Minutes of the Regular Meeting of the San Pablo City Council and Local Successor Agency

Monday, June 4, 2018

ROLL CALL

The meeting convened in the Council Chambers at 5:03 pm. Present were Mayor Genoveva Garcia Calloway, Vice Mayor Paul Morris, Councilmembers Arturo Cruz and Rich Kinney. Councilmember Valdez arrived at 5:04pm. Also present were Assistant City Reina Schwartz, City Attorney Lynn Tracy Nerland and Executive Assistant LaTanya Fisher.

City Attorney Lynn Tracy Nerland announced the Closed Session of the San Pablo Local Successor Agency regarding real property negotiations regarding the sale of the Mission Plaza property to the San Pablo Economic Development Corporation (EDC) and mentioned that outside Legal Counsel Nicki Murphy and City Attorney Nerland would also attend that closed session. The City Attorney also announced for the record that record that both the City Manager and Mayor are non-compensated officers of the San Pablo Economic Development Corporation (EDC) and that the City Manager has indicated that he has not participated in the negotiations and will not be present for the meeting. The Mayor announced her conflict as a Board Member on the San Pablo Economic Development Corporation Board and will not participate in the closed session item.

The City Attorney also announced the Closed Session Conference with Labor Negotiators with, Ad-hoc Subcommittee members Mayor Calloway and Councilmember Cruz negotiating with City Manager Rodriguez regarding his Employment Agreement. She indicated that the City Attorney will also attend that Closed Session, but the City Manager will not.

Cordell Hindler spoke regarding Closed Session Local Successor Agency item and suggested making the property into a two-story building that includes the first floor as an affordable gym that also includes a kids' area and smoothie bar and the second level as a teen club with a soda fountain.

The meeting recessed to the Council Conference Room at 5:06 pm.

CLOSED SESSION

1. CLOSED SESSION OF SAN PABLO LOCAL SUCCESSOR AGENCY
   CONFERENCE WITH REAL PROPERTY NEGOTIATORS (#18-196)
   Pursuant to Govt. Code Section 54956.8:
   PROPERTY: Sale of Mission Plaza located at 14501, 14535 and 14555 San Pablo Avenue (APN # 413-352-017, 413-352-013 and 413-352-012)
   AGENCY NEGOTIATORS: Reina Schwartz, Charles Ching
   NEGOTIATING PARTIES: San Pablo Economic Development Corporation
   UNDER NEGOTIATION: Price and terms of payment

2. CLOSED SESSION (#18-204)
CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Govt. Code Section 54957.6)
AGENCY DESIGNATED REPRESENTATIVES: Mayor Genoveva Garcia Calloway and Councilmember Arturo Cruz
UNREPRESENTED EMPLOYEE: City Manager Matt Rodriguez

ROLL CALL

The regular meeting reconvened in the Council Chambers at 6:02 pm. Present were Mayor Genoveva Garcia Calloway and Vice Mayor Paul Morris, and Councilmembers Rich Kinney, Arturo Cruz and Cecilia Valdez. Also present were Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Executive Assistant LaTanya Fisher, and Administrative Clerk Christine Maki.

City Attorney Nerland reported that Council met on the Closed Session item regarding the Local Successor Agency Conference with Real Property Negotiators for the sale of Mission Plaza to the San Pablo EDC. Since both the Manager Rodriguez and Mayor Calloway are non-compensated officers of the San Pablo Economic Development Corporation, they were not present and did not participate in the closed session as an abundance of caution due to their potential conflict of interest. She also mentioned that no action was taken since the item is on the City Council regular agenda for action. City Attorney Nerland also reported that under the Closed Session Conference with Labor Negotiators for Unrepresented Employee City Manager Matt Rodriguez, the City Council gave direction to the Temporary Ad-Hoc Subcommittee and requested the City Attorney to prepare the matter for future open session agenda item.

ORAL COMMUNICATIONS

Cordell Hindler spoke regarding the approved proclamation for Sexual Abuse Awareness Month from April and recommended Community Violence Solutions come to a future Council meeting and give a presentation about the dangers of sexual abuse and human trafficking. He also mentioned that he looked at the job descriptions on the City's website and noticed the job descriptions are outdated and should be updated. Lastly, he wanted to let the City Council know that he was impressed with the San Pablo Youth Commission's recent presentation during the previous Council meeting.

