



City of San Pablo

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

Meeting Agenda

City Council

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

Monday, July 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>

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. 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. 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, 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

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

No items scheduled.

PRESENTATIONS

No items scheduled.

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

1. [24-263](#) CONSIDER APPROVING MINUTES OF THE MEETING OF JULY 1, 2024

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

Recommendation: Approve by Minute Order

PERIODIC REPORTS

2. [24-076](#) CONSIDER APPROVING VENDOR CHECK REGISTER REPORT FOR THE MONTH OF JUNE 2024

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

Recommendation: Approve by Minute Order

CITY COUNCIL AUTHORIZATION

3. [24-214](#) CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO 1) PURCHASE TWO (2) 2024 DODGE DURANGO POLICE INTERCEPTOR VEHICLES AND FIVE (5) 2025 TOYOTA CAMRY HYBRID VEHICLES WITH EMERGENCY EQUIPMENT FOR A TOTAL COST NOT TO EXCEED \$360,816, USING COMPETITIVELY BID COOPERATIVE CONTRACTS, 2) AUTHORIZE FUNDS FOR THE PROPOSED VEHICLE PURCHASE TO BE ALLOCATED FROM THE ASSET & VEHICLE REPLACEMENT INTERNAL SERVICE FUND (140-2110-46300), AND 3) SELL POLICE DEPARTMENT VEHICLES AS SURPLUS PROPERTY AT PUBLIC AUCTION PURSUANT TO SAN PABLO MUNICIPAL CODE SECTION 3.16.120, WITH REVENUE FUNDS RECEIVED TO BE CREDITED TO THE FISCAL YEAR 2024-25 PD VEHICLE REPLACEMENT FUND ACCOUNT (102-2110-46300).

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

Recommendation: Adopt Resolution

4. [24-269](#) CONSIDER ADOPTING A RESOLUTION AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN FOR FY 2024-25 BY: (1) CREATING AND ADDING ONE (1) NEW FULL-TIME DIVISION MANAGER CLASSIFICATION OF ECONOMIC DEVELOPMENT AND HOUSING MANAGER IN THE CITY MANAGER'S OFFICE, AND (2) DELETING THE CLASSIFICATION AND REPLACING THE IMMINENT VACANCY OF ONE (1) FULL-TIME DIRECTOR OF ECONOMIC DEVELOPMENT, HOUSING AND SUSTAINABILITY POSITION WITH ONE VACANT FULL-TIME ASSISTANT CITY MANAGER POSITION IN THE CITY MANAGER'S OFFICE, AND (3) AUTHORIZING ONE FULL-TIME SENIOR ADMINISTRATIVE CLERK POSITION IN THE PUBLIC WORKS DEPARTMENT, WITH A TOTAL APPROPRIATION NOT TO EXCEED \$180,000 FROM FY 2024-25 CITY MANAGER OPERATING CONTINGENCY RESERVE (FUND 190)

Recommendation: Adopt Resolution

5. [24-271](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING AN EVENT SPONSORSHIP OF \$10,000 FOR THE 21st ANNUAL LYTTON CASINO GOLF TOURNAMENT AND FUNDRAISER TO BENEFIT LIFELONG MEDICAL CARE ON MONDAY, SEPTEMBER 9, 2024

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

Recommendation: Adopt Resolution

6. [24-273](#) CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DIRECTING THE CITY MANAGER TO EXPLORE THE FEASIBILITY AND TO PREPARE THE CITY-OWNED PROPERTY LOCATED ON SAN PABLO DAM ROAD WITH APN 420-040-013 FOR POTENTIAL DISPOSITION AND DEVELOPMENT.

