



Minutes of the Regular Meeting of the San Pablo City Council

Monday, April 2, 2018

ROLL CALL

The meeting was convened in the Council Chambers at 5:44 pm. Present during roll call were Mayor Genoveva Calloway, Vice Mayor Paul Morris and Councilmember Cecilia Valdez. Absent were Councilmembers Rich Kinney and Arturo Cruz. Also present were Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Executive Assistant LaTanya Fisher, and Administrative Clerk Christine Maki.

CLOSED SESSION

City Attorney Nerland announced the title of the Closed Session items and the meeting recessed at 5:45 pm to the Council Conference Room for Closed Session. Councilmember Kinney arrived at the Closed Session at 6:00 pm.

1. **CLOSED SESSION** (#18-027)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to California Government Code Section 54956.9(d)(4):
(1 potential case)

ROLL CALL

The meeting reconvened in the Council Chambers at 6:05 pm. Present were Mayor Genoveva Garcia Calloway and Vice Mayor Paul Morris, and Councilmembers Rich Kinney and Cecilia Valdez. Absent was Councilmember Arturo Cruz. Also present were Acting City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Public Works Director/City Engineer Jill Mercurio, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, City Treasurer Viviana Toledo, City Clerk Elizabeth Pabon-Alvarado, Executive Assistant LaTanya Fisher and Administrative Clerk Christine Maki. Absent was City Manager Matt Rodriguez.

The City Attorney reported that the Council had met in closed session regarding the initiation of litigation as set forth on the agenda and gave direction to the City Attorney.

ORAL COMMUNICATIONS

Cordell Hindler mentioned his name was not reflected on the March 5 Minutes. He also enjoyed the presentation given by Hysten Consultants at the previous meeting. He suggested City Council invite the Adult Education program to a future council meeting to provide a presentation of their programs offered to San Pablo seniors. He also announced that Contra Costa College was hosting a comedy event at the John Knox Performing Arts Center on Friday, April 13, 2018.

Ron Deziel thanked elected officials and staff for their response to his concerns regarding a neighborhood issue and expressed interest in the municipal broadband project with a reference to a similar project in San Francisco.

PRESENTATIONS

2. Mayor Calloway read the Proclamation recognizing March 2018 as American Red Cross Month and presented it to James Lyons, a member of the Contra Costa Red Cross Leadership Council, and Patty Nichols of External Relations for ARC. Mr. Lyons thanked the City Council for their support and provided some background information on volunteers at the North Bay, Texas and Florida fires, as well as local household fires. (#18-131)

CITY MANAGER REMARKS

The Acting City Manager made no remarks.

CONSENT CALENDAR

It was moved by Councilmember Kinney, seconded by Vice Mayor Morris, and passed vote of those present to adopt all items in the Consent Calendar. Mayor Calloway announced her recusal from agenda item #6 (Cinco de Mayo) as she is a member of the Cinco de Mayo Parade Committee and she did not vote on that item.

MINUTES

3. By adoption of the Consent Calendar, the Minutes of the meeting of March 5, 2018 was approved.

LIABILITY CLAIMS

4. By adoption of the Consent Calendar, the liability claim of Garrett Grant (DOL 01/12/18) was denied. (#18-124)

PROCLAMATIONS

5. By adoption of the Consent Calendar, the request for issuance of Proclamation recognizing week of April 9-13, 2018 as *Adult Education Week* was approved. (#18-125)

MISCELLANEOUS

6. Mayor Calloway recused herself from voting on this agenda item as she is a member of the Cinco de Mayo Parade Committee. By adoption of the Consent Calendar, **Resolution 2018-044** was adopted, Resolution of the City Council of the City of San Pablo authorizing (1) the temporary closure of streets for the 2018 Cinco de Mayo Peace & Unity Parade and St. Paul's Festival; (2) waiver of traffic control fees; (3) provision of Police, Recreation and Public Works staff to support the event; (4) provision of a \$7,000 event sponsorship; and (5) designation of the City of San Pablo-Manzanillo Sister City Committee as Fiscal Agent. The motion passed as follows: (#18-090)

