



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

Monday, August 7, 2017

### **ROLL CALL**

The meeting convened at 5:00 pm in the Council Chambers. Present were Vice Mayor Genoveva Calloway and Councilmembers Rich Kinney and Arturo Cruz. Absent were Councilman Paul Morris and Mayor Valdez. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland and Executive Assistant LaTanya Fisher.

### **ORAL COMMUNICATIONS**

The closed session items were announced. There were no speakers.

The Vice Mayor and City Council recessed to Closed Session at 5:01 pm.

### **CLOSED SESSIONS (5:00 PM)**

1. CLOSED SESSION (#17-0256)  
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to California Government Code section 54956.9(d)(4):  
(1 potential case)
2. CLOSED SESSION (#17-0356)  
Pursuant to Govt. Code Section 54957  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
TITLE: City Manager

### **ROLL CALL**

The meeting reconvened at 6:01 pm in the Council Chambers. Present were Mayor Cecilia Valdez via teleconference as set forth in the agenda for the meeting, Vice Mayor Genoveva Calloway and Councilmembers Rich Kinney, Arturo Cruz and Paul Morris. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, PW Director and Civil Engineer Barbara Hawkins, Interim Chief of Police Walt Schuld, Finance Director Kelly Sessions, Administrative Clerk Christine Maki and Executive Assistant LaTanya Fisher.

City Attorney announced that no action was taken in closed session on the first item other than direction given to staff regarding anticipated litigation. On the second item regarding public employee performance evaluation for City Manager, no action was reported. City Attorney also announced that Mayor Valdez will participate in the meeting by teleconference. Mayor Valdez indicated that the agenda had been posted at 13328 San Pablo Avenue at least 72 hours in

advance of the meeting; that the location was accessible; and that there were no members of the public at that location wishing to comment on any items.

### **ORAL COMMUNICATIONS**

There were none.

### **CEREMONIAL MATTERS**

3. City Manager Rodriguez introduced the newly appointed City Clerk Elizabeth Pabon-Alvarado. David Alvarado administered the Oath of Office and City Clerk Pabon-Alvarado began her duties as City Clerk at the Council meeting. (#17-0332)
4. City Manager Rodriguez introduced Development Services Director Michele Rodriguez who introduced new Assistant Planner Todd Kennedy. (#17-0352)
5. City Manager introduced Youth Program Coordinator, Bertha Romo, who provided background on the internship program of Contra Costa Office of Education (CCOE). Summer Youth Interns Allison Cubillas, Rosaisela Salmeron, Cristal Garcia, Kimmyata Newby, Dana Reyes-Retiz and Alejandro Toscano each provided a brief summary of their experience. (#17-0323)

### **PRESENTATIONS**

6. Contra Costa Fire Protection District Battalion Chief Charles Thomas provided a county-wide update on activities of the District. (#17-0324)
7. Interim Chief of Police Walt Schuld provided a PowerPoint presentation of the Police Department Statistics / 10-Year Crime Analysis. (#17-0333)
8. City Manager Matt Rodriguez introduced Byron Pipkin of Matrix Consulting who provided a PowerPoint presentation of the Police Department Operational Analysis. (#17-0334)

### **CITY MANAGER REMARKS**

City Manager Matt Rodriguez mentioned that this is the last official Council meeting with Interim Chief of Police Walt Schuld and thanked him for his service during the transition of new Chief of Police. He also mentioned the following information/events:

- City of San Pablo has a new dispatch number effective July 31, 2017 - (510) 741-1111
- The San Pablo Library Ribbon Cutting event is scheduled for Saturday, August 19, 2017 at 10:00 am
- The San Pablo Dumpster Day is also August 19, 2017 between 7:00 am to 12 noon at El Portal School site - for more information call 510-215-3071.

### **CONSENT CALENDAR**

Before a motion was made, the Vice-Mayor read a statement regarding Item #12 (#17-0329) – Resolution Amending the Schedule of Benefits for the Contract Employees Group:

*Government Code section 54953(c)(3) requires that, before taking final action, the City Council must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of local agency executives. Therefore, I am making the following summary regarding such items appearing on the consent agenda.*

*Item # 17-0329 pertains to final action by the City Council regarding the recommendation to approve the revised Contract Employees Group Compensation Resolution. The revised document does not represent a change in compensation, but rather is a correction to reflect current benefits being provided by the City to the City Attorney.*

