



# City of San Pablo

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

## Meeting Agenda

### City Council

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

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**Monday, April 15, 2024**

**6:00 PM**

**City Council Chambers**  
**Members of the public may view this meeting**  
**online by using this URL**  
**<https://us02web.zoom.us/j/83708212256>**

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#### **\*IMPORTANT NOTICE ABOUT PUBLIC COMMENTS AND MEETING PARTICIPATION\***

#### **NOTICE:**

*Members of the public are invited to attend the meeting in-person at Council Chambers.*

*Members of the public may also view the meeting on online at <https://us02web.zoom.us/j/83708212256> or during livestream online at <https://sanpablo.legistar.com/Calendar.aspx>.*

*Please note the following temporary change to the City's public comment procedures: Public comment by zoom or telephone will not be accepted. Public comment may be provided only in-person in Council Chambers or via email as set forth below.*

#### **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.*

- **WRITTEN PUBLIC COMMENT:**

*Public comments may also be submitted via email to [CityClerk@SanPabloCA.gov](mailto: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 day of 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](mailto:CityClerk@SanPabloCA.gov). All written comments received after noon the day of the meeting will not be read out loud and will be provided directly to the members upon receipt and distributed with supplemental materials following the meeting.*

*Please note that all information provided in public comments, including 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](mailto: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](mailto: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

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **REPORT ON CLOSED SESSION**

## **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 tonight'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.

## **CEREMONIAL MATTERS**

## **PRESENTATIONS**

1. [23-460](#) UC BERKELEY PUBLIC SERVICE INTERNSHIP ANNUAL PRESENTATION

**Recommendation:** For Informational Purposes Only

## **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**

2. [24-148](#) CONSIDER APPROVING MINUTES OF THE MEETING OF APRIL 1, 2024

CEQA: This is not a project as defined by CEQA.

**Recommendation:** Approve by Minute Order

**CLAIMS**

3. [24-147](#) CONSIDER DENYING LIABILITY CLAIM OF OSCAR AGUIRRE (DOL 11/11/23)

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Deny the claim per the recommendation of the Municipal Pooling Authority (MPA), the City's joint risk pool.

**PROCLAMATIONS**

4. [24-122](#) CONSIDER REQUEST FOR ISSUANCE OF PROCLAMATION RECOGNIZING WEDNESDAY, MAY 15, 2024 AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK IN WHICH IT FALLS AS NATIONAL POLICE WEEK

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Approve by Minute Order

5. [24-157](#) CONSIDER REQUEST FOR ISSUANCE OF PROCLAMATION RECOGNIZING CHEF NADER SHARKES, C.E.C., FOR HIS DISTINGUISHED CONTRIBUTIONS TO CULINARY EDUCATION AND PHILANTHROPY THROUGH THE CULINARY STUDENT STUDY ABROAD PROGRAM

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Approve by Minute Order

**CITY COUNCIL AUTHORIZATION**

6. [24-144](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROPRIATE FUNDS FROM PARATRANSIT MEASURE J FUND BALANCE IN THE AMOUNT OF \$9,773.80 TO PARTIALLY FUND THE PURCHASE OF ONE (1) FUEL MANAGEMENT SYSTEM

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

7. [24-145](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AND TRADE SERVICES AGREEMENT WITH JASON ORTIZ DBA TRIPLE J MAINTENANCE FOR JANITORIAL SERVICES FOR PUBLIC OUTDOOR PARK RESTROOMS IN AN AMOUNT NOT TO EXCEED \$36,706 PER FISCAL YEAR, AND A TOTAL AUTHORIZATION AMOUNT NOT TO EXCEED \$176,345 OVER THE FIVE-YEAR TERM

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

8. [24-149](#) CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RESTATEMENT AND AMENDMENT TO THE JOINT POWERS AGREEMENT FOR THE WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE

CEQA: Authorizing a joint powers agreement does not trigger CEQA since it is not a project per CEQA Guidelines Section 15378. This section of the CEQA Guidelines states that a project does not include continuing administrative or maintenance activities, or the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Recommendation:** Adopt Resolution

9. [24-154](#) CONSIDER EXTENDING THE TEMPORARY SUSPENSION OF REMOTE PUBLIC COMMENT BY ZOOM AND TELEPHONE FOR CITY COUNCIL AND PLANNING COMMISSION MEETINGS THROUGH OCTOBER 30, 2024

CEQA: This proposed action is not a project as defined by CEQA

**Recommendation:** Approve by Minute Order

10. [24-153](#) CONSIDER ADOPTING A RESOLUTION 1) SCHEDULING A SPECIAL CITY COUNCIL MEETING ON WEDNESDAY, MAY 1, 2024 FOR A PUBLIC HEARING TO REVIEW THE PROPOSED FY 2024/25 - FY 2026/27 TRIENNIAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN (CIP) BUDGET, 2) CANCELLING THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON JUNE 3, 2024, AND 4) SCHEDULING A SPECIAL CITY COUNCIL MEETING ON JUNE 10, 2024

