

**VALLEJO CITY COUNCIL
REGULAR MEETING MINUTES
JUNE 11, 2024**

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

1. CALL TO ORDER

The meeting was called to order at 7:24 p.m.

2. ROLL CALL

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

Absent: None

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

3. PLEDGE OF ALLEGIANCE

4. REPORT OUT OF CLOSED SESSION

City Attorney Nebb reported the following:

- Council provided direction to its legal counsel regarding Closed Session Items 3A and 3D.
- Council provided direction to its property negotiators regarding Closed Session Items 3B and 3C.
- Council provided direction to its negotiators regarding Closed Session Item 3E.

5. PRESENTATIONS AND COMMENDATIONS – None.

6. FIRST COMMUNITY FORUM

Speakers: Bob Dean, Al Fortir, Kim Camatti, Eileen Purcell, Glenn Loveall, Joseph Johnson, Lillie Hurd, Amit Pal.

The meeting recessed at 7:57 p.m. and reconvened at 8:00 p.m.

7. PUBLIC COMMENT REGARDING CONSENT CALENDAR ITEMS

Speakers: William Baker (Item 8M) and Chris Gordon

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.*

A. **APPROVAL OF MINUTES**

Recommendation: Approve minutes for the special meetings of May 7, May 30, June 4 and the special and regular meetings of June 11

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 full 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 AN ORDINANCE OF THE CITY OF VALLEJO RATIFYING ALL SPECIAL FUNDS CREATED BY CITY OF VALLEJO THROUGH JUNE 30, 2024**

Recommendation: Adopt an ordinance of the City of Vallejo ratifying all special funds created by City of Vallejo through June 30, 2024

Contact: Rekha Nayar, Finance Director (707) 648-5433

Rekha.Nayar@cityofvallejo.net

Action: *adopted Ordinance No. 1872 N.C. (2d)*

D. **PAYMENT OF CLAIMS: APRIL 2024**

Recommendation: Ratify the payment of claims for the period of April 1, 2024, through April 30, 2024.

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

Rekha.Nayar@cityofvallejo.net

Action: *ratified payment of claims for period of April 1-30, 2024.*

E. **ADOPT A RESOLUTION AMENDING THE FISCAL YEAR 2023-2024 SOLID WASTE FUND BUDGET BY INCREASING IT IN THE AMOUNT OF \$370,641, ACCEPTING THREE GRANTS FROM CALRECYCLE IN THE AMOUNTS OF \$323,093, \$30,738, AND \$16,810, AND APPROVING AND AUTHORIZING THE GRANT GUIDELINES RELATED TO SAME**

Recommendation: Adopt a Resolution amending the FY 2023-24 Solid Waste Fund budget in the amount of \$370,641, accepting three grants from CalRecycle in the amounts of \$323,093, \$30,738, and \$16,810, and approving and authorizing the Grant Guidelines related to same.

Contact: Melissa Tigbao, P.E., Public Works Director (707) 648-4301

Melissa.Tigbao@cityofvallejo.net

Action: *adopted Resolution No. 24-100 N.C.*

F. **ADOPT A RESOLUTION AMENDING THE FY 23-24 BUDGET AND ACCEPTING THE INFLATION REDUCTION ACT: URBAN AND COMMUNITY FORESTRY GRANT AWARD IN AN AMOUNT UP TO \$1,734,070 (STEP 2 OF 2)**

Recommendation: Adopt a Resolution amending the FY 23-24 Budget and accepting the Inflation Reduction Act: Urban and Community Forestry Grant Award in an amount up to \$1,734,070.

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

Gillian.Haen@cityofvallejo.net

Action: *adopted Resolution No. 24-101 N.C.*

G. **ACCEPT THE GLEN COVE PARKWAY RE-LANDSCAPING PHASE 1 PROJECT (PROJECT NO. PWL002), PERFORMED BY COAST LANDSCAPE MANAGEMENT OF AMERICAN CANYON (NOW KNOWN AS BRIGHTVIEW LANDSCAPE SERVICES, INC.) AS COMPLETE, AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE SOLANO COUNTY RECORDER'S OFFICE**

Recommendation: Accept the Glen Cove Parkway Re-Landscaping Phase 1 Project (Project No. PWL002)(Project), performed by Coast Landscape Management of American Canyon (now known as Brightview Landscape Services, Inc., of Pasadena, 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 Glen Cove Parkway Re-Landscaping Phase 1 Project (Project No. PWL002)(Project), performed by Coast Landscape Management of American Canyon (now known as Brightview Landscape Services, Inc., of Pasadena, California), as complete, and authorized the City Clerk to file a Notice of Completion with the Solano County Recorder's Office*

H. **ADOPT A RESOLUTION APPROVING AN ENVIRONMENTAL CONSULTANT AGREEMENT WITH LSA ASSOCIATES, INC. TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE COMMERCIAL DEVELOPMENT PROJECT LOCATED AT 913-915 WILSON AVENUE (APNs: 0051-100-150; -160) AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a Resolution approving an Environmental Consultant Agreement with LSA Associates, Inc. to provide environmental consulting services for the commercial development project located at 913-915 Wilson Avenue (APNs: 0051-100-150; -160) and authorizing the City Manager to execute same.

