



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

Monday, October 1, 2018

### **ROLL CALL**

The meeting convened at 6:00 pm. Present in the Council Chambers were Mayor Genoveva Garcia Calloway, Vice Mayor Paul Morris and Councilmember Rich Kinney. Councilmembers Arturo Cruz and Cecilia Valdez participated in the meeting via teleconference from their respective homes as listed on the agenda. Also present were City Manager Matt Rodriguez, City Attorney Lynn Tracy Nerland, Assistant City Manager Reina Schwartz, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Public Works Director Jill Mercurio, City Treasurer Viviana Toledo, City Clerk Elizabeth Pabon-Alvarado, and Executive Assistant LaTanya Fisher.

City Attorney Nerland confirmed with Councilmembers Cruz and Valdez that they had each posted the agenda on their doors that is visible to the public 72 hours in advance of the meeting and that there were no members of the public wishing to speak at their respective locations.

### **ORAL COMMUNICATIONS**

Cordell Hindler requested presentations for a future agenda from Marcus Walton of the West Contra Costa Unified School District and Community Violence Solutions, and discussion of the rise of pension costs in California CalPERS.

Richard Stollings spoke regarding a July 18 traffic stop that he witnessed and his efforts to receive video of the incident.

Annabel Peterson spoke and presented a petition signed by 128 residents of her neighborhood in the northern portion of San Pablo requesting the City of San Pablo to do a sound study for their neighborhood to prove the necessity of noise mitigation. Ms. Peterson complained of long and loud train horns. Ms. Peterson requested the item be placed for discussion on the City Council's agenda.

Margaret Judkins provided documents regarding noise from the Burlington Railroad and presented a noise contour map prepared by PBS&J, the consulting firm that prepared in 2009 the City of Richmond 2030 General Plan, and a second set of maps prepared by Charles Salter Associates in 2009 for the City of San Pablo's 2030 General Plan, and the discrepancies from the two reports. Ms. Judkins also complained of vehicles from the Giant Trade Center not parking in their own driveways and suggested adding additional speed bumps for children's safety. Ms. Judkins requested the matter be placed on a future agenda to discuss conducting a sound study, as indicated in the petition signed by 128 neighborhood residents.

Clifford Hodge spoke regarding unsafe driving in his neighborhood.

## **CITY MANAGER REMARKS**

City Manager Rodriguez announced the closure of City Hall on Monday, October 8, 2018 in observance of the Columbus Day Holiday. Mr. Rodriguez also acknowledged the swearing-in of two new police officers Kristina Foster and Brandon Hicks who will be introduced at a future Council meeting. He also highlighted the nationally-recognized community outreach Coffee with a Cop event scheduled for Wednesday, October 3 by the San Pablo Police Department with the first 15 attendees to receive a gift from the Police Department. Also recognized was October 3 as *Clean Air Day* in support for the Bay Area Air Quality Management District with more information on [www.cleanairday.org](http://www.cleanairday.org). Mr. Rodriguez also reminded of the upcoming election deadlines dates for the statewide general election November 6, 2018, which are contained in the city eNews and the website for voter registration deadlines.

## **CONSENT CALENDAR**

City Manager indicated that there was a typographical error in the September 17 Minutes that were part of the City Council packet that has an incorrect date in the footer and will be corrected for the final version of the Minutes. It was moved by Vice Mayor Morris, seconded by Mayor Calloway, and unanimously passed to adopt all items in the Consent Calendar with the corrected footer in the Minutes.

## **MINUTES**

1. By adoption of the Consent Calendar, the Minutes of the meeting of September 17, 2018 was approved, with a correction to reflect September 17, 2018 in the footer. (#18-301)

## **MISCELLANEOUS**

2. By adoption of the Consent Calendar, proposed 2019 Calendar of City Council / Local Successor Agency Meeting Dates were approved by Minute Order. (#18-330)
3. By adoption of the Consent Calendar, **Resolution 2018-126** was adopted, a Resolution of the City Council of the City of San Pablo amending the composition criteria established under City Council Resolution 2018-100 for Childhood Obesity Prevention Advisory Group. (#18-338)
4. By adoption of the Consent Calendar, **Resolution 2018-127** was adopted, a Resolution of the City Council of the City of San Pablo approving an agreement for \$395,409 with Tesoro Refining and Marketing Company LLC for funding for the Rumrill Complete Streets Project as a Stormwater Runoff Mitigation Project. (#18-339)
5. By adoption of the Consent Calendar, **Resolution 2018-128** was adopted, a Resolution of the City Council of the City of San Pablo, State of California, declaring a Shelter Crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code § 8698.2). (#18-342)

