



Minutes of the Regular Meeting of the San Pablo City Council

Monday, April 15, 2019

ROLL CALL

The meeting convened in the Council Chambers at 5:00 pm. Present in the Council Chambers were Mayor Rich Kinney and Councilmembers Elizabeth Pabon-Alvarado, Rita Xavier and Abel Pineda. It was confirmed that Vice Mayor Arturo Cruz was participating via teleconference and that the notice was posted at his location a minimum of 72 hours prior to the meeting. No members of the public were present at the teleconference location desiring to participate in the meeting. Also present were City Manager Matt Rodriguez, City Attorney Lynn Tracy Nerland and Deputy City Clerk Leahy Corbin.

Cordell Hindler spoke on the Closed Session item #3 with thoughts on how the property at 2600 Moraga Road could be developed. City Attorney announced the matters be discussed on Closed Session. The meeting recessed to the Council Conference Room at 5:02 pm.

CLOSED SESSION

1. CLOSED SESSION (#19-155)
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Gov't Code Section 54956.8:
PROPERTY: Willow Mobile Home Park, 2885 Willow Road, San Pablo
AGENCY NEGOTIATORS: Matt Rodriguez, Charles Ching, C. Nicole Murphy of Murphy & Associates PC
NEGOTIATING PARTIES: Roman Catholic Bishop of Oakland, a corporation;
Creekside Village Manufactured Housing Community;
UNDER NEGOTIATION: Price and terms of payment: Existing Lease Agreement between the City of San Pablo and the Roman Catholic Bishop of Oakland; and agreement/real property covenants with Creekside Village Manufactured Housing Community
2. CLOSED SESSION (#19-152)
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:
Anticipated litigation against the City of San Pablo pursuant to California Government Code Sections 54956.9(d)(2) and 54956.95: Kiran K. Solanki and/or Ohmsai Investment, Inc.
3. CLOSED SESSION (#19-156)
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Gov't Code Section 54956.8:
PROPERTY: 2600 Moraga Road, San Pablo, CA 94806 (APN 416-140-050)
AGENCY NEGOTIATORS: Matt Rodriguez, Reina Schwartz, Charles Ching
NEGOTIATING PARTIES: Mulholland Drive Company; The Pacific Companies, Brookfield Bay Area Holdings LLC
UNDER NEGOTIATION: Price and terms of payment for disposition of property

ROLL CALL

The meeting reconvened in the Council Chambers at 6:05 pm. Present were Mayor Rich Kinney and Councilmembers Elizabeth Pabon-Alvarado, Rita Xavier and Abel Pineda. It was confirmed that Vice Mayor Arturo Cruz was participating via teleconference and that the notice was posted at his location a minimum of 72 hours prior to the meeting. No members of the public were present at the teleconference location desiring to participate in the meeting. Also present were City Manager Matt Rodriguez, City Attorney Lynn Tracy Nerland, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Public Works Director/Civil Engineer Jill Mercurio, City Treasurer Viviana Toledo, City Clerk Patricia Ponce, and Executive Assistant LaTanya Fisher.

City Attorney Nerland reported on the Closed Session matters:

- Item 1. No action taken regarding real property negotiations related to Willow Mobile Home Park as the – item is scheduled as an open agenda item for the Council to take action during meeting.
- Item 2. The City Council provided direction to enter into a three-month tolling agreement with Kiran K. Solanki and/or Ohmsai Investment, Inc. regarding their pending claim.
- Item 3. City Council gave direction to real property negotiators to negotiate an agreement for the sale and disposition of 2600 Moraga Road.

ORAL COMMUNICATIONS

Cordell Hindler asked the City Council to consider (1) inviting Andy Katz regarding keeping Alta Bates Hospital from closing; (2) invite representatives from East Bay MUD to give an update on water utilities. San Pablo Youth Commission member Valentino Cooper reported that their first quarterly newsletter is available. Janet Pottier spoke about recent Muslim killings in Nigeria.

