



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

**Monday, May 15, 2017**

### **ROLL CALL**

The meeting convened in the Council Chambers at 5:02 pm. Present during roll call were Mayor Cecilia Valdez and Councilmembers Rich Kinney, Arturo Cruz and Councilmember Paul Morris. Absent was Vice Mayor Calloway. Also present were City Attorney Lynn Tracy Nerland, Assistant City Manager Reina Schwartz and Deputy City Clerk Lehny Corbin.

No one spoke on the Closed Session agenda item and the City Council recessed into the Council Conference Room after announcing the subject of the Closed Session.

### **CLOSED SESSION**

1. **CLOSED SESSION (#17-0180)**

**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:** Public Employees Local One; Association of Intermediate Employees; San Pablo Police Employees Association; San Pablo Police Management Association; Executive Management Employees; Division Managers; Confidential

### **ROLL CALL**

The regular meeting reconvened in the Council Chambers at 6:10 pm. It was announced that Vice Mayor Calloway was participating in the meeting via telephone conference and she was located at 5837 Ybarra Court, El Paso, Texas, where a copy of the agenda was been posted and accessible to the public.

The City Attorney reported that in closed session, the City Council provided direction to the Labor Negotiators.

### **ORAL COMMUNICATIONS**

Resident Ron Deziel spoke and complained of barking dogs in his neighborhood.

Abel Pineda, Senior Field Representative for Assemblymember Tony Thurmond, presented Teodora Ildfonso-Romo, Bertha Romo and the City of San Pablo each with a Certificate of Recognition for their work and collaboration with the School District.

Battalion Chief Charles Thomas gave a brief update on the Fire District's status on recruitments.

## **CITY MANAGER REMARKS**

City Manager Rodriguez announced the following:

- Ongoing mobile farmer's market
- National Senior Health & Fitness Day hosted by the San Pablo Senior Center on May 31, 2017
- Public Works Awareness Week (May 21-27) and the May 23 appreciation luncheon

## **CONSENT CALENDAR**

By motion of Councilmember Morris, seconded by Councilmember Kinney, and unanimously passed to adopt all items in the Consent Calendar with the exception of agenda item #23 (Council Priority Workplan).

## **MINUTES**

2. By adoption of the Consent Calendar, the Minutes of the meeting of May 1, 2017 was approved. (#17-0178)

## **PERIODIC REPORTS**

3. By adoption of the Consent Calendar, Vendor Check Register Report for the month of April 2017 was approved. (#17-0209)
4. By adoption of the Consent Calendar, Investment Report / Treasurer's Report for the month of April 2017 was received and filed. (#17-0217)

## **MISCELLANEOUS**

5. By adoption of the Consent Calendar, **Resolution 2017-079** was adopted, a Resolution of the City Council of the City of San Pablo (1) preliminarily approving the Engineer's Report, (2) declaring intention to levy and collect assessment within the San Pablo Street Lighting and Landscape Assessment District No. 1982-1 for Fiscal Year 2017-18, and (3) setting the public hearing for July 3, 2017. (#17-0133)
6. By adoption of the Consent Calendar, **Resolution 2017-080** was adopted, a Resolution of the City Council of the City of San Pablo authorizing deferral of the Public Art Requirement, until September 30, 2017, for commercial and industrial projects, as set forth in Chapter 17.63, "Art in Public Place," of the San Pablo Municipal Code. (#17-0171)
7. By adoption of the Consent Calendar, **Resolution 2017-081** was adopted, a Resolution of the City Council of the City of San Pablo (1) authorizing the transfer of \$178,000 from the FY2016/17 Development Services Salary Account to its Professional Services Account; (2) authorizing the City Manager to amend an existing agreement with 4Leaf, Inc. for on-call Building Official, commercial plan check and inspection services to \$90,000 for a total contract of \$270,000 for additional Building Official services; and (3) authorizing the City Manager to amend an existing agreement with MIG to add \$88,000 for additional planning support consulting services for a total contract award of \$112,990. (#17-0177)

