc. dba Dream Ride Elevator of Benica, California, as complete, and authorize the City Clerk to file a Notice of Completion with the Solano County Recorder's Office*

F. **ACCEPT THE EV CHARGERS AT CITY FACILITIES IMPROVEMENT PROJECT (PROJECT NO. PW9438) PERFORMED BY EVCHARGE4U, INC., AS COMPLETE, AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE SOLANO COUNTY RECORDER'S OFFICE**

Recommendation: Accept the EV chargers at City Facilities Improvement Project (Project No. PW9438) performed by EVCHARGE4U, Inc. as complete, and authorize the City Clerk to file a Notice of Completion with the Solano County Recorder's Office.

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

Melissa.Tigbao@cityofvallejo.net

Action: *accepted the EV chargers at City Facilities Improvement Project (Project No. PW9438) performed by EVCHARGE4U, Inc. as complete, and authorize the City Clerk to file a Notice of Completion with the Solano County Recorder's Office.*

G. **ADOPT A RESOLUTION APPROVING AN ENVIRONMENTAL CONSULTANT AGREEMENT WITH STANTEC CONSULTING SERVICES INC. FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE LA QUINTA HOTEL PROJECT ON SONOMA BLVD. IN AN AMOUNT NOT TO EXCEED \$44,452 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a resolution approving an environmental consultant agreement with Stantec Consulting Services, Inc. for environmental consulting services for the La Quinta Hotel Project on Sonoma Blvd. in an amount not to exceed \$44,452.00 and authorizing the City Manager to execute same.

Contact: Christina Ratcliffe, AICP, Planning and Development Services Director

Christina.Ratcliffe@CityofVallejo.net

Action: *adopted Resolution No. 24-046 N.C.*

H. **ADOPT A RESOLUTION AMENDING FISCAL YEAR 2023-24 BUDGET IN THE AMOUNT OF \$1,270,335 TO REALLOCATE EXPENDITURES FROM THE AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

Recommendation: Adopt a resolution amending Fiscal Year 2023-24 budget in the amount of \$1,270,335 to reallocate expenditures from the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds

Contact: Sidney Wilson, Administrative Analyst

Sidney.Wilson@CityofVallejo.net

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

Staff responded to questions from Councilmembers.

Action: moved by Mayor McConnell and carried unanimously to adopt Resolution No. 24-047 N.C.

I. **APPROVE A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN AMENDMENT TO AN AGREEMENT FOR LEGAL SERVICES WITH THE LAW FIRM OF BEST BEST & KRIEGER FOR LITIGATION SERVICES**

Recommendation: Adopt a resolution authorizing the City Attorney to execute an amendment to a fee agreement with the law firm of Best Best & Krieger for litigation services in an amount not to exceed \$750,000

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

Veronica.Nebb@cityofvallejo.net

Action: adopted Resolution No. 24-048 N.C.

J. **APPROVE A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN AMENDMENT TO AN AGREEMENT FOR LEGAL INVESTIGATION SERVICES WITH THE LAW FIRM OF OPPENHEIMER INVESTIGATIONS GROUP, LLP**

Recommendation: Adopt a resolution authorizing the City Attorney to execute an amendment to a fee agreement with the law firm of Oppenheimer Investigations Group, LLP for legal investigation services in an amount not to exceed \$200,00 per fiscal year and extending the agreement to June 30, 2026.

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

Veronica.Nebb@cityofvallejo.net

Action: adopted Resolution No. 24-049 N.C.

9. **ACTION CALENDAR**

A. **PUBLIC HEARING AND ADOPTION OF A RESOLUTION APPROVING CONDUIT FINANCING ISSUED BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE WEST HARBOR PARK APARTMENTS AFFORDABLE HOUSING PROJECT PURSUANT TO THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) WITH NO FINANCIAL LIABILITY FOR THE CITY**

Recommendation:

1. Conduct a public hearing under the Tax and Equity Fiscal Responsibility Act ("TEFRA") in connection with the proposed issuance of revenue bonds by the California Municipal Finance Authority (the "CMFA"), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$45,000,000, (the "Bonds"), for the part of a plan to finance or refinance the acquisition, construction, improvement and equipping of a multifamily rental housing project located at 969 Porter Street, Vallejo, California (the "Project"). This is the approval of an issuance of Bonds by another public agency for a project to be constructed within the City of Vallejo and not an issuance of bonds by the City of Vallejo. The City has no financial obligation whatsoever for these bonds.

2. Adopt a Resolution approving the issuance of the Bonds by the CMFA for the benefit of Harbor Park Apartments Phase 2, LP. (the "Borrower"), a partnership of which Klein Financial Corporation (the "Developer") or a related person to the Developer is the general partner, to provide for the financing of the Project, as such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code, and California Government Code Section 6500 (and following).

Contact: Alicia Jones, Housing Director (707) 648-4408
Alicia.Jones@cityofvallejo.net

Housing Director Jones provided introductory comments and an overview of the staff report.

Mr. Bogomilsky provided an overview of the project.

Mayor McConnell opened the public hearing.

Speakers: HelenMarie Gordon.

Mayor McConnell closed the public hearing.

Staff and Mr. Bogomilsky. Councilmembers provided comment.