PRESENTATIONS

4. Marcus Walton, WCCUSD Director of Communications, provided an update presentation on Transition to Trustee Area Elections in West Contra Costa Unified School District (#19-126)
5. Michelle Stephens, Economic Development Manager of CALED, and Karen Rich, Board Advisor from USDA Real Development, provided Council with an award of merit from California Association of Local Economic Development under the category of Economic Development Collaborations for the new Women, Infant And Children (WIC) Building (#19-160)

CITY MANAGER REMARKS

City Manager reported on the following:

- FY 2019/20 San Pablo Community Foundation Grant
- Acknowledged the Community Services Department on a successful Spring Eggstravaganza on April 13
- Acknowledged the Public Works Department on a successful Dumpster Day on April 13
- Police Department Community events – April 17, 23rd Street Merchants Association Business Watch meeting and on April 13 Coffee with a Cop event.

CONSENT CALENDAR

Councilmember Pabon-Alvarado recused herself from item #12 based on board membership with the San Pablo-Manzanillo Sister City Committee. Mayor Kinney requested items #12 and #14 be pulled from Consent Calendar for separate discussion.

Councilmember Pineda moved to adopt all items on Consent Calendar; however, Mayor Kinney reminded the Council that items #12 and #14 were pulled for separate discussion.

It was moved by Councilmember Pabon-Alvarado, seconded by Councilmember Xavier and unanimously approved to adopt items on Consent Calendar and consider items #12 and #14 separately.

MINUTES

6. By adoption of the Consent Calendar, the Minutes of the meeting of April 1, 2019 were approved. (#19-136)

PERIODIC REPORTS

7. By adoption of the Consent Calendar, the Vendor Check Register Report for the month of March 2019 was approved. (#19-161)
8. By adoption of the Consent Calendar, Investment Report/Treasurer's Report for the month of March 2019 was received and filed. (#19-144)
9. By adoption of the Consent Calendar, the 3rd Quarter Budget Report for Fiscal Year ending June 30, 2019 was received and filed. (#19-145)

PROCLAMATIONS

10. By adoption of the Consent Calendar, request for issuance of Proclamation recognizing April 2019 as National Sexual Assault Awareness Month was approved (#19-133)

MISCELLANEOUS

11. By adoption of the Consent Calendar, **Resolution 2019-051** was adopted, a Resolution of the City Council of the City of San Pablo declaring certain Police Department vehicles as surplus Property and authorizing the disposal of the Ford Crown Victoria pursuant to San Pablo Municipal Code Section 3.16.120 and donation of the Ford Van to Contra Costa College Automotive Program (#19-095)
12. This item was pulled for separate discussion. The Mayor commented on costs for the event and the Sister City Committee. It was moved by Mayor Kinney, seconded by Councilmember Pineda, and passed by vote to adopt **Resolution 2019-052**, a Resolution of the City Council of the City of San Pablo Authorizing (1) the temporary closure of streets for the 2019 Cinco de Mayo Peace & Unity Parade and St. Paul's Festival; (2) Waiver of Traffic Control Fees; (3) Provision of Police, Recreation and Public Works staff to Support the event; (4) Provision of a \$7,000 Event Sponsorship; and (5) Designation of the City of San Pablo-Manzanillo Sister City Committee as Fiscal Agent. The motion passed as follows: (#19-107)
AYES: Pineda, Xavier, Cruz and Kinney

NOES: None

ABSENT: None

RECUSED for Conflict of Interest: Pabon-Alvarado

13. By adoption of the Consent Calendar, **Resolution 2019-053** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City through the Public Works Department to apply for the State Coastal Conservancy Proposition one grant for Rumrill Boulevard Complete Streets Project and authorizing the City Manager to execute the grant application and any necessary agreements related to this grant application (#19-139)
14. This item was pulled for separate discussion. Mayor Kinney asked for clarification. It was moved by Councilmember Pineda, seconded by Councilmember Xavier, and unanimously approved to adopt **Resolution 2019-054**, a Resolution of the City Council of the City of San Pablo authorizing the Mayor to sign the "Why Join" letter supporting the cleaner Contra Costa Challenge Online Sustainability Engagement Platform. The motion passed as follows: (#19-149)
AYES: Pineda, Xavier, Pabon-Alvarado, Cruz and Kinney
NOES: None
ABSENT: None
ABSTAIN: None
15. By adoption of the Consent Calendar, **Resolution 2019-055** was adopted, a Resolution of the City Council of the City of San Pablo (1) declaring 3M ALPR camera equipment as surplus property; (2) authorizing entering into an agreement with the City of Piedmont Police Department for the sale of the usable 3M ALPR camera equipment pursuant to San Pablo Municipal Code Section 3.16.120; (3) authorizing entering into an agreement with the City of Grover Beach Police Department for the sale of previously surplused VIEVU BWC equipment pursuant to San Pablo Municipal Code Section 3.16.120; (4) accept the revenue into the General Fund; and (5) appropriate the revenue to a spendable account in the Police Department's General Fund Budget (100-2110-43600).(#19-143)
16. By adoption of the Consent Calendar, **Resolution 2019-056** was adopted, a Resolution of the City Council of the City of San Pablo (1) identifying FY 2018/19 Pavement Repair Project as Senate Bill 1 (SB1) Road Repair and Accountability Act Maintenance-of-Effort Project in an amount equal to or greater than \$464,941; (2) Approving and adopting the plans and specifications for the FY 2018/19 Pavement Repair Project; (3) awarding a contract for the FY 2018/19 Pavement Repair Project and authorizing the City Manager to execute an agreement with Bay Cities Paving & Grading, Inc. in the amount of \$1,206,109 with a 15% contingency for a total contract authorization of \$1,387,025; and (4) appropriating \$830,138 from three sources to the Annual Pavement Rehabilitation Program (#19-157)
17. By adoption of the Consent Calendar, **Resolution 2019-057** was adopted, a Resolution of the City Council of the City of San Pablo approving the Request for Proposals for Programs and Services for Childhood Obesity Prevention for Fiscal Year 2019/20. (#19-158)