Contact: Gillian Haen, Assistant City Manager/Interim Planning & Development Services Director

gillian.haen@cityofvallejo.net

Action: *adopted Resolution No. 24-102 N.C.*

I. **ADOPT RESOLUTION APPROVING THE SEVENTH AMENDMENT TO THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF VALLEJO, COUNTY OF SOLANO AND HUMANE SOCIETY**

OF THE NORTH BAY FOR ANIMAL CONTROL SERVICES AND LOCAL SHELTERING

Recommendation: Adopt Resolution Approving the Seventh Amendment to the Consultant and Professional Services Agreement with Solano County and the Humane Society of the North Bay for Animal Control Services and Local Sheltering, in an amount not to exceed \$1,168,816 for the fiscal year ending June 30, 2025 and Authorizing the City Manager to Execute Same.

Contact: Andrew Murray, City Manager (707) 648-4576

Andrew.Murray@cityofvallejo.net

Action: *adopted Resolution No. 24-103 N.C.*

J. **ADOPTION OF A RESOLUTION APPROVING THE HUD-REQUIRED ANNUAL ACTION PLAN (AAP) FOR FISCAL YEAR (FY) 2024-25, 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) 2024-25 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: Alicia M. Jones, Housing Director, (707) 648-4408

Alicia.Jones@cityofvallejo.net

Action: *adopted Resolution No. 24-104 N.C.*

K. **ADOPT A RESOLUTION OF THE CITY COUNCIL OF VALLEJO APPROVING A MASTER CUSTOMER AGREEMENT AND FIRST AMENDMENT THERETO WITH ZAYO GROUP LLC FOR THE PROVISION OF BROADBAND BANDWIDTH SERVICES FOR VALLEJO MUNICIPAL FIBER NETWORK FOR RESALE TO ITS CUSTOMERS IN AN AMOUNT NOT TO EXCEED \$205,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a resolution approving a Master Customer Agreement and First Amendment thereto with Zayo Group LLC for the provision of broadband bandwidth services to the City of Vallejo for the purpose of resale to its retail municipal fiber customers in an amount not-to-exceed \$205,000, and authorizing the City Manager to execute same.

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

Naveed.Ashraf@Cityofvallejo.net

Action: *adopted Resolution No. 24-105 N.C.*

L. **AUTHORIZE THE COUNCIL BY MOTION TO APPROVE A PROCLAMATION RECOGNIZING THE RETIREMENT OF VALLEJO CITY UNIFIED SCHOOL DISTRICT'S SUPERINTENDENT, WILLIAM SPALDING**

Recommendation: Authorize the Vallejo City Council to approve a proclamation recognizing the retirement of Vallejo City Unified School District's (VCUSD) Superintendent, William Spalding.

Contact: Erik Rzomp, Executive Assistant to Mayor McConnell (707) 648-4377

Erik.Rzomp@cityofvallejo.net

Action: *authorized Vallejo City Council to approve a proclamation recognizing*

the retirement of Vallejo City Unified School District's (VCUSD) Superintendent, William Spalding.

- M. **ADOPT A RESOLUTION APPROVING: 1) AN AMERICAN RESCUE PLAN ACT GRANT AGREEMENT WITH FIRM FOUNDATION COMMUNITY HOUSING IN THE AMOUNT OF \$3,270,335 AS PREVIOUSLY ALLOCATED BY CITY COUNCIL; AND 2) AN AFFORDABLE HOUSING AGREEMENT AND COVENANT FOR THE BROADWAY PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a Resolution Approving (1) an American Rescue Plan Act Grant Agreement with Firm Foundation Community Housing in the amount of \$3,270,335 as previously allocated by City Council; and (2) an Affordable Housing Agreement and Covenant for the Broadway Project, and authorizing the City Manager to execute same.

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

Gillian.Haen@cityofvallejo.net

Action: adopted Resolution No. 24-106 N.C.

9. ACTION CALENDAR

- A. **INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 5.10 OF THE VALLEJO MUNICIPAL CODE RELATING TO TOBACCO RETAIL LICENSING AND AMENDING CHAPTERS 7.68, 16.301, 16.340, AND 16.701 RELATING TO TOBACCO RETAILERS AND USE PERMIT REQUIREMENTS AND REPEALING CHAPTER 7.69 REGARDING OTHER REGULATIONS RELATED TO TOBACCO RELATED PRODUCTS**

Recommendation: Introduce Ordinance adding Chapter 5.10 of the Vallejo Municipal Code relating to Tobacco Retail Licensing and amending Chapters 7.68, 16.301, 16.340, AND 16.701 Relating to Tobacco Retailers and Use Permit Requirements and repealing Chapter 7.69 regarding other regulations related to Tobacco Related Products.

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

Veronica.Nebb@cityofvallejo.net

City Attorney Nebb provided background information, outlined actions to date and the public engagement efforts, reviewed the major provisions of the draft ordinance and other provisions, discussed enforcement of the proposed ordinance, shared concerns expressed by retailers and concerns expressed to proponents of the TRL, reviewed other ordinance amendments and concluded the presentation by outlining next steps.

