



DRAFT Minutes of the Regular Meeting of the San Pablo City Council

Monday, May 15, 2023

CALL TO ORDER

The meeting was called to order at 6:00 pm in the Council Chambers.

ROLL CALL

Present 4 Mayor Abel Pineda (participated remotely), and Councilmembers Arturo Cruz (participated remotely), Elizabeth Pabon-Alvarado and Rita Xavier.

Absent 1 Vice Mayor Patricia Ponce

Staff and Elected Officials Present: City Manager, Matt Rodriguez
Assistant City Manager, Charles Ching
City Attorney, Teresa Stricker
Police Captain Brian Bubar
City Treasurer, Viviana Toledo
Dorothy Gantt, City Clerk
Interim Deputy City Clerk Leticia I. Miguel

PUBLIC ANNOUNCEMENT

City Clerk Gantt announced ways in which members of the public may participate in the Council meeting via in-person or remote.

CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCILMEMBER TO PARTICIPATE IN A MEETING REMOTELY DUE TO JUST CAUSE OR EMERGENCY CIRCUMSTANCES PURSUANT TO AB 2449 (GOVERNMENT CODE SECTION 54953(f)).

City Attorney Stricker announced that the item is on the agenda as a placeholder that allows members of the Council to participate remotely pursuant to AB 2449. There were no such announcements.

No Public Comment was received.

CLOSED SESSION

Adjourn to Closed Session at 5:06 p.m. regarding:

1. [23-184](#) CLOSED SESSION
CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Govt. Code section 54957.6)
AGENCY DESIGNATED REPRESENTATIVES: Vice Mayor Patricia Ponce and Councilmember Elizabeth Pabon-Alvarado
UNREPRESENTED EMPLOYEE: City Attorney

Reconvene to Regular Meeting

CALL TO ORDER

The meeting was called to order at 6:02 pm in the Council Chambers.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present 4 Vice Mayor Patricia Ponce, and Councilmembers Arturo Cruz, Elizabeth Pabon-Alvarado and Rita Xavier.

Absent 1 Mayor Abel Pineda.

REPORT ON CLOSED SESSION

City Manager Rodriguez reported on Closed Session items, no reportable action was taken. Direction was given to staff.

PUBLIC ANNOUNCEMENT

City Clerk Gantt announced ways in which members of the public may participate in the Council meeting via in-person or remote.

ORAL COMMUNICATIONS

Public comment was received from Cordell Hindler.

CEREMONIAL MATTERS

PRESENTATIONS

2. 23-155 PRESENTATION OF PROCLAMATION RECOGNIZING MAY 21 - 27, 2023 AS NATIONAL PUBLIC WORKS WEEK.

Presented.

3. 23-149 PRESENTATION OF PROCLAMATION RECOGNIZING MAY 15, 2023 AS PEACE OFFICERS MEMORIAL DAY AND MAY 15 - 19, 2023 AS NATIONAL POLICE WEEK.

Presented.

CITY MANAGER REMARKS

City Manager Rodriguez made the following announcements:

- The upcoming service of Dumpster Day on Saturday, May 20, 2023.
- Commended the Police Department, Public Works and Community Services staff members for supporting the 2023 Cinco de Mayo Peace and Unity Parade event on Saturday, May 06, 2023.

- On Thursday, May 18, 2023, San Pablo Community Foundation Grants Review Committee is scheduled to go over thirteen applications for grant funding.
- The Senior Center will soon be announcing the 9th Annual Aloha Night Event for Friday, June 23, 2023.
- Commended Public Works staffs' efforts in keeping all of the public right a ways clear of weeds and other debris.

CONSENT CALENDAR

AMENDMENT OF CONSENT CALENDAR

Items 17. was removed from the Consent Calendar to Items Removed From Consent Calendar

Approval of the Consent Calendar

A motion was made by Councilmember Cruz, seconded by Councilmember Xavier, to Approve the Consent Calendar with the exception of Item No. 17. The motion carried by the following vote.

Aye: 4 - Xavier, Pabon-Alvarado, Cruz, Ponce
Nay: 0 -
Absent: 1 - Pineda

PERIODIC REPORTS

4. 23-208 CONSIDER APPROVING VENDOR CHECK REGISTER REPORT FOR THE MONTH OF APRIL 2023

Approved as Submitted on the Consent Calendar.

LIABILITY CLAIMS

5. 23-197 CONSIDER DENYING LIABILITY CLAIM OF MARIA CORTEZ CANDRAY (DOL 1/14/23).

Approved as Submitted on the Consent Calendar.

BOARDS AND COMMISSIONS

6. 23-215 CONSIDER ADOPTING RESOLUTION REAPPOINTING DR. RAYNATO CASTRO TO THE BOARDS AND COMMISSIONS - SAN PABLO MEASURE S AND MEASURE K CITIZENS OVERSIGHT COMMITTEE OR TERM MAY 16, 2023 TO MAY 15, 2026 (THREE VACANCIES)

Adopted.

