



Minutes of the Regular Meeting of the San Pablo City Council/ Joint Powers Financing Authority

Tuesday, January 16, 2018

ROLL CALL

The meeting convened in the Council Chambers at 5:16 pm. Present were Mayor Genoveva Garcia Calloway, Vice Mayor Paul Morris and Councilmember Cecilia Valdez. Absent were Councilmembers Rich Kinney and 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 Executive Assistant LaTanya Fisher.

CLOSED SESSION

City Attorney Nerland announced the titles of the Closed Session items and the meeting recessed at 5:18 pm to the Council Conference Room for Closed Session.

Cordell Hindler spoke on Closed Session Item #1 and indicated his approval for having a coffee shop at the library.

1. **CLOSED SESSION** (#18-012)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov't Code section 54956.8:

PROPERTY: 13751 San Pablo Avenue, Café Suite, San Pablo, CA 94806

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

NEGOTIATING PARTIES: Nutricion Fundamental, Inc. and Fastrack Coffee Company, LLC

UNDER NEGOTIATION: Price and terms of sublease

2. **CLOSED SESSION** (#18-026)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section

54956.9(d)(2) / Claim pursuant to California Government Code section 54956.95: Claim of Donahue Schriber Realty Group

ROLL CALL

The meeting reconvened in the Council Chambers at 6:13 pm. Present were Mayor Genoveva Garcia Calloway, Vice Mayor Paul Morris and Councilmember Cecilia Valdez. Absent were Councilmembers Rich Kinney and Arturo Cruz. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Interim Public Works Director Richard Shepard, City Treasurer Viviana Toledo, City Clerk Elizabeth Pabon-Alvarado, and Executive Assistant LaTanya Fisher.

City Attorney Nerland announced that direction was given to staff regarding Closed Session Item #1 - Conference with Real Property Negotiators, property at 13751 San Pablo Avenue, San Pablo Library and regarding Closed Session Item #2 – Conference with Legal Counsel – Anticipated Litigation and directed the City Manager to execute a Tolling Agreement with Donahue Schriber Realty Group.

ORAL COMMUNICATIONS

Cordell Hindler suggested future council agenda items to consider hiring Administrative Interns for training opportunities and also thanked City Council for placing training and travel on their agenda for consideration.

Antonio Medrano, Chair of the Friends of San Pablo Library, is looking for more members to join the Friends including staff and Police Department. He also mentioned the San Pablo Library is hosting a community forum in the Wildcat Creek Community Room on Sunday, January 28, 2018 between 12pm - 2pm to have an opportunity to meet staff from the Contra Costa County Public Defender's Office and learn more on Criminal Justice in Contra Costa County.

CEREMONIAL MATTERS

3. City Manager Rodriguez mentioned that each respective Department Director will introduce their staff. Assistant City Manager Reina Schwartz introduced Administrative Clerk Laura Santillan. Public Works Maintenance Superintendent John Bothwell introduced Maintenance Worker Lance Wills. Administrative Services Director Kelly Sessions introduced Administrative Clerk Caitlin Russell. Assistant City Manager Reina Schwartz introduced Interim Public Works Director Richard Shepard. Police Chief Raman introduced Police Administrative Clerk Stephanie Haro and Police Officers Emmet Stangel, Essex Combong, Brandon Oswald, Daniel Kitchen and Cole Bennett. City Council welcomed the new staff to San Pablo and thanked them for joining the San Pablo family. (#18-003)

PRESENTATIONS

4. West Contra Costa County Unified School District Superintendent Matt Duffy provided a PowerPoint Presentation and thanked City Council for their partnership around the Full Service Community Schools which is being emulated across the nation which benefits the students and families and provided a five-year District Education Roadmap. (#18-004)

CITY MANAGER REMARKS

City Manager Rodriguez announced Public Works no-fee holiday tree pick up through Thursday, January 28, 2018 for proper disposal. Information provided on the City's eNews or by calling the Public Works Department at 510-215-3070.

He also reported sand bags available through Public Works in preparation for upcoming winter storms. Sand bags and shovels available at the Public Works Corporation Yard at 1515 Folsom.

He also announced that the San Pablo Citizens Police Academy begins February 6, 2018 and encouraged residents to contact the Police Department to learn more about the department. Participants must either live or work in San Pablo and must complete an application to participate.