8. By adoption of the Consent Calendar, **Resolution 2017-082** was adopted, a Resolution of the City Council of the City of San Pablo approving an application for \$4 million in grant funds for California Climate Investments Urban Green Program. (#17-0181)
9. By adoption of the Consent Calendar, **Resolution 2017-083** was adopted, a Resolution of the City Council of the City of San Pablo appropriating \$75,000 from the FY2016/17 General Fund Designated Reserve Major Operating Contingencies City Facility Maintenance and one-time improvements to the FY2016/17 Capital Improvement Program (320-3200-43600-PDT-ELV) for: (1) Bellecci & Associates on-call civil engineering consultant services (\$12,041) and (2) additional engineering services necessary to mitigate and repair settlement of the Police Department's Foundation in the vicinity of the elevator (\$62,959). (#17-0184)
10. By adoption of the Consent Calendar, **Resolution 2017-084** 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. (#17-0185)
11. By adoption of the Consent Calendar, **Resolution 2017-085** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to apply, credit and appropriate grant funding for the Fiscal Year 2017/18 Kaiser Permanente East Bay Sponsorship Program to support the Annual San Pablo Youth Summit. (#17-0187)
12. By adoption of the Consent Calendar, **Resolution 2017-086** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to certify the Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist required by the Contra Costa Transportation Authority. (#17-0189)
13. By adoption of the Consent Calendar, **Resolution 2017-087** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to amend an existing \$40,000 on-call civil engineering agreement with Harrison Engineering, Inc. for an additional \$21,000 to conduct hydrology and hydraulic study and design of the Chesley Avenue Drainage Repair Project with an approximate 15% contingency, for a total second amendment authorization of \$24,100 and a total contract of \$64,100. (#17-0190)
14. By adoption of the Consent Calendar, **Resolution 2017-088** was adopted, a Resolution of the City Council of the City of San Pablo awarding a contract to Karla's Janitorial Services for a twelve-month period in the amount of \$200,000 for janitorial services for all City of San Pablo buildings and facilities and authorizing the City Manager to execute contract. (#17-0193)
15. By adoption of the Consent Calendar, **Resolution 2017-089** was adopted, a Resolution of the City Council of the City of San Pablo accepting a public access easement over a portion of the parking garage property with APN 417-310-008 located on Gateway Avenue owned by Contra Costa County. (#17-0199)

16. By adoption of the Consent Calendar, **Resolution 2017-090** was adopted, a Resolution of the City Council of the City of San Pablo approving and authorizing the City's execution of a Library Sublease and Service Agreement by and between the City of San Pablo and the County of Contra Costa for the new San Pablo Library. (#17-0200)
17. By adoption of the Consent Calendar, **Resolution 2017-091** was adopted, a Resolution of the City Council of the City of San Pablo approving and authorizing the execution of a Grant Deed and other necessary documents to effectuate the lot merger of two city-owned properties located at 1800 23<sup>rd</sup> Street and 1821 Powell Street. (#17-0207)
18. By adoption of the Consent Calendar, **Resolution 2017-092** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to negotiate and execute agreements for the citywide security system: (1) with Odin Systems, a reseller of Quantum Corporation Products in the sum of \$201,000 for additional Quantum storage to include equipment, hardware, software, installation, three-year extended warranty, service, technical support and replacement parts; and (2) with the Computer Discount Warehouse (CDW), through the National IPA Cooperative Purchasing Program, in the sum of \$8,000 for the purchase of a server rack/shelter, uninterrupted power supply and two power distribution units for an amount totaling \$209,000 with a 15% contingency for a total authorization of \$240,000 using existing budget resources from the FY 2016/17 Police Department Special Department Expense Line Item (100-2110-44000). (#17-0213)
19. By adoption of the Consent Calendar, **Resolution 2017-093** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a professional services agreement with Michael Baker International (MBI) for on-call environmental services for private development projects that are reimbursable by the private development through Fiscal Year 2019/20 with the maximum amount per project agreement of \$100,000. (#17-0214)
20. By adoption of the Consent Calendar, **Resolution 2017-094** was adopted, a Resolution of the City Council of the City of San Pablo amending the program timeline for the San Pablo Community Grant Foundation for FY2017-18. (#17-0215)

#### **BOARDS AND COMMISSIONS AND COMMITTEES**

21. By adoption of the Consent Calendar, **Resolution 2017-096** was adopted, a Resolution of the City Council of the City of San Pablo approving Independent Measures and K Citizens Oversight Committee appointments (two vacancies). (#17-0205)
22. By adoption of the Consent Calendar, the appointment of Francine Ginns to San Pablo Advisory Committee on Aging (11 vacancies) was approved by Minute Order. (#17-0216)

## **CITY COUNCIL CONSIDERATION/AUTHORIZATION**

23. This item was pulled from the Consent Calendar and discussed separately. West Contra Costa Unified School District Superintendent Matt Duffy spoke of the Mandarin Dual Immersion Programs and also indicated that the Adult Education program was not being eliminated or closing. By motion of Councilmember Morris, seconded by Councilmember Kinney, and unanimously passed the authorization to amend FY2015/17 Council Priority Workplan to add: (1) support for SB 562 – The Health California Act; and (2) WCCUSD Adult Education Program at Serra School in Richmond, CA. (#17-0192)
24. By adoption of the Consent Calendar, the public hearing to review the proposed FY2018/21 Quadrennial Operating Budget and the proposed FY2018/21 CIP Budget set for June 5, 2017 was approved by Minute Order. (#17-0206)
25. By adoption of the Consent Calendar, the proposed revision to 2017 Calendar of City Council / Local Successor Agency Meeting Dates was approved by Minute Order. (#17-0210)

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

## **RESOLUTIONS**

26. City Manager Rodriguez introduced the item and provided information on Contra Costa County's proposal to expand the West County Detention Facility. County Supervisor John Gioia spoke in opposition to the expansion project because of the proposed use of the expansion space. Supervisor Gioia addressed Council's inquiries. Rita Xavier also spoke on behalf of the League of Women Voters and the Chapter's opposition to the jail expansion. By motion of Councilmember Cruz, seconded by Vice Mayor Calloway, and passed by vote, to adopt **Resolution 2017-095**, a Resolution of the City Council of the City of San Pablo opposing the proposed expansion of the West County Detention Facility. The motion passed as follows: (#17-0176)  
AYES: Cruz, Morris, Calloway and Valdez  
NOES: Kinney

Prior to consideration of the next agenda item, Vice Mayor Calloway disconnected from the meeting.

