



Minutes of the Regular Meeting of the San Pablo City Council

Monday, May 6, 2019

ROLL CALL

The meeting convened in the Council Chambers at 6:02 pm. Present in the Council Chambers were Mayor Rich Kinney and Councilmembers 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 desired to participate from the teleconference location. Absent was Councilmember Elizabeth Pabon-Alvarado. Also present were City Manager Matt Rodriguez, City Attorney Lynn Tracy Nerland, Assistant City Manager Reina Schwartz, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Public Works Director/City Engineer Jill Mercurio, City Clerk Patricia Ponce, and Deputy City Clerk Lehny Corbin.

ORAL COMMUNICATIONS

Cordell Hindler asked the City Council to place on May 20 or June 3, 2019 agenda for Andy Katz to make a presentation regarding keeping Alta Bates Hospital from closing, as well a representative from EBMUD to give an update on the rate increase. He also asked for the Minutes to reflect that it was his idea to bring Marcus Walton of the West Contra Costa County School District to report on the schools.

Cloudell Douglas spoke regarding parking issues on Road 20 and requested changing the white curb zone on the Abella side of the street for parking. Mr. Douglas was referred to staff.

CEREMONIAL MATTERS

1. *UC Berkeley Student Presentation and Internship Summary (#19-075)*
City Manager Rodriguez introduced the item. Community Services Director Greg Dwyer and Community Services Coordinator Bertha Romo gave an overview through a PowerPoint presentation of the City's collaboration with the UC Berkeley Student Internship Program. Viviana Toledo thanked Bertha and Elise Veliz for introducing the program. Intern Naira Khalid spoke of her experience and projects while interning in the City Manager's Office, as did Sofia Dirzo who interned in the Youth, School & Community Partnership Office. City Council acknowledged and thanked Ms. Khalid and Ms. Dirzo for their participation in the program.
2. *Recognition of San Pablo Youth Commission Members Honored by the Contra Costa County Board of Supervisors at their 26th Annual Cesar E. Chavez Commemorative Celebration Youth Hall of Fame on March 26, 2019 (#19-138)*
City Manager Rodriguez introduced the item and Mr. Dwyer reported on the celebration. Community Services Coordinator Elise Veliz also commented on the nomination and introduced the two awardees who are also members of the San Pablo Youth Commission. Marlen Muñoz was honored for her Teamwork Skills, and Valentino Cooper was a nominee to receive an award. Honorees Munoz and

Cooper thanked the City for the opportunity. Mayor Kinney read and presented the Certificates of Recognition. City Council also expressed their appreciation for the Youth Commission and its commissioners. Cordell Hindler spoke on the item.

3. *Recognition of the 2019 Small Business of the Year Award (#19-185)*

San Pablo Economic Development Corporation Executive Director Leslay Choy reported on the nomination of the businesses in San Pablo for the Small Business of the Year Award as well as the selection process and thanked the City Council for their participation and support. Ms. Choy announced Dr. Raynato Castro DDS as the recipient of the 2019 Small Business of the Year award.. Dr. Castro spoke of his business and expressed gratitude to the San Pablo Rotary that enables him to participate in the various community programs. City Council congratulated Dr. Castro, and Mayor Kinney read and presented him with the Certificate of Special Recognition plaque as the winner of the 2019 Small Business of the Year award.

PRESENTATIONS

4. *City Council Presentation: Citywide Active Projects (#19-173)*

City Manager Rodriguez introduced the item. A PowerPoint of City projects was presented. Community & Economic Development Department Director Charles Ching presented the status of the New City Hall Project, the County Fire Station #70 Project and the Municipal Public Fiber/5G Project.

Public Works Director/City Engineer Mercurio presented through a PowerPoint the status of the active and non-active projects in the City, which included the Wildcat Creek Restoration and Trail Project, Annual Citywide Paving Rehabilitation Project, Rumrill Complete Streets Project, El Portal Urban Greening Project, 2023 Vale Road (Lifelong) HVAC Replacement Project, Church/Willow and El Portal/Mission Bell Pedestrian Improvements Project, San Pablo Creek Restoration/San Pablo Bridge Replacement at Road 20/San Pablo Avenue/Road 20/23rd Street Intersection Improvement Projects, El Portal Park Restoration Project, Corporate Yard Relocation Project, San Pablo Archway Sign Replacement, Police Station and Regional Training Center Project, and the Davis Park Master Plan Amendment/City Recreational Gym Project.

CITY MANAGER REMARKS

City Manager Rodriguez praised the Police Department and Public Works Department for representing the City at the Cinco de Mayo Parade held on May 4, 2019.