CONSENT CALENDAR

City Manager Rodriguez announced that item #13 (Hillcrest Road) needed to be pulled from the agenda and continued to the February 5, 2018 Council agenda as the item required a four-fifths vote and there were insufficient Council members present. It was moved by Vice Mayor Morris, seconded by Councilmember Valdez, and passed by vote of those present to adopt all items in the Consent Calendar, with the exception of item #13 (Hillcrest Road), which was continued to February 5, 2018. The motion passed as follows:

AYES: Morris, Valdez and Calloway

NOES: None

ABSENT: Cruz and Kinney

ABSTAIN: None

MINUTES

5. By adoption of the Consent Calendar, the Minutes of the meeting of December 18, 2017 was approved. (#18-007)

PERIODIC REPORTS

6. By adoption of the Consent Calendar, the Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending June 30, 2017 was received and filed. (#18-022)
7. By adoption of the Consent Calendar, the Investment Report / Treasurer's Report for the month of December 2017 was received and filed. (#18-028)
8. By adoption of the Consent Calendar, the Vendor Check Register Report for the month of December 2017. (#18-029)

LIABILITY CLAIMS

9. By adoption of the Consent Calendar the Liability Claim of Joe Romey (DOL 09/23/16) was denied. (#18-006)

BOARDS AND COMMISSION

10. By adoption of the Consent Calendar, City Council ratified the posting of three vacancies for the Planning Commission and authorized by Minute Order to reappoint Fred Reichelt to the San Pablo Safety Commission and Notice of Vacancy for one remaining position. (#18-015)

MISCELLANEOUS

11. By adoption of the Consent Calendar, **Resolution 2018-001** was adopted, a Resolution of the City Council of the City of San Pablo accepting work performed by DC Electric Inc. for the Amador St. and El Portal Dr. Radar Speed Signs Project (RAD-SGN) as complete and directing that a Notice of Completion be prepared and filed with the County Recorder. (#18-005)
12. By adoption of the Consent Calendar, **Resolution 2018-002** was adopted, a Resolution of the City Council of the City of San Pablo adopting an amended policy establishing procedures for reimbursement of Travel and Training expenses. (#18-008)

13. The consideration of the Resolution of the City Council of the City of San Pablo accepting the Hillcrest Storm Drain Emergency Project as complete; directing that a Notice of Completion be filed with the County Recorder; Appropriate the General Fund Designated Reserves for Hillside Stabilization and Geotechnical Studies/Improvements; Terminating Emergency Procurement Actions was continued to the next meeting. (#18-011)
14. By adoption of the Consent Calendar, City Council authorized by Minute Order to Ratify the Posting of Local Appointments List Pursuant to the Maddy Act. (#18-014)
15. By adoption of the Consent Calendar, **Resolution 2018-003** was adopted, a Resolution of the City Council of the City of San Pablo establishing allocations for the General Fund Designated Reserves at \$9,525,937 for Fiscal Year 2017/18 (mid-year) per adopted Fiscal Resiliency Reserve Policy. (#18-023)
16. By adoption of the Consent Calendar, **Ordinance 2018-001** was adopted, an Ordinance of the City Council of the City of San Pablo setting forth procedures for expediting permitting processing for Electric Vehicle Charging Systems. (#18-013)

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

CITY COUNCIL/ JOINT POWERS FINANCING AUTHORITY

PUBLIC HEARINGS

17. City Manager Rodriguez introduced the item. Administrative Services Director Sessions gave a PowerPoint presentation with Financial Advisors Steven Gortler and Russ Trice. Mayor Calloway opened the Public Hearing regarding the Lease Revenue Bonds. The Public Hearing was opened at 7:31 pm. There were no speakers regarding the item. The Public Hearing was closed at 7:32 pm. It was moved by Councilmember Valdez, seconded by Vice Mayor Morris, and passed by vote of those present to adopt **Resolution 2018-004** and **JPFA2018-001**, Resolutions of the City Council of the City of San Pablo, California and the City of San Pablo Joint Powers Financing Authority (JPFA), approving certain terms of series 2018 bonds, a preliminary official statement and a final official statement; disclosing certain information required by Senate Bill 450; and authorizing certain other actions in connection therewith. The motion passed as follows: (#18-031)
AYES: Valdez, Morris, Calloway
NOES: None
ABSENT: Cruz, Kinney
ABSTAIN: None
18. Assistant City Manager Schwartz introduced the item and mentioned the Notice of Public Hearing regarding zoning for existing City Hall property was published and since staff is not prepared to make any presentations, staff recommends that Council open the Public Hearing and continue the hearing to Tuesday, February 20, 2018 at 6:00pm. If there are speakers in the audience for this item, City Council can hear from the public and continue this item to February 20, 2018. The Public Hearing was opened at 7:35 pm.

