



# City of San Pablo

1000 Gateway Avenue  
San Pablo, CA 94806  
(510) 215-3000  
[www.SanPabloCA.gov](http://www.SanPabloCA.gov)

## Meeting Agenda - Final

### City Council

*Mayor Elizabeth Pabon-Alvarado*  
*Vice Mayor Rita Xavier*  
*Councilmember Abel Pineda*  
*Councilmember Patricia Ponce*  
*Councilmember Arturo M. Cruz*

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Wednesday, September 29, 2021

12:00 PM

Via Teleconference/Videoconference

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#### CITY COUNCIL / LOCAL SUCCESSOR AGENCY SPECIAL MEETING

City Council and Staff will attend via Teleconference/Videoconference

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the City Council, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both.

In order to comply with public health orders the requirement to provide a physical location for members of the public to participate in the meeting has been suspended. However, the public can participate in the meeting in the following ways:

1. Members of the public can watch or listen to the meeting during Livestream Online at: <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-CommAgendasMin>; OR  
OR  
<https://tinyurl.com/SPECIALSPCCmtg092921> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPECIALSPCCmtg092921>

Or join by phone: Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099, or +1 301 715 8592, or +1 312 626 6799; Webinar ID 817 9804 4287 International numbers available: <https://us02web.zoom.us/j/81798044287>

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPECIALSPCCmtg092921>

- a. Via EMAIL to [CityClerk@SanPabloCA.gov](mailto:CityClerk@SanPabloCA.gov). Each email must contain in the subject line "PUBLIC COMMENTS NOT ON THE AGENDA" [or] "PUBLIC COMMENTS - AGENDA ITEM #\_\_". Comments received by 12 noon on the day of the meeting will be provided in advance to the City Council and posted online with the agenda materials.
- b. Via VOICEMAIL at (510) 215-3000. The caller must start the message by stating "PUBLIC COMMENTS NOT ON THE AGENDA" [or] "PUBLIC COMMENTS - AGENDA ITEM #\_\_" followed by their comments. Providing a name and method of follow-up if appropriate is requested but not required. Messages received by 12 noon on the day of the meeting will be transcribed or summarized to be provided in advance to the City Council and posted online with the agenda materials.
- c. During the meeting, the public may provide public comments via email to [CityClerk@SanPabloCA.gov](mailto:CityClerk@SanPabloCA.gov), which will be read into the record before Council consideration of the item and will be limited to three (3) minutes. Comments that do not conform to the City Council's rules of decorum may be summarized rather than read verbatim.
- d. To make a public comment on a desired item while participating in the webinar, click on the "Raise Your Hand" option within the online webinar tool, or if participating via phone – press \*9.
- e. Written comments on agenda items shall be submitted by noon on the day of the meeting to allow sufficient time for copying and consideration before Council consideration of the agenda item. Written comments exceeding one page must be submitted by 7:30 am on the day of the meeting.

As allowed by the Brown Act, the Mayor may limit the total time for public comment to facilitate the completion of business on the agenda.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments prior to taking action, you are strongly encouraged to submit your comments in writing in advance of the meeting. All comments received by the close of the meeting will be available after the meeting as supplemental materials and will become part of the official meeting record.

Please note that all information provided in public comments including phone number called with, email addresses and any other personal information written or stated is subject to disclosure on the broadcast of the video- or tele-conferenced meeting. Comments posted online will not include personal information.

In accordance with the Americans with Disabilities Act, persons requiring assistance or auxiliary aids in order to participate should contact the City Clerk's Office at City Hall, 1000 Gateway Avenue, San Pablo, or by calling (510) 215-3000, as soon as possible prior to the meeting. The City will give such requests primary consideration, taking into account undue financial and administrative burdens or fundamental alterations in the city service, program or activity.

The full agenda packet may also be viewed on the city website at <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-Comm-AgendasMin>.

Copies of this Agenda and non-exempt public records relating to an open session item on this agenda will be available for public view at the City Clerk's Office, 1000 Gateway Avenue,, San Pablo. The full agenda packet may also be viewed on the city website at [www.SanPabloCA.gov](http://www.SanPabloCA.gov).

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Speakers wishing to address the Council or Successor Agency on a specific agenda item should file a form with the City Clerk indicating the agenda item. The Mayor or Chair will invite you to speak at the appropriate time when the matter is being considered. If you desire to address the Council or Agency, please file your name and address with the City Clerk on forms available at the podium. We also ask that all cell phones be turned off or silenced during the meeting.

### **ORAL COMMUNICATIONS**

*This is the time for comments on any item within the Council's subject matter jurisdiction, if such item is NOT listed on tonight's agenda. The Council may not engage in discussion or take action on any item that is not specifically listed on the agenda. Your item may be referred to city staff for investigation, report or placement on a future agenda. Persons addressing the Council are required to limit their remarks to three (3) minutes unless an extension or decrease of time is ordered. Please file your name and address with the City Clerk on forms available at the speaker's podium.*

**CITY COUNCIL DISCUSSION/CONSIDERATION**

1. [#21-396](#) DETERMINATION OF WHETHER TO CONDUCT MEETINGS OF BROWN ACT BODIES BY TELECONFERENCE/VIDEOCONFERENCE DUE TO STATE OF EMERGENCY PURSUANT TO ASSEMBLY BILL 361

**Recommendation:** Authorize by Minute Order

The City Council shall determine either:

1. Pursuant to Government Code section 54953(e), that a State of Emergency proclaimed by the Governor exists with state or local officials recommending social distancing due to the COVID-19 pandemic; therefore, all meetings of San Pablo Brown Act bodies - including the City Council, City Council Standing Committees, Planning Commission, Youth Commission and Public Safety Commission - shall occur by teleconference/videoconference.

The Contra Costa County Health Services Department "strongly" recommends that public meetings occur on-line (teleconferenced or video-conferenced) (September 20, 2021 document is attached). Under the revised Brown Act/Assembly Bill 361, the City Council is required to revisit this determination at least every 30 days starting October 4, 2021. That determination would be reflected in a resolution extending the declaration of local emergency that will continue to be on the consent calendar at each regular City Council meeting to ensure no gaps in the determination being made every 30 days. Like any consent calendar item, the City Council could pull the item off the consent calendar for further discussion during any meeting.

This approach will require modification of the City's Reopen Plan (attached).

- OR -

2. With the expiration of the Governor's Executive Order N-29-20 on September 30, 2021, to begin conducting all meetings of San Pablo Brown Act bodies - including the City Council, City Council Standing Committees, Planning Commission, Youth Commission and Public Safety Commission - at the San Pablo Council Chambers.

Teleconferencing by the members of the Council/Commission would only be allowed pursuant to Government Code section 54953(b) (e.g. noticing the teleconference location which must be accessible to the public). Members of the public would be allowed to participate at the Council Chambers.

**SUPPLEMENTAL MATERIALS (IF ANY)**

2. [#21-398](#) MATERIALS SUBMITTED AFTER PUBLICATION OF THE AGENDA WILL BE APPENDED AFTER THE COUNCIL MEETING. THIS IS NOT AN ACTION ITEM BUT MERELY A MECHANISM FOR MATERIALS SUBMITTED AFTER PUBLICATION OF THE AGENDA TO BE APPENDED TO THE PUBLISHED AGENDA AFTER THE COUNCIL MEETING.

**ADJOURNMENT**

*Adjourn to regular meeting of Monday, October 4, 2021 at 6:00 pm.*