



Minutes of the Regular Meeting of the San Pablo City Council and Housing Successor

Monday, March 6, 2017

ROLL CALL

The meeting convened in the Council Chambers at 5:16 pm. Present during roll call were Mayor Cecilia Valdez and Councilmembers Paul Morris, Rich Kinney and Arturo Cruz. Vice Mayor Genoveva Calloway arrived at 5:24 pm during Closed Session. Also present during roll call were City Manager Matt Rodriguez, City Attorney Lynn Tracy Nerland, Assistant to the City Manager/Economic Development Charles Ching, and Deputy City Clerk Lehy Corbin.

No one spoke regarding the Closed Session item. City Attorney announced the nature of the Closed Session and the above named convened in the Council Conference Room at 5:18 pm.

CLOSED SESSION

1. CLOSED SESSION (#17-0091)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Govt. Code section 54956.8:

PROPERTY: Chattleton Lane (Plaza San Pablo) (APN 417-310-004)

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

NEGOTIATING PARTIES: (1) Palm Plaza Development; (2) City Ventures (separate offer letters)

UNDER NEGOTIATION: Price and terms of payment

ROLL CALL

The regular meeting reconvened in the Council Chambers at 6:02 pm. Present Mayor Cecilia Valdez and Vice Mayor Genoveva Calloway and Councilmembers Paul Morris, Rich Kinney, and Arturo Cruz. 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, and Deputy City Clerk Lehy Corbin.

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

ORAL COMMUNICATIONS

No one spoke on items not listed on the agenda.

PRESENTATIONS

2. James Lyons of the American Red Cross Local Office was presented with the Proclamation recognizing *March 2017 as American Red Cross Month*. Janet Pottier and Andrea Barté also spoke, who are volunteers for the American Red Cross. (#17-0078)

3. Leah Greenblat of West Contra Costa Transportation Authority Commission and Rebecca Kohlstrand of WSP/Parsons Brinckerhoff gave a PowerPoint presentation of the West Contra Costa High-Capacity Transit Study Initial Draft Findings (Study), including the agencies, sponsors, partners and team involved in the study, the process involved in the study, as well as the overview of the alternatives and the subsequent steps needed to finalize the draft plan. Ms. Kohlstrand responded to Council inquiries regarding the proposed alternatives and the feasibility for each proposed alternative presented. Contra Costa College President Mojdeh Mehdizadeh spoke and expressed support for Alternative 6A (BART Extension-Rumrill Boulevard).

The City Council took action by minute action vote to direct the City Manager to summarize the City Council's comments on the Study's initial findings and recommendations into written correspondence to be sent to WCCTAC (Motion passed unanimously).

CITY MANAGER REMARKS

City Manager Rodriguez announced the upcoming traffic delay as the construction on El Portal Drive continues. He further reminded Council of the EDC Mixer on March 8, 2017 at Rockin' Crawfish, as well as the Coffee with a Cop scheduled for March 14, 2017 at Samraj Sweets.

CONSENT CALENDAR

By motion of Councilmember Morris, seconded by Vice Mayor Calloway, all items in the Consent Calendar were unanimously approved.

MINUTES

4. By adoption of the Consent Calendar, the Minutes of the meeting of February 21, 2017 were approved. (#17-0079)

MISCELLANEOUS

5. By adoption of the Consent Calendar, **Resolution 2017-037** was adopted, a Resolution of the City Council of the City of San Pablo accepting work performed by Tennyson Electric Inc. for Rumrill Blvd. Pedestrian Safety Improvements Project (PW 574) and authorizing the City Engineer to issue a Notice of Completion. (#17-0002)
6. By adoption of the Consent Calendar, **Resolution 2017-038** was adopted, a Resolution of the City Council of the City of San Pablo approving the concept of a Tri-City Agreement with the cities of Hercules and Pinole for police records and dispatch services and authorizing the City Manager to sign an amendment to the existing agreement, dated February 14, 2003, between Tyler Technologies and the San Pablo Police Department for CAD and RMS server migration services in the amount of \$56,301 including a 15% contingency amount of \$8,447 for a total cost of \$64,757 using existing budget resources from the FY2016/17 Police Department Special Department Expense Line Item (100-2110-44000) (#17-0080)
7. By adoption of the Consent Calendar, **Resolution 2017-039** 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. (#17-0086)

