

RESOLUTION 2024-052

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) APPROVING UPDATED MEASURE K AND MEASURE S CITIZENS OVERSIGHT COMMITTEE PROCEDURES; (2) CONFIRMING CURRENT APPOINTMENTS AND RESETTING THE TERMS OF CURRENT MEASURE K AND MEASURE S OVERSIGHT COMMITTEE MEMBERS; AND (3) AUTHORIZING THE CITY MANAGER TO RECRUIT OVERSIGHT COMMITTEE MEMBERS TO FILL CURRENT VACANCIES

WHEREAS, on June 3, 2014, the voters of the City of San Pablo adopted Ordinance 2014-007 establishing the "San Pablo Emergency Medical Services Transactions and Use Tax" which is codified in Title 3, Chapter 3.26 of the San Pablo Municipal Code ("Measure K");

WHEREAS, on November 3, 2020, the voters of the City of San Pablo adopted Ordinance 2020-009 extending the "San Pablo Transactions and Use Tax" previously established by Measure Q and codified in Title 3, Chapter 3.25 of the San Pablo Municipal Code (Measure S);

WHEREAS, both Measure K and Measure S require that the City Council establish a Citizens Oversight Committee to review and report on the receipt of revenues and expenditure of funds from the taxes authorized by Measure K and Measure S;

WHEREAS, the City has previously adopted procedures governing the establishment and operations of both the Measure K and the Measure S Citizens Oversight Committees (each a "Committee" and together the "Committees");

WHEREAS, the efficient operation and functioning of the Measure K and Measure S Citizens Oversight Committees supports several of the major policy goals contained in the adopted FY 2023-25 Council Priority Workplan, as amended May 1, 2023;

WHEREAS, the City Council desires to update the procedures governing the Oversight Committees, including resetting the terms of the three (3) current Measure K and Measure S Committee members to provide for indefinite terms of service, until any such Committee member resigns, is removed by majority vote of the City Council, is replaced by the appointment of a successor, or is otherwise unable to serve; and

WHEREAS, the City Council desires that the City Manager undertake the recruitment of additional Committee members to fill the two (2) current vacancies on each Committee.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings;

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo approves the revised "Measure K and Measure S Citizens Oversight Committee Procedures" dated April 15, 2024, which are incorporated herein by reference as Exhibit A;

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo confirms the current appointments of Genoveva Calloway, Dr. Raynato Castro, and Dorothy Gantt to the Measure K and Measure S Citizens Oversight Committees, and resets the terms for these three (3) current Committee members to provide for indefinite terms of service, until any such Committee member resigns, is removed by majority vote of the City Council, is replaced by the appointment of a successor, or is otherwise unable to serve; and

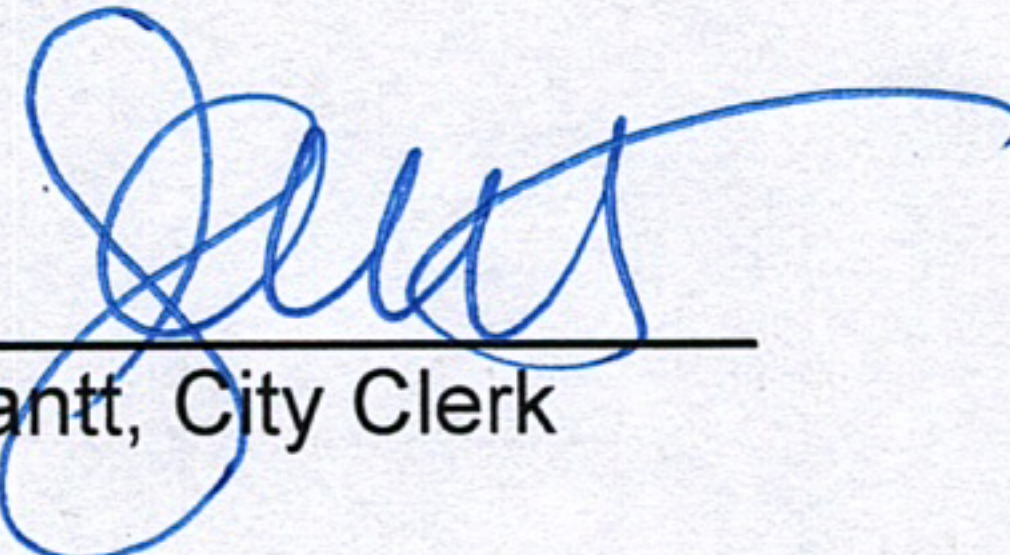
BE IT FURTHER RESOLVED that the City Council of the City of San Pablo authorizes the City Manager undertake the recruitment of additional Committee members to fill the two (2) current vacancies on each Committee.