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

## **ORDINANCES**

6. City Manager Rodriguez introduced the item concerning animal control provisions in the City's Municipal Code. City Attorney Nerland explained that the ordinance before the City Council is scheduled for a first reading but because of state law

procedures, the second action is to set the public hearing for October 15, at which time the Police Department would make a presentation. She further stated that state law requires that when a city is adopting another entity's ordinance, a first reading is held and the public hearing set, and that at the second reading, there would be a more thorough discussion about the item after presentation from staff. It was moved by Vice Mayor Morris, seconded by Councilmember Valdez, and unanimously approved to waive the first reading of the proposed ordinance; to adopt **Resolution 2018-129**, a Resolution of the City Council of the City of San Pablo setting a public hearing for October 15, 2018; and to introduce an Ordinance amending Chapter 6.04 of the San Pablo Municipal Code regarding animal control including adoption by reference of Chapters 41602 to 416-12 of Division 416 of the Contra Costa County Code, "Animals" with the exception of Article 416-12.10. (#18-307)

### **CITY COUNCIL DISCUSSION / AUTHORIZATION**

7. City Manager Rodriguez provided background information on the recent action by Council on September 4, 2018 regarding benefits and compensation for elected officials and the current benefits and compensation for the elected clerk and elected city treasurer having been capped by an ordinance adopted in 2014. Consideration of additional benefits or compensation for the elected clerk and city treasurer are currently not a policy item on the Council Priority Workplan. However, there is an item included in the Council Priority Workplan to explore the feasibility for a future City Council to approve and place on the ballot a measure for San Pablo voter consideration to convert the elected city clerk and elected city treasurer to appointed city officials. At this time, the rationale for potential future conversion of the elected clerk/treasurer to appointed officials would be to emulate best practices of professionalizing the city clerk and city treasurer functions. Nearly 78% of California cities have appointed city clerks, and of the 19 Contra Costa County cities, 7 have elected clerks and/or treasurers and the rest are appointed. Mr. Rodriguez also referred to the community survey Strategy Research Institute (SRI) conducted in July 2014 and reported that of those surveyed, 58% did not support converting the elected positions to appointed positions. He further reported that the cities of Antioch, Concord, Martinez, Pinole, Pittsburg and Walnut Creek have an elected clerk or treasurer or both.

City Manager Rodriguez suggested deferring consideration of adding an item in the Council Priority Workplan for compensation and benefits of the elected City Clerk and City Treasurer until after the November 2018 election.

Cordell Hinder expressed that a stipend of \$250 per month is reasonable.

Mayor Calloway mentioned that the policy item cannot be considered until it is placed in the City Council Priority Workplan and it would make sense to wait until after the new City Council is seated in December 2018.

It was moved by Mayor Calloway, seconded by Vice Mayor Morris, and unanimously passed, to continue the policy discussion on the enhancement of compensation and benefits to the elected City Clerk and elected City Treasurer.

8. City Manager Rodriguez introduced the item and provided background information on the formation of the Childhood Obesity Prevention Advisory Group, including the amendment to the composition of membership guidelines as approved under previous agenda item #3 above. City Manager pointed to the last minute agenda correspondence that outlined the procedures for conducting the interviews of potential members on the Advisory Group. Applicants Gwenndolyn White, Mayra Lopez and Patricia Ponce were interviewed by the City Council with questions agreed upon by the City Council: City Manager Rodriguez explained the two- and one-year term appointments. It was moved by Councilmember Kinney, seconded by Vice Mayor Morris, and unanimously approved, to make the following appointments:
- Gwenndolyn White (Contra Costa County Health Services) (**two-year term 2018-2020**)
  - Mayra Lopez (Contra Costa County Health Services) (**two-year term 2018-2020**)
  - Patricia Ponce (Community/Public) (**one-year term 2018-2019**)

### **MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS**

The City Council reported on their recent activities.

It was moved by Councilmember Kinney, seconded by Vice Mayor Morris, and unanimously passed to place on a future City Council agenda the discussion of potentially adding Conducting a Noise Study to the Council Priority Workplan, and to follow-up with Richard Stollings and Clifford Hodge regarding his complaints of vehicles doing donuts on his street and provide a report from staff regarding the issues raised.

### **ADJOURNMENT**

The meeting adjourned at 7:16 pm to Monday, October 15, 2018 at 6:00 pm.

Respectfully submitted,

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Elizabeth Pabon-Alvarado, City Clerk

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Genoveva Garcia Calloway, Mayor