



# City of San Pablo

13831 San Pablo Ave.  
San Pablo, CA 94806  
(510) 215-3000  
[www.SanPabloCA.gov](http://www.SanPabloCA.gov)

## Meeting Agenda - Final

### City Council

**Mayor Cecilia Valdez**  
**Vice Mayor Genoveva Garcia Calloway**  
**Councilmember Paul Morris**  
**Councilmember Rich Kinney**  
**Councilmember Arturo Cruz**

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**Monday, June 19, 2017**

**6:00 PM**

**Council Chambers**

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### **CITY COUNCIL/JOINT POWERS FINANCING AUTHORITY**

In accordance with the Americans with Disabilities Act, persons requiring assistance or auxiliary aids in order to participate should contact the City Clerk's Office at City Hall, 13831 San Pablo Avenue, Building 1, San Pablo, or by calling (510) 215-3000, as soon as possible prior to the meeting. The city will give such requests primary consideration, taking into account undue financial and administrative burdens or fundamental alterations in the city service, program or activity.

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, 13831 San Pablo Avenue, Building 1, San Pablo. The full agenda packet may also be viewed on the city website at [www.SanPabloCA.gov](http://www.SanPabloCA.gov).

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Speakers wishing to address the Council or Authority on a specific agenda item should file a form with the City Clerk indicating the agenda item. The Mayor or Chair will invite you to speak at the appropriate time when the matter is being considered. If you desire to address the Council or Authority, please file your name and address with the City Clerk on forms available at the podium. We also ask that all cell phones be turned off or silenced during the meeting.

### **ORAL COMMUNICATIONS**

*This is the time for comments on any item within the Council's or Financing Authority's subject matter jurisdiction, if such item is NOT listed on tonight's agenda. The Council or Authority 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 and Authority 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**

1. [#17-0276](#) SPECIAL RECOGNITION FOR RETIRING CITY CLERK TED J. DENNEY

### **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**

2. [#17-0225](#) MINUTES OF THE MEETING OF JUNE 5, 2017

**Recommendation:** Approve

**PERIODIC REPORTS**

3. [#17-0258](#) VENDOR CHECK REGISTER REPORT FOR THE MONTH OF MAY 2017

**Recommendation:** Approve

4. [#17-0267](#) INVESTMENT REPORT / TREASURER'S REPORT FOR THE MONTH OF MAY 2017

**Recommendation:** Receive and file

**CITY COUNCIL AUTHORIZATION**

5. [#17-0253](#) CITY COUNCIL AUTHORIZATION TO RECEIVE AND ACCEPT THE INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE REPORTS FOR PERIOD ENDING JUNE 30, 2016 FOR MEASURE Q AND MEASURE K TRANSACTION & USE SALES TAX

**Recommendation:** Receive and File Report by Minute Action

**LIABILITY CLAIMS**

6. [#17-0254](#) LIABILITY CLAIM OF HOWARD SPENCER (DOL 05/03/17)

**Recommendation:** Deny Claim

**MISCELLANEOUS**

7. [#17-0169](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO LEASE AGREEMENT BY AND BETWEEN THE CITY OF SAN PABLO AND EAST BAY COFFEE COMPANY, INC. FOR THE COFFEE BAR PORTION OF THE SAN PABLO COMMUNITY CENTER TO PROVIDE FOR SIGNAGE

