



## **Minutes of the Regular Meeting of the San Pablo City Council And the San Pablo Local Successor Agency**

**Monday, June 5, 2017**

### **ROLL CALL**

The meeting convened in the Council Chambers at 6:00 pm. Present during roll call were Mayor Cecilia Valdez, Vice Mayor Calloway and Councilmembers Rich Kinney and Paul Morris. Absent was Councilmember Arturo Cruz. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Interim Police Chief Walt Schuld, Finance Director Kelly Sessions, Public Works Director/City Engineer Barbara Hawkins, City Treasurer Viviana Toledo, City Clerk Ted Denney, and Deputy City Clerk Lehnny Corbin.

### **ORAL COMMUNICATIONS**

Antonio Medrano spoke on behalf of the Friends of the Library and expressed that all members are looking forward to the opening of the new library.

James Hartman spoke in support of chickens on residential properties. This is not an allowed use.

### **CITY MANAGER REMARKS**

City Manager Rodriguez announced the June 16, 2017 Annual Aloha Night Fundraiser presented by the San Pablo Advisory Committee on Aging.

### **CONSENT CALENDAR**

By motion of Vice Mayor Calloway, seconded by Councilmember Morris, and passed by vote of those present agenda item #17 (SB562) was continued to the next Council meeting.

By motion of Vice Mayor Calloway, seconded by Councilmember Kinney, and passed by vote of those present to approve the remaining items in the Consent Calendar. The motions were passed as follows:

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

### **MINUTES**

1. By adoption of the Consent Calendar, the Minutes of the meeting of May 15, 2017 were approved. (#17-0188)

### **PROCLAMATIONS**

2. By adoption of the Consent Calendar, the issuance of Certificate of Special Recognition of Word of Faith Church as it celebrates its 20 Year Anniversary in June 2017 was approved. (#17-0238)

## **MISCELLANEOUS**

3. By adoption of the Consent Calendar, **Resolution 2017-099** was adopted, a Resolution of the City Council of the City of San Pablo accepting work performed by Ghilotti Bros., Inc. for the 2015/16 Pavement Rehabilitation Project (PAV-016) and the North Arlington Boulevard Road Rehabilitation Project (NAR-EMR) as complete and directing that a Notice of Completion be prepared and filed with the County Recorder. (#17-0060)
4. By adoption of the Consent Calendar, **Resolution 2017-100** was adopted, a Resolution of the City Council of the City of San Pablo approving the Green Infrastructure Framework as required by the Regional Water Quality Control Board NPDES Permit CAS612008 SECTION C.3.j.i. (#17-0158)
5. By adoption of the Consent Calendar, **Resolution 2017-101** was adopted, a Resolution of the City Council of the City of San Pablo approving an amendment to Professional Services Contract #9 with Odin Systems and a budget appropriation of \$48,000 from the General Fund Designated Reserve/IT Systems Maintenance, Replacement & CAD/RMS to the Police Department Special Department Expense Line Item (100-2110-44000-LIB-PSP) for City-Wide surveillance system expenses related to the new San Pablo Library and authorizing the City Manager to execute the amendment to agreement with Odin Systems. (#17-0208)
6. By adoption of the Consent Calendar, **Resolution 2017-102** was adopted, a Resolution of the City Council of the City of San Pablo establishing the Appropriation Limit for Fiscal Year 2017/18. (#17-0212)
7. By adoption of the Consent Calendar, **Resolution 2017-103** 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. (#17-0219)
8. By adoption of the Consent Calendar, **Resolution 2017-104** was adopted, a Resolution of the City Council of the City of San Pablo appropriating \$30,000 from the FY 2016/17 General Fund Designated Reserve, Major Operating Contingencies for City facility maintenance and one-time improvements to the FY 2016/17 Capital Improvement Program (320-3200-43600-LGT-LED) for engineering services necessary to retrofit City residential street lights to Light-Emitting Diode (LED). (#17-0224)
9. By adoption of the Consent Calendar, **Resolution 2017-105** was adopted, a Resolution of the City Council of the City of San Pablo appropriating \$50,000 from FY2016/17 General Fund Designated Reserve for city facility maintenance and one-time improvements to the 1411 Rumrill Blvd. – Future Maintenance Facility (Corporation Yard) Preliminary Design (320-3200-43600-CYD-SHP). (#17-0229)