Janet Pottier of the San Pablo Historical and Museum Society mentioned they will have San Pablo memorabilia on display during the Holy Ghost Festival on Sunday, June 10, 2018. Items were donated by the family of former Councilmember Joe Gomes. She also provided City Council with information that includes the phone number at the museum and their upcoming Art Festival and asked Council to share the information with the public. She also mentioned that the Historical Society is looking for volunteers to assist with staffing of the museum so they are able to hold regular hours.

PRESENTATIONS

3. The Mayor presented a Proclamation Recognizing Month of June 2018 as "Elder and Dependent Adult Abuse Awareness Month" to Rita Xavier from the Advisory Council on Aging and Jonathan Botson, Social Worker from the Adult Protective Services. Both thanked City Council for the Proclamation and provided materials and data about elder abuse and neglect. (#18-180)

CITY MANAGER REMARKS

Assistant City Manager Schwartz reiterated Janet Pottier's remarks that the Blume House will be open this Sunday, June 10, 2018, between 11:00 am – 2:00 pm featuring a display of items donated by the family of former Councilmember Joe Gomes. Movies in the Park returns Friday, June 22, 2018 at 6:00 pm with the movie "Emoji" and lastly reported that the Primary Election Vote-by-Mail ballots can be dropped off in the City Clerk's Office through the end of business on Tuesday, June 5, 2018 or at Polling locations including Maple Hall through 8:00 pm.

CONSENT CALENDAR

It was moved by Vice Mayor Morris, seconded by Councilmember Valdez, and unanimously passed to adopt all items on the Consent Calendar with the exception of item #5 that was pulled from the Consent Calendar.

MINUTES

4. By adoption of the Consent Calendar, the Minutes of the meeting of May 21, 2018 were approved. (#18-183)

COMMUNICATION/RATIFICATION

5. This item was pulled from the Consent Calendar and speaker Margaret Judkins was called to the podium. Ms. Judkins spoke about the proposed County Zoning ordinance regarding cannabis and her displeasure related to the City of Richmond Zoning amendment regarding cannabis She also mentioned that the proposed grow facility in the City of Richmond is directly across from her neighborhood and reiterated that the train horns are very loud. The train transfer also happens near her neighborhood and she wanted to bring the noise problem to City Council and remind Council of the City of Richmond Planning Commission meeting on June 7, 2018 at 6:30 pm and urged a councilmember to attend.

   It was moved by Vice Mayor Morris, seconded by Cecilia Valdez, and unanimously passed to ratify a Comment Letter from Mayor Calloway to the Contra Costa Planning Commission for the Proposed Zoning Text Amendment for Adoption of a County Cannabis Ordinance Regulating the Establishment of Commercial Cannabis Uses in the Unincorporated Areas of the County. (#18-220)

PROCLAMATIONS

6. By adoption of the Consent Calendar, the request for issuance of Proclamation Recognizing Month of June 2018 As LGBTQ Pride Month was approved. (#18-194)

BOARDS AND COMMISSIONS

7. By adoption of the Consent Calendar, the San Pablo Community Foundation Grant Review Committee request for renewal of term of Charlene Harlan-Ogbeide was approved. (#18-198)

MISCELLANEOUS

8. By adoption of the Consent Calendar, **Resolution 2018-071** was adopted, a Resolution of the City Council of the City of San Pablo Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 6, 2018, and Requesting and Consenting to Consolidation of Elections, and Setting Specifications of the Election Order. (#18-165)

9. By adoption of the Consent Calendar, **Resolution 2018-072** was adopted, a Resolution of the City Council of the City of San Pablo to (1) authorize the City Manager to purchase two 2018 BMW 1200 RT-P motorcycles for $62,205 and two 2018 Ford Explorer utility vehicles equipped with emergency equipment for $77,410 using competitively bid contracts; (2) authorize the City Manager to purchase a "Faro" Technologies Digital Crime/Collision Scene Mapping System and Emergency Equipment to outfit the vehicles for $85,270, plus an additional $11,244 (approximately 5%) for contingency for a total purchase authorization of $236,129; and (3) appropriate $358,000 from the General Fund Designated Reserves as follows: $272,730 to the Vehicle Replacement Fund to execute vehicle purchases in FY 2017/18 and additional purchases in FY 2018/19, and $85,270 to the Police Department Capital Equipment Budget to purchase the Digital Crime/Collision Scene Mapping System and Emergency Equipment. (#18-189)

