



City of San Pablo

1000 Gateway Avenue
San Pablo, CA 94806
(510) 215-3000
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

Tuesday, September 7, 2021

6:00 PM

Via Teleconference/Videoconference

CITY COUNCIL / LOCAL SUCCESSOR AGENCY

CLOSED SESSION BEGINS AT 5:00 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/SPCCmtg090721> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPCCmtg090721>.

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: 822 2375 2872; International numbers available: <https://us02web.zoom.us/j/ko3NA8G5x>.

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPCCmtg090721>.

- a. Via EMAIL to 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, 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 – press *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>.

ROLL CALL

Members of the public may address the Council or Directors 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. [#21-330](#) CLOSED SESSION
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Gov't Code Section 54956.8:
PROPERTY: 13831 San Pablo Avenue, San Pablo, CA 94806 (a portion of the former City Hall site located generally at the intersection of San Pablo Avenue and Church Lane)
AGENCY NEGOTIATORS: Matt Rodriguez, Charles Ching, Jennifer Kauffman, Nicole Murphy as Special Legal Counsel
NEGOTIATING PARTIES: Danco Communities and The Mulholland Drive Company
UNDER NEGOTIATION: Price and Terms of Payment for Disposition of Property

2. [#21-331](#) CLOSED SESSION
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Gov't Code Section 54956.8:
PROPERTY: A portion of 2600 Moraga Rd, San Pablo, CA 94806 (APN 416-140-050)
AGENCY NEGOTIATORS: Matt Rodriguez, Charles Ching, Jennifer Kauffman, Nicole Murphy as Special Legal Counsel
NEGOTIATING PARTIES: American Recess and The Mullholland Drive Company
UNDER NEGOTIATION: Price and terms of payment for disposition of property

***** END OF CLOSED SESSION *****

PLEDGE OF ALLEGIANCE**ROLL CALL**

Speakers wishing to address the Council or 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.

PRESENTATIONS

3. [#21-307](#) PRESENTATION OF PUBLIC SAFETY SURVEY RESULTS (JULY 2021)
BY DR. GARY MANROSS OF STRATEGY RESEARCH INSTITUTE

Recommendation: For Informational Purposes Only

4. [#21-332](#) PRESENTATION OF ANNUAL REPORT BY THE SAN PABLO POLICE
DEPARTMENT

Recommendation: For Informational Purposes Only

***** END OF PRESENTATIONS *****

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

5. [#21-320](#) MINUTES OF THE MEETING OF AUGUST 2, 2021

Recommendation: Approve

PERIODIC REPORTS

6. [#21-323](#) VENDOR CHECK REGISTER REPORT FOR THE MONTH OF JULY
2021

Recommendation: Approve

7. [#21-328](#) INVESTMENT REPORT/TREASURER'S REPORT FOR MONTH OF JULY 2021

Recommendation: Receive and file

LIABILITY CLAIMS

8. [#21-343](#) LIABILITY CLAIM OF OSCAR H. AGUIRRE (DOL 06/01/21)

Recommendation: Deny claim

BOARDS AND COMMISSIONS

9. [#21-322](#) BOARDS AND COMMISSIONS: PLANNING COMMISSION - NOTICE OF VACANCY

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

MISCELLANEOUS

10. [#21-304](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING THE CITY OF SAN PABLO'S CONFLICT OF INTEREST CODE

Recommendation: Adopt Resolution

11. [#21-315](#) 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

12. [#21-341](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO RATIFYING THE WAIVER OF FEES FOR USE OF DAVIS PARK SPORTS FIELDS AND CONCESSION STAND FOR THE SAN PABLO COWBOYS YOUTH ASSOCIATION (SPCYA) FOR THE 2021 SUMMER / FALL SEASON

Recommendation: Adopt Resolution

13. [#21-316](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) ACCEPTING WORK PERFORMED BY GRUENDL, INC. DBA RAY'S ELECTRIC, OAKLAND, CALIFORNIA FOR THE FIBER WIDE AREA NETWORK (WAN) PROJECT (0950) AS COMPLETE; (2) DIRECTING CITY ENGINEER TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER; AND (3) RE-APPROPRIATE REMAINING FUNDS TO RUMRILL COMPLETE STREETS PROJECT (0700)

