



# City of San Pablo

1000 Gateway Avenue  
San Pablo, CA 94806  
(510) 215-3000  
[www.SanPabloCA.gov](http://www.SanPabloCA.gov)

## Meeting Agenda - Final

### City Council

*Mayor Elizabeth Pabon-Alvarado*  
*Vice Mayor Rita Xavier*  
*Councilmember Abel Pineda*  
*Councilmember Patricia Ponce*  
*Councilmember Arturo M. Cruz*

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Tuesday, January 19, 2021

6:00 PM

Teleconference/Videoconference

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**CLOSED SESSION BEGINS AT 4:30 PM**

**City Council and Staff will attend via Teleconference/Videoconference**

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the City Council, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both.

In order to comply with public health orders the requirement to provide a physical location for members of the public to participate in the meeting has been suspended. However, the public can participate in the meeting in the following ways:

1. Members of the public can watch or listen to the meeting during Livestream Online at: <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-CommAgendasMin>; OR  
<https://tinyurl.com/SPCC011921> (no password needed) OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPCC011921>.

Or join by phone: Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099, or +1 301 715 8592, or +1 312 626 6799; Webinar ID: 874 5997 2831; International numbers available: <https://us02web.zoom.us/j/kdy3l7EyBQ>

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPCC011921>.

- a. 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 #\_\_". Comments received by 12 noon on the day of the meeting will be provided in advance to the City Council and posted online with the agenda materials.
- b. Via VOICEMAIL at (510) 215-3000. The caller must start the message by stating "PUBLIC COMMENTS NOT ON THE AGENDA" [or] "PUBLIC COMMENTS - AGENDA ITEM #\_\_" followed by their comments. Providing a name and method of follow-up if appropriate is requested but not required. Messages received by 12 noon on the day of the meeting will be transcribed or summarized to be provided in advance to the City Council and posted online with the agenda materials.
- c. During the meeting, the public may provide public comments via email to [CityClerk@SanPabloCA.gov](mailto:CityClerk@SanPabloCA.gov), which will be read into the record before Council consideration of the item and will be limited to three (3) minutes. Comments that do not conform to the City Council's rules of decorum may be summarized rather than read verbatim.
- d. To make a public comment on a desired item while participating in the webinar, click on the "Raise Your Hand" option within the online webinar tool, or if participating via phone – dial \*9.
- e. Written comments on agenda items shall be submitted by noon on the day of the meeting to allow sufficient time for copying and consideration before Council consideration of the agenda item. Written comments exceeding one page must be submitted by 7:30 am on the day of the meeting.

As allowed by the Brown Act, the Mayor may limit the total time for public comment to facilitate the completion of business on the agenda.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments prior to taking action, you are strongly encouraged to submit your comments in writing in advance of the meeting. All comments received by the close of the meeting will be available after the meeting as supplemental materials and will become part of the official meeting record.

Please note that all information provided in public comments including phone number called with, email addresses and any other personal information written or stated is subject to disclosure on the broadcast of the video- or tele-conferenced meeting. Comments posted online will not include personal information.

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, 1000 Gateway Avenue, 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.

The full agenda packet may also be viewed on the city website at <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-Comm-AgendasMin>.

Copies of this Agenda and non-exempt public records relating to an open session item on this agenda are available for public view in the City Clerk's Office, 1000 Gateway Avenue, San Pablo. The full agenda packet may also be viewed on the city website at [www.SanPabloCA.gov](http://www.SanPabloCA.gov).

### **ROLL CALL**

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.

### **CLOSED SESSION**

1. [#21-025](#)      CLOSED SESSION  
CONFERENCE WITH LABOR NEGOTIATORS  
(Pursuant to Govt. Code section 54957.6)  
AGENCY DESIGNATED REPRESENTATIVES: Matt Rodriguez, Charles Ching, Kelly Sessions, Alicia Southern, Viviana Toledo, and Negotiator Kelly Tuffo  
EMPLOYEE ORGANIZATIONS: Association of Intermediate Employees, Confidential Employees, Contract Employees, Division Managers, Executive Management, San Pablo Police Employees Association; San Pablo Police Employees Association (Management Unit); and Operating Engineers Local Union No. 3, AFL-CIO
  