10. By adoption of the Consent Calendar, **Resolution 2018-073** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to (1) execute a four-year Professional Services Agreement with Maze & Associates for Audit Services from FY 2018/19 through FY 2021/22 for a total cost of $337,250; and (2) waive normal bidding and RFP (Request for Proposal) requirements. (#18-199)

11. By adoption of the Consent Calendar, **Resolution 2018-074** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute a Sublease Supplement by and between the City of San Pablo and Contra Costa County detailing hours of operation and the cost of service for the San Pablo Library for FY 2018/19. (#18-200)

12. By adoption of the Consent Calendar, **Resolution 2018-075** was adopted, a Resolution of the City Council of the City of San Pablo to authorize the purchase of 20 Axon Fleet Unlimited In-Car Camera Systems, 65 Axon Sidearm Signal Units, and one Security Camera Unlimited Recording System for a total cost of $225,334 for a period of five years, utilizing funds from Police Department salary savings to complete this purchase. (#18-203)

13. By adoption of the Consent Calendar, **Resolution 2018-076** was adopted, a Resolution of the City Council of the City of San Pablo in Support of the League of California Cities' Request to Support Proposition 68 (SB 5) - The California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for all Act of 2018 on the State-Wide June 5, 2018 Ballot. (#18-211)

14. By adoption of the Consent Calendar, **Resolution 2018-077** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a contract with Construction West Services, Inc. for the Church Lane Senior Center Operable Partition Project at a cost of $89,458 plus a 15% contingency for a total authorized cost of $102,876 to be funded by budget adjustments from Building and Fleet Maintenance and Street Lighting and Landscaping to the CIP Budget. (#18-212)

15. By adoption of the Consent Calendar, **Resolution 2018-078** was adopted, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an agreement with Construction West Services, Inc. in the amount of $94,258 for the Church Lane Senior Center Entry Remodel Project, with a 15% contingency for a total authorization of $108,397. (#18-213)

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

RESOLUTIONS

16. Mayor Calloway disclosed her conflict as a member of the Board of Directors for the San Pablo Economic Corporation and did not participate and left the Council Chambers. City Manager Matt Rodriguez was not present at the meeting per the disclosure before the closed session item that he is an uncompensated officer of the San Pablo Economic Development Corporation. Assistant City Manager Schwartz introduced the item. Community and Economic Development Director Charles Ching gave a PowerPoint presentation of the proposed Purchase and Sale Agreement between the City as Local Successor Agency and San Pablo Economic Development Corporation for the Mission Plaza Property. It was moved by Councilmember Valdez, seconded by Councilmember Cruz, and passed by vote, to adopt **Resolution LSA2018-001,** a Resolution of the San Pablo Local Successor Agency approving and authorizing execution of a Purchase and Sale Agreement with the San Pablo Economic Development Corporation pertaining to the Mission Plaza Property (APNs 413-352-017, 413-352-013 and 413-352-012) for $1,750,000 with $400,000 paid at escrow and a Promissory Note for the balance. The motion passed as follows: (#18-217)

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

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

City Council reported on their recent activities.

It was moved by Councilmember Cruz, seconded by Mayor Calloway, and unanimously passed by vote of those present, to place on a future agenda consideration to amend the Council Priority Workplan by adding a policy item to the Council Priority Workplan and explore the cost impact and feasibility of extending the after-hours services at city facilities during high peak summer hours. The motion passed as follows:

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

It was moved by Mayor Calloway, seconded by Councilmember Kinney, and unanimously passed, to request staff to coordinate a representative from Burlington Pacific Railroad Corporation (BNSF), Union Pacific (UP) and/or City of Richmond representative come to a future council meeting and provide a report on the status of what is being carried on trains as well as noise and traffic interruption impacts.

ADJOURNMENT

It was moved by Vice Mayor Morris, seconded by Councilmember Kinney and unanimously passed to adjourn the meeting at 6:56 pm to Monday, June 18, 2018 at 6:00 pm, in memory of Kevin Moses, former Contra Costa County / San Pablo Building Inspector and Ruby Lee Anderson, grandmother of Paratransit Driver Charmaine Levingston and former San Pablo business owner, Norma Jean Millhollin.

Respectfully submitted,

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Elizabeth Pabon-Alvarado, City Clerk

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Genoveva Garcia Calloway, Mayor