Recommendation: Adopt Resolution

14. [#21-319](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING A BUDGET APPROPRIATION OF \$330,000 FROM FY 21/22 GENERAL FUND DESIGNATED RESERVES / GENERAL LIABILITY COST INCREASE TO MULTI-DEPARTMENTAL PROPERTY/FIRE/CRIME INSURANCE (100-1430-44450) TO FUND THE CITY'S FISCAL YEAR 21/22 ANNUAL INSURANCE PREMIUM INCREASES

Recommendation: Adopt Resolution

15. [#21-334](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH AMERICAN RECESS, LLC, AND THE MULHOLLAND DRIVE COMPANY, LLC, FOR THE SALE AND DEVELOPMENT OF THE SOUTHERNMOST PORTION OF THE PROPERTY LOCATED AT 2600 MORAGA ROAD, SAN PABLO, CALIFORNIA

Recommendation: Adopt Resolution

16. [#21-311](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) 2021 FORD F-650 CHASSIS, ELECTRIC BATTERY-POWERED GARBAGE TRUCK FROM ELECTRIC VEHICLE CONVERSIONS IN SANTA FE SPRINGS, CA; (2) WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE PURSUANT TO THE SAN PABLO MUNICIPAL CODE SECTION 3.16.110; (3) RATIFYING THE APPLICATION FOR FUNDING THROUGH CALIFORNIA'S HYBRID AND ZERO-EMISSION TRUCK AND BUS VOUCHER INCENTIVE PROJECT; AND (4) APPROPRIATING \$220,000 FROM THE GENERAL FUND DESIGNATED RESERVES TO THE VEHICLE REPLACEMENT FUND TO EXECUTE PUBLIC WORKS VEHICLE PURCHASES IN FY 2021/22

Recommendation: Adopt Resolution

17. [#21-333](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) APPROVING AN AGREEMENT WITH CHANGING ENVIRONMENTS, INC., DBA SOOFA, IN THE AMOUNT OF \$44,000 FOR THE FIRST YEAR AND \$18,000 ANNUAL COSTS FOR UP TO FIVE ADDITIONAL ONE-YEAR EXTENSIONS FOR A TOTAL NOT TO EXCEED \$134,000; (2) WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE PURSUANT TO THE SAN PABLO MUNICIPAL CODE SECTION 3.16.110(C); (3) APPROPRIATING \$44,000 FROM THE GENERAL FUND DESIGNATED RESERVES TO FUND THE AGREEMENT; AND (4) AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT AND EXTENSIONS

Recommendation: Adopt Resolution

18. [#21-347](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE CITY MANAGER TO PURCHASE FOUR 2022 FORD EXPLORER UTILITY VEHICLES EQUIPPED WITH EMERGENCY EQUIPMENT FOR \$182,237 USING COMPETITIVELY BID COOPERATIVE CONTRACTS; (2) AUTHORIZING THE CITY MANAGER TO FOREGO THE FORMAL BID PROCESS FOR SPECIALIZED SERVICES COMBINED WITH EQUIPMENT PURSUANT TO THE SAN PABLO MUNICIPAL CODE SECTION 3.16.110(B) AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PUBLIC SAFETY EQUIPMENT (EVO-PARENT COMPANY) TO FULLY OUTFIT THE VEHICLES; (3) AUTHORIZING TWO FORD CROWN VICTORIA VEHICLES TO BE SURPLUSED PURSUANT TO SAN PABLO MUNICIPAL CODE 3.16.120; AND (4) APPROPRIATING \$230,000 FROM THE GENERAL FUND DESIGNATED RESERVES TO THE VEHICLE REPLACEMENT FUND TO EXECUTE VEHICLE PURCHASES IN FY 2021/22

Recommendation: Adopt Resolution

19. [#21-355](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE SAN PABLO POLICE DEPARTMENT TO ACCEPT AND APPROPRIATE \$47,973 IN GRANT FUNDING FROM THE CALIFORNIA ALCOHOL BEVERAGE CONTROL TO PARTICIPATE IN THE GRANT ASSISTANCE TO LOCAL LAW ENFORCEMENT PROGRAM TO DEVELOP AN EFFECTIVE, COMPREHENSIVE AND STRATEGIC APPROACH TO ELIMINATING THE CRIME AND PUBLIC NUISANCE PROBLEMS ASSOCIATED WITH PROBLEM ALCOHOLIC BEVERAGE OUTLETS

