



Minutes of the Regular Meeting of the San Pablo City Council

Tuesday, February 21, 2017

ROLL CALL

The meeting convened in the Council Chambers at 5:21 pm. Present were Mayor Cecilia Valdez and Vice Mayor Genoveva Calloway, and Councilmembers Paul Morris and Rich Kinney. Absent was Councilmember Arturo Cruz. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Assistant to the City Manager/Economic Development Charles Ching, and Deputy City Clerk Lehnny Corbin.

The following spoke regarding the Closed Session item: Marie Gil and Harrison Tucker of Rocketship Education. The closed session convened in the Council Conference Room at 5:28 pm.

CLOSED SESSION

1. CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Govt. Code section 54956.8:

PROPERTY: 2600 Moraga Road, San Pablo, CA

AGENCY NEGOTIATORS: Matt Rodriguez, Reina Schwartz, Lynn Tracy Nerland
and Charles Ching

NEGOTIATING PARTIES: Launchpad Development Company

UNDER NEGOTIATION: Price and terms of payment

ROLL CALL

The regular meeting reconvened in the Council Chambers at 6:02 pm. Present Mayor Cecilia Valdez and Vice Mayor Genoveva Calloway and Councilmembers Paul Morris and Rich Kinney. Absent was Councilmember Arturo Cruz. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Acting Police Chief Gene Alameda, Public Works Director/City Engineer Barbara Hawkins, Financial Director Kelly Sessions, City Clerk Ted Denney, and Deputy City Clerk Lehnny Corbin.

City Attorney Nerland reported that direction was given to staff on the Closed Session matter and that there was no reportable action.

ORAL COMMUNICATIONS

George Apostolopoulos of YGreene Energy Fund spoke and asked Council to consider joining YGreene to offer solar and other energy efficient programs to the community, in addition to the other PACE (energy and water efficiency) programs already offered in the City.

Murender Jackson of The John Maxwell Team spoke regarding the Global Youth Initiative event and invited the City Council to attend on April 29, 2017.

Saad Muhammad of Public Employees Union Local One/AFSCME spoke regarding a letter sent to the City Manager regarding Public Works personnel. Maintenance Worker III Victor Berumen and Maintenance Worker I Clayton Shore spoke regarding recruitment and retention of Public Works employees and in particular the desire for more promotional opportunities.

CITY MANAGER REMARKS

City Manager Rodriguez the San Pablo Youth Commission's Collections Drive 2017.

CONSENT CALENDAR

By motion of Vice Mayor Calloway, seconded by Councilmember Morris, and passed by vote of those present, to adopt all items from the Consent Calendar, with the exception of item 7 (sponsorship of traveling students- #17-0057). The motion passed as follows:

AYES: Kinney, Morris, Calloway and Valdez

NOES: None

ABSENT: Cruz

ABSTAIN: None

MINUTES

2. By adoption of the Consent Calendar, the Minutes of the meetings of January 31, 2017 and February 6, 2017 were approved. (#17-0058)

PERIODIC REPORTS

3. By adoption of the Consent Calendar, the Vendor Check Register Report for the month of January 2017 was received and filed. (#17-0066)
4. By adoption of the Consent Calendar, the Investment Report / Treasurer's Report for the month of January 2017 was received and filed. (#17-0076)

LIABILITY CLAIMS

5. By adoption of the Consent Calendar, the Liability Claim of Yao Saechao (DOL 06/06/16) was denied. (#17-0067)

MISCELLANEOUS

6. By adoption of the Consent Calendar, **Resolution 2017-029** was adopted, a Resolution of the City Council of the City of San Pablo rescinding Resolution 2001-139, accepting the Amended Injury & Illness Prevention Program (IIPP), and authorizing the City Manager to approve future updates of the IIPP at staff level. (#17-0056)
7. This item was pulled from the Consent Calendar and discussed separately. Sarah Gurdian, one of the World Travelers, spoke and thanked the City Council for their support. By motion of Vice Mayor Calloway, seconded by Councilmember Morris, and passed by vote of those present to adopt **Resolution 2017-030**, a Resolution of the City Council of the City of San Pablo authorizing a one-time contribution of \$5,000 to sponsor five San Pablo residents to participate in the WCCUSD-sponsored 21st Century World Travelers to Spain, Italy and Greece trip during the summer of 2017. The motion passed as follows: (#17-0057)

AYES: Kinney, Morris, Calloway and Valdez
NOES: None
ABSENT: Cruz
ABSTAIN: None

8. By adoption of the Consent Calendar, **Resolution 2017-031** was adopted, a Resolution of the City Council of the City of San Pablo directing the City Engineer to prepare and file reports for the levy of the Annual Assessments for Fiscal Year 2017/18 for San Pablo Street Lighting and Landscape Assessment District No. 1982-1, and authorizing the City Manager to execute an agreement for services with LCC Engineering & Surveying, Inc. in the amount of \$24,900. (#17-0064)
9. By adoption of the Consent Calendar, **Resolution 2017-032** was adopted, a Resolution of the City Council of the City of San Pablo authorizing travel expenses and lodging for Officer Botta's travel outside the forty-eight (48) contiguous states to Maui, Hawaii, to conduct a post-mandated pre-employment background investigation for a police officer candidate. (#17-0073)
10. By adoption of the Consent Calendar, **Resolution 2017-033**, a Resolution of the City Council of the City of San Pablo appointing CalPERS retired annuitant Walter N. Schuld to the position of Interim Chief of Police and approving the employment agreement pursuant to California Government Code Section 21221(h). (#17-0074)

