



## Minutes of the Regular Meeting of the San Pablo City

**Monday, March 20, 2017**

### **ROLL CALL**

The meeting convened in the Council Chambers at 5:00 pm. Present during roll call were Mayor Cecilia Valdez and Councilmembers Paul Morris, Rich Kinney. Councilmember Arturo Cruz arrived during Closed Session at 5:43 pm. Absent was Vice Mayor Genoveva Calloway. Also present during roll call were City Attorney Lynn Tracy Nerland and Deputy City Clerk Lehny Corbin.

The City Attorney announced the nature of the Closed Session. No one from the public spoke regarding the Closed Session item. The Mayor adjourned the open session to the closed session and the City Council convened in the Council Conference Room at 5:02 pm.

### **CLOSED SESSION (5:00 PM)** (#17-0092)

#### **1. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Govt. Code section 54957.6:

AGENCY DESIGNATED REPRESENTATIVES: Matt Rodriguez, Reina Schwartz, Tina Gallegos, Kelly Sessions and Kelly Tuffo of Liebert Cassidy Whitmore

EMPLOYEE ORGANIZATIONS: Association of Intermediate Employees, Public Employees Local One/AFSCME and San Pablo Police Employees Association

### **ROLL CALL**

The regular meeting reconvened in the Council Chambers at 6:01 pm. Present were Mayor Cecilia Valdez and Councilmembers Paul Morris, Rich Kinney and Arturo Cruz. Absent was Vice Mayor Calloway. 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, City Treasurer Viviana Toledo, and Deputy City Clerk Lehny Corbin.

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

### **ORAL COMMUNICATIONS**

The following spoke regarding the entitlement process including parking requirements and permit fees for the proposed Emanuel Church at 1542 Rumrill Boulevard: Fomio Suda, Pastor Omar Hinojosa, Jimmy Merlos, Sofia Hinojosa, James Dillard, and Sarah Balderas

Antonio Medrano spoke regarding various ACLU workshop "Know your Rights" dates of March 25 at St. Paul's Church, April 6 at the Richmond Auditorium, April 20 at Lavonne DeJean Middle School, April 27 at Helms Middle School, and May 11 at DeAnza High School.

## **PRESENTATIONS**

2. Mayor Valdez presented a Certificate of Appreciation to Gene Alameda for his exemplary leadership and dedicated services to the community and the Police Department as Acting Chief of Police from February 6 to March 20, 2017. (#17-0116)
3. Community Services Director Greg Dwyer introduced Youth Services Assistant Elise Veliz, who facilitated a PowerPoint presentation to update the City Council of the San Pablo Youth Commission's accomplishments. The following youth spoke: Liliana Bernal, Fiza Ali, Jessica Gonzalez, Priscilla Galvez, Kimyatta Newby, Kyla McKinney, Ruby Gallegos, Vicente Mancía, and Elham Esquivel-Cruz. Ms. Veliz announced that Vicente Mancía, Elham Esquivel-Cruz and Bryant Rodriguez will be honored on March 28 at 11:30am at the Hall of Fame Award ceremony. (#17-0094)

## **CITY MANAGER REMARKS**

City Manager Rodriguez announced that the Contra Costa Transportation Authority opened the new Westbound Interstate 80 on-ramp. He also reminded the City Council and the public of the March 25 Dumpster Day at El Portal School, as well as the April 15 Egg Hunt at Davis Park.