**Recommendation:** Adopt Resolution

8. [#17-0255](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO: (1) DECLARE CERTAIN POLICE DEPARTMENT VEHICLES AS SURPLUS PROPERTY AND TO BE DISPOSED OF PURSUANT TO SAN PABLO MUNICIPAL CODE SECTION 3.16.120; (2) AUTHORIZE CURRENT POLICE ADMINISTRATION VEHICLES TO BE CONVERTED INTO K-9 PATROL VEHICLES TO REPLACE K-9 VEHICLES 851, 854, 862 AND 863; (3) AUTHORIZE THE PURCHASE OF FOUR 2017/18 DODGE CHARGERS EQUIPPED WITH EMERGENCY EQUIPMENT AND DECAL GRAPHICS; (4) AUTHORIZE THE PURCHASE OF FIVE 2018 FORD FUSIONS TO REPLACE POLICE ADMINISTRATION VEHICLES AND VEHICLE 831; (5) AUTHORIZE THE CITY MANAGER TO PURCHASE THE VEHICLES FROM THE NATIONAL AUTO FLEET GROUP UNDER NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING CONTRACT #120716; AND (6) APPROPRIATE \$194,367 FROM GENERAL FUND DESIGNATED RESERVE/ VEHICLE REPLACEMENT, \$143,778 FROM THE ADJUDICATED ASSET SEIZURE ACCOUNT, AND \$47,893 FROM THE POLICE DEPARTMENT BUDGET LINE ITEM 100-2110-46300 TO THE VEHICLE REPLACEMENT FUND TO PAY FOR THE PURCHASES AND INSTALLATION OF EQUIPMENT

**Recommendation:** Adopt Resolution

9. [#17-0262](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AWARDING THE AMADOR ST. AND EL PORTAL DR. RADAR SPEED SIGNS PROJECT (RAD-SGN) TO THE LOWEST BIDDER, DC ELECTRIC, INC.; (2) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$61,720 WITH DC ELECTRIC, INC. WITH APPROXIMATELY 10% CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$68,000, (3) ACCEPTING AND APPROPRIATING \$48,000 FROM TDA GRANT FUNDS; AND (4) REALLOCATING \$20,000 FROM THE GIANT ROAD RAILROAD QUIET ZONE ANALYSIS STUDY (320-3200-43600-GAV-RRZ) TO THE AMADOR STREET AND EL PORTAL DRIVE PROJECT (320-3200-43600-RAD-SGN).

**Recommendation:** Adopt Resolution

10. [#17-0263](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ENVIRONMENTAL REVIEW PHASE OF THE RANDY LANE DRAINAGE IMPROVEMENT PROJECT AND (2) DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION IN THE CONTRA COSTRA COUNTY CLERK'S OFFICE

**Recommendation:** Adopt Resolution

11. [#17-0264](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) WAIVING MINOR IRREGULARITIES AND AWARDING THE ANNUAL ADA SIDEWALK PROJECT (ADA-SWK) TO THE LOWEST RESPONSIBLE BIDDER, MALACHI PAVING AND GRADING, INC.; AND (2) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$93,875 WITH MALACHI PAVING AND GRADING, INC., WITH APPROXIMATELY 7% CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$100,000

**Recommendation:** Adopt Resolution

12. [#17-0266](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE PURCHASE OF DELL DESKTOP COMPUTERS AND MONITORS FROM DELL CORPORATION THROUGH THE WSCA PRICING SCHEDULE AT AN ESTIMATED COST OF \$40,000 FROM EXISTING RESOURCES IN THE FY 2016/17 MULTI-DEPARTMENTAL BUDGET

**Recommendation:** Adopt Resolution  
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13. [#17-0268](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DECLARING THAT THE EMERGENCY UNDER PUBLIC CONTRACT CODE SECTION 22050 REGARDING THE IMMEDIATE REHABILITATION OF THE HILLCREST ROAD STORM DRAIN IS CONTINUING AND RATIFYING THE ACTIONS TAKEN

**Recommendation:** Adopt Resolution; requires 4/5 majority vote

14. [#17-0270](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO IN SUPPORT OF SENATE BILL 562 - THE HEALTHY CALIFORNIA ACT

**Recommendation:** Adopt Resolution

15. [#17-0271](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ADOPTING THE FY 2018-21 QUADRENNIAL OPERATING BUDGET AND THE FY 2018-21 CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS BUDGET

**Recommendation:** Adopt Resolution

16. [#17-0273](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) ACCEPTING WORK PERFORMED BY AUTOMATIC DOOR SYSTEMS, INC. FOR INSTALLATION OF AUTOMATIC RESTROOM DOORS AT SAN PABLO SENIOR CENTER LOCATED AT 1943 CHURCH LANE, AND (2) DIRECTING THAT A NOTICE OF COMPLETION BE PREPARED AND FILED WITH THE COUNTY RECORDER