Enactment No: RES 2023-066

CITY COUNCIL AUTHORIZATION

7. 23-191 CONSIDER ADOPTING RESOLUTION APPROVING GENERAL FUND DESIGNATED RESERVES (GFDR) TOTAL FUND BALANCE ALLOCATION OF \$16,971,805 (GFDR AMENDMENT NO. 3) FOR FISCAL YEAR 2022-23, EFFECTIVE MAY 15, 2023.

Adopted.

Enactment No: RES 2023-067

8. 23-206 CONSIDER ADOPTING RESOLUTION APPROVING 1) THE BUDGET RESTORATION FOR FISCAL YEARS 2022-23 AND 2023-24; 2) MID-CYCLE ADJUSTMENTS TO THE BIENNIAL OPERATING BUDGET AND 3) APPROPRIATING \$2.99 MILLION OF GENERAL FUND DESIGNATED RESERVES TO FUND SAID ACTIONS.

Adopted with Amendments.

Enactment No: RES 2023-068

9. 23-210 CONSIDER ADOPTING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) PRELIMINARILY APPROVING THE ENGINEER'S REPORT; (2) DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2023/24; AND (3) SETTING PUBLIC HEARING FOR JUNE 20, 2023

Adopted.

Enactment No: RES 2023-069

10. 23-212 CONSIDER ADOPTING RESOLUTION (1) ACCEPTING WORK PERFORMED BY GRADETECH, INC. FOR THE CHURCH/ WILLOW AND EL PORTAL/ MISSION BELL INTERSECTION IMPROVEMENT PROJECT (0701) AS COMPLETE; (2) DIRECTING A NOTICE OF COMPLETION TO BE PREPARED AND FILED WITH THE COUNTY RECORDER; AND (3) RECEIVING AND APPROPRIATING ADDITIONAL REVENUES AND RE-APPROPRIATING UNUSED FUNDS TO RUMRILL BLVD COMPLETE STREET PROJECT

Adopted.

Enactment No: RES 2023-070

11. 23-150 CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR AGREEMENT WITH COLE PRO MEDIA FOR CONSULTING SERVICES RELATED TO TRANSPARENCY ENGAGEMENT FOR A TOTAL AMOUNT NOT TO EXCEED \$114,000 OVER THE THREE YEARS.

Adopted.

Enactment No: RES 2023-071

12. 23-132 CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE-YEAR CONSULTANT SERVICES AGREEMENT WITH WBA CONSULTING & INVESTIGATIONS LLC FOR ADMINISTRATIVE REVIEWS OF HIGH LIABILITY CRITICAL INCIDENTS AND INTERNAL AFFAIRS INVESTIGATIONS IN AN AMOUNT NOT TO EXCEED \$225,000 OVER THE THREE-YEAR TERM.

Adopted.

Enactment No: RES 2023-072

13. 23-200 CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTING SERVICES AGREEMENT WITH 4LEAF, INC. FOR FISCAL YEARS 2023-24 THROUGH 2025-26 IN AN AMOUNT NOT TO EXCEED \$775,000 OVER THE THREE-YEAR TERM FOR ON-CALL INSPECTION, PLAN CHECK, PERMIT TECHNICIAN AND RELATED SERVICES.

Adopted.

Enactment No: RES 2023-073

14. 23-201 CONSIDER ADOPTING RESOLUTION APPROVING THE ANNUAL APPROPRIATIONS GANN LIMIT FOR FISCAL YEAR 2023-24

Adopted.

Enactment No: RES 2023-074

15. 23-202 CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE-YEAR CONSULTING SERVICES AGREEMENT WITH BUREAU VERITAS NORTH AMERICA, INC. IN AN AMOUNT NOT TO EXCEED \$75,000 PER FISCAL YEAR, FOR TOTAL AMOUNT NOT TO EXCEED \$225,00 OVER THE TERM OF THE AGREEMENT, FOR ON-CALL PLAN CHECK, PLAT REVIEW, INSPECTION, PERMIT PROCESSING AND RELATED SERVICES

Adopted.

Enactment No: RES 2023-075

16. 23-193 CONSIDER ADOPTING RESOLUTION AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN FOR FY 2023/24 BY ADJUSTING THE PART-TIME HOURLY RATE SCHEDULE TO PROVIDE A FIVE PERCENT (5%) COST OF LIVING INCREASE EFFECTIVE JULY 1, 2023.

Adopted.

Enactment No: RES 2023-076

Item 17. was removed from the Consent Calendar to Items Removed from the Consent Calendar

18. 23-162 CONSIDER ADOPTING RESOLUTION ACCEPTING AND APPROPRIATING \$37,912.46 IN GRANT FUNDING FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) OFFICER WELLNESS AND MENTAL HEALTH GRANT PROGRAM, FOR THE PURPOSE OF IMPROVING OFFICER WELLNESS AND EXPANDING MENTAL HEALTH RESOURCES FOR THE CITY OF SAN PABLO POLICE DEPARTMENT.

