

RESOLUTION NO. 13-116 N.C.

**AMENDING THE FISCAL YEAR 2013-2014 CIP BUDGET, AUTHORIZING THE
IMPLEMENTATION OF (PB A3 PROJECT) THE STREET CLEANING AND CITY
CLEANUP PROJECT**

WHEREAS, Pursuant to Resolution No. 12-064 N.C. the City Council of the City of Vallejo declared its intent to establish a Participatory Budgeting process with the goal of allocating a minimum of 30% of the 1% sales tax monies, Measure B funds, collected over a 15 month period from April 1, 2012 through June 30, 2013; and

WHEREAS, upon the completion of the Participatory Budgeting election process, the results were presented to this Council on May 28, 2013, and twelve projects were selected by the public, including 'PB A3 the Street Cleaning and City Cleanup Project' as described in the 'Description of voter Approved Project Proposal' attached to the staff report on that date, hereinafter, the "Project"; and

WHEREAS, Pursuant to Resolution No. 12-138 N.C. the Council adopted the Participatory Budgeting Rulebook determining that Participatory Budgeting Projects are eligible for funding if they meet the following criteria:

1. They benefit the public.
2. Are a one-time expenditure that can be completed with funds from the FY2012/2013 budget.
3. Are implemented by the City of Vallejo, or in collaboration with the Vallejo City Unified School District, the Greater Vallejo Recreation District, or any other Public Agency, non-profit organization, or religious institution that operates in Vallejo. Projects implemented by non-city public agency must also include financial or value in kind contributions. Projects implemented by non-profit organizations or religious institutions must also meet the eligibility guidelines used by the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program; and

WHEREAS, on July 9, 2013 City Council approved a Resolution of Intention to amend the Fiscal Year 2013-2014 budget; and

WHEREAS, the Council has received evidence and testimony on the Project, and hereby exercises its authority to make the following findings and to resolve as follows.

NOW, THEREFORE, BE IT RESOLVED that the City of Vallejo makes the following findings:

1. The City Council of the City of Vallejo finds that implementing the Project will improve the quality of life for Vallejo residents and benefit visitors. The Project will benefit the public by beautifying the community and visually projecting a positive image of Vallejo, through removal of weeds, litter and debris from vacant City lots, thoroughfares and right-of-ways.
2. Further, it is anticipated that by making Vallejo more attractive to potential residents and shoppers, the overall environment and local economy will improve and project a positive image of Vallejo. These improvements provide a public benefit to the City of Vallejo.

BE IT FURTHER RESOLVED that the following conditions must be met prior to the disbursement of funds to any non-City agency:

1. Location Approval. Location of project needs to be determined by City of Vallejo Staff (including the Public Works Department and Code Enforcement Division).
2. Cooperation with non-City agency. Require the cooperation, collaboration, or in-kind contribution from a non-City entity that will coordinate with the City of Vallejo to remove weeds, litter and debris from vacant City lots, thoroughfares and right-of-ways, thus providing a benefit to the public.
3. California Environmental Quality Act (CEQA). Depending on location and specifics of improvements, City Staff will evaluate the project's environmental impact and determine whether the project is exempt from CEQA or requires environmental review.
4. Key Conditions prior to Disbursement of Funds.
 - a. Identify the entity that will be responsible for administering a program that addresses blight as recited above and enter into either a grant or services agreement with the entity. The agreement shall:
 - i. Specifically detail the clean-up efforts and services to be performed, including a timeline and specific reporting and delivery provisions;
 - ii. Include reporting requirements and notification of when Project is completed.
 - b. Pursuant to Cal.Gov. Code § 1090, no person who participated in any capacity (whether as a steering committee member, delegate, proponent or advisor) during the Participatory Budgeting Process for this Project may personally benefit by receipt of any funds contained in any grant agreement for this Project authorized by this resolution.

FURTHER, BE IT RESOLVED that subject to the findings and the conditions set forth in this resolution, the City Council hereby:

1. Amend the Fiscal Year 2013-2014 General Fund and Capital Improvement Program (CIP) Budgets, redistributing \$120,000 from Project Number PB-000 in the CIP Budget to the City's General Fund to implement the Project, and authorizes the City Manager the administrative authority to execute any and all agreements, subject to review by the City Attorney, and to take any and all required actions to implement the Project as set forth in this resolution, consistent with the Vallejo Municipal Code, the Participatory Budgeting Rule book and any other applicable authority and additionally authorizes him to amend the Project, so as to ultimately promote the goals of the Project as set forth in the 'Description of voter-approved Project Proposal'.
2. Directs the City Manager to report to the City Council once the project is complete.

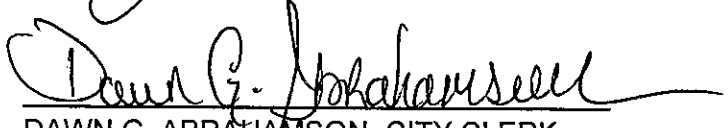
Adopted by the City Council of the City of Vallejo at a regular meeting held on July 23, 2013 by the following vote:

AYES: Mayor Davis, Vice Mayor Gomes and Councilmembers Brown, Malgapo,
McConnell, Sampayan, and Sunga
NOES: None
ABSTAIN: None
ABSENT: None



OSBY DAVIS, MAYOR

ATTEST:



DAWN G. ABRAHAMSON, CITY CLERK