

RESOLUTION 2018-065

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE AMENDMENTS TO THE SAFETY COMMISSION BY-LAWS, INCLUDING ALLOWING NON-RESIDENT BUSINESS OWNERS TO SERVE ON THE COMMISSION AND CLARIFYING THE ROLE OF THE COMMISSION, AND (2) AUTHORIZING CURRENT NON-RESIDENT, NON-PROPERTY/BUSINESS OWNER, COMMISSIONER FRED REICHEL TO REMAIN ON THE SAFETY COMMISSION TO ENSURE A QUORUM FOR THE TRANSACTION OF BUSINESS UNTIL NEW COMMISSIONERS ARE APPOINTED

WHEREAS, Traffic Safety Program is an adopted policy item under the FY 2018-21 Council Priority Workplan, effective November 1, 2017;

WHEREAS, this proposed action is not a project under CEQA pursuant to Guidelines section 15378(b)(5): Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.;

WHEREAS, currently, the Safety Commission consists of four Commissioners and two Ex-Officio/staff liaison members;

WHEREAS, Pursuant to City Council Resolutions (most recent amendments in Resolution No. 2014-170) and the Commission's By-Laws, there shall be five Commissioners;

WHEREAS, in 2016, one of the Commissioners suddenly passed away. Since that time, the City has publicly announced the open Commissioner position with little to no interest;

WHEREAS, over the past year, it has been difficult for the Safety Commission to have a quorum for the transaction of business due to Commissioners being absent from the required bi-monthly meetings;

WHEREAS, during the January 25, 2017, Safety Commission meeting the Commissioners discussed changing the By-Laws to include business owners within the corporate City limits in hopes of increasing community interest in becoming a Safety Commissioner;

WHEREAS, the recommended amendment for the Residency section of the By-Laws is:

Three (3) of the five (5) voting members of the commission shall reside within the corporate limits of the City of San Pablo during their entire term of Office. The remaining two (2) voting members may live outside the corporate limits of the City of San Pablo provided they own property or a business inside the corporate limits of the City of San Pablo;

WHEREAS, the recommended amendments for the Powers and Duties section of the By-Laws are:

- a) The functions of the Safety Commission shall be to consider present and future traffic and general safety issues in the City of San Pablo, and to act in an advisory capacity to the City Council and the City Manager (through the Public Works and Police Departments) with reference to the traffic and safety issues of the City, including as an optional point of contact for residents with complaints.
- b) Safety Commission name tags shall be used as a means of identification for the Commissioners. Name tags and vests (as appropriate) are to be worn at all events that are sponsored by the City of San Pablo and may be optionally worn at Safety Commission meetings. Safety Commissioners shall exercise judgment during all instances of name tag display and vest wearing during site visits, and shall take notes and photographs as appropriate and report findings to the Safety Commission or City of San Pablo Staff. Safety concerns on private property should be reported to the appropriate City Department.
- c) In regards to Safety Commission actions on traffic or general safety matters the Commissioners shall comply with the rules of the Brown Act and the Political Reform Act;

WHEREAS, the recommended amendments for the Absence and Removal of Members section of the By-Laws is:

Members of the Safety Commission who absent themselves from three (3) consecutive regular meetings for any reason shall be recommended for removal from membership on the Commission to the City Council by the Chairperson however, said absentee Commissioner has the right to appeal to the City Council. After 3 consecutive absences, the Chairperson shall contact absent member about attendance and continued interest. The City Council, has the authority to appoint or remove any member of a Commission at any time, for any or no reason, by a majority vote of the Council. Commissioners shall comply with the City of San Pablo Professional Code of Conduct for members of the City Council, Boards, Commissions, and Committees.

WHEREAS, on April 25, 2018, with a quorum, the Commissioners voted in favor of the recommended Safety Commission By- Law amendments; and

WHEREAS, Staff is requesting the City Council to authorize current non-resident, non-property/business owner, Commissioner Fred Reichelt to remain on the Safety Commission to ensure a quorum for the transaction of business until new commissioners are approved by the City Council and appointed by the Mayor.

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:

1. Approves the amendments to the current Safety Commission By-Laws attached as Exhibit 1, including allowing non-resident business owners to serve on the Safety Commission;

2 Authorizes and approves current, non-resident, non-property/business owner, Commissioner Fred Reichelt to remain on the Safety Commission to ensure a quorum for the transaction of business until new commissioners are approved by the City Council and appointed by the Mayor.

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ADOPTED this 21st day of May, 2018, by the following vote:

AYES:	COUNCILMEMBERS:	Valdez, Cruz, Kinney, Morris and Calloway
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Elizabeth Pabon-Alvarado
Elizabeth Pabon-Alvarado, City Clerk

/s/ Genoveva Garcia Calloway
Genoveva Garcia Calloway, Mayor