Adopted.

Enactment No: RES 2023-077

19. 23-168 CONSIDER ADOPTING RESOLUTION (1) APPROVING THE CHILDHOOD OBESITY PREVENTION ADVISORY GROUP (COPAG) RECOMMENDATIONS FOR CHILDHOOD OBESITY PREVENTION (COP) GRANT PROGRAM AWARDEES FOR FISCAL YEAR 2023/24; AND (2) AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS / CONTRACTS WITH ELIGIBLE AGENCY PROVIDERS FOR CHILDHOOD OBESITY PREVENTION PROGRAMS FOR A TOTAL AMOUNT NOT TO EXCEED \$250,000 FOR ALL CONTRACTS FOR FISCAL YEAR 2023/24.

Adopted.

Enactment No: RES 2023-078

20. 23-189 CONSIDER AUTHORIZATION TO RATIFY A LETTER TRANSMITTED ON APRIL 26, 2023 FROM SAN PABLO MAYOR ABEL PINEDA (SIGNED BY VICE MAYOR PONCE), ON BEHALF OF THE SAN PABLO CITY COUNCIL, TO U.S. SENATOR ALEX PADILLA THANKING HIM FOR HIS FEDERAL FUNDING REQUEST IN THE AMOUNT OF \$3 MILLION FOR THE CITY'S MUNICIPAL BROADBAND PROJECT TO FUND AND CONSTRUCT FIBER OPTIC CABLES

Approved as Submitted on the Consent Calendar.

21. 23-192 CONSIDER AUTHORIZATION TO RATIFY A LETTER OF SUPPORT TRANSMITTED ON APRIL 27, 2023 FROM SAN PABLO MAYOR ABEL PINEDA (SIGNED BY VICE MAYOR PATRICIA PONCE), ON BEHALF OF THE SAN PABLO CITY COUNCIL, TO ASSEMBLY MEMBER REGINALD JONES-SAWYER, CHAIR OF THE ASSEMBLY PUBLIC SAFETY COMMITTEE, AND INDIVIDUAL BILL AUTHORS, ON FENTANYL AND SUBSTANCE USE-RELATED PROPOSED STATE LEGISLATION

Approved as Submitted on the Consent Calendar.

Items Removed From Consent Calendar

17. 23-196 CONSIDER ADOPTING RESOLUTION DIRECTING (1) CITY STAFF TO COORDINATE WITH OTHER WEST COUNTY AGENCIES TO RETAIN A CONSULTANT TO ASSIST WITH FORMULATING A JOINT COMPETITIVE PROCESS FOR THEIR SOLID WASTE COLLECTION FRANCHISE AGREEMENTS AND (2) THE CITY'S RECYCLEMORE BOARD MEMBER REPRESENTATIVES TO

DIRECT RECYCLEMORE STAFF TO WORK COLLABORATIVELY WITH MEMBER AGENCIES' STAFF TO DEVELOP AN OPEN AND COMPETITIVE PROCESS FOR A NEW POST-COLLECTION AGREEMENT AND TO OBTAIN RECYCLEMORE BOARD APPROVAL BEFORE ISSUING A REQUEST FOR QUALIFICATIONS OR PROPOSALS FOR THE NEW AGREEMENT

No Public Comment was received from Shawn Moberg and Bielle Moore.

A motion was made by Councilmember Cruz, seconded by Councilmember Xavier, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Xavier, Cruz, Ponce
Nay: 1 - Pabon-Alvarado
Absent: 1 - Pineda

PUBLIC HEARINGS

No items scheduled.

CITY COUNCIL DISCUSSION/CONSIDERATION

No items scheduled.

SUPPLEMENTAL MATERIALS (IF ANY)

22. 23-199 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 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 Cruz to schedule a discussion related to amending the FY 2023-25 Council Priority Workplan and explore adding an Ordinance amending the Elected Officials salaries. The motion carried by the following vote.

Aye: 4 - Xavier, Pabon-Alvarado, Cruz, Ponce
Nay: 0 -
Absent: 1 - Pineda

A motion was made by Vice Mayor Ponce, seconded by Councilmember Cruz to schedule for an approval on a Proclamation to commemorate the success of the 2023 Cinco de Mayo Peace & Unity Parade Event on May 6, 2023; and to acknowledge the efforts of the Co-Chairs and Cinco de Mayo Event Committee members. The motion carried by the following vote.

Aye: 4 - Xavier, Pabon-Alvarado, Cruz, Ponce
Nay: 0 -
Absent: 1 - Pineda

ADJOURNMENT

Adjourned at 7:12 pm to the regular meeting on Monday, June 5, 2023 at 6:00 pm.

Respectfully Submitted,

Dorothy Gantt, City Clerk

Patricia Ponce, Vice Mayor