## **CONSENT CALENDAR**

It was moved by Councilmember Morris, seconded by Councilmember Cruz, and passed by vote of those present, to adopt all items in the Consent Calendar. The motion passed as follows:

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

## **MINUTES**

4. By adoption of the Consent Calendar, the Minutes of the meeting of March 6, 2017 were approved. (#17-0090)

## **PERIODIC REPORTS**

5. By adoption of the Consent Calendar, the Vendor Check Register Report for the month of February 2017 was approved. (#17-0100)
6. By adoption of the Consent Calendar, the Investment Report / Treasurer's Report for the month of February 2017 was received and filed. (#17-0076)

## **MISCELLANEOUS**

7. By adoption of the Consent Calendar, **Resolution 2017-046** was adopted, a Resolution of the City Council of the City of San Pablo authorizing Maple Hall fee waiver in the amount of \$322.40 from La Casita Bilingue Montessori School for their annual fundraiser event on Saturday, May 13, 2017. (#17-0093)
8. By adoption of the Consent Calendar, the update on the City of San Pablo's Workplan with the Department of Toxic Substances Control (DTSC) regarding Rumrill Sports Complex was received and filed. (#17-0095)

9. By adoption of the Consent Calendar, **Resolution 2017-047** 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. (#17-0096)
10. By adoption of the Consent Calendar, **Resolution 2017-048** was adopted, a Resolution of the City Council of the City of San Pablo establishing the Stormwater Utility Assessment Rate for FY 2017/18 and requesting the Contra Costa County Flood Control and Water Conservation District to adopt an annual parcel assessment for drainage maintenance and the National Pollutant Discharge Elimination System Program. (#17-0099)
11. By adoption of the Consent Calendar, **Resolution 2017-049** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to solicit the public's input regarding the City's gateway signs. (#17-0105)
12. By adoption of the Consent Calendar, **Resolution 2017-050** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to negotiate and execute a contract with Odin System for a not-exceed amount of \$84,812 for the relocation of all city-side surveillance equipment from Doctor's Medical Center (DMC); and appropriating \$84,812 from the General Fund Designated Reserve/Citywide Annexation, Economic Development, Telecom & TOD Projects to the Police Department Special Department Expenses (100-2110-44000-DMC-ANT) to fund the Project. (#17-0107)
13. By adoption of the Consent Calendar, **Resolution 2017-051** was adopted, a Resolution of the City Council of the City of San Pablo rescinding Resolution 2017-033 and adopting a revised resolution appointing CalPERS Retired Annuitant Walter N. Schuld to the position of Interim Chief of Police and approving a revised Employment Contract pursuant to California Government Code Sections 21221(H). (#17-0108)
14. By adoption of the Consent Calendar, **Resolution 2017-052** was adopted, a Resolution of the City Council of the City of San Pablo (1) authorizing the acceptance of a \$16,000 grant award from Contra Costa County Community Development Block Grant (Grant #16-41-IPF) for the Automatic Restroom Door Improvement Project at the San Pablo Church Lane Senior Center; (2) appropriating \$16,000 in grant funding to the CIP Project (320-3200-43600-ADA-ARD); and (3) reallocating \$4,050 from the ADA Facilities Project Budget (ADA-FAC) to this Project Budget (ADA-ARD). (#17-011)
15. By adoption of the Consent Calendar, **Resolution 2017-053** was adopted, a Resolution of the City Council of the City of San Pablo making Youth Commission appointments. (#17-0112)
16. By adoption of the Consent Calendar, **Resolution 2017-054** was adopted, a Resolution of the City Council of the City of San Pablo authorizing a \$6,000 one-time donation for the six (6) displaced mobilehome owners/families at Kimball's Mobilehome Park for vital housing assistance and establishing a fund c/o Mechanics Bank, San Pablo Branch. (#17-0114)

## **CITY COUNCIL CONSIDERATION/AUTHORIZATION**

17. By adoption of the Consent Calendar, the City Council approved by Minute Order the Official Statement on Federal Immigration Enforcement pursuant to Council Resolution 2017-045 for mass mailing publication for public information purposes. (#17-0115)