10. By adoption of the Consent Calendar, **Resolution 2017-106** was adopted, a Resolution of the City Council of the City of San Pablo ratifying an amendment to the existing agreement, dated February 14, 2003, between Tyler Technologies and the San Pablo Police Department for the removal of Richmond Police Department data from the database in the amount of \$26,000, including a 15% contingency for total authorization of \$29,900 using existing budget resources from the FY2016/17 Police Department Special Department Expense Line Item (100-2110-44000). (#17-0230)
11. By adoption of the Consent Calendar, **Resolution 2017-107** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into an agreement with Michael Baker International for environmental assessment consulting services for CEQA and NEPA clearance for the Rumrill Complete Streets Project in the amount of \$199,799 with a 9% contingency for a total authorization of \$218,000 and reallocate \$100,000 from the City Hall Roofing CIP (CHL-ROF), \$13,000 from the Davis Park Senior Center Roof Project (SRD-ROF) and \$30,000 from the Davis Park Multi-Use Room Roof Project (MUD-ROF) to fund the CEQA/NEPA clearance for the Rumrill Complete Streets Project (RUM-CST). (#17-0231)
12. By adoption of the Consent Calendar, **Resolution 2017-108** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to (1) execute an agreement with TLCD Architecture in the amount of \$134,638, plus \$15,362 contingency, for a total of \$150,000 for architectural design services for the conceptual design for the City of San Pablo's new Corporation Yard; and (2) transfer \$50,000 from the Street Lighting and Landscaping Assessment District Budget to complete funding for the contract. (#17-0232)
13. By adoption of the Consent Calendar, **Resolution 2017-109** was adopted a Resolution of the City Council of the City of San Pablo establishing a temporary Ad-Hoc Subcommittee for development of a new Public Facility Naming Policy, and appoint Vice Mayor Calloway and Councilmember Morris to this Committee by recommendation of Mayor Valdez pursuant to San Pablo Municipal Code Section 2.16.070. (#17-0237)
14. By adoption of the Consent Calendar, **Resolution 2017-110** was adopted, a Resolution of the City Council of the City of San Pablo authorizing a Maple Hall fee waiver in the amount of \$365 from Animal Refugee Response for their Annual Benefit Dinner on Saturday, June 17, 2017. (#17-0241)
15. By adoption of the Consent Calendar, **Resolution 2017-111** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the San Pablo Police Department to accept and appropriate \$100,000 in grant funding from the California Alcohol Beverage Control to participate in the Grant Assistance to Local Law Enforcement Program to develop an effective, comprehensive and strategic approach to eliminating the crime and public nuisance problems associated with problem alcoholic beverage outlets. (#17-0246)

16. By adoption of the Consent Calendar, **Resolution 2017-112** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to accept and appropriate USEPA San Francisco Bay Water Quality Improvement Fund Grant in the amount of \$864,634 for the development of Green Infrastructure along Rumrill Boulevard as part of the Rumrill Complete Streets Project. (#17-0247)
17. By motion of Vice Mayor Calloway, seconded by Councilmember Morris, this agenda item, a Resolution of the City Council of the City of San Pablo in support of Senate Bill 562 – The Healthy California Act, was pulled from the Consent Calendar and continued to the next City Council meeting. The motion passed as follows: (#17-0248)  
AYES: Kinney, Morris, Calloway and Valdez  
ABSENT: Cruz
18. By adoption of the Consent Calendar, **Resolution 2017-113** was adopted, a Resolution of the City Council of the City of San Pablo in support of the West Contra Costa Unified School District (WCCUSD) Adult Education Program and Serra School in Richmond, California. (#17-0249)
19. By adoption of the Consent Calendar, the second reading was waived and **Ordinance 2017-002** was adopted, an 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. (#17-0235)
20. By adoption of the Consent Calendar, **Resolution 2017-114** and **Resolution LSA2017-002** were adopted, Resolutions of the City Council of the City of San Pablo and the San Pablo Local Successor Agency Board adopting an Investment Policy for Fiscal Year 2017/18. (#17-0223)

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

**RESOLUTIONS**

21. City Manager Rodriguez announced the resignation of City Clerk Ted Denney effective June 30, 2017 and described the options for filling the vacancy. Ron Deziel spoke on the matter. By motion of Councilmember Kinney, seconded by Councilmember Morris, and passed by vote of those present, to adopt **Resolution 2017-115**, a Resolution of the City Council of the City of San Pablo accepting the resignation of City Clerk Ted Denney, determining to fill the vacancy by appointment; and giving direction on the appointment process to fill the remaining term of office (2014-2018). The motion passed as follows: (#17-0220)  
AYES: Kinney, Morris, Calloway and Valdez  
ABSENT: Cruz

## **PUBLIC HEARINGS**

22. City Manager Rodriguez introduced the item regarding Wireless Communication Facilities. City Attorney Nerland announced for clarification that the amendments in the sections are contained in the San Pablo Municipal Code and that the title of the ordinance includes that amendment.