*The revised resolution reflects the following corrections:*

*“Section 5. Vacation,” is revised to reflect that the City Attorney, in addition to the City Manager, is permitted to carry over unused vacation. This is provided in the City Attorney’s employment agreement with the City. However, the prior version of the compensation resolution unintendedly did not list the City Attorney as eligible for this benefit.*

*“Section 11. Retirement and Survivor Benefits, subsection B. Retiree Health Savings Account,” is revised to reflect that to be eligible for the monthly supplemental allowance at retirement, the City Attorney shall have served with the City for at least ten consecutive years immediately prior to retirement, and must retire directly (within one hundred twenty days) following separation from the City. This is provided in the City Attorney’s employment agreement with the City. However, the prior version of the compensation resolution incorrectly reflected a shorter vesting period. The City Manager is required to have served the City for at least five consecutive years immediately prior to retirement, in addition to retiring directly (within one hundred twenty days) following separation from the City, to be eligible for the monthly supplemental allowance at retirement.*

By motion of Councilmember Morris, seconded by Councilmember Cruz all items in the consent calendar were unanimously approved.

## **MINUTES**

9. By adoption of the Consent Calendar the minutes of the meeting of July 17, 2017 were approved. (#17#0322)

## **PERIODIC REPORTS**

10. By adoption of the Consent Calendar – the Budget Reconciliation – General Fund Designated Reserves (January 2017 through June 2017) were received and filed. (#17-0349)

## **MISCELLANEOUS**

11. By adoption of the Consent Calendar, **Resolution 2017-159** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an operational agreement between the City of San Pablo and the San Pablo Historical and Museum Society for the Operation of the City's Alvarado Adobe Museum Blume House and Bunk House at 13831 San Pablo Avenue, San Pablo, for cultural and educational purposes. (#17-0328)
12. By adoption of the Consent Calendar, **Resolution 2017-160** was adopted, a Resolution of the City Council of the City of San Pablo amending the schedule of benefits for the Contract Employees Group. (#17-0329)
13. By adoption of the Consent Calendar, **Resolution 2017-161** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a construction management/inspection services agreement with Park Engineering, Inc. for the San Pablo Avenue Complete Streets Project in the amount of \$610,696 with approximately 6.5% contingency, for a total authorization of \$650,466. (#17-0354)
14. By adoption of the Consent Calendar the Letter of Support for \$1.3 million in grant funds from the California State Coastal Conservancy under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1), for the Wildcat Creek Restoration & Greenway Trail Project between Church Lane and Vale Road was approved. (#17-0313)
15. By adoption of the Consent Calendar, **Resolution 2017-162** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an inter-agency agreement between the City of San Pablo and the Contra Costa Community College District for the provision of dispatch services through the Tri-City Agreement. (#17-0327)
16. By adoption of the Consent Calendar, **Resolution 2017-163** was approved, a Resolution of the City Council of the City of San Pablo declaring that the emergency under the Public Contract Code Section 22050 regarding the immediate rehabilitation of the Hillcrest Road Storm Drain is continuing and ratify the actions taken. (#17-0336)
17. By adoption of the Consent Calendar, **Resolution 2017-164** was approved, a Resolution of the City Council of the City of San Pablo authorizing a budget appropriation of \$200,000 from General Fund Designated Reserves – Plaza San Pablo and Civic and Infrastructure Projects to the FY 2017/18 CIP Project Budget 320-3200-43600-LIB-PSP for the new San Pablo Library project. (#17-0339)
18. By adoption of the Consent Calendar, **Resolution 2017-165** was approved, a Resolution of the City Council of the City of San Pablo authorizing event sponsorship in the amount of \$5,000 for the North Richmond Shoreline Festival on Saturday, October 7, 2017 at the Point Pinole Regional Shoreline Park. (#17-0348)
19. By adoption of the Consent Calendar, **Resolution 2017-166** was approved, a Resolution of the City Council of the City of San Pablo authorizing a one-time sponsorship in the amount of \$2,500 to Supply.org (formally K to College). (#17-0350)
20. By adoption of the Consent Calendar, **Resolution 2017-167** was approved, a Resolution

of the City Council of the City of San Pablo approving and authorizing execution of a first amendment to office building lease between the City of San Pablo and Lifelong Medical Care for its lease of space at 2023 Vale Road for additional space and increased rent. (#17-0357)