Action: *moved by Vice Mayor Loera-Diaz and carried unanimously to: (1) Conduct a public hearing under the Tax and Equity Fiscal Responsibility Act ("TEFRA") in connection with the proposed issuance of revenue bonds by the California Municipal Finance Authority (the "CMFA"), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$45,000,000, (the "Bonds"), for the part of a plan to finance or refinance the acquisition, construction, improvement and equipping of a multifamily rental housing project located at 969 Porter Street, Vallejo, California (the "Project"). This is the approval of an issuance of Bonds by another public agency for a project to be constructed within the City of Vallejo and not an issuance of bonds by the City of Vallejo. The City has no financial obligation whatsoever for these bonds; and (2) adopted Resolution No. 24-050 N.C.*

- B. **PUBLIC HEARING AND POSSIBLE ADOPTION OF A RESOLUTION DENYING AN APPEAL (APP24-0001) OF THE PLANNING COMMISSION'S APPROVAL, AND GRANTING WITH CONDITIONS, MAJOR USE PERMIT (UP22-0008) TO ALLOW THE OPERATION OF A NEW CHARTER HIGH SCHOOL WITH AN ENROLLMENT OF UP TO 400 STUDENTS IN AN EXISTING TWO-STORY BUILDING AT 241-255 GEORGIA STREET (APN:0055-170-390) AFTER FINDING THE PROJECT CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332 (CLASS 32: IN-FILL PROJECTS)**

Recommendation: Public Hearing and Possible Adoption of a Resolution denying an appeal (APP24-001) of the Planning Commission's approval, and

granting with conditions, Major Use Permit (UP22-0008) to allow the operation of a new public charter high school with an enrollment of up to 400 students in an existing two-story building at 241-255 Georgia Street (A{PN: 0055-170-390) after finding the project categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32: In-Fill Projects).

Contact: Christina Ratcliffe, AICP

Planning and Development Services Director

Christina.Ratcliffe@CityofVallejo.net

City Clerk Abrahamson announced the agenda item.

Mayor McConnell reviewed the procedure for the public hearing.

Planning & Development Services Director Ratcliffe outlined possible council actions, provided an overview of the project, reviewed the Planning Commission CEQA determination, major Use Permit findings, discussed the appellant claims and concluded the presentation with staff's recommendation.

Mayor McConnell opened the public hearing.

Paul and Donna Beeman (Appellants) provided a presentation to Council outlining their reasons for denying the appeal: unfair and improper Planning Commission public hearing, CEQA determination and analysis, findings to support the Major Use Permit, and transparency of planning process.

Joanne Copland, Patricia Kirkman and Dr. Ramona Bishop (representing the Applicant, Elite Public Schools) provided an overview of the project, discussed Guiding Principles for Use Permit approvals and reasons for why the appeal should be denied.

Planning & Development Services Director Ratcliffe provided rebuttal comments.

Paul and Donna Beeman (Appellants) provided rebuttal comments.

Mayor McConnell opened the public hearing to members of the public

Speakers: Naloni Franklin, Jeneyah Fowler, Marqis McCleod, Phanell Thomas, Corey Barnes, Aireon Howard, Braelon R., and Brandon McKinney.

The meeting recessed at 10:41 p.m. and reconvened at 10:43 p.m.

Speakers continued: Monica Brown, Alesha Williams, Dr. Steph Sanders, Carla Meshack, Jasmine Taylor, Juanita Reynolds, Tausha Johnson, Daniel Brown, Mali B., Kelymena, Anne Carr, Diana Lang, Jimmy Ginn, Marianne Kearney-Brown, Ernani Santos, Vanessa Oden, David Fischer, Oshmin oden, Shelby Pryor, Kerby Lynch, Tiffany McCleod, Marco McCleod, Latressa Wilson Alford, Jason Labou, Kadejah Brown, Nicole Minor, Dan Jefferson, Morgan Ridgle, Tonya Moore, Raeshon Henry, Wayne Jones, Cherita Dilley, Robert

Brekke, Jason, Izzy Drumgoole, Joseph Babbitt, HelenMarie Gordon, Ann Adams, and Durelle Ali.

Mayor McConell closed the public hearing.

Staff and Dr. Bishop responded to questions from Councilmembers.

Action: *moved by Councilmember Verder-Aliga and carried unanimously to continue the matter to a special meeting to be held on April 30, 2024 at 5:30 p.m.*

10. INFORMATION CALENDAR

A. RECEIVE AN UPDATE ON THE DECLARATION OF A STATE AND LOCAL EMERGENCY RELATED TO PUBLIC SAFETY STAFFING

Recommendation: Receive an update on the public safety staffing emergency proclamation. This item is for informational purposes only. There is no staff report or action associated with this item.

Contact: Jason Ta, Interim Police Chief (707) 648-4540

Jason.Ta@cityofvallejo.net

Action: *item was continued to a future meeting.*

11. CITY MANAGER'S REPORT – none.

12. CITY ATTORNEY'S REPORT

City Attorney Nebb provided a synopsis of her quarterly report.

A. QUARTERLY REPORT FOR FISCAL YEAR 2023/2024, THIRD QUARTER (JANUARY - MARCH 2024)

Recommendation: Informational item only. No action is required.

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

Veronica.Nebb@cityofvallejo.net

13. COMMUNITY FORUM

Speakers: HelenMarie Gordon.

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 1:26 a.m.

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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