8. By adoption of the Consent Calendar, **Resolution 2017-040** was adopted, a Resolution of the City Council of the City of San Pablo authorizing an amendment to the Jarvis Fay Doporto and Gibbons LLP for services related to design-build construction documents and the Contra Costa County WIC Building Project for a total cost not to exceed \$60,000. (#17-0088)
9. By adoption of the Consent Calendar, **Resolution 2017-041** was adopted, a Resolution of the City Council of the City of San Pablo (1) authorizing the City Manager to amend a contract in the amount of \$16,500 with Miller Pacific Engineering Group for geotechnical review and design services; (2) authorizing the City Manager to amend a contract with Ghilotti Bros. for an additional \$202,764; and (3) appropriating \$131,729 which includes a 10% construction contingency from Fiscal Year 2016/17 General Fund Designated Reserves for Hillside Stabilization and Geotech Studies/Improvements to North Arlington Boulevard Road Rehabilitation Project (320-3200-43600-NAR-EMR). (#17-0052)
10. By adoption of the Consent Calendar, **Resolution 2017-042** was adopted, a Resolution of the City Council of the City of San Pablo appropriating \$77,500 from the General Fund Designated Reserve for citywide annexation, economic development, telecom & TOD projects to the Development Services Department Budget (212-1755-43600) for the funding of the Bicycle and Pedestrian Master Plan. (#17-0061)
11. By adoption of the Consent Calendar, **Resolution 2017-043** was adopted, a Resolution of the City Council of the City of San Pablo (1) rejecting the low bid of Bay Cities Paving and Grading as non-responsive; (2) awarding Phases 3 & 4 of the Plaza San Pablo Roadway Improvements Project to the second lowest and responsive bid of Maggiora and Ghilotti, Inc.; (3) authorizing the City Manager to execute an agreement with Maggiora and Ghilotti, Inc. in the amount of \$1,619,824 with 15% contingency, for a total authorization amount of \$1,862,797; (4) approving \$100,000 for utility coordination; and (5) appropriating \$1,962,798 from the General Fund Designated Reserves Future Capital Projects Plaza San Pablo & Civic and Infrastructure Projects to Plaza San Pablo Phases 3&4 (PSP-3&4) to fund the contract and utility coordination. (#17-0081)
12. By adoption of the Consent Calendar, **Resolution 2017-044** was adopted, a Resolution of the City Council of the City of San Pablo rescinding Resolution 2017-028 which approved a Sublease Agreement between City of San Pablo and East Bay Coffee Company for a portion of the new San Pablo Library and directing the City Manager to explore other potential vendors. (#17-0097)

BOARDS AND COMMISSIONS

13. By adoption of the Consent Calendar, the request to renew the two year terms of current members Lucy Alfaro, Dorothy Gantt and Rita Xavier on the Advisory Committee on Aging was approved. (11 vacancies). (#17-0077)

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

CITY COUNCIL CONSIDERATION/AUTHORIZATION

14. Council Consideration to amend Resolution 2007-056—Comprehensive Immigration Reform and Federal Immigration Enforcement (#17-0089)

City Manager Rodriguez introduced the item and provided some background information and reminded the City Council that the item was brought back as requested from the February 21, 2017 City Council meeting. The following spoke in favor of the proposed resolution: Antonio Medrano, Maria Alegria, Janet Pottier, Rita Xavier, Gabriella Sanchez (spoke through Spanish interpreter), Mariela Cuellar, Maria Elena Juarez, Tomasa Espinosa, Rhea Laughlin, Jacob Gran, Anneka Citrin, Luis Ledesma, Demetrio Gonzalez (spoke through Spanish interpreter), Silvia Osomio, Leonard McNeil, Nain Villanueva de Lopez, Mayra Padilla, Mojdeh Mehdizadeh, Alex Beltran, Uche Uwahemu, Maria Diaz, Mariana Moore, Marisol Contreras, Benjamin Estrada, and Norma Valdez Jimenez. Council discussion occurred. It was moved by Vice Mayor Calloway, seconded by Councilmember Cruz, with the additional revisions suggested by Maria Alegria as follows:

BE IT FURTHER RESOLVED absent any applicable laws, no City of San Pablo employee, including police, has the authority to enforce federal immigration laws and accordingly will not participate in any immigration enforcement efforts of federal authorities; or enter in 287 (g) memorandum of understanding with Department of Homeland Security, one of ICE's top partnership initiatives which allows a state and local law enforcement entities the authority for immigration enforcement within their jurisdiction;

and to further include a letter to Senator De Leon in support of SB54, and passed by vote to adopt **Resolution 2017-045**, a Resolution of the City Council of the City of San Pablo reaffirming support for all of our residents and employees regardless of immigration status, gender, ethnicity, country of origin, religion preferences or economic status. The motion passed as follows:

AYES: Cruz, Morris, Calloway and Valdez

NOES: Kinney

ABSENT: None

ABSTAIN: None

MAYOR AND CITY COUNCIL ASSIGNMENT REPORTS

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

ADJOURNMENT

The meeting adjourned at 8:51 pm, by motion of Councilmember Morris, seconded by Vice Mayor Calloway.

Respectfully submitted,

Ted J. Denney, City Clerk

Cecilia Valdez, Mayor