



# City of San Pablo

## Meeting Minutes - Draft

### City Council

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Tuesday, September 3, 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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#### CITY COUNCIL/LOCAL SUCCESSOR AGENCY

#### CALL TO ORDER

*The meeting was called to order at 5:15 p.m. in the Council Chambers.*

#### ROLL CALL

**Present:** 4 - Councilmember Abel Pineda, Councilmember Rita Xavier, Councilmember Elizabeth Pabon-Alvarado, and Mayor Patricia Ponce

**Absent:** 1 - Vice Mayor Arturo Cruz

#### CLOSED SESSION

*No Public Comment was received.*

*Adjourn to Closed Session regarding:*

1. [24-324](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) RELATING TO A CLAIM SUBMITTED TO THE CITY BY GHILOTTI BROTHERS, INC. PURSUANT TO PUBLIC CONTRACT CODE SECTION 9204 AND ARISING FROM THE CITY'S RUMRILL BOULEVARD COMPLETE STREETS PROJECT (CITY CIP PROJECT NO. 0711) (ONE PONTENTIAL CASE).

#### RECONVENE TO REGULAR SESSION

#### CALL TO ORDER

*The meeting was called to order at 6:01 p.m. in the Council Chambers.*

#### PLEDGE OF ALLEGIANCE

*Mayor Ponce led the Pledge of Allegiance to the Flag.*

#### ROLL CALL

**Present:** 4 - Councilmember Abel Pineda, Councilmember Rita Xavier, Councilmember Elizabeth Pabon-Alvarado, and Mayor Patricia Ponce

**Absent:** 1 - Vice Mayor Arturo Cruz

Staff Present:

City Manager, Matt Rodriguez  
City Attorney, Brian P. Hickey  
Police Chief, Brian Bubar  
City Clerk, Dorothy Gantt  
Administrative Clerk, Casey Erlenheim  
Administrative Secretary, Michelle Chavez

**REPORT ON CLOSED SESSION**

*City Attorney Brian P. Hickey reported on Closed Session. There was no reportable action taken on Closed Session.*

**ORAL COMMUNICATIONS**

*Public Comment was received by Cordell Hindler, Ryan Law and Alex Vong.*

**CEREMONIAL MATTERS**

- 2. [24-294](#) PRESENTATION OF CERTIFICATE OF APPRECIATION TO OUTGOING INTERIM DIRECTOR OF FINANCE HEATHER ROWDEN

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

*No Public Comment was received.*

**Presented.**

**PRESENTATIONS**

- 3. [24-304](#) PRESENTATION TO CITY COUNCIL BY THE SAN PABLO ECONOMIC DEVELOPMENT CORPORATION OF ANNUAL SERVICES FOR FISCAL YEAR 2023/24

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

*No Public Comment was received.*

**Presented.**

**CITY MANAGER REMARKS**

City Manager Rodriguez made the following announcements:

- The upcoming service of Dumpster Day scheduled for Saturday, September 7, 2024.
- Highlighted that Public Works Department is sponsoring a Community Workshop on Saturday, September 28, 2024 at the San Pablo Library Community Room to present design ideas and receive public feedback for McNeil Park, San Pablo's new community park,
- The Community Services Department, the San Pablo Youth Commission, have announced the availability of the Student Led Unity Grant – S.L.U.G for the school year 2024-2025.

**CONSENT CALENDAR**

No Public Comment was received.

**Approval of the Consent Agenda**

It was moved by Councilmember Xavier, seconded by Councilmember Pabon-Alvarado, and approved by vote of those present, to adopt all items in the Consent Calendar.

The motion passed as follows:

**Aye:** 4 - Pineda, Xavier, Pabon-Alvarado, and Ponce

**Absent:** 1 - Cruz

**MINUTES**

4. [24-293](#) CONSIDER APPROVING MINUTES OF THE MEETING OF AUGUST 5, 2024

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

Approved as Submitted on the Consent Calendar.

**PERIODIC REPORTS**

5. [24-077](#) CONSIDER APPROVING VENDOR CHECK REGISTER REPORT FOR THE MONTH OF JULY 2024

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

Approve by Minute Order.

