



City of San Pablo

13831 San Pablo Ave.
San Pablo, CA 94806
(510) 215-3000
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

Monday, October 2, 2017

6:00 PM

Council Chambers

CLOSED SESSION BEGINS AT 5:00 PM

TELECONFERENCE LOCATION
110 Santa Rita Court, San Pablo, CA 94806
(510) 215-5780

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.

Members of the public may address the Council concerning the Closed Session matters on tonight's agenda before consideration of the item. Please file your name and address with the City Clerk on forms provided at the speaker's podium.

ROLL CALL

CLOSED SESSION (5:00 PM in Council Conference Room)

1. [#17-0414](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to California Government Code
Section 54956.9(d)(2) / Claim pursuant to California Government Code
section 54956.95: Claim of Donahue Schriber Realty Group
2. [#17-0413](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to California Government Code Section
54956.9(d)(4): (1 potential case)

Recess to Regular Session (approximately 6:00 pm)

PLEDGE OF ALLEGIANCE

ROLL CALL

Speakers wishing to address the Council on a specific agenda item should file a form with the City Clerk indicating the agenda item. The Mayor will invite you to speak at the appropriate time when the matter is being considered. If you desire to address the Council, 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 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.

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

3. [#17-0400](#) MINUTES OF THE MEETING OF SEPTEMBER 18, 2017

Recommendation: Approve

LIABILITY CLAIMS

4. [#17-0409](#) LIABILITY CLAIM OF DONAHUE SCHRIEBER REALITY GROUP (DOL 04/21/17)

Recommendation: Notice of Late Claim/Reject Claim

5. [#17-0415](#) LIABILITY CLAIMS OF DANIELLE MOUTON (DOL 04/13/17); NORA CARRASCO AND GABRIEL RAYA (DOL 05/1/17)

Recommendation: Deny Claims

MISCELLANEOUS**BOARDS AND COMMISSIONS**

6. [#17-0410](#) BOARDS AND COMMISSIONS - PLANNING COMMISSION (ONE VACANCY) - REAPPOINT RITA XAVIER TO NEW FOUR YEAR TERM

Recommendation: Authorize by Minute Order, reappoint Rita Xavier to Planning Commission to four-year term

RESOLUTIONS

7. [#17-0389](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AWARDED THE BID FOR THE 2017/18 PAVEMENT REPAIR PROJECT (PAV-018) TO PAVING CONSTRUCTION SERVICES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$389,214 WITH PAVING CONSTRUCTION SERVICES, INC. WITH A 25% CONTINGENCY FOR A TOTAL AUTHORIZATION OF \$486,517; AND (2) IDENTIFYING PAV-018 AS SB1 ROAD REPAIR AND ACCOUNTABILITY ACT MAINTENANCE-OF-EFFORT PROJECT IN AN AMOUNT EQUAL TO OR GREATER THAN \$464,941

Recommendation: Adopt Resolution

8. [#17-0407](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING A ONE-TIME EVENT SPONSORSHIP IN THE AMOUNT OF \$2,000 TO THE BOYS & GIRLS CLUB OF CONTRA COSTA FOR THEIR "MAKING DREAMS HAPPEN!" EVENT ON SATURDAY, OCTOBER 21, 2017

Recommendation: Adopt Resolution

9. [#17-0412](#) 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

10. [#17-0418](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) REJECTING ALL BIDS RECEIVED FOR THE SAN PABLO AVENUE COMPLETE STREETS PROJECT DUE TO INSUFFICIENT FUNDS AVAILABLE, AND (2) AUTHORIZING THE CITY ENGINEER TO RE-BID THE PROJECT

Recommendation: Adopt Resolution

11. [#17-0394](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING THE FY 2017/18 CIP BUDGET TO INCLUDE RANDY LANE DRAINAGE AS A PROJECT FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT; AND
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) REJECTING THE BID PROTEST OF TRINET CONSTRUCTION, INC; 2) WAIVING A BIDDING DEVIATION AS IMMATERIAL AND INCONSEQUENTIAL AND AWARDED THE RANDY LANE DRAINAGE IMPROVEMENT PROJECT TO, THE LOW BIDDER, MAGGIORA & GHILOTTI, INC, OF SAN RAFAEL, CALIFORNIA; (3) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MAGGIORA & GHILOTTI, INC. IN THE AMOUNT OF \$442,442 WITH A 15% CONTINGENCY OF APPROXIMATELY \$66,366, FOR A TOTAL AUTHORIZATION OF \$508,808; (4) RECEIVING REVENUES OF APPROXIMATELY \$174,187 FROM SB1 ROAD REPAIR AND ACCOUNTABILITY ACT FUNDS AND APPROPRIATING SAID FUNDS TO THE RANDY LANE DRAINAGE PROJECT (RLN-DRN); (5) APPROPRIATING \$150,000 FROM GENERAL FUND DESIGNATED RESERVE FOR DRAINAGE TO RLN-DRN; AND, (6) REALLOCATING \$84,813 OF UNOBLIGATED FUNDS FROM SPC-GAV BRIDGE PROJECT AND \$81,000 FROM THE POSTPONED MARKET STREET PROJECT (MAR-STR) TO THE RANDY LANE DRAINAGE IMPROVEMENT PROJECT (320-3202-43600-RLN-DRN)

Recommendation: Adopt Resolutions

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

CITY COUNCIL CONSIDERATION/AUTHORIZATION**12. [#17-0411](#)** DISCUSSION AND POLICY DIRECTION ON FEDERAL IMMIGRATION POLICIES, AS FOLLOWS:

1) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2015-17 COUNCIL PRIORITY WORKPLAN TO ADD POLICY ITEM IN SUPPORT OF THE FEDERAL DEFERRED ACTION FOR CHILDREN ARRIVALS (DACA) PROGRAM AND CALLING FOR NEW BI-PARTISAN LEGISLATION TO LEGALLY ENACT THE FEDERAL DREAM ACT; AND

2) RESCIND PREVIOUS CITY COUNCIL RESOLUTION 2010-049 - OPPOSING STATE OF ARIZONA SB 1070 LAW

- Recommendation:**
- 1) The City Manager has no recommendation to the City Council on whether to add support for the Federal DACA program and legislation to legally enact the Federal DREAM Act to the Council's Workplan; and
 - 2) The City Manager recommends the City Council provide direction by minute action to draft a Resolution to rescind previously adopted City Council Resolution 2010-049 as no longer applicable.

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, October 16, 2017 at 6:00 pm, in memory of (1) Nelda Adams, mother of Contract Building Official Greg Adams; (2) Franklin Schroeder, father of Administrative Secretary Sarah Maroof; and (3) George Beaulieu, Building Attendant.