Mr. Rodriguez also made the following announcements:

- 23 applications were received from non-profit organizations related to the San Pablo. Community Foundation Grants and that \$100,000 funding is available with \$15,000 for AB 939 grants; the next special meeting of the Grants Committee is scheduled for June 4, 2019.
- May 9, 2019 – *Bike to Work Day*; 143 energizer stations located throughout the Bay Area including San Pablo.
- Prop. 68 community meetings on May 18 and June 4 regarding the El Portal Park project which are open to the public.
- *National Public Works Week* event on May 18 at Wanlass Park.
- RFPs for Childhood Obesity Prevention FY2019-20 Grant Program due May 16.

CONSENT CALENDAR

City Manager announced the last minute supplemental agenda correspondence for agenda item #12 regarding contract for geotech studies (amount corrected) and agenda item #16 pertaining to housing matters (proposed resolution revised). It was moved by Mayor Kinney, seconded by Councilmember Pineda, and passed by vote of those present to adopt all items in the Consent Calendar with the exception of agenda item #8 (proclamation). The motion passed as follows:

AYES: Pineda, Xavier, Cruz and Kinney

NOES: None

ABSENT: Pabon-Alvarado

ABSTAIN: None

MINUTES

5. By adoption of the Consent Calendar, the Minutes of the meeting of April 8, 2019 was approved. (#19-140)

LIABILITY CLAIMS

6. By adoption of the Consent Calendar, the liability claim of Phouthalom Phasavath (DOL 9/11/18) was denied. (#19-159)

PROCLAMATIONS

7. By adoption of the Consent Calendar, the request for issuance of proclamation recognizing the week of May 19-25 as *National Public Works Week* was approved. (#19-162)
8. This item was pulled from the Consent Calendar and discussed separately. Mayor Kinney stated he was not opposed to the proclamation of June 2019 as *LGBTQ Pride Month*, but opposed to flying the Pride flag for a month. The rest of the City Council expressed they support for flying the flag. Speakers Zina Hall and Rosemary Jones stated they did not oppose the proclamation, but questioned denial of the request for the National Day of Prayer. Robyn Kuslits stated her approval for flying the Pride flag, as did Janet Pottier.

It was moved by Councilmember Xavier, seconded by Councilmember Pineda, and passed by vote, approving the issuance of a proclamation recognizing the month of June 2019 as *LGBTQ Pride Month*. The motion passed as follows; (#19-192)

AYES: Pineda, Xavier and Cruz

NOES: Kinney

ABSENT: Pabon-Alvarado

ABSTAIN: None

BOARDS AND COMMISSIONS

9. By adoption of the Consent Calendar, by Minute Order the Notice of Vacancies on the Citizens Oversight Committee for Measures Q and K (Two Vacancies) was authorized to be posted for a minimum of 20 days. (#19-175)

MISCELLANEOUS

10. By adoption of the Consent Calendar, **Resolution 2019-059** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute a Sublease Supplement by and between the City of San Pablo and Contra Costa County detailing hours of operation and the cost of service for the San Pablo Library for FY 2019/20. (#19-166)
11. By adoption of the Consent Calendar, **Resolution 2019-060** was adopted, a Resolution of the City Council of the City of San Pablo approving the amendment to the Joint Exercise of Powers Agreement (JEPA) between the Alameda-Contra Costa Transit District and the participating entities (including San Pablo) regarding bus shelter maintenance, and authorizing the City Manager to enter into future agreements to effectuate the purposes of the JEPA. (#19-169)
12. By adoption of the Consent Calendar, **Resolution 2019-061** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to appropriate \$176,599 in FY 2018/19 General Fund Designated Reserves for future capital projects (Hillside & Geotech studies / Improvements) to the San Pablo Dam Road Stabilization Improvement Project, as amended. (#19-124)
13. By adoption of the Consent Calendar, **Resolution 2019-062** was adopted, a Resolution of the City Council of the City of San Pablo to: (1) accept and appropriate an USEPA San Francisco Bay Water Quality Improvement Fund Grant in the amount of \$680,000 for the development of a Regional Water Quality Alternative Compliance Program; and (2) authorize the City Manager to enter into any required agreements with USEPA for the associated funds.(#19-170)
14. By adoption of the Consent Calendar, **Resolution 2019-063** was adopted, a Resolution of the City Council of the City of San Pablo authorizing funding appropriations to the Rumrill Boulevard Complete Streets Project from the FY 2018/19 General Fund Designated Reserves to meet grant match funding requirements for a total of \$1,120,000. (#19-177)
15. By adoption of the Consent Calendar, **Resolution 2019-064** was adopted, a Resolution of the City Council of the City of San Pablo to accept and appropriate the Highway Bridge Program Grant in the amount of \$389,196 from the California Department of Transportation and to appropriate \$5,735 from the FY 2018/19 General Fund Designated Reserves to the Giant Road Bridge Repair Project. (SPC-GAV) (#19-182)
16. By adoption of the Consent Calendar, **Resolution 2019-065** was adopted, a Resolution of the City Council of the City of San Pablo supporting the Contra Costa County Jurisdictions' housing and policy framework on housing matters, as amended. (#19-183)