2. [#21-048](#)      CLOSED SESSION  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Gov't Code Section 54956.8:  
PROPERTY: 13831 San Pablo Avenue, San Pablo, CA 94806 (Former City Hall)  
AGENCY NEGOTIATORS: Matt Rodriguez, Charles Ching, Special Counsel Nicki Murphy  
NEGOTIATING PARTIES: Danco Communities and The Mulholland Drive Company  
UNDER NEGOTIATION: Price and Terms of Payment for Disposition of Property

3. [#21-051](#) CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Existing litigation pursuant to California Government Code Section 54956.9(d)(1):
1. County of Santa Cruz et al. v. Bureau of Cannabis Control, Fresno County Superior Court, Case No. 19CECG01224 (City is a party)
  2. Apartment Association of Los Angeles v. City of Los Angeles, United States District Court for the Central District, Case No. 2:20-cv-05193 -DDP-JEM, 2020 WL 4501792, 2020 LEXIS 212769 (City is deciding whether to enter as an amicus curiae on the appeal to the Ninth Circuit)

Reconvene to Open Session at approximately 6:00 pm

### **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 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. [#21-016](#) MINUTES OF THE MEETINGS OF DECEMBER 21, 2020 (CITY AND LOCAL SUCCESSOR AGENCY) AND JANUARY 11, 2021 (CITY)

**Recommendation:** Approve

**LIABILITY CLAIMS**

5. [#21-022](#) LIABILITY CLAIM OF ANGELICA DE BODE FOR MINOR CLAIMANT JANE DOE (DOL 03/10/20)

**Recommendation:** Deny claim

**BOARDS AND COMMISSIONS**

6. [#21-034](#) BOARDS AND COMMISSIONS: PLANNING COMMISSION - NOTICE OF VACANCY (TWO VACANCIES)

**Recommendation:** Authorize by Minute Order to post Notice of Vacancies for a minimum of 20 days.

**PERIODIC REPORTS**

7. [#21-023](#) INVESTMENT REPORT/TREASURER'S REPORT FOR MONTH OF DECEMBER 2020

**Recommendation:** Receive and file

8. [#21-032](#) VENDOR CHECK REGISTER REPORT FOR THE MONTH OF DECEMBER 2020

**Recommendation:** Approve

**MISCELLANEOUS**

9. [#21-024](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CALIFORNIA EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO NOVEL CORONAVIRUS (COVID-19) AND CONFIRMING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES

**Recommendation:** Adopt Resolution

10. [#21-013](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2021/22 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING FOR GIANT ROAD CYCLETRACK PROJECT AND FINDING THE PROJECT CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**Recommendation:** Adopt Resolution

11. [#21-036](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO (1) ACCEPT AND APPROPRIATE \$25,000 IN KAISER PERMANENTE GRANT FUNDING FOR A REGIONAL COORDINATED OUTREACH, REFERRAL AND ENGAGEMENT (C.O.R.E.) HOMELESS OUTREACH TEAM TO IDENTIFY, ENGAGE AND CONNECT PERSONS EXPERIENCING HOMELESSNESS TO HEALTHCARE, SOCIAL SERVICES AND HOUSING; (2) ENTER INTO AN AMENDED AGREEMENT WITH CONTRA COSTA HEALTH SERVICES TO PROVIDE C.O.R.E. SERVICES FOR ONE YEAR AT A COST NOT TO EXCEED \$25,000; AND (3) APPROPRIATE FUNDING IN THE SAME AMOUNT TO THE POLICE DEPARTMENT BUDGET IN SUPPORT OF THE PROGRAM

**Recommendation:** Adopt Resolution

12. [#21-007](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO APPLY FOR THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION PROPOSITION 68 GRANT FOR THE REVITALIZATION OF THE PARK AT 2600 MORAGA ROAD, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPLICATION AND ANY NECESSARY AGREEMENTS RELATED TO THIS GRANT