**CITY COUNCIL AUTHORIZATION**

- 6. [24-283](#) CONSIDER ADOPTING RESOLUTION (1) ACCEPTING AN EASEMENT FROM CHATTLETON PLACE PARTNERS, LLC FOR ACCESS TO AND MAINTENANCE OF THE CITY’S IRRIGATION DRAIN LINE AT CHATTLETON LANE TOWNHOMES LOCATED AT 2812 CHATTLETON LANE, AND (2) AUTHORIZING THE CITY MANAGER TO EXECUTE THE EASEMENT AND TAKE SUCH OTHER ACTIONS NECESSARY FINALIZE THE EASEMENT

CEQA: This proposed action does not constitute a “project”, and is otherwise exempt from environmental review, pursuant to the California Environmental Quality Act (CEQA).

**Adopted.**

Enactment No: RES 2024-114

- 7. [24-302](#) CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING SUBMISSION OF THE CITY OF SAN PABLO’S GRANT APPLICATION FOR \$8,000,000 TO THE ENVIRONMENTAL PROTECTION AGENCY (EPA) SAN FRANCISCO BAY WATER QUALITY IMPROVEMENT FUND (SFBWQIF) FOR THE POLYCHLORINATED BIPHENYLS (PCB) TOTAL MAXIMUM DAILY LOAD (TMDL) SPECIAL STUDIES AND IMPLEMENTATION PROJECT

CEQA: The project is exempt from environmental review under the California Environmental Quality Act (CEQA) as a funding action as it is not a project under CEQA nor an activity that may cause a direct or reasonably foreseeable indirect physical environment change pursuant to Public Resources Code Section 21080(a) and 14 California Code of Regulations Section 15002(d).

**Adopted.**

Enactment No: RES 2024-115

- 8. [24-310](#) CONSIDER ADOPTING RESOLUTION APPROVING AMENDMENT NO. 1 TO THE GENERAL FUND DESIGNATED RESERVES (GFDR) FUND BALANCE OF \$5,171,279 FOR FISCAL YEAR 2024-25 TO REFLECT ALL COUNCIL APPROVED APPROPRIATIONS AND REMAINING BALANCE THROUGH JUNE 30, 2024, EFFECTIVE SEPTEMBER 3, 2024

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

**Adopted.**

Enactment No: RES 2024-116

- 9. [24-322](#) DISCLOSURE TO THE CITY COUNCIL AND TO THE CITY AS SUCCESSOR AGENCY TO THE SAN PABLO REDEVELOPMENT AGENCY OF VICE MAYOR CRUZ'S PURCHASE OF PROPERTY WITHIN THE BOUNDARIES OF THE FORMER SAN PABLO REDEVELOPMENT PROJECT AREA FOR PERSONAL RESIDENTIAL USE

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

Accepted and Approve by Minute Order.

- 10. [24-320](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING AN EVENT SPONSORSHIP IN THE AMOUNT OF \$2,500 FOR THE 2024 WEST COUNTY SALESIAN YOUTH CLUB CHARITY GOLF TOURNAMENT FUNDRAISER ON MONDAY, SEPTEMBER 16, 2024

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

Adopted.

Enactment No: RES 2024-117

- 11. [24-321](#) CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DESIGNATING APPLICANT'S AGENTS FOR NON-STATE AGENCIES FOR THE PURPOSE OF OBTAINING CERTAIN FEDERAL AND/OR STATE FINANCIAL ASSISTANCE FOR DISASTER RELIEF

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

Adopted.

Enactment No: RES 2024-118

**PUBLIC HEARINGS**

- 12. [24-297](#) CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING SAN PABLO ZONING ORDINANCE CHAPTER 17.60, SPECIAL RESIDENTIAL USES, SECTION 17.60.070, ACCESSORY DWELLING UNITS, CONCERNING PROCEDURES AND DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS (ADUS)

CEQA: This proposed action is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17, which exempts the adoption of local ordinances regulating accessory dwelling units or amendments thereto.

Item was Continued to the City Council Meeting of September 16, 2024.