**Recommendation:** Adopt Resolution

17. [#17-0286](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE PURCHASE OF TWO NETWORK SERVERS, ONE STORAGE AREA NETWORK ENCLOSURE WITH RELATED HARD DRIVES, AND VIRTUALIZATION SOFTWARE FROM CDW-G TOTALING \$39,622 PLUS AN APPROXIMATE 10% CONTINGENCY FOR A TOTAL AUTHORIZATION OF \$44,000 AND APPROVING THE PURCHASE THROUGH THE WSCA PRICING SCHEDULE FROM EXISTING RESOURCES IN THE FY 2016/17 INFORMATION TECHNOLOGY BUDGET

**Recommendation:** Adopt Resolution

#### **ORDINANCES (Second Reading)**

18. [#17-0269](#) SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING ZONING ORDINANCE SECTIONS 17.62.200 AND 17.70.030 AND TABLES 17.32-A, 17.34-A AND 17.36-A, AND ADDING SECTION 17.62.300 OF THE SAN PABLO MUNICIPAL CODE RELATING TO WIRELESS COMMUNICATION FACILITIES TO ADDRESS FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS AND TO ADDRESS THE NEEDS OF SAN PABLO

**Recommendation:** Waive second reading; adopt Ordinance

#### **BOARDS AND COMMISSIONS (Renewals)**

19. [#17-0275](#) BOARDS AND COMMISSIONS - REQUEST FOR RENEWAL OF TERMS AND REAPPOINTMENT OF CURRENT MEMBERS ALICE TUCKER AND LILLIE SIMPSON TO ADVISORY COMMITTEE ON AGING (10 VACANCIES)

**Recommendation:** Renew two-year terms of Alice Tucker and Lillie Simpson

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

**PUBLIC HEARINGS**

20. [#17-0227](#) PUBLIC HEARING ON RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AN AGREEMENT BETWEEN THE CITY AND CAPITAL PARTNERS DEVELOPMENT COMPANY, LLC ("CAPITAL PARTNERS"), PROVIDING FOR: (1) THE SALE BY THE CITY AND THE PURCHASE AND REDEVELOPMENT BY CAPITAL PARTNERS OF THAT CERTAIN PROPERTY LOCATED AT 13831 SAN PABLO AVENUE FOR THE SALE PRICE OF \$2,500,000; AND (2) THE DESIGN AND CONSTRUCTION BY CAPITAL PARTNERS OF A NEW CITY HALL ON CERTAIN REAL PROPERTY OWNED BY THE CITY, LOCATED ON GATEWAY AVENUE, COMPRISED OF APPROXIMATELY 2.50 ACRES AND CONSTITUTING A PORTION OF THAT PARCEL IDENTIFIED BY ASSESSOR'S PARCEL NUMBER 417-310-005, FOR A PRICE TO THE CITY OF \$14,950,000

**Recommendation:** Conduct public hearing; adopt Resolution

21. [#17-0257](#) PUBLIC HEARING ON RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CALIFORNIA, AND THE CITY OF SAN PABLO JOINT POWERS FINANCING AUTHORITY APPROVING THE ISSUANCE OF LEASE REVENUE BONDS SERIES 2017 BY THE CITY OF SAN PABLO JOINT POWERS FINANCING AUTHORITY; AUTHORIZING AND APPROVING A FIRST AMENDMENT TO SITE AND FACILITY LEASE, A FIRST AMENDMENT TO LEASE AGREEMENT, AN AMENDED AND RESTATED ASSIGNMENT AGREEMENT, A FIRST SUPPLEMENTAL INDENTURE, A PRELIMINARY OFFICIAL STATEMENT, A FINAL OFFICIAL STATEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A BOND PURCHASE AGREEMENT; DECLARING THE CITY'S INTENTION TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF DEBT; APPROVING FINANCING TEAM MEMBERS AND CONTRACTS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**Recommendation:** Conduct Public Hearing and Adopt City Resolution and Financing Authority Resolution

