



# 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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**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**

**CLOSED SESSION BEGINS AT 5:15 PM**

### **\*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****ROLL CALL****CLOSED SESSION**

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).

**\*\*\* END OF CLOSED SESSION \*\*\***

**RECONVENE TO REGULAR SESSION****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**

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.

**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.

**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**

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

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

**Recommendation:** Approve by Minute Order

**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.

**Recommendation:** 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).

**Recommendation:** Approve by Minute Order

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).

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Accept Vice Mayor Cruz's disclosure of his purchase of property for residential use within the boundaries of the former San Pablo Redevelopment Project area at 185 Westgate Circle, San Pablo.

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.

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Adopt Resolution

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

## **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.

**Recommendation:** Conduct public hearing; waive first reading; introduce Ordinance

### **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.

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Adopt Resolution

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.

**Recommendation:** Receive presentation; provide majority vote direction via minute order to the City Manager and City Attorney.

#### **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**

(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; Casino San Pablo/Lytton Tribe (Alternate)*

**(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: Explore Amendment to City's Adopted Local Economic & Opportunity Policy*

**(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; Explore Amendment to City's Adopted Local Economic & Opportunity Policy*

**ADJOURNMENT**

*Adjourn to Monday September 16, 2024 at 6:00 pm.*