**CITY COUNCIL DISCUSSION/CONSIDERATION**

13. [24-308](#) CONSIDER ADOPTING RESOLUTION OF THE LOCAL SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN PABLO AUTHORIZING THE ISSUANCE OF TAX ALLOCATION REFUNDING BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE AND BOND PURCHASE AGREEMENT; APPROVING AN OFFICIAL STATEMENT; AND AUTHORIZING RELATED DOCUMENTS AND ACTIONS

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

*No Public Comment was received.*

**A motion was made by Councilmember Xavier, seconded by Councilmember Pineda, that this RESOLUTION be Adopted.**

**The motion carried by the following vote:**

**Aye:** 4 - Pineda, Xavier, Pabon-Alvarado, and Ponce

**Absent:** 1 - Cruz

Enactment No: RES LSA 2024-004

14. [24-292](#) CONSIDER ADOPTING RESOLUTION (1) AUTHORIZING THE CITY TO PARTICIPATE IN THE GREEN EMPOWERMENT ZONE FOR THE NORTHERN WATERFRONT AREA OF THE COUNTY OF CONTRA COSTA AND (2) APPOINTING TWO (2) SAN PABLO CITY COUNCIL MEMBERS TO REPRESENT SAN PABLO ON THE GREEN EMPOWERMENT ZONE BOARD OF DIRECTORS

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

*No Public Comment was received.*

**A motion was made by Councilmember Pineda, seconded by Councilmember Xavier, that this RESOLUTION be Adopted with recommendations of part 2 and 3.**

**The motion carried by the following vote:**

**Aye:** 4 - Pineda, Xavier, Pabon-Alvarado, and Ponce

**Absent:** 1 - Cruz

Enactment No: RES 2024-119

- 15. [24-303](#) CONSIDER ADOPTING RESOLUTION TO AMEND FY 2023-25 CITY COUNCIL PRIORITY WORKPLAN TO ADD AMENDMENT NO.8, UNDER MAJOR POLICY GOAL: EXPAND HOUSING OPTIONS, TO ADD POLICY NO.311 - SUPPORT ADOPTION AND COMPLETION OF (1) HOUSING ELEMENT UPDATE (MARCH 18, 2024); (2) ENVIRONMENTAL JUSTICE ELEMENT; (3) SAFETY AND NOISE ELEMENT UPDATE; (3) ENVIRONMENTAL REVIEW UNDER CEQA, AND THE FOLLOWING POLICY AND PROGRAM OBJECTIVES REVIEWED AT THE JULY 10, 2024 HOUSING POLICY WORKSHOP, AS RECOMMENDED BY STANDING COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING AND PROGRAM MANAGEMENT (MAYOR PONCE; VICE MAYOR CRUZ)

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

*No Public Comment was received.*

**A motion was made by Mayor Ponce, seconded by Councilmember Pineda, that this RESOLUTION be Adopted. The motion carried by the following vote:**

**Aye:** 4 - Pineda, Xavier, Pabon-Alvarado, and Ponce

**Absent:** 1 - Cruz

Enactment No: RES 2024-120

- 16. [24-309](#) CONSIDER CITY COUNCIL AUTHORIZATION TO PROCEED WITH DEVELOPMENT OF A PROPOSED ORDINANCE AMENDING CHAPTER 2.40 OF THE SAN PABLO MUNICIPAL CODE TO INCREASE THE ANNUAL SALARIES OF ELECTED OFFICIALS FOR THE NEXT ELECTED TERM OF OFFICE IN DECEMBER 2024 (CITY COUNCIL), AND DECEMBER 2026 (ELECTED CITY CLERK AND ELECTED CITY TREASURER)

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

*No Public Comment was received.*

**A motion was made by Councilmember Pabon-Alvarado, seconded by Councilmember Xavier, that this item be received, and staff proceed with development of proposed Ordinance. The motion carried by the following vote:**

**Aye:** 3 - Pineda, Xavier, and Pabon-Alvarado

**Noes:** 1 - Ponce

**Absent:** 1 - Cruz

**SUPPLEMENTAL MATERIALS (IF ANY)**

17. [24-031](#) 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**

*City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting.*

*City Councilmembers announced calendar of upcoming events and coordinated attendance; reported on local events attended since the last meeting.*

*-A motion was made by Councilmember Pabon-Alvarado, seconded by Councilmember Pineda, and passed by vote of those present for direction to place on the next City Council meeting for a request and issuance of a Proclamation recognizing the month of September 2024 as Suicide Prevention Awareness Month and September 8, 2024 as 988 Day.*

*The motion carried by the following vote:*

*Aye: 4 - Pineda, Xavier, Pabon-Alvarado, and Ponce*

*Absent: 1 - Cruz*

**ADJOURNMENT**

*Adjourned at 8:51 p.m. to the regular meeting on Monday, September 16, 2024 at 6:00 p.m.*

**Respectfully Submitted,**

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**Dorothy Gantt, City Clerk**

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**Patricia Ponce, Mayor**