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

Recommendation: Adopt Resolution

7. [24-274](#) CONSIDER ADOPTING RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ASSIGNMENT, ASSUMPTION AND MODIFICATION AGREEMENT WITH GIANT DEVELOPMENT, L.P., AND GIANT DEVELOPMENT II, LP, PROVIDING FOR THE RESTRUCTURING OF A LOAN MADE BY THE FORMER REDEVELOPMENT AGENCY TO ENABLE THE MAJOR REHABILITATION OF THE GIANT ROAD APARTMENTS

CEQA: A Mitigated Negative Declaration was prepared for the Giant Roads Apartment Project in November 2003 and circulated for review and comment. Comments were received and incorporated into a Mitigation and Monitoring Report subsequently adopted by the City Council. The Project applicant at that time complied with the Mitigation and Monitoring Report by preparing various environmental studies demonstrating that no significant impact would result from the Project. An addendum to the Mitigated Negative Declaration was then prepared, demonstrating that the Project would not result in significant environmental impacts. By City Council Resolution No. 2004-053, adopted on April 5, 2004, the City Council approved the addendum to the Mitigated Negative Declaration, acknowledged that the applicant had complied with the requirements of the Mitigation and Monitoring Report and found that there was no substantial evidence that the Project, as mitigated, would have a significant effect on the environment. The Project was completed and a certificate of occupancy was issued in August 2006. The proposed rehabilitation of the Project does not involve substantial changes or new information that would require the preparation of a subsequent environmental document in accordance with Section 15162 of the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.).

Recommendation: Adopt Resolution

8. [24-277](#) CONSIDER FORMAL CITY COUNCIL AUTHORIZATION TO ACTIVATE THE TEMPORARY AD-HOC SUBCOMMITTEE RELATED TO POLICY MATTERS REGARDING THE CASINO SAN PABLO/LYTTON RANCHERIA BAND OF POMO INDIANS FOR CALENDAR YEAR 2024 PURSUANT TO RALPH M. BROWN ACT REQUIREMENTS; AND RECOGNIZE THE PREVIOUS COUNCIL ASSIGNMENT OF MAYOR PATRICIA PONCE AND VICE MAYOR CRUZ PURSUANT TO ADOPTED RESOLUTION NO. 2024-007

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

Recommendation: Approve by Minute Order

9. [24-241](#) CONSIDER DESIGNATING VOTING DELEGATE AND VOTING DELEGATE ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BEING HELD IN LONG BEACH, CALIFORNIA, ON OCTOBER 16-18, 2024

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

Recommendation: Approve by Minute Order; designate Mayor Ponce as the Voting Delegate and City Attorney Hickey as the Alternate Voting Delegate.

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

PUBLIC HEARINGS

No items scheduled.

CITY COUNCIL DISCUSSION/CONSIDERATION

10. [24-268](#) CONSIDER ADOPTING RESOLUTION PLACING A MEASURE SEEKING TO IMPOSE A CANNABIS BUSINESS LICENSE TAX ON THE BALLOT FOR THE GENERAL MUNICIPAL ELECTION PREVIOUSLY CALLED FOR NOVEMBER 5, 2024

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

Recommendation: Adopt Resolution

11. [24-261](#) CONSIDER ADOPTING RESOLUTION (1) AMENDING THE FY 2023-25 COUNCIL PRIORITY WORKPLAN AS AMENDMENT NO. 7 UNDER MAJOR POLICY GOAL: FOCUS ON ECONOMIC DEVELOPMENT AND FISCAL DIVERSIFICATION, TO ADD POLICY NO. 415 - AUTHORIZE THE CITY MANAGER, AND DESIGNATED STAFF OR PARTIES, TO RE-ADDRESS THE CITY'S ADOPTED LOCAL HIRING AND OPPORTUNITY POLICY (ADOPTED VIA RESOLUTION 2018-023) TO EXPLORE POTENTIAL AGREEMENTS OR ORDINANCE AMENDMENTS TO EXPAND LOCAL EMPLOYMENT AND CONTRACTING REQUIREMENTS FOR VARIOUS TYPES OF CITY-SUPPORTED MAJOR PUBLIC PROJECTS AND SERVICE CONTRACTS; AND (2) FORMALLY ESTABLISHING A TEMPORARY, LIMITED TERM CITY COUNCIL AD-HOC SUBCOMMITTEE CONSISTING OF COUNCILMEMBERS PINEDA AND PABON-ALVARADO FOR THIS PURPOSE

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

Recommendation: Discuss and consider potential adoption of said Resolution

SUPPLEMENTAL MATERIALS (IF ANY)

12. [24-029](#) 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; External & Internal Technology Feasibility 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; External & Internal Technology Feasibility Projects

ADJOURNMENT

Adjourn to Monday, August 5, 2024 at 6:00 pm.