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

11. [24-156](#) CONSIDER ADOPTION OF RESOLUTION AMENDING THE FISCAL RESILIENCY RESERVE POLICY (LAST REVISED ON JUNE 20, 2016) BY FORMALLY ESTABLISHING THREE (3) NEW INTERNAL SERVICE FUNDS (FUNDS: 130, 140 & 190) WITH A ONE-TIME APPROPRIATION FROM UNASSIGNED FUND BALANCE RESERVES FOR FY 2024-25 PERIOD ONLY, EFFECTIVE JULY 1, 2024

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

12. [24-158](#) CONSIDER ADOPTING RESOLUTION (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

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

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

## **PUBLIC HEARINGS**

13. [24-136](#) CONDUCT A PUBLIC HEARING UNDER THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT ("TEFRA") ON APRIL 15, 2024 IN CONNECTION WITH THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY (THE "CMFA"), A JOINT EXERCISE OF POWERS AUTHORITY AND PUBLIC ENTITY OF THE STATE OF CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$50,000,000, (THE "BONDS"), TO FINANCE AND REFINANCE THE COSTS OF THE ACQUISITION AND REHABILITATION OF AN 86-UNIT QUALIFIED RESIDENTIAL RENTAL PROJECT (THE "PROJECT") LOCATED AT 2838 GIANT ROAD WITHIN THE CITY (THE "PROJECT") AND CONSIDER ADOPTING RESOLUTION TO BECOME A MEMBER OF THE CMFA AND TO APPROVE THE FINANCING OF THE PROJECT BY THE CMFA.

CEQA: This proposed action is not a project as defined by CEQA

**Recommendation:** Conduct public hearing; adopt Resolution

## **CITY COUNCIL DISCUSSION/CONSIDERATION**

14. [24-116](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING (1) THE TEMPORARY CLOSURE OF STREETS FOR THE 2024 CINCO DE MAYO PEACE & UNITY PARADE; (2) WAIVER OF TRAFFIC CONTROL FEES; (3) PROVISION OF POLICE, COMMUNITY SERVICES, AND PUBLIC WORKS STAFF TO SUPPORT THE PARADE; (4) A ONE-TIME \$7,500 EVENT SPONSORSHIP; AND (5) DESIGNATING THE CITY OF SAN PABLO-MANZANILLO SISTER CITY COMMITTEE AS FISCAL AGENT

CEQA: This proposed action is not a project as defined by CEQA.

**Recommendation:** Adopt Resolution

### **SUPPLEMENTAL MATERIALS (IF ANY)**

15. [24-023](#) 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.

### **MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS**

*(Approved by Resolution 2022-013)*

*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 Patricia Ponce**

*Assignment/Memberships: Contra Costa Mayors' Conference (Primary); West Contra Costa Mayors' & Supervisors' Association (Primary); League of CA Cities East Bay League Division (Alternate); Marin Clean Energy Board of Directors (Alternate); San Pablo Economic Development Corporation Board of Directors (City Council Appointee); Sister City Manzanillo Future Board Member Designation (Primary); City Auditor Review of City Financial Statements (Alternate);*

*Standing Committees: Budget, Fiscal & Legislative; Economic Development, Housing & Project Management*

*Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe*

#### **(b) Vice Mayor Arturo Cruz**

*Assignment/Memberships: Association of Bay Area Governments (Alternate); Contra Costa Mayors' Conference (Alternate); West Contra Costa Mayors' & Supervisors' Association (Alternate); San Pablo Community Grant Foundation Board (Member);*

*Standing Committees: Budget, Fiscal & Legislative; Public Safety*

*Ad-Hoc Subcommittees: Smart 5G Policy Projects*

#### **(c) Councilmember Elizabeth Pabon-Alvarado**

*Assignment/Memberships: Marin Clean Energy Board of Directors (Primary); City Auditor Review of City Financial Statements (Primary);*

*Standing Committees: Budget, Fiscal & Legislative; Public Safety*

*Ad-Hoc Subcommittees:*

**(d) Councilmember Rita Xavier**

*Assignment/Memberships: Association of Bay Area Governments (Primary); League of CA Cities East Bay League Division (Primary); San Pablo Community Grant Foundation Board (Member); West County Integrated Waste Management/Recyclemore JPA Authority (Primary); West Contra Costa Transportation Advisory Committee (Primary);*

*Standing Committees: Public Safety*

*Ad-Hoc Subcommittees: Solid Waste & Recycling Agreements, Programs and Services*

**(e) Councilmember Abel Pineda**

*Assignment/Memberships: West County Integrated Waste Management/Recyclemore JPA Authority (Alternate); West Contra Costa Transportation Advisory Committee (Alternate);*

*Standing Committees: Community Services*

*Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; Smart 5G Policy Projects; Solid Waste & Recycling Agreements, Programs and Services*

**ADJOURNMENT**

*Adjourn to Monday, May 6, 2024 at 6:00 pm.*