



# City of San Pablo

13831 San Pablo Ave.  
San Pablo, CA 94806  
(510) 215-3000  
www.SanPabloCA.gov

## Meeting Agenda - Final

### City Council

*Mayor Cecilia Valdez*  
*Vice Mayor Genoveva Garcia Calloway*  
*Councilmember Paul Morris*  
*Councilmember Rich Kinney*  
*Councilmember Arturo Cruz*

---

Monday, October 16, 2017

6:00 PM

Council Chambers

---

### CITY COUNCIL / LOCAL SUCCESSOR AGENCY MEETING

**CLOSED SESSION BEGINS AT 5:30 PM**

#### Teleconference

**110 Santa Rita Court, San Pablo, CA  
(510) 215-5780**

In accordance with the Americans with Disabilities Act, persons requiring assistance or auxiliary aids in order to participate should contact the City Clerk's Office at City Hall, 13831 San Pablo Avenue, Building 1, San Pablo, or by calling (510) 215-3000, as soon as possible prior to the meeting. The city will give such requests primary consideration, taking into account undue financial and administrative burdens or fundamental alterations in the city service, program or activity.

Copies of this Agenda and non-exempt public records relating to an open session item on this agenda will be available for public view at the City Clerk's Office, 13831 San Pablo Avenue, Building 1, San Pablo. The full agenda packet may also be viewed on the city website at [www.SanPabloCA.gov](http://www.SanPabloCA.gov).

**Members of the public may address the Council concerning the Closed Session matters on tonight's agenda before consideration of the item. Please file your name and address with the City Clerk on forms provided at the speaker's podium.**

#### ROLL CALL

#### CLOSED SESSION

1. [#17-0440](#) CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) / Claim pursuant to California Government Code section 54956.95: Claim of Donahue Schriber Realty Group
2. [#17-0439](#) CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to California Government Code Section 54956.9(d)(4): (1 potential case)

**Recess to Regular Session (approx. 6:00 pm)****PLEDGE OF ALLEGIANCE****ROLL CALL**

Speakers wishing to address the Council or Agency on a specific agenda item should file a form with the City Clerk indicating the agenda item. The Mayor or Chair will invite you to speak at the appropriate time when the matter is being considered. If you desire to address the Council or Agency, please file your name and address with the City Clerk on forms available at the podium. We also ask that all cell phones be turned off or silenced during the meeting.

**ORAL COMMUNICATIONS**

*This is the time for comments on any item within the Council's or Agency's subject matter jurisdiction, if such item is NOT listed on tonight's agenda. The Council or Agency may not engage in discussion or take action on any item that is not specifically listed on the agenda. Your item may be referred to city staff for investigation, report or placement on a future agenda. Persons addressing the Council or Agency are required to limit their remarks to three (3) minutes unless an extension or decrease of time is ordered. Please file your name and address with the City Clerk on forms available at the speaker's podium.*

**PRESENTATIONS**

3. [#17-0421](#) PRESENTATION BY PUBLIC PROFIT ON ANNUAL COMMUNITY SCHOOLS COLLABORATIVE FY 16/17 EVALUATION AND RECEIVE AND FILE REPORT

**Recommendation:** Public Profit will be presenting a summary of the Community Schools Collaborative Report for FY 16/17 and will also be submitting the entire report for receive and file.

**CITY MANAGER REMARKS****CONSENT CALENDAR**

*The Consent Calendar includes routine items that are to be enacted by one motion. There will be no separate discussion of these items. If discussion is requested, the item will be removed from the Consent Calendar and considered separately.*

**MINUTES**

4. [#17-0408](#) MINUTES OF THE MEETING OF OCTOBER 2, 2017

**Recommendation:** Approve

**LIABILITY CLAIMS**

5. [#17-0434](#) LIABILITY CLAIM OF PEDRO HERNANDEZ (DOL 03/12/2017)

**Recommendation:** Deny Claim

**PERIODIC REPORTS**

6. [#17-0435](#) INVESTMENT REPORT / TREASURER'S REPORT FOR THE MONTH OF SEPTEMBER 2017

**Recommendation:** Receive and file

7. [#17-0437](#) VENDOR CHECK REGISTER REPORT FOR THE MONTH OF SEPTEMBER 2017

**Recommendation:** Approve

**PROCLAMATIONS**

8. [#17-0422](#) RATIFY ISSUANCE OF PROCLAMATION REQUESTED BY THE CALIFORNIA PARK & RECREATION SOCIETY RECOGNIZING OCTOBER 25, 2017 AS UNITY DAY- BULLYING AWARENESS AND PREVENTION DAY