27. Community Services Director Greg Dwyer introduced the item. Community Services Coordinator Teodora Ildefonso-Olmo spoke and thanked the City Council and staff for their continuing support.

Pam Pradachith-Demler, Executive Director of Beacon Initiative, provided background on the Beacon Initiative Programs and Community Schools Initiative with a PowerPoint presentation of the recommendations to (1) implement the Program at all six schools in the Fall of 2017 and (2) joining the Beacon National Network.

The following spoke in favor of the program: Wendy Gonzalez, Lake Elementary School Principal; Diana Baires, Community Schools Coordinator YMCA @ Lake Elementary School; Ruby Gonzalez Dover Elementary School Principal; Edgar Medina, Community Schools Coordinator for BACR at Dover Elementary School; Greg Whaling, Interim Principal at Helms Middle School; Megan White, Community

Schools Coordinator, BACR at Helms Middle School; Armando Torres, Principal at Bayview Elementary School; Stephanie Hochman, Bay Area Community Resources East Bay Director; Matthew Duffy, WCCUSD Superintendent; Sally Jenkins-Stevens, SF Beacon Initiative. Former Councilmember Leonard McNeil also spoke and thanked the School District for their support and cooperation and collaboration for youth services, but raised a number of questions regarding the Beacon Initiative.

By motion of Councilmember Morris, seconded by Councilmember Cruz, and passed by vote of those present, **Resolution 2017-097** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a formal agreement with the National Beacon Network to join the Network and become the next Beacon City. The motion passed as follows: (#17-0183)

AYES: Cruz, Kinney, Morris and Valdez

ABSENT: Calloway

28. Assistant to the City Manager/Economic Development Charles Ching gave a PowerPoint presentation and presented the inventory of leased and city-owned properties and highlighted the following properties: 1800 – 23<sup>rd</sup> Street (Fire Station 70); 1411 Rumrill Boulevard (Corporation Yard); and Plaza San Pablo (Lot 5 WIC Building). By motion of Councilmember Morris, seconded by Councilmember Kinney, and passed by vote of those present to adopt **Resolution 2017-098**, a Resolution of the City Council of the City of San Pablo approving the City's property inventory of leased and owned properties pursuant to Government Code 50569 and determining that the City does not own, lease or control any property which is in excess of its foreseeable needs. The motion passed as follows: (#17-0167)

AYES: Cruz, Kinney, Morris and Valdez

ABSENT: Calloway

## **PUBLIC HEARINGS**

29. Tricia Stevens, consulting planner for the City from the firm of MIG, gave a PowerPoint presentation on the state law regarding accessory dwelling units (ADU), proposed City ordinance dealing with ADUs, and the Planning Commission's recommendations.

A brief recess was taken from 8:34 pm and reconvened at 8:41 pm.

The issue of parking on narrow streets and garage conversions were discussed.

The public hearing was opened at 8:48 pm. Resident Roger Modjeski spoke regarding the limitations of the ADUs and Senate Bill 229. The public hearing closed at 8:52 pm.

Ms. Stevens addressed the Council's inquiries regarding square footage limitations on ADUs.

Councilmember Morris motioned to continue the item, but a second to the motion was not made.

City Attorney Nerland outlined the procedural options for the Council. By motion of Councilmember Morris, seconded by Councilmember Cruz, and passed by vote of those present to waive the first reading, introduce the ordinance, and place the second reading of the Ordinance of the City Council of the City of San Pablo amending Zoning

Ordinance Chapters 17.32, 17.42, 17.54, 17.60, 17.68 and 17.70 relating to accessory Dwelling Units on the Council's Consent Calendar for June 5, 2017 for adoption. The motion passed as follows: (#17-0175)

AYES: Cruz, Kinney, Morris and Valdez

ABSENT: Calloway

**\*\*\*\*\*END OF PUBLIC HEARING\*\*\*\*\***

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

City Council reported on their recent and upcoming activities.

### **ADJOURNMENT**

By motion of Mayor Valdez, seconded by Councilmember Kinney, and passed by vote of those present to adjourn the meeting to Monday, June 5, 2017 at 6:00 pm, in memory of Mary Frances Figueroa, mother-in-law of Maintenance Worker III Macnoel Alvarez. The motion passed as follows:

AYES: Cruz, Kinney, Morris and Valdez

ABSENT: Calloway

Respectfully submitted,

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Ted J. Denney, City Clerk

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Cecilia Valdez, Mayor