



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

Monday, March 2, 2020

### **ROLL CALL**

The meeting convened in the Council Chambers at 6:00 pm. Present were Mayor Arturo Cruz and Vice Mayor Elizabeth Pabon-Alvarado, and Councilmembers Rita Xavier, Abel Pineda and Rich Kinney. Also present were Assistant City Manager Reina Schwartz, City Attorney Lynn Tracy Nerland, Police Chief Ron Raman, Administrative Services Director Kelly Sessions, Public Works Director/City Engineer Jill Mercurio, City Clerk Patricia Ponce, and Deputy City Clerk Lehny Corbin.

### **ORAL COMMUNICATIONS**

Cordell Hindler invited the City Council to the March 21<sup>st</sup> 70's dance party at Salesian High School. He also requested placement on a future agenda an update from Andy Katz regarding the need for a hospital in West County, as well as an update from BART General Manager Bob Powers on the transit system. He also spoke regarding the Salesian High School football.

Meltus Nwadike spoke regarding vandalism at his San Pablo business and police follow-up. He also complained of debris left at his business by transients. Mr. Nwadike was referred to staff.

John Ladd spoke regarding the status of the Brookdale Senior facility and the application for a new use permit at the property.

### **CITY MANAGER REMARKS**

Assistant City Manager Schwartz reported on the following:

- Election Ballot Box location at the Senior Center open through 8:00pm on March 3
- March 7 Dumpster Day at 2600 Moraga Road

### **PRESENTATIONS**

Receive presentation: Public Service Ethics and Laws: Brown Act and Procedures for Meetings and Public Hearings

City Attorney Nerland gave a PowerPoint presentation which covered the types of meetings, due process, Robert's Rules of Procedure, the Brown Act--Open Government, and public records.

Cordell Hindler spoke on the presentation.

### **CONSENT CALENDAR**

Councilmember Kinney stated his recusal from discussion on agenda item #6 (agreement with the San Pablo Economic Development Corporation - EDC) due to his membership on the EDC Board.

It was moved by Councilmember Kinney, seconded by Mayor Cruz, and unanimously passed to adopt all items in the Consent Calendar, with the exception of agenda item #6. The motion passed as follows:

AYES: Kinney, Pineda, Xavier, Pabon-Alvarado and Cruz  
NOES: None  
ABSENT: None  
ABSTAIN: None

### MINUTES

1. By adoption of the Consent Calendar, the Minutes of the meeting of February 18, 2020 were approved. (#20-069)

### LIABILITY CLAIMS

2. By adoption of the Consent Calendar, the liability claims of Liliana Ortiz (DOL 01/05/20), Desmon Kiel (DOL 11/05/19), Deneka Bluitt (DOL 11/05/19), and Josefa Madrigal (DOL 08/01/19) were denied. (#20-085)

### PROCLAMATIONS

3. By adoption of the Consent Calendar, the request for issuance of Proclamation recognizing March 2020 as *American Red Cross Month* was approved. (#20-094)

### MISCELLANEOUS

4. By adoption of the Consent Calendar, **Resolution 2020-024** was adopted, a Resolution of the City Council of the City of San Pablo amending the Records Retention Schedule that authorizes the destruction of certain city records. (#20-006)
5. By adoption of the Consent Calendar, **Resolution 2020-025** was adopted, a Resolution of the City Council of the City of San Pablo accepting work performed by Ghilotti Brothers, Inc. for the San Pablo Avenue Complete Streets Project (SPA-CST) as complete and directing that a Notice of Completion be prepared and filed with the County Recorder (#20-053)
6. This item was pulled from the Consent Calendar and voted on separately due to recusal of Councilmember Kinney who is a board member of the San Pablo Economic Development Corporation. It was moved by Councilmember Pineda, seconded by Councilmember Xavier, and passed by vote, to adopt **Resolution 2020-026**, a Resolution of the City Council of the City of San Pablo approving a Professional Services Agreement with the San Pablo Economic Development Corporation for FY 2019/20 in the amount of \$562,500 and appropriating \$562,500 from General Fund Designated Reserves/SPEDC Operating Subsidy to fund the contract. The motion passed as follows: (#20-086)

AYES: Pineda, Xavier, Pabon-Alvarado and Cruz  
NOES: None  
ABSENT: None  
ABSTAIN: None  
RECUSED: Kinney

7. By adoption of the Consent Calendar, **Resolution 2020-027** was adopted, a Resolution of the City Council of the City of San Pablo authorizing a Maple Hall fee waiver in the amount of \$440 for the San Pablo Historical and Museum Society Club's Bay Area Historical meeting on Monday, April 13, 2020. (#20-090)

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

## **ORDINANCES**

8. City Attorney Nerland gave a PowerPoint presentation of the proposed amendments to the San Pablo Municipal Code which update the new City Hall address, delete redundant sections and obsolete commissions and councils, as well as update the new address and indemnification for permits. Councilmember Kinney inquired as to when San Pablo last issued a license to sell firearms; Chief Raman responded that there are no businesses currently licensed to sell firearms, but indicated he would look into prior history. It was moved by Councilmember Pineda, seconded by Vice Mayor Pabon-Alvarado, and unanimously passed, to waive the first reading and introduce the proposed ordinance, an Ordinance of the City Council of the City of San Pablo amending Municipal Code Sections 1.16.020, 2.16.020, 8.02.070, 10.28.030 and 15.48.070 regarding the location of City Hall; repealing Chapters 2.24 and 2.36 regarding the Community Services Commission and Disaster Council; repealing Section 2.04.040 as redundant; and amending Section 9.10.100 regarding permits to sell firearms. City Attorney Nerland stated the second reading of the ordinance will be before the Council on March 16 under the Consent Calendar. (#20-080)

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

City Council reported on their recent activities.

It was moved by Councilmember Kinney, seconded by Vice Mayor Pabon-Alvarado, and unanimously passed to place on a future agenda a discussion by the City Council regarding protection of housing for senior citizens.

It was moved by Vice Mayor Pabon-Alvarado, seconded by Mayor Cruz, and unanimously passed, to place on a future agenda an update from BART General Manager Bob Powers regarding the transit system.

## **ADJOURNMENT**

The meeting adjourned at 7:20 pm to Monday, March 16, 2020 at 6:00 pm, in memory of Emma Rivera, grandmother of Mayor Cruz's wife, Emma Cruz.

Respectfully submitted,

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Patricia Ponce, City Clerk

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Arturo M. Cruz, Mayor