**Recommendation:** Approve by Minute Order

**MISCELLANEOUS**

9. [#17-0417](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO: (1) ACCEPT AND APPROPRIATE THE CALIFORNIA NATURAL RESOURCES AGENCY (CNRA) GRANT IN THE AMOUNT OF \$689,222; (2) ACCEPT AND APPROPRIATE THE STATE COASTAL CONSERVANCY GRANT IN THE AMOUNT OF \$1.3 MILLION FOR THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL; (3) APPROPRIATE \$2,502 FROM THE GENERAL FUND DESIGNATED RESERVES - PARKS; (4) REALLOCATE \$100,000 FROM THE WILDCAT CREEK-PLAZA SAN PABLO PROJECT (WCC-PSP) TO THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL PROJECT (WCC-TRL); (5) AUTHORIZE THE CITY MANAGER TO ENTER INTO THE ABOVE MENTIONED GRANT AGREEMENTS; AND (6) AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RESTORATION DESIGN GROUP (RDG) FOR WILDCAT CREEK RESTORATION AND GREENWAY TRAIL DESIGN, CEQA AND PERMITTING CONSULTING SERVICES IN THE AMOUNT OF \$352,166 WITH A 15% CONTINGENCY FOR A TOTAL AUTHORIZATION OF \$404,991

**Recommendation:** Adopt Resolution

10. [#17-0426](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DECLARING THAT THE EMERGENCY UNDER PUBLIC CONTRACT CODE SECTION 22050 REGARDING THE IMMEDIATE REHABILITATION OF THE HILLCREST ROAD STORM DRAIN IS CONTINUING AND RATIFYING THE ACTIONS TAKEN
- Recommendation:** Adopt Resolution; requires 4/5 majority vote
11. [#17-0427](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING A ONE-TIME SPONSORSHIP SUPPORT IN THE AMOUNT OF \$1,500 TO TARA HILLS RECREATION ASSOCIATION FOR THEIR 2018 BASEBALL SEASON
- Recommendation:** Adopt Resolution
12. [#17-0429](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO IN SUPPORT OF THE FEDERAL DEFERRED ACTION FOR CHILDREN ARRIVALS (DACA) PROGRAM AND CALLING FOR NEW BI-PARTISAN LEGISLATION TO LEGALLY ENACT THE FEDERAL DREAM ACT
- Recommendation:** As directed by Resolution 2017-196, the City Council to consider adoption of said Resolution; the City Manager has no recommendation on this policy matter
13. [#17-0430](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO RESCINDING RESOLUTION 2010-049 - OPPOSING STATE OF ARIZONA SB 1070 LAW
- Recommendation:** Adopt Resolution
14. [#17-0432](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO APPLY FOR A SUSTAINABLE COMMUNITIES GRANT THROUGH THE CALTRANS TRANSPORTATION PLANNING GRANT PROGRAM FOR \$400,000 TO ANALYZE THE SECTIONS IDENTIFIED FOR FUTURE STUDY IN THE CITY OF SAN PABLO BICYCLE AND PEDESTRIAN MASTER PLAN
- Recommendation:** Adopt Resolution
15. [#17-0436](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE EMERGENCY PROCUREMENT OF HVAC EQUIPMENT; (2) AWARDED THE BID TO MARINA MECHANICAL, INC. FOR THE PURCHASE OF A 20-TON "CARRIER" ROOFTOP COOLING UNIT, TO INCLUDE EQUIPMENT, HARDWARE, ancillary installation AND A ONE (1) YEAR WARRANTY, AT THE POLICE DEPARTMENT IN THE AMOUNT OF \$58,424 INCLUDING A 15% CONTINGENCY FOR \$67,188 USING EXISTING BUDGET RESOURCES FROM THE FY 2017/18 POLICE DEPARTMENT PROFESSIONAL SERVICES LINE ITEM (100-2110-43600); AND (3) AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARINA MECHANICAL
- Recommendation:** Adopt Resolution

16. [#17-0419](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING THE EXECUTION OF A TERMINATION AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY BY AND BETWEEN THE CITY OF SAN PABLO AND CAPITAL PARTNERS DEVELOPMENT COMPANY; AUTHORIZING STAFF TO BEGIN THE DESIGN BUILD PROCESS FOR THE CONSTRUCTION OF THE NEW CITY HALL; AND RATIFYING AUTHORIZATION OF THE RELEASE OF A REQUEST FOR QUALIFICATIONS FOR POTENTIAL DESIGN-BUILD ENTITIES