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

CITY COUNCIL CONSIDERATION/AUTHORIZATION

11. Council Consideration to amend Resolution 2007-056—Comprehensive Immigration Reform and Federal Immigration Enforcement (#17-0069)
City Manager Rodriguez provided some background information on the immigration issues in California, i.e. SB 54 Law Enforcement, as well as the previously adopted City Council Resolution 2007-056. Mr. Rodriguez referred the City Council to the supplemental correspondence he submitted which included an added recital paragraph to the proposed draft resolution.

The following individuals spoke in support of the item: Janet Pottier, Leonard McNeil, Sherry Stanley, Rita Xavier and Anneka Citrin.

Mayor Valdez made a motion, seconded by Vice Mayor Calloway, to add the additional language in the memorandum from the City Manager; further discussion and public comments ensued. Councilmember Kinney asked to remove the fourth paragraph of the draft resolution:

WHEREAS, in the wake of the recent presidential election, City of San Pablo is fully aware and concerned that there is great fear, heightened xenophobia, and uncertainty for many we serve; and....

Leonard McNeil addressed a remark about a recent incident at Costco where ICE (Immigration & Customs Enforcement) was present and he indicated he was present during the incident. Jeff Inglis also spoke in support of the resolution.

Mayor Valdez withdrew her first motion and revised the motion to continue the agenda item to the March 6, 2017 City Council meeting for further discussion. The motion was seconded by Vice Mayor Calloway and passed as follows:

AYES: Kinney, Morris, Calloway and Valdez
NOES: None
ABSENT: Cruz
ABSTAIN: None

RESOLUTIONS

12. Assistant to the City Manager/Economic Development Charles Ching gave a PowerPoint presentation which included a background on the WIC Program and the process of partnering with the County to build the proposed WIC building. Mr. Ching also presented some background information on W.E. Lyons Construction who will design and build the building at Plaza San Pablo; the City will pay to build the shell of the building and Contra Costa County will pay for all Tenant Improvements. Remarks were made by the City Council regarding the proposed design of the building. By motion of Vice Mayor Calloway, seconded by Councilmember Kinney, and passed by vote of those present, **Resolution 2017-034** was adopted, a Resolution of the City Council of the City of San Pablo: 1) finding that the proposal for building a new Women, Infant and Children (WIC) building by W.E. Lyons Construction is the best value as the highest ranked proposal with the best design and efficient layout that will be constructed within the allotted time; 2) awarding a design-build contract to W.E. Lyons Construction in the amount of \$3,712,395 for design-build construction of the new WIC building at Plaza San Pablo; and 3) appropriating \$2,820,000 from General Fund Designated Reserves/Plaza San Pablo Civic and Infrastructure Projects to the FY2016-17 CIP Project Budget 320-3200-43600-WIC-DBE. The motion passed as follows: (#17-0075)
AYES: Kinney, Morris, Calloway and Valdez
NOES: None
ABSENT: Cruz
ABSTAIN: None
13. City Manager Rodriguez introduced the item. Councilman Kinney remarked he was aware that the East Bay Regional Parks District had denied the request made by the City of Richmond to develop such a facility at Point Pinole. By motion of Councilmember Morris, seconded by Vice Mayor Calloway, **Resolution 2017-035** was adopted, a Resolution of the City Council of the City of San Pablo amending the FY2015/17 City Council Priority Workplan to include a new policy on development of a horse boarding facility at East Bay Regional Park District's Point Pinole Regional Shoreline Park. (#17-0070)
14. City Attorney Nerland gave a PowerPoint presentation on the emergency condition existing with the Hillcrest Road storm drain. Ms. Nerland indicated that the emergency is still present and repair has not been completed, and indicated the City Manager will continue to report back to the City Council regarding the status. Public Works Director/City Engineer Barbara Hawkins reported on the status of the condition of the roadway and hillside and the work currently being undertaken to make the repairs. By motion of Councilmember Morris, seconded by Vice Mayor Calloway, and passed by vote of those present, **Resolution 2017-036** was adopted, a 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. (#117-0068)

MAYOR AND CITY COUNCIL ASSIGNMENT REPORTS

The City Council reported on their recent and upcoming activities.

ADJOURNMENT

The meeting adjourned at 7:35 pm, by motion of Vice Mayor Calloway, seconded by Councilman Morris.

Respectfully submitted,

Ted J. Denney, City Clerk

Cecilia Valdez, Mayor