17. By adoption of the Consent Calendar, **Resolution 2019-066** was adopted, a Resolution of the City Council of the City of San Pablo on the importance of recognizing the 2020 U.S. Census and supporting all efforts to ensure a complete, fair and accurate count of all Californians. (#19-186)
18. By adoption of the Consent Calendar, **Resolution 2019-067** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to purchase one (1) Ford F350 regular cab with flatbed dump for the Public Works Maintenance Division from Downtown Form sales in the amount of \$59,665 and appropriating \$49,665 from the FY 2018/19 General Fund Designated Reserves – Vehicle and Large Equipment Replacement. (#19-187)

CITY COUNCIL AUTHORIZATION

19. By adoption of the Consent Calendar, the City Council authorized by Minute Order to ratify issuance of a letter transmitted on April 25, 2019 to Lytton Rancheria Band of Pomo Indians Tribal Chairwoman Margie Mejia from San Pablo Mayor Kinney regarding Federal Legislation H.R. 1388 - "The Lytton Rancheria Act of 2019." (#19-189)

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

CITY COUNCIL DISCUSSION

20. City Manager Rodriguez introduced the item regarding City Council assignments and addressed the vacancies due to Vice Mayor Cruz's resignation via email notification on April 8, 2019 as a primary member on the Marin Clean Energy (MCE) and primary assignment to the Manzanillo-San Pablo Sister City Committee.

He further addressed the vacancy on the Contra Costa Transportation Authority Richmond Steering Committee on Community Based Transportation Planning (CBTP). Due to the time constraints with an already scheduled meeting, City Manager Rodriguez reported that Mayor Kinney had recommended appointing Councilmember Elizabeth Pabon-Alvarado to serve on the CBTP Committee via email on April 14, 2019, until the recommended assignment could be ratified by majority vote by the Council at its next regularly scheduled meeting pursuant to the San Pablo Municipal Code 2.16.070.

City Manager Rodriguez stated his recommendations for the remainder of the calendar year 2019 period for Council discussion:

- MCE Board of Directors – to affirm Councilmember Pabon-Alvarado as the Primary representative, with no alternate until further notice; and authorize the Mayor and City Manager to make formal contact with the West County Mayors & Supervisors Association and MCE staff to discuss possible formal consolidation of MCE Board representatives for individual member cities for West County cities as well as Contra Costa County who has a board representative. He further stated that it could be consolidated into one or two regional appointees pursuant to the MCE By-Laws.

- Manzanillo-San Pablo Sister City Committee – for Councilmember Pabon-Alvarado to remain as primary member to the Sister City Manzanillo Committee with no alternate and to direct the City Manager to return to the City Council to discuss the role of the Sister City program and the City Council’s role. He further suggested the City Manager return to the City Council with future policy discussion on the function, governance and role of the Sister City Committee due to its formal establishment as a non-profit, 501 (c 3) organization in December 1970, with a separate discussion of a separate Board of Directors’ governance structure for the Sister City Committee.

It was moved by Councilmember Pineda, seconded by Vice Mayor Cruz, and passed by vote of those present to adopt **Resolution 2019-068**, a Resolution of the City Council of the City of San Pablo affirming changes to Calendar Year 2019 City Council Assignments for Marin Clean Energy Board of Directors; Sister City Manzanillo Committee; and the Contra Costa Transportation Authority Richmond Steering Committee on Community Based Transportation Planning (CBTP) with proposed amendment replacing Councilmember Pabon-Alvarado with Councilmember Xavier for the CBTP appointment. The motion passed as follows:

(#19-172)

AYES: Pineda, Xavier and Cruz

NOES: Kinney

ABSENT: Pabon-Alvarado

ABSTAIN: None

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

Mayor and City Council reported on their recent activities.

ADJOURNMENT

The meeting adjourned at 7:50 pm, to Monday, May 20, 2019 at 6:00 pm, in memory of Richard Bishop, grandfather of Maintenance Worker II Nicholas Kirton; Cheryl Morse, long-term El Cerrito City Clerk; and Charles Fisher, father-in-law of Executive Assistant to the City Manager LaTanya Fisher.

Respectfully submitted,

Patricia Ponce, City Clerk

Rich Kinney, Mayor