**RESOLUTIONS**

22. [#17-0272](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING A BUDGET APPROPRIATION OF \$4.5 MILLION FROM FY 2016/17 GENERAL FUND DESIGNATED RESERVES (\$2.5 MILLION FROM FIRE/EMS SERVICES FS 70, \$1.2 MILLION FROM COMPENSATED EMPLOYEE ABSENCES, \$0.8 MILLION FROM PLAZA SAN PABLO INFRASTRUCTURE PROJECTS) AND \$11 MILLION FROM FUTURE 2017 LEASE REVENUE BOND PROCEEDS FOR A TOTAL OF \$15.5 MILLION TO CAPITAL IMPROVEMENTS PROGRAM (CIP) PROJECT BUDGET 320-3200-43600-CIH-CON FOR THE DEVELOPMENT OF THE NEW SAN PABLO CITY HALL

**Recommendation:** Adopt Resolution

23. [#17-0228](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SAN PABLO AND THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT FOR THE SAN PABLO FIRE STATION REPLACEMENT PROJECT

**Recommendation:** Adopt Resolution

24. [#17-0283](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DISCLOSING A CHANGE IN "OTHER POST RETIREMENT BENEFITS" (OPEB) FOR SWORN EMPLOYEES REPRESENTED BY THE SAN PABLO POLICE EMPLOYEES' ASSOCIATION (SPPEA) AND THE CITY'S CURRENT LIABILITIES FOR SUCH BENEFITS PURSUANT TO GOVERNMENT CODE SECTION 7507(C)

**Recommendation:** Adopt Resolution

**MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS**

*(Approved by Resolution 2017-015)*

*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 Cecilia Valdez**

*Memberships: Contra Costa College Foundation Board (Primary); Sister City Committee (Alternate); West Contra Costa Mayors/Supervisors Association (Primary); West Contra Costa Transportation Advisory Committee (Primary); West County Integrated Waste Management/RecycleMore JPA (Primary)*

*Standing Committee: Budget, Fiscal & Legislative*

*Ad-Hoc Subcommittee: New City Hall/Existing Civic Center Development*

**(b) Vice Mayor Genoveva Calloway**

*Memberships: Association of Bay Area Governments (Alternate); Sister City Committee (Primary); SPEDC Board of Directors; San Pablo Oversight Board (City Representative); West County Mayors/Supervisors Association (Alternate)*

*Standing Committees: Community Services; Public Safety*

*Ad-Hoc Subcommittee: Project Labor/Local Hire*

**(c) Councilmember Paul V. Morris**

*Memberships: East Bay Regional Communications System Authority (Board Member); League of California Cities/Public Safety Policy Committee; San Pablo Community Grant Review Committee; West County Integrated Waste Management/RecycleMore JPA (Alternate)*

*Standing Committees: Community Services; Public Safety*

*Ad-Hoc Subcommittee: New City Hall/Existing Civic Center Development*

**(d) Councilmember Rich Kinney**

*Memberships: Association of Bay Area Governments (Primary); Contra Costa Hazardous Materials Commission (Alternate); League of California Cities/East Bay Division (Primary); West Contra Costa Transportation Advisory Committee (Alternate); Marin Clean Energy Board of Directors Member (Alternate)*

*Standing Committees: Budget, Fiscal & Legislative; Economic Development & Project Management*

**(e) Councilmember Arturo Cruz**

*Memberships: League of California Cities East Bay League Division (Alternate); Marin Clean Energy Board of Directors (Primary); San Pablo Community Grant Review Committee*

*Standing Committee: Economic Development & Project Management*

*Ad-Hoc Subcommittee: Project Labor/Local Hire*

**ADJOURNMENT**

*Adjourn to Monday, July 3, 2017 at 6:00 pm, in memory of Delia Padilla, family friend and mother of Jose Padilla, Executive Director of the California Rural Legal Assistance.*