**Recommendation:** Adopt Resolution

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

## **PUBLIC HEARINGS**

13. [#21-015](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING ZONING ORDINANCE CHAPTER 17.62, SECTIONS 17.62.200 AND 17.62.300, REGARDING WIRELESS FACILITIES COVERED UNDER SECTION 6409(A) OF THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012 AND NEW AND SUBSTANTIALLY CHANGED WIRELESS FACILITIES

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

## **CITY COUNCIL DISCUSSION/CONSIDERATION**

14. [#21-026](#) UPDATE ON THE SAN PABLO "BACK TO BUSINESS" COVID-19 RELIEF FUND AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO EXTENDING THE CITY'S FISCAL YEAR 2020/21 COVID-19 HOUSING ASSISTANCE GRANT PROGRAM TO MARCH 31, 2021 OR UNTIL GRANT FUNDS RUN OUT, WHICHEVER IS SOONER

**Recommendation:** Adopt Resolution

15. [#21-033](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING THE CITY OF SAN PABLO SLOGAN "TEAMWORK SAN PABLO 2021 - THE YEAR OF \_\_\_\_\_" FOR THE JANUARY-DECEMBER 2021 PERIOD

**Recommendation:** Council discussion; adopt Resolution

16. [#21-014](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AFFIRMING RECOMMENDED APPOINTMENTS BY MAYOR ELIZABETH PABON-ALVARADO OF INDIVIDUAL CITY COUNCIL STANDING COMMITTEE AND REGIONAL/LOCAL ASSIGNMENTS FOR CALENDAR YEAR 2021; AND ESTABLISHING NEW TEMPORARY, LIMITED TERM AD-HOC SUBCOMMITTEES DURING CALENDAR YEAR 2021

**Recommendation:** Adopt Resolution for all City Council assignments for Calendar Year 2021

### **SUPPLEMENTAL AGENDA MATERIAL (IF ANY)**

17. [#21-009](#) MATERIALS SUBMITTED AFTER PUBLICATION OF THE AGENDA WILL BE APPENDED AFTER THE COUNCIL MEETING 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 2020-011)*

*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 Elizabeth Pabon-Alvarado**

*Memberships: Contra Costa Mayors Conference (Primary); West County Mayors & Supervisors Association (Primary); Association of Bay Area Governments (Primary); League of CA Cities East Bay League Division (Alternate); Sister City Manzanillo Committee (Alternate); Marin Clean Energy Board of Directors (Primary)*

*Standing Committees: Budget, Fiscal & Legislative*

*Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; Emergency Preparedness & EOC Activities for CY 2020*

#### **(b) Vice Mayor Rita Xavier**

*Memberships: League of CA Cities East Bay League Division (Primary); San Pablo Community Grant Foundation (Member); West County Integrated Waste Management/RecycleMore JPA (Alternate); West Contra Costa Transportation Advisory Committee (Primary); CCTA Richmond Steering Committee Community-Based Transportation Plan (CBTP) (Primary); Association of Bay Area Governments (Alternate)*

*Standing Committees: Public Safety*

*Ad-Hoc Subcommittees: New Police Department HQ/RTC Project*

**(c) Councilmember Abel Pineda**

*Memberships: West County Integrated Waste Management/RecycleMore JPA (Primary); West Contra Costa Transportation Advisory Committee (Alternate)*

*Standing Committees: Budget, Fiscal & Legislative; Community Services*

*Ad-Hoc Subcommittees: Smart City Initiative (5G Technology Projects); COVID-19 Pandemic Operational and Policy Matters*

**(d) Councilmember Patricia Ponce**

*Memberships: To be assigned*

*Standing Committees: To be assigned*

*Ad-Hoc Subcommittees: To be assigned*

**(e) Councilmember Arturo Cruz**

*Memberships: San Pablo Community Grant Foundation Board (Member)*

*Standing Committees: Community Services; Economic Development, Housing & Project Management; Public Safety*

*Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; New Police Department HQ/RTC; Smart City Initiative (5G Technology Projects); Emergency Preparedness & EOC Activities for CY 2020; COVID-19 Pandemic Operational and Policy Matters*

**ADJOURNMENT**

Adjourn to Monday, February 1, 2021 at 6:00 pm, in memory of Agueda Llarena Grantoza, grandmother of IT Administrator Rogelio Vista.