* * * * *

ADOPTED this 15th day of April 2024, by the following votes:

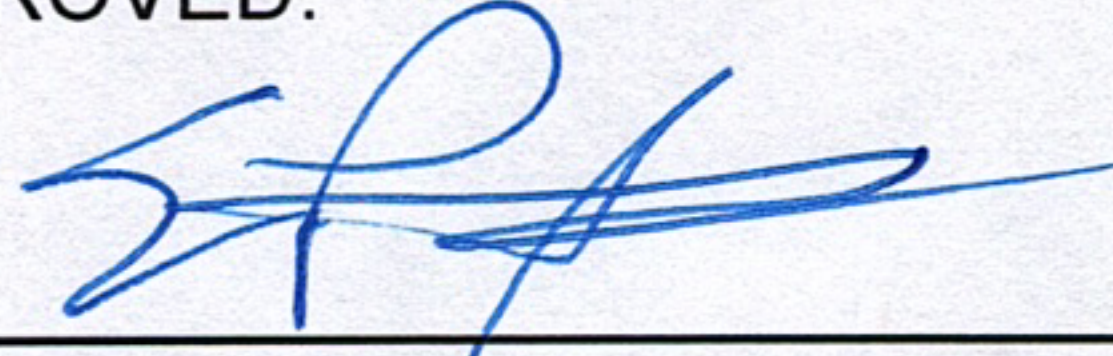
AYES:	COUNCILMEMBERS:	Pineda, Xavier and Pabon-Alvarado
NOES:	COUNCILMEMBERS:	
ABSENT:	COUNCILMEMBERS:	Cruz and Ponce
ABSTAIN:	COUNCILMEMBERS:	

ATTEST:



Dorothy Gantt, City Clerk

APPROVED:



Elizabeth Pabon-Alvarado, Councilmember



MEASURE K AND MEASURE S CITIZENS OVERSIGHT COMMITTEE PROCEDURES (revised April 15, 2024)

Purpose

On June 3, 2014, the voters of the City of San Pablo adopted Ordinance 2014-007 establishing the “San Pablo Emergency Medical Services Transactions and Use Tax” which is codified in Title 3, Chapter 3.26 of the San Pablo Municipal Code (“**Measure K**”). On November 3, 2020, the voters of the City of San Pablo adopted Ordinance 2020-009 extending the “San Pablo Transactions and Use Tax” previously established by Measure Q and codified in Title 3, Chapter 3.25 of the San Pablo Municipal Code (“**Measure S**”).

Both Measure K and Measure S require that the City Council establish a Citizens Oversight Committee. The procedures set forth below shall govern the establishment and operations of both the Measure K and the Measure S Citizens Oversight Committees (each a “**Committee**” and together the “**Committees**”).

Membership

Each Committee shall consist of five (5) members. All Committee members shall be either San Pablo residents or representatives of San Pablo businesses, and shall not be full-time employees of the City of San Pablo. At the discretion of the City Council, any member may be permitted to serve on both Committees at the same time and, in the event both Committees have overlapping membership, the Committees are authorized to undertake their duties in a coordinated manner.

Appointment and Term

All Committee members shall be appointed by majority vote of the City Council. Committee members shall serve at the pleasure of the City Council for an indefinite term, and until such time as any such Committee member resigns, is removed by majority vote of the City Council, is replaced by the appointment of a successor, or is otherwise unable to serve. In the event of resignation, removal, replacement, or incapacity, the City Council may appoint a person to fill the vacant seat at any time. The City will solicit Committee members through an open application process consistent with the City’s normal recruiting procedures.

Duties

Consistent with Ordinance 2014-007 (Measure K) and Ordinance 2020-009 (Measure S), each Committee shall have the following duties with respect to its applicable tax measure:

- (a) To review and report on the receipt of revenues and expenditure of funds from the taxes authorized by Measure K and/or Measure S;
- (b) To review the annual auditor’s reports and make recommendations to the City Council for use of the Measure K and/or Measure S tax revenues; and

- (c) To issue an annual report on the Committee's findings and recommendations (which may consist of a joint Measure K / Measure S report) to the City Council at a public meeting so that the City Council can consider such information in connection with the annual budget process.

Each Committee shall serve in an advisory-only role to the City Council, and shall confine its oversight specifically to revenues and expenditures generated by Measure K and Measure S respectively. The Committees shall have no jurisdiction other than that delegated to them by the people pursuant to Ordinance 2014-007 (Measure K) and Ordinance 2020-009 (Measure S). The failure of a Committee to carry out any of its duties hereunder shall not affect the validity of Chapters 3.26 (Measure K) and 3.25 (Measure S) of the San Pablo Municipal Code. The Committee's reports and recommendations shall be a matter of public record.

The City Manager, or his or her designee, shall provide any reasonable administrative or technical assistance required by the Committees to fulfill their responsibilities or publicize their findings.

Meetings

Each Committee shall meet at least annually, with specific meeting dates to be determined by the Committee. Committee meetings are subject to the requirements of the Ralph M. Brown Act (Government Code Section 54950 et. seq., as may be amended from time to time). Meetings must be noticed and open to the public. Additional meetings may be scheduled by a Committee as necessary. All Committee members shall attend a training and orientation session upon commencing their duties.

Attendance

At the first meeting of each calendar year, each Committee will select members to serve as chair and vice chair of the Committee. A City staff person will be assigned by the City Manager or his or her designee to serve as Secretary. The Secretary will be responsible for preparing, posting, and distributing agendas and taking minutes at each Committee meeting. Approved minutes shall be made available to the public. Committee decisions, positions, findings and procedures shall require a simple majority of those members voting.