21. By adoption of the Consent Calendar, **Resolution 2017-168** was approved, a Resolution of the City Council of the City of San Pablo to: (1) Approve the San Pablo Team for Youth program funding allocation plan for fiscal years 2018 and 2019; (2) authorized the City Manager to execute grant agreements with eligible Team for Youth service providers for a total amount not to exceed \$647,000 for each fiscal year for a total amount not to exceed \$1,294,000; (3) accept match funding in the amount of \$75,000 from WCCUSD in each fiscal year funding commitment; and (4) appropriate \$54,379 of matching funds in FY 2017/18 and \$20,449 in FY2018/19 – if necessary – to Community Team for Youth program. (#17-0358)

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

## **RESOLUTIONS**

22. It was moved by Councilman Cruz, seconded by Mayor Valdez and passed by vote to adopt **Resolution 2017-169**, a Resolution of the City Council of the City of San Pablo in support of the San Pablo Youth Commission's request to support Assembly Constitutional Amendment No. 10 (ACA 10) – lowering the voting age from 18 years-old to 17 years-old. (#17-0344)

The following speakers spoke in support of the Resolution:

- Elham Esquivel-Cruz, San Pablo Youth Commissioner
- Vincente Mancia, San Pablo Youth Commissioner

The motion passed as follows:

AYES:	Cruz, Morris, Calloway and Valdez
NOES:	Kinney
ABSENT:	None
ABSTAIN:	None

Mayor Valdez made a request to be excused from the remainder of the Council meeting at 7:40pm. She also requested that the Council consider supporting the addition of an item on the September 5, 2017 agenda regarding participation in the upcoming Recyclemore Board meetings and the issues on that agenda.

23. City Manager Rodriguez introduced Development Services Director Michele Rodriguez. Michele thanked staff for their involvement and introduced Jeff Knowles from the consulting firm of Alta Planning + Design who provided a PowerPoint presentation on the Bicycle and Pedestrian Master Plan.

The following speakers spoke in support of the Resolution:

- Sue Hufstader of Bike East Bay
- Rita Xavier although a member of the San Pablo Planning Commission was speaking as an individual resident
- Leydi Maldonado of West County Regional Group could not be present, but the City Clerk

read her statement in support of the Resolution.

It was moved by Councilman Cruz, seconded by Councilman Morris and passed by vote of those present to adopt **Resolution 2017-170**, a Resolution of the City of San Pablo adopting the City of San Pablo's Bicycle and Pedestrian Master Plan. (#17-0353)

The motion passed as follows:

AYES:	Cruz, Morris, Kinney and Calloway
NOES:	None
ABSENT:	Valdez
ABSTAIN:	None

City Council recessed for a 5-minute break at 8:25 pm.

### **PUBLIC HEARINGS**

24. City Manager Rodriguez introduced the item and recommended that the (1) presentation and proposed resolution of the City of San Pablo of the City of San Pablo approving an update to the City of San Pablo Master Landscape Plan and authorizing the City Manager to remove and replace 40 street trees in poor health be continued to Tuesday, September 5, 2017 due to staff unavailability.

City Attorney Nerland recommended that due to staff unavailability and because the Notice of Public Hearing was published, City Council should proceed and open the public hearing on the ordinance amending the Municipal Code regarding the Master Landscape Plan and related matters and allow for testimony. She also recommended that the City Council waive the reading and introduce the ordinance, but keep the Public Hearing open until September 5, 2017 where staff will be available to make the presentation before the City Council makes a final decision on the proposed ordinance.

The public hearing was opened at 8:36 pm.

There were no speakers.

It was moved by Councilman Morris, seconded Councilman Cruz and passed by vote of those present to waive the reading and introduce the Ordinance of the City Council of the City of San Pablo amending Chapters 12.16 and 17.48 of the San Pablo Municipal Code including incorporating the City of San Pablo Master Landscape Plan and replacing reference to Director of Parks and Recreation and Planning Commission with reference to the Public Works Director as it relates to management of landscape improvements in the public right of way and on public facilities and to continue the public hearing to September 5, 2017 to allow for further public comment before the Ordinance is considered for adoption.

The motion passed as follows:

AYES:	Morris, Cruz, Kinney and Calloway
NOES:	None
ABSENT:	Valdez
ABSTAIN:	None

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

City Council reporting on their recent activities.

### **ADJOURNMENT**

The meeting adjourned at 8:39 pm to 6:00pm on Tuesday, September 5, 2017.

Respectfully submitted,

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Elizabeth Pabon-Alvarado, City Clerk

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Cecilia Valdez, Mayor