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

## **RESOLUTIONS**

18. City Manager Rodriguez introduced the item and provided an overview of the proposed Program Guidelines for the annual San Pablo Community Foundation grant application process, program criteria and policy changes. Discussion occurred regarding whether the San Pablo Community Grant Foundation Committee should have final decision making authority on grants or provide recommendations to the full Council for final decision. The motion made by Councilmember Morris, seconded by Councilmember Cruz, to approve the recommended action as stated in the proposed resolution failed (2-2 vote with Council Member Kinney and Mayor Valdez opposed). The motion made by Councilmember Kinney, seconded by Mayor Valdez, to adopt the resolution minus the first recommendation to make the Committee's grant decisions final also failed (2-2 vote with Council Members Morris and Cruz opposed). The City Attorney indicated that the matter could be continued, but Councilmember Morris made another motion, seconded by Councilmember Kinney, and passed by vote of those present, to adopt **Resolution 2017-055**, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to issue the FY 2017-18 Annual San Pablo Community Foundation Grant application Guidelines, Program Criteria & Policy Changes, as amended to reflect acceptance of grant recipient exemptions but deleting the provision that the Committee have final grant making authority). The motion passed as follows: (#17-0102)

AYES: Cruz, Morris, Kinney and Valdez

NOES: None

ABSENT: Calloway

ABSTAIN: None

## **PUBLIC HEARINGS**

19. City Manager introduced the item. Assistant/Associate Planner Rod Simpson gave a PowerPoint presentation of the proposed Major Design Review and Tentative Subdivision Map located in Block C of Plaza San Pablo (next to new library), which included a description of the proposed project; site plan, architectural design, elevations of the residential and commercial buildings, landscape plan, Tentative Subdivision Map, environmental determination, analysis and findings, and the Planning Commission recommendations.

The public hearing was opened at 7:07 pm. Janet Pottier, President of the San Pablo Historical Society, requested that the Chatteleton name be kept as a street name in the project.

Steve Wakeman, the architect for the project, stated that the owner of the property approves the conditions of approval for the project.

Sonja Eskridge, a San Pablo resident who purchased a condominium across the street at 13700 San Pablo Avenue;, spoke of the dirt, debris and noise during construction.

City Clerk Ted Denney also spoke and reminded the City Council that when the former Circle S Mobilehome Park residents were relocated, it was expressed to them that they would have the first option at purchasing housing in the proposed project.

The public hearing was closed at 7:15 pm.

Mr. Simpson stated that the dust and debris complaint made by Ms. Eskridge is addressed in the Planning Commission Resolution 17-02 as item/condition of approval #63.

City Manager Matt Rodriguez also indicated that Chattleton Lane remains as part of Plaza San Pablo.

It was moved by Councilmember Kinney, seconded by Mayor Valdez, and passed by vote of those present to adopt **Resolution 2017-056**, a Resolution of the City Council of the City of San Pablo approving Plan1610-0024, a major design review and Tentative Subdivision Map (No. 9448) to allow for the division of a 0.78 acre parcel, identified as Assessor's Parcel No. 417-130-034, at 13717 San Pablo Avenue, within the Plaza San Pablo Development, and to allow the development of a mixed-use project that includes a 3,607 square foot retail building, a parking area, a public access walkway, and eight single-family zero lot line townhomes. (#17-0085)

### **MAYOR AND CITY COUNCIL ASSIGNMENT REPORTS**

The City Council did not report at tonight's meeting given the late hour.

Councilmember Morris announced that the East Bay Regional Communications Systems designated him as a full board member.

Andres Mejia, a resident of Kimball's Mobilehome Park, was allowed to speak under Oral Communications on Agenda #16 (#17-0114). He inquired about the options for the residents whose trailers were red-tagged due to the creek bank erosion. Mr. Mejia was advised of the additional funding authorized by the City Council at tonight's meeting and that the property was privately (not publicly) owned.

### **ADJOURNMENT**

By motion of Councilmember Kinney, seconded by Councilmember Cruz, and passed by vote of those present to adjourn the meeting to Monday, April 3, 2017 at 6:00 pm.

Respectfully submitted,

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Ted J. Denney, City Clerk

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Cecilia Valdez, Mayor