Recommendation: Adopt Resolution

CITY COUNCIL AUTHORIZATION

20. [#21-342](#) CITY COUNCIL AUTHORIZATION TO RATIFY A THANK YOU LETTER TRANSMITTED ON AUGUST 3, 2021 FROM SAN PABLO MAYOR ELIZABETH PABON-ALVARADO TO US SENATOR ALEX PADILLA REGARDING A REQUEST FOR FUNDING TO THE SENATE APPROPRIATIONS COMMITTEE UNDER THE FY 2022 SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS BILL IN THE AMOUNT OF \$8,000,000 FOR THE SAN PABLO AVENUE BRIDGE REPLACEMENT AND INTERSECTION REALIGNMENT PROJECT

Recommendation: Approve by Minute Order

21. [#21-354](#) DISCLOSURE TO THE CITY COUNCIL AND TO THE CITY AS SUCCESSOR AGENCY TO THE SAN PABLO REDEVELOPMENT AGENCY OF COUNCILMEMBER PINEDA'S PURCHASE OF PROPERTY WITHIN THE BOUNDARIES OF THE FORMER SAN PABLO REDEVELOPMENT PROJECT AREA FOR PERSONAL RESIDENTIAL USE

Recommendation: Accept Councilmember Pineda's disclosure of his purchase of property for residential use within the boundaries of the former San Pablo Redevelopment Project area at 1648 - 15th Street, San Pablo

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

CITY COUNCIL DISCUSSION/CONSIDERATION

22. [#21-348](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ESTABLISHING A NEW TEMPORARY AD-HOC SUBCOMMITTEE TO FACILITATE COUNCIL PARTICIPATION AND ATTENDANCE IN LOCAL BUSINESS ASSOCIATION DISCUSSIONS AND MEETINGS DURING CALENDAR YEAR 2021, EXPIRING ON DECEMBER 31, 2021; AND AFFIRMING COUNCILMEMBER APPOINTMENTS AS RECOMMENDED BY MAYOR ELIZABETH PABON-ALVARADO PURSUANT TO SAN PABLO MUNICIPAL CODE SECTION 2.16.070

Recommendation: 1) Establish new Temporary Ad-Hoc Subcommittee; and
2) Affirm the Mayor's recommendations on Councilmember assignments by majority vote pursuant to SPMC 2.16.070 requirements via adopted Resolution.

23. [#21-359](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) FOR THE STREETLIGHT DATA AND SERVICES SUBSCRIPTION FOR ONE YEAR AND COST-SHARING COMMITMENT IN THE AMOUNT OF \$15,000 WITH THE CITY REQUIRED TO INDEMNIFY THE PRIVATE CONTRACTOR, STREETLIGHT DATA, INC.

Recommendation: Adopt Resolution

SUPPLEMENTAL MATERIALS (IF ANY)

24. [#21-321](#) 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 ASSIGNMENTS REPORTS

(Approved by Resolution 2021-008)

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); League of CA Cities East Bay League Division (Primary)

Standing Committees: Budget, Fiscal & Legislative

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe

(b) Vice Mayor Rita Xavier

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

Standing Committees: Public Safety

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe

(c) Councilmember Abel Pineda

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

Standing Committees: Community Services

Ad-Hoc Subcommittees: Community Public Health; Wireless Technology/S.P.E.E.D. Projects

(d) Councilmember Patricia Ponce

Memberships: Marin Clean Energy Board of Directors (Primary); San Pablo Economic Development Corporation Board of Directors (City Council Appointee); San Pablo-Manzanillo Sister City Committee (Primary)

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

Ad-Hoc Subcommittees: Community Public Health

(e) Councilmember Arturo Cruz

Memberships: Association of Bay Area Governments (Alternate); San Pablo Community Grant Foundation Board (Member)

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

Ad-Hoc Subcommittees: Wireless Technology/S.P.E.E.D. Projects

ADJOURNMENT

Adjourn to Monday, September 20, 2021 at 6:00 pm.