



City of San Pablo

Council Chambers
1000 Gateway Avenue
San Pablo, CA 94806
(510) 215-3000
www.SanPabloCA.gov

Meeting Agenda

City Council

Mayor Abel Pineda
Vice Mayor Patricia Ponce
Councilmember Arturo Cruz
Councilmember Elizabeth Pabon-Alvarado
Councilmember Rita Xavier

Monday, September 11, 2023

5:00 PM

City Council Chambers

Access the meeting remotely by using this URL
<https://us02web.zoom.us/j/83708212256>

Special Meeting and Closed Session Meeting

Teleconference Location for Mayor Abel Pineda
(Pursuant to Government Code Section 54953(b))
1000 Gateway Avenue, Council Office
San Pablo, CA 94806

The agenda will be posted at the remote location, and the teleconference location will be accessible to the public.

NOTICE:

Members of the public may attend the meeting in any following ways:

- *In-person at the Council Chambers at 1000 Gateway Ave, San Pablo, CA (as well as any additional in-person location that may be listed above);*
- *By Zoom by visiting <https://us02web.zoom.us/j/83708212256> ; or*
- *By phone at 1-669-444-9171 or 1-669-900-6833 (San Jose); and entering Webinar ID: 837 0821 2256.*
- *The public can also view the meeting during livestream online at <https://sanpablo.legistar.com/Calendar.aspx>*

If you are attending in-person, we ask that all cell phones be turned off or silenced during the meeting.

PUBLIC COMMENT:

At each meeting, the public has the opportunity to address the City Council on items appearing on the agenda and, for items not appearing on the agenda but within the purview of the City Council, during ORAL COMMUNICATIONS. Persons addressing the Council must limit their remarks to three (3) minutes unless an extension or decrease of time is set. As allowed by the Brown Act, the Mayor may limit the total time for public comments to facilitate the completion of business on the agenda.

- **IN-PERSON PUBLIC COMMENT:**

Any person wishing to make such address Council should first complete and deliver a "Speaker Form" available at the speaker's podium and submit it to the City Clerk identifying the agenda item. The Mayor will invite you to speak at the appropriate time when the matter is being considered.

- **REMOTE PUBLIC COMMENT:**

Members of the public participating remotely may provide public comment during the meeting in the following ways:

- **Web:** <https://us02web.zoom.us/j/83708212256> (Participate via Zoom and “raise hand” by selecting the virtual hand icon in the Zoom platform when the item is called. City staff will activate the speaker’s microphone when the speaker’s name is called. The speaker will need to unmute themselves. Council will not consider comments made in the chat function of the Zoom platform.)

- **Telephone:** Dial Or by phone 1-669-444-9171 or 1-669-900-6833 (San Jose),
Enter Webinar ID: 837 0821 2256 (press *9 to raise/lower hand; press *6 to mute/unmute)

- **WRITTEN PUBLIC COMMENT:**

Public comments may also be submitted via email to CityClerk@SanPabloCA.gov. Each email must contain in the subject line “PUBLIC COMMENTS NOT ON THE AGENDA” [or] “PUBLIC COMMENTS AGENDA ITEM No. ___”. Written comments received by 12:00 noon on the Thursday prior to the meeting will be provided in advance to the City Council and posted online with the agenda materials. During the meeting, the public may provide written public comments via email to CityClerk@SanPabloCA.gov. All written comments received after noon the Thursday prior to the meeting will be read into the record before Council consideration of the item and will be limited to the same time allowed for other public comments. Comments that do not conform to the City Council’s rules of decorum may be summarized rather than read verbatim.

Please note that all information provided in public comments including phone number called with, email addresses and any other personal information written or stated is subject to disclosure on the broadcast of the video- or tele-conferenced meeting.

AGENDA MATERIALS

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, 1000 Gateway Avenue, San Pablo. The full agenda packet may also be viewed on the City website at <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-Comm-AgendasMin>

AMERICANS WITH DISABILITIES ACT:

In accordance with the Americans with Disabilities Act and Brown Act, individuals with disabilities requiring reasonable accommodations, including auxiliary aids or services, in order to participate in the meeting should submit a completed Meeting Accommodation Request Form by email to CityClerk@SanPabloCA.gov, with “Accommodation Request” listed in the subject line of the email.

Alternatively, completed Meeting Accommodation Request Forms may be submitted to the City Clerk’s Office at City Hall, 1000 Gateway Avenue, San Pablo, CA 94806. Meeting Accommodation Request Forms may be found at

<https://www.sanpabloca.gov/DocumentCenter/View/15988/FRM-Meeting-Accommodation-Request-Form-FINAL-020823>, or requested by email to CityClerk@SanPabloCA.gov, or by phone at (510) 215-3000.

Meeting accommodation requests should be submitted to the City as soon possible. The City will attempt to resolve before the meeting begins all accommodation requests received by 10 a.m. on the day of the meeting.

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

REMOTE PARTICIPATION UNDER AB 2449

Consider and take action on any request from a Councilmember to participate in a meeting remotely due to Just Cause or Emergency Circumstances pursuant to AB 2449 (Government Code Section 54953(f)).

ORAL COMMUNICATIONS

This is the time for comments on any item within the Council's subject matter jurisdiction, if such item is NOT listed on today's agenda. The Council 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 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.

CLOSED SESSION

1. [23-352](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Govt. Code sections
54956.9(d)(2) and 54956.9(e)(3): 1 potential case

The attached document sets forth the existing facts and circumstances for the closed session.

2. [23-328](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code section
54956.9 (d)(2) and (e)(5): 13 potential cases.

The attached document sets forth the existing facts and circumstances for the closed session.

3. [23-375](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Potential initiation of litigation pursuant to Government Code section
54956.9 (d)(4): 4 potential cases.

4. [23-263](#) CLOSED SESSION
Pursuant to Gov't Code section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager (continued from 07/17/2023)

Reconvene to Open Session

ROLL CALL

REPORT ON CLOSED SESSION

SUPPLEMENTAL MATERIALS (IF ANY)

4. [23-371](#) MATERIALS SUBMITTED AFTER PUBLICATION OF THE AGENDA WILL BE APPENDED AFTER THE COUNCIL MEETING. THIS IS NOT AN ACTION ITEM BUT MERELY A MECHANISM FOR MATERIALS SUBMITTED AFTER PUBLICATION OF THE AGENDA TO BE APPENDED TO THE PUBLISHED AGENDA AFTER THE COUNCIL MEETING.

ADJOURNMENT

Adjourn to Monday, September 18, 2023 at 6:00 pm.