Mayor McConnell opened the public hearing.

Speakers: Ben Sandhu, Robin Cox, Jimmy Ancira, Adjou McDonald, Jaime Cader, Calyn Kelley, Joseph Hayden, Brian Davis, Satinder Hayer, Aymen Ayyad, Tracy Nachand, Traci O., Erika B., Paul Matharu, Tehra Martin, Mitcher Williams, Balraj Dhami, Harkirat Singh, Kulwinder Bains, Sukdeep Singh, Harjinder Dhami, Amaya Wooding, Bon Gordon, Joseph Johnson, David Hayer, Eric Lee, Bill, Camille Cummings, Tino Ratliff, David Tooley, Debi Badger,

Blythe Young, N. Faria, Liz Williams, and Milo Trejo.

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

The meeting recessed at 10:25 p.m. and reconvened at 10:42 p.m.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: *moved by Mayor McConnell and carried unanimously to continue the item 90 days to the September 24 regular City Council meeting, and directed staff to report back to council as to their recommendations on modification of the proposed ordinance, the addition of a question to the business license application as to whether the applicant intends to engage in the sale of tobacco products, and further, in September, consider a freeze on the granting of further licenses on the sale of tobacco products for new businesses only.*

B. CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION CONFIRMING AND LEVYING ASSESSMENTS AGAINST RESIDENTIAL AND COMMERCIAL PROPERTIES FOR UNPAID GARBAGE BILLS

Recommendation: Conduct a public hearing and adopt a resolution confirming and levying assessments against residential and commercial properties for unpaid garbage bills.

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

Melissa.Tigbao@cityofvallejo.net

Environmental Services Manager Crutchfield provided an overview of the staff report and outlined the recommendation.

Mayor McConnell opened the public hearing.

Speakers: Anton Starostin.

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

Councilmembers provided comment.

Action: *moved by Vice Mayor Loera-Diaz and carried unanimously to adopt Resolution No.24-107 N.C. with the removal of Mr. Starostin's property from the unpaid garbage bills list.*

C. ADOPT A RESOLUTION APPROVING A FIRST AMENDMENT TO THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH EZ TREE, INC. FOR ON CALL TREE PRUNING AND REMOVAL SERVICES TO INCREASE THE MAXIMUM NOT-TO-EXCEED AMOUNT OF THE CONTRACT TO \$2,137,500 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME

Recommendation: Adopt a resolution approving a First Amendment to the Consultant and Professional Services Agreement for on call tree pruning and removal services with EZ Tree Inc. to increase the maximum not-to-exceed

amount of the contract to \$2,137,500 and authorizing the City Manager to execute same.

Contact: Melissa Tigbao, P.E., Public Work Director, 707-648-4433
Melissa.Tigbao@cityofvallejo.net

Assistant Public Works Director/City Engineer Sequeira provided an overview of the staff report and outlined the recommendation.

Staff responded to questions from Councilmembers. Councilmembers provided comment.

Action: *moved by Vice Mayor Loera-Diaz and carried to adopt Resolution No. 24-108 N.C. (Noes: Bregenzer).*

D. **ADOPT A RESOLUTION APPROVING AN AGREEMENT WITH FLOCK SAFETY FOR CAMERAS IN THE AMOUNT OF \$1,492,500 FOR A TERM OF 60-MONTHS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME**

Recommendation: Adopt a resolution authorizing the City Manager to execute an agreement with Flock Safety for the renewal of automated license plate readers (Flock Falcons) and security cameras (Flock Condors) in an amount not to exceed \$1,492,500 over a term of 60 months.

Contact: Jason Ta, Interim Chief of Police (707) 648-4540
jason.ta@cityofvallejo.net

Interim Police Chief Ta provided an overview of the staff report outlined the Surveillance Advisory Board's recommendations.

Staff responded to questions from Councilmembers.

Speakers: Andrea Sorce and Jamilia Hanif.

Another question and answer period followed. Councilmembers provided comment.

Action: *moved by Vice Mayor Loera-Diaz and carried unanimously to adopt Resolution No. 24-109 N.C. including revisions to the contract as presented by City Attorney Nebb to add the following language to 5.3 – Disclosure of Footage to the agreement: Flock acknowledges and agrees that Flock has been provided a copy of the Customer's Policy (Policy) relating to shared data, including disclosure of footage, and that Flock acknowledges and agrees to the provisions of the Policy relating to prohibited uses/disclosure and will not, pursuant to any section of this Master Agreement disclose footage which is related to a prohibited use pursuant to the Policy or a violation of California Law. In the event that Flock has a good faith belief that it is required by law to disclose data/footage that does not comply with the Policy or California law, Flock will promptly notify Customer of such belief. Customer may take any action it deems*

necessary or advisable to prevent such disclosure.

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 the July 9 City Council meeting.

11. CITY MANAGER'S REPORT – None.

12. CITY ATTORNEY'S REPORT – None.

13. COMMUNITY FORUM – There were no speakers.

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 1:02 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