CITY COUNCIL CONSIDERATION/AUTHORIZATION

18. By adoption of the Consent Calendar, City Council authorized by minute order to set a Public Hearing for May 20, 2019 by Minute Order to review the Proposed Mid-Cycle Updates to the FY 2018-21 Quadrennial Operating Budget and the FY 2018-21 CIP Budget (#19-134)
19. By adoption of the Consent Calendar, City Council authorized by minute order to execute a Letter of Support of the Bay Area Regional Energy Network (BAYREN) to the California Public Utilities Commission for Residential Energy Efficiency Programs and City staff training programs (#19-148)
20. By adoption of the Consent Calendar, City Council authorized by minute order to direct the City Manager to proceed with issuance of a Request for Proposals for Contract Services for Enhanced Social Media Network Services for all City Informational, Marketing, and Promotional Programs for FY 2019/20 (#19-151)

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

RESOLUTIONS

21. City Manager Rodriguez introduced the item and Community & Economic Development Director Charles Ching, who provided a PowerPoint presentation on the item regarding release of the City's lease for Willow Mobile Home Park. It was moved by Councilmember Pabon-Alvarado, seconded by Councilmember Xavier and unanimously passed to adopt **Resolution 2019-058**, a Resolution of the City Council of the City of San Pablo approving and authorizing Execution of an Agreement regarding Willow Mobile Home Park with Creekside Village MHC, LLC, Releasing the City's Master Lease, Conveying six City-Owned mobile homes upon certain conditions and all necessary related actions (#19-153)

CITY COUNCIL DISCUSSION

22. City Manager Rodriguez introduced and provided background on the item. It was moved by Mayor Kinney, seconded by Councilmember Xavier, and unanimously passed to not establish a San Pablo Beautification Board and direct staff to work on implementing a beautification program (#19-105)
23. City Manager Rodriguez introduced and provided background on the item related to a Proclamation for the National Day of Prayer on May 2, 2019.
The following speakers spoke in favor: Britne LaVergne.
The following speakers spoke against: Sherry Stanley, Genoveva Calloway, Cecilia Valdez, Cheryl Rudolph and Consuelo Lara
It was moved by Mayor Kinney, seconded by Councilmember Pabon-Alvarado, to issue of the Proclamation for the National Day of Prayer for May 2, 2019. The motion passed as follows: (#19-146)
AYES: Kinney and Pabon-Alvarado
NOES: Xavier, Pineda and Cruz
ABSENT: None
ABSTAIN: None

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

Mayor and City Council reported on their recent activities. In addition, it was announced that a “Senior Scam Stopper” event was being held on April 26, 2019.

ADJOURNMENT

The meeting adjourned at 7:47 pm to Monday, May 6, 2019 at 6:00 pm, in memory of Charles H. Braga, former San Pablo Maintenance Supervisor, Reverend James Matthews, long-time pastor of St. Benedict Church in Oakland, and former San Pablo City Mayor/Councilmember Leonard McNeil.

Respectfully submitted,

Patricia Ponce, City Clerk

Rich Kinney, Mayor