It was moved by Councilmember Valdez, seconded by Vice Mayor Morris and approved by vote of those present to continue the Public Hearing and Resolution of the City Council of the City of San Pablo approving Plan1603-0012 Amendments to General Plan and San Pablo Avenue Specific Plan for the 4.46-acre existing City Hall site at 13831 San Pablo Avenue, to allow for redevelopment of a portion of the site for mixed use or residential uses to Tuesday, February 20, 2018. The amendments consist of changing the land use designation from public/institutional to Mixed-Use Center City Hall site (new designation) for the 4.46-acre site, along with text amendments. The proposed action also includes consideration of a mitigated negative declaration. APNS 411-330-37, 38, and 39 to The motion passed as follows: (#18-039)

AYES: Valdez, Morris, Calloway

NOES: None

ABSENT: Cruz, Kinney

ABSTAIN: None

RESOLUTIONS

19. City Manager Rodriguez introduced the item. Assistant City Manager Schwartz and San Pablo Economic Development General Manager Leslay Choy provided a PowerPoint presentation and background on the item. It was moved by Councilmember Valdez, seconded by Vice Mayor Morris and passed by vote of those present to adopt **Resolution 2018-005**, a Resolution of the City Council of the City of San Pablo approving the City of San Pablo slogan "Teamwork San Pablo 2018 – The Year of Possibilities" for the January - December 2018 period. The motion passed as follows: (#18-010)

AYES: Valdez, Morris, Calloway

NOES: None

ABSENT: Cruz, Kinney

ABSTAIN: None

20. City Manager Rodriguez introduced the item. It was moved by Vice Mayor Morris, seconded by Councilmember Valdez and passed by vote of those present to adopt **Resolution 2018-006**, a Resolution of the City Council of the City of San Pablo affirming the recommended appointments by San Pablo Mayor Genoveva Garcia Calloway of individual City Council Temporary Ad-Hoc Subcommittees, Standing Committees, and Regional/Local Assignments for Calendar Year 2018. The motion passed as follows: (#18-032)

AYES: Valdez, Morris, Calloway

NOES: None

ABSENT: Cruz, Kinney

ABSTAIN: None

21. City Manager Rodriguez introduced the item. He also mentioned there was a memorandum from staff and email correspondence between the City and another proposer, Ascent Builders, raising concerns about the staff recommendation to award the City Hall design-build contract to C. Overaa & Co. These documents were provided to City Council as a supplemental correspondence, with copies available for the public. The City Council indicated that they had received the email from Ascent Builders and had the opportunity to review the additional memorandum and attachments from staff. Assistant to the City Manager – Economic Development Charles Ching provided a PowerPoint presentation and overview of the procurement and selection process. No member of the

public spoke. Following Council discussion, it was moved by Vice Mayor Morris, seconded by Councilmember Valdez and passed by vote of those present to adopt **Resolution 2018-007**, a Resolution of the City Council of the City of San Pablo: 1) finding that the proposal for building the new San Pablo City Hall by C. Overaa & Co. is the best value; 2) awarding a Design-Build Contract to C. Overaa & Co. in the amount of \$ 18,164,951 for Design-Build Construction of the new San Pablo City Hall at Plaza San Pablo (Gateway Avenue and Chattleton Lane); and 3) authorizing an additional budget appropriation of \$3,226,000 from General Fund Designated Reserves – Plaza San Pablo and Civic and Infrastructure projects, and \$3,223,000 from future 2018 Lease Revenue Bond Proceeds for a total of an additional \$6,449,000 to the CIP Project Budget 320-3200-43600-CIH-CON for a total project budget of \$22.65 million. The motion passed as follows: (#18-030)

AYES: Valdez, Morris, Calloway

NOES: None

ABSENT: Cruz, Kinney

ABSTAIN: None

ORDINANCES

22. City Manager Rodriguez introduced the item. City Attorney Nerland presented the background for the proposed Ordinance. It was moved by Councilmember Valdez, seconded by Vice Mayor Morris and passed by vote of those present to waive the first reading and introduce the Ordinance of the City Council of the City of San Pablo amending the San Pablo Municipal Code to change the date of the Planning Commission's regular meetings. The motion passed as follows: (#18-009)

AYES: Valdez, Morris, Calloway

NOES: None

ABSENT: Cruz, Kinney

ABSTAIN: None

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

City Council reported on their recent activities.

ADJOURNMENT

The meeting adjourned at 8:15 pm to Monday, February 5, 2018 at 6:00 pm.

Respectfully submitted,

Elizabeth Pabon-Alvarado, City Clerk

Genoveva Garcia Calloway, Mayor