AYES: Valdez, Kinney and Morris

NOES: None

ABSENT: Cruz

RECUSED: Calloway

7. By adoption of the Consent Calendar, **Resolution 2018-044** was adopted, a Resolution of the City Council of the City of San Pablo to (1) accept and appropriate the California Natural Resources Agency (CNRA) Grant in the amount of \$3,999,540 and designate these funds to the Rumrill Boulevard Complete Streets Project (RUM-CNR); and (2) authorize the City Manager to enter into an agreement with NCE Consulting Services for Rumrill Boulevard Complete Streets Design and Engineering Consulting Services in

the amount of \$784,980 with a 15% contingency for a total authorization of \$902,727. (#18-087)

8. By adoption of the Consent Calendar, **Resolution 2018-045** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to issue the FY 2018/19 Annual San Pablo Community Foundation Grant Policy, Grant Guidelines and Program Criteria and Grant Application materials (#18-127)
9. By adoption of the Consent Calendar, **Resolution 2018-047** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the appropriation of a portion of funds generated by the lease of the City's billboard located at 2525 San Pablo Dam Road as follows beginning in FY 2018/19: 1) 20% or a maximum of \$100,000 per fiscal year to fund Childhood Obesity Prevention Programs and 2) 10% or a maximum of \$50,000 per fiscal year to fund Workforce Development Programs via contract with the San Pablo Economic Development Corporation. (#18-134)

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

BOARDS AND COMMISSIONS

10. Boards and Commissions Interview – Contra Costa County Area Agency on Aging - Applicant Charlene Harlan-Ogbeide was not present during the meeting. Discussion of this item was moved to the end of the agenda to give applicant time to arrive. It was moved by Councilmember Valdez, seconded by Vice Mayor Morris, and passed by vote of those present to appoint Dr. Charlene Harlan-Ogbeide on the Contra Costa County Advisory Council on Aging/Area Agency on Aging. The motion passed as follows: (#18-111)
AYES: Valdez, Kinney, Morris and Calloway
NOES: None
ABSENT: Cruz
ABSTAIN: None

RESOLUTIONS

11. Contract Planner Rod Simpson made a brief presentation on the proposed 96,000 square foot light industrial building for potential cultivation of medical cannabis to be built on a vacant lot on Collins Avenue, Richmond, California. The following spoke on the item and expressed their individual concerns:
 - Ron Deziel - traffic impact on Collins.
 - Margaret Judkins – length of trains and noise from trains and odors coming from the proposed facility
 - Jessica Palacios – suggested another access be used so as not to impact San Pablo residents; traffic congestion; pollution from idling; would like to see another environmental impact report
 - Annabel Peterson – reported that Richmond wants the area to be the Silicon Valley of marijuana
 - Leonard McNeil – danger of chemicals and contaminants going into the sewer system; the project has not yet been brought to the West County Wastewater District
 - Mister Phillips – project is close to two elementary schools; more studies and impact on children need to be made; the School District should be made aware of the project

Vice Mayor Morris agreed that the School District should also be aware of the impact from the proposed project.

It was moved by Vice Mayor Morris, seconded by Councilmember Kinney, and passed by vote of those present to adopt **Resolution 2018-048**, a Resolution of the City Council of the City of San Pablo authorizing the Mayor to execute a letter expressing concerns about a proposed 96,000 square foot light industrial building for potential cultivation of medical cannabis to be built on a vacant lot on Collins Avenue, Richmond, California (APN 408-060-028). The motion passed as follows: (#18-133)

AYES: Valdez, Kinney, Morris and Calloway

NOES: None

ABSENT: Cruz

ABSTAIN: None

Mayor Calloway allowed oral communications from Mister Phillips due to his late arrival. Mr. Phillips announced the 2nd Annual Building Construction Career Fair at the Lavonna DeJean Middle School on April 21, 2018.

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

City Council reported on their recent activities.

ADJOURNMENT

It was moved by Councilmember Valdez, seconded by Vice Mayor Morris, and passed by vote of those present, to adjourn the meeting at 7:16 pm, to Monday, April 16, 2018 at 6:00 pm, in memory Ms. Kushma Maharaj, aunt of Police Chief Raman.

Respectfully Submitted,

Elizabeth Pabon-Alvarado, City Clerk

Genoveva Garcia Calloway, Mayor