Assistant Planner Elizabeth Dunn gave a PowerPoint presentation and overview of the proposed amendments to the Zoning Ordinance, including legal considerations, the administrative review of new facilities, the review by the Planning Commission, design standards, collocations of existing towers, timeframes for processing applications ("shot clocks"), and the addition of the definition for "wireless facility." Ms. Dunn and City Attorney Nerland addressed Council's inquiries regarding collocation and the possibility of revenue generation.

The public hearing was opened at 6:36 pm. Ron Deziel questioned the effects on City's plan to build its own broadband system, to which City Manager Rodriguez replied there would be no impact. The public hearing was closed at 6:40 pm.

By motion of Councilmember Morris, seconded by Councilmember Kinney, and passed by vote of those present to, waive the second reading and introduce an Ordinance of the City Council of the City of San Pablo amending Zoning Ordinance sections 17.62.200 and 17.70.030 and Tables 17.32-A, 17.34-A and 17.36-A, and adding section 17.62.300 to the San Pablo Municipal Code relating to Wireless Communication Facilities to address Federal Communications Commission (FCC) Regulations and to address the needs of San Pablo. The motion passed as follows: (#17-0234)

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

23. City Manager Rodriguez introduced the item. A PowerPoint of the proposed Quadrennial Operating Budget and the Capital Improvement Projects Budget for Fiscal Years 2018-21 was presented which included the comparison of the General Operating Funds Balance Sheet, the projected revenues, Fiscal Resiliency Undesignated Reserves, Fiscal Reserve Amounts, and the proposed General Fund Designated Reserves.

The public hearing was opened at 7:22 pm. Ron Deziel spoke regarding the annual growth structure and the fiscal resiliency policy. City Manager Rodriguez addressed Mr. Deziel's inquiries regarding the Memoranda of Understanding, growth, the Beacon Network, delinquent property taxes and PILOT (Payment In Lieu Of Tax).

The public hearing was closed at 7:34 pm.

Mayor Valdez spoke regarding the Training and Travel budget for City Council and increasing the budget by \$2,500. Councilmember Kinney motioned to increase the budget back to the same amounts from Fiscal Year 2009/10, seconded by Vice Mayor Calloway. There was further discussion and clarification regarding the proposed budgeted amounts.

By motion of Councilmember Kinney, seconded by Vice Mayor Calloway, and passed by vote of those present to approve the additional travel and training allocation of \$500 per councilmember to be incorporated in the budget. Should the costs exceed the budgeted funds, the City Manager's Contingency Account may be used. The motion passed as follows:

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

By motion of Councilmember Morris, seconded by Vice Mayor Calloway, and passed by vote of those present, direct staff to place the adoption of the Operating Budget for Fiscal Years 2018-21 budget on the consent calendar for the June 19, 2017 City Council meeting. The motion passed as follows: (#17-0218)

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

The meeting recessed from 7:48 pm to 7:54 pm.

Public Works Director Hawkins gave her PowerPoint presentation of the Capital Improvements budget.

The public hearing was opened at 8:17 pm; no one spoke for or against the item; the public hearing was closed at 8:18 pm.

By motion of Councilmember Morris, seconded by Councilmember Kinney, and passed by vote of those present, place the adoption of the Capital Improvements Program Plan and budget on the consent calendar for the June 19, 2017 City Council meeting. The motion passed as follows:

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

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

City Council reported on their recent and upcoming activities.

### **ADJOURNMENT**

By motion of Councilmember Morris, seconded by Councilmember Kinney, and passed by vote of those present to adjourn the meeting to Monday, June 9, 2017 at 6:00 pm, in memory of David Vega, Jr., brother-in-law of City Manager Matt Rodriguez. The motion passed as follows:

AYES: Kinney, Morris, Calloway and Valdez

ABSENT: Cruz

Respectfully submitted,

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Ted J. Denney, City Clerk

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Cecilia Valdez, Mayor