



City of San Pablo

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

Meeting Agenda - Final

City Council

Mayor Rich Kinney
Vice Mayor Arturo Cruz
Councilmember VACANT SEAT
Councilmember Elizabeth Pabon-Alvarado
Councilmember Rita Xavier

Monday, January 14, 2019

4:00 PM

Council Chambers

CITY COUNCIL SPECIAL MEETING - 4:00 P.M.

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.

PLEDGE OF ALLEGIANCE

ROLL CALL

Speakers wishing to address the Council or Successor Agency 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 Agency, 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 COUNCIL VACANCY

1. [#19-020](#) A) CITY COUNCIL INTERVIEWS AND APPOINTIVE PROCESS:
INTERVIEW CANDIDATES AND APPOINT CITY COUNCILMEMBER TO
FILL VACANCY BY ADOPTED RESOLUTION

B) ADMINISTER OATH OF OFFICE OF NEWLY APPOINTED
COUNCILMEMBER

Recommendation: Conduct interviews to fill the vacant seat on the City Council and appoint by Resolution

BOARDS AND COMMISSIONS

2. [#19-006](#) A) BOARDS AND COMMISSIONS INTERVIEWS AND APPOINTMENT:
SAN PABLO PLANNING COMMISSION: CONDUCT INTERVIEWS AND
APPOINT COMMISSIONER TO FILL ONE VACANCY BY RESOLUTION

B) ADMINISTER OATH OF OFFICE OF NEWLY APPOINTED
COMMISSIONER

Recommendation: Conduct interview of applicant and adopt Resolution

CLOSED SESSION

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.

RECESS TO CLOSED SESSION

3. [#19-001](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to California Government Code section
54956.9(d)(4): 2 cases

4. [#19-002](#)

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(TORT CLAIMS)

Anticipated litigation against the City of San Pablo pursuant to California Government Code Sections 54956.9(d)(2) and 54956.95:

1. Donohue Schriber Realty Group (Princeton Plaza): DOL 6/1/16
2. Nunes, David: DOL 3/30/18
3. Phasavath, Phouthalom: DOL 9/11/18
4. Ramirez, Maria: DOL 9/26/18
5. Romey, Joe: DOL 9/23/16
6. Saechao, Yao: DOL 12/5/16
7. Salgado, Edgar Eli Mendez: DOL 2/1/18
8. Solanki, Kiran/Ohmsai Investment, Inc.: DOL 10/12/17
9. Walker, Dawnya: DOL 10/15/18
10. Watts II, Eddie C: DOL 10/5/17
11. Zamira, Eric Jason: DOL 6/28/18

5. [#19-003](#)

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Existing litigation against the City of San Pablo pursuant to California Government Code Section 94596.9(d)(1):

1. C.D.D.S. by and through his guardian ad litem Lahoma DosSantos v. City of San Pablo, US District Court, Northern District of California, case number 17-cv-00414 DMR (dismissed without prejudice)
2. Noe Silva et al v. City of San Pablo, US District Court, Northern District of California, case number 16-cv-04360; Contra Costa County Superior Court, case number C18-01588
3. Al D. Jones et al. v. City of San Pablo et. al., Small Claims Action RSC18-0622

6. [#19-004](#)

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Anticipated litigation pursuant to California Government Code Section 54956.9(d)(2)

1. W.E. Lyons Construction Claim regarding WIC Design-Build Building
2. Ascent Builders regarding new City Hall contract process
3. One potential case pursuant to Government Code section 54956.9(e)
(1)

7. [#19-005](#)

CLOSED SESSION pursuant to Gov't Code section 54957:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

ADJOURNMENT