**Recommendation:** Adopt Resolution

17. [#17-0425](#) PROPOSED 2018 CALENDAR OF CITY COUNCIL / LOCAL SUCCESSOR AGENCY MEETING DATES

**Recommendation:** Approve by Minute Order

### **BOARDS AND COMMISSIONS**

18. [#17-0433](#) BOARDS AND COMMISSIONS - REQUEST FOR RENEWAL OF TERM AND REAPPOINTMENT OF CURRENT MEMBER GERALDINE SANCHEZ TO ADVISORY COMMITTEE ON AGING (TWO VACANCIES)

**Recommendation:** Renew two-year term of Geraldine Sanchez

**\*\*\*\*END OF CONSENT CALENDAR\*\*\***

### **PUBLIC HEARINGS**

19. [#17-0416](#) PUBLIC HEARING ON ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING THE ZONING ORDINANCE CHAPTER 17.63 RELATING TO ART IN PUBLIC PLACES

**Recommendation:** Conduct public hearing; waive first reading; introduce Ordinance

### **ORDINANCES**

20. [#17-0424](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING SECTION 1.16.020 OF THE SAN PABLO MUNICIPAL CODE REGARDING POSTING OF NOTICES; AMENDING SECTIONS 2.04.030 AND 2.04.050 REGARDING CITY MANAGER REQUIREMENTS; REPEALING CHAPTER 2.64, "DESIGN REVIEW COMMITTEE;" AND AMENDING SECTIONS 3.04.040 AND 3.04.060 REGARDING THE TERM OF THE BUDGET

**Recommendation:** Waive first reading; introduce Ordinance

**MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS**

*(Approved by Resolution 2017-015)*

*Informational reports from Councilmember representatives to the following committees, commissions and organizations; brief reports on meetings attended at the expense of the City or Agency, as required by Government Code section 53232.3(d) (AB 1234); and other reports regarding items of general interest to the City Council. The City Council may take action on other items of interest that are specifically agendaized herein:*

**(a) Mayor Cecilia Valdez**

*Memberships: Contra Costa College Foundation Board (Primary); Sister City Committee (Alternate); West Contra Costa Mayors/Supervisors Association (Primary); West Contra Costa Transportation Advisory Committee (Primary); West County Integrated Waste Management/RecycleMore JPA (Primary)*  
*Standing Committee: Budget, Fiscal & Legislative*  
*Ad-Hoc Subcommittee: New City Hall/Existing Civic Center Development*

**(b) Vice Mayor Genoveva Calloway**

*Memberships: Association of Bay Area Governments (Alternate); Sister City Committee (Primary); SPEDC Board of Directors; San Pablo Oversight Board (City Representative); West County Mayors/Supervisors Association (Alternate)*  
*Standing Committees: Community Services; Public Safety*  
*Ad-Hoc Subcommittee: Project Labor/Local Hire*

**(c) Councilmember Paul V. Morris**

*Memberships: East Bay Regional Communications System Authority (Board Member); League of California Cities/Public Safety Policy Committee; San Pablo Community Grant Review Committee; West County Integrated Waste Management/RecycleMore JPA (Alternate)*  
*Standing Committees: Community Services; Public Safety*  
*Ad-Hoc Subcommittee: New City Hall/Existing Civic Center Development*

**(d) Councilmember Rich Kinney**

*Memberships: Association of Bay Area Governments (Primary); Contra Costa Hazardous Materials Commission (Alternate); League of California Cities/East Bay Division (Primary); West Contra Costa Transportation Advisory Committee (Alternate); Marin Clean Energy Board of Directors Member (Alternate)*  
*Standing Committees: Budget, Fiscal & Legislative; Economic Development & Project Management*

**(e) Councilmember Arturo Cruz**

*Memberships: League of California Cities East Bay League Division (Alternate); Marin Clean Energy Board of Directors (Primary); San Pablo Community Grant Review Committee*  
*Standing Committee: Economic Development & Project Management*  
*Ad-Hoc Subcommittee: Project Labor/Local Hire*

**ADJOURNMENT**

*Adjourn to Monday, November 6, 2017 at 6:00 pm in memory of Toribia Peredo, mother of IT Technician Alan Peredo; Morris David Gannon, father of Ben Gannon, City Council scholarship recipient who attends North Dakota State University; and all victims and their families of the Las Vegas Shooting on October 1, 2017.*