



City of San Pablo

1000 Gateway Avenue
San Pablo, CA 94806
(510) 215-3000
www.SanPabloCA.gov

Meeting Agenda - Final

City Council

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

Monday, June 6, 2022

6:00 PM

Via Teleconference/Videoconference

CLOSED SESSION BEGINS AT 5:15 PM

City Council and Staff will attend via Teleconference/Videoconference

This meeting is being held in accordance with the Brown Act as amended by Assembly Bill 361 and following the initial determination of the City Council, pursuant to Resolution 2021 129, dated October 4, 2021, that following consideration of the State of Emergency due to the COVID-19 pandemic that the City Council, Standing Committees, and Commissions subject to the Brown Act shall continue to meet remotely through teleconference or videoconference given the following findings:

- i. The emergency continues to impact the ability of the City Council, its Standing Committees and Commissions, as well as the staff and members of the public, from meeting safely in person; and
- ii. The Contra Costa County Health Department strongly recommends holding on line (teleconferenced or videoconferenced) meetings.

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/SPCC060622> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPCC060622>.

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: 821 5270 3400; International numbers available: <https://us02web.zoom.us/j/kcyHNBghZE>

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPCC060622>.

a. Via EMAIL to 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. During the meeting, the public may provide public comments via email to 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.

c. 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.

d. 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. 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.

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 <https://www.sanpabloca.gov/1400/City-CouncilLSA-Planning-Comm-AgendasMin>.

ROLL CALL

Members of the public may address the Council concerning the Closed Session matters on tonight's agenda before consideration of the item. Please file your name and address with the City Clerk on forms provided at the speaker's podium.

CLOSED SESSION

1. [#22-237](#) CLOSED SESSION
CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Govt. Code section 54957.6)
AGENCY DESIGNATED REPRESENTATIVES: Charles Ching, Norm Veloso, Viviana Toledo, Outside Labor Counsel and Negotiator Kelly Tuffo
EMPLOYEE ORGANIZATIONS: Association of Intermediate Employees, Confidential Employees, Contract Employees, Division Managers, Executive Management, San Pablo Police Employees Association; San Pablo Police Employees Association (Management Unit); Operating Engineers Local Union No. 3, AFL-CIO; and Part-Time Employees

***** END OF CLOSED SESSION *****

PLEDGE OF ALLEGIANCE**ROLL CALL**

Speakers wishing to address the Council on a specific agenda item should file a form with the City Clerk indicating the agenda item. The Mayor will invite you to speak at the appropriate time when the matter is being considered. If you desire to address the Council, 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 MANAGER REMARKS**CONSENT CALENDAR**

The Consent Calendar includes routine items that are to be enacted by one motion. There will be no separate discussion of these items. If discussion is requested, the item will be removed from the Consent Calendar and considered separately.

MINUTES

2. [#22-219](#) MINUTES OF THE MEETING OF MAY 16, 2022

Recommendation: Approve by Minute Order

LIABILITY CLAIMS

3. [#22-221](#) LIABILITY CLAIM OF MARIA DE LOURDES LOZANO CUELLAR (DOL 2/17/22)

Recommendation: Deny the claim per the recommendation of the Senior Liability Claims Adjuster from the Municipal Pooling Authority (MPA), the City's joint risk pool.

MISCELLANEOUS

4. [#22-227](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CALIFORNIA, EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO NOVEL CORONAVIRUS (COVID-19); DETERMINING THAT THE CITY COUNCIL AND OTHER BROWN ACT BODIES IN THE CITY OF SAN PABLO CONTINUE TO MEET REMOTELY THROUGH JUNE 30, 2022 DUE TO COVID-19 SOCIAL DISTANCING RECOMMENDATIONS FROM THE CONTRA COSTA HEALTH DEPARTMENT UNDER ASSEMBLY BILL 361 FINDINGS; AND CONFIRMING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES INCLUDING BUT NOT LIMITED TO STRONGLY ENCOURAGING, BUT NO LONGER REQUIRING, NEWLY-HIRED SAN PABLO SWORN OFFICERS TO BE FULLY VACCINATED TO ENSURE THAT THE POLICE DEPARTMENT CAN FILL CRITICAL VACANCIES WHILE ALIGNING WITH PUBLIC HEALTH GUIDANCE ISSUED BY CONTRA COSTA COUNTY HEALTH SERVICES.

Recommendation: Adopt Resolution

5. [#22-191](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ADOPTING AN UPDATED COMMUNITY SERVICES DEPARTMENT MASTER FEE SCHEDULE FOR PROGRAMS, SERVICES AND FACILITY RENTAL RATES EFFECTIVE SEPTEMBER 1, 2022.

Recommendation: Adopt Resolution

6. [#22-235](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ACCEPTING AND APPROPRIATING THE CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM FUNDS IN THE AMOUNT OF \$44,776 FOR SB 1383 IMPLEMENTATION ACTIVITIES.

Recommendation: Adopt Resolution

7. [#22-074](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BAJAN SECURITY FOR ONE YEAR OF (1) SECURITY SERVICES AT RUMRILL SPORTS COMPLEX AND SECURITY AND GREETING SERVICES AT CITY HALL FOR AN AMOUNT NOT TO EXCEED \$150,000, AND (2) PRIMARY SECURITY GUARD SERVICES FOR PRIVATE RENTALS OF CITY FACILITIES TO BE PAID BY THE RENTERS.

Recommendation: Adopt Resolution

8. [#22-182](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) WAIVING THE CITY'S OWN REQUIREMENTS FOR A COMPETITIVE PROPOSAL PROCESS DUE TO STAFFING AND CIRCUMSTANCES BROUGHT ABOUT BY THE COVID-19 PANDEMIC AND EMERGENCY; (2) APPROVING AMENDMENTS EXTENDING THE FOLLOWING AGREEMENTS FOR THE COMMUNITY SERVICES DEPARTMENT FOR FISCAL YEAR 2022-2023 AND INCREASING COMPENSATION: BAY AREA COMMUNITY RESOURCES (BACR), CATHOLIC CHARITIES, DESARROLIO FAMILIAR INC. DBA FAMILIAS UNIDAS, AND PUBLIC PROFIT; AND (3) AUTHORIZING THE CITY MANAGER TO EXECUTE THESE AMENDMENTS

Recommendation: Adopt Resolution

9. [#22-209](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO IMPLEMENTING THE FY2022/2023 BUILDING, PLANNING, AND PUBLIC WORKS USER FEE INCREASES THE CITY COUNCIL PREVIOUSLY DETERMINED SHALL TAKE EFFECT ON JULY 1, 2022 BASED ON THE BUREAU OF LABOR STATISTICS EMPLOYMENT COST INDEX; AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPLYING THE WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE (WCCTAC) APPROVED INFLATIONARY FACTOR TO IMPLEMENT INCREASES TO WCCTAC SUBREGIONAL TRANSPORTATION MITIGATION PROGRAM (STMP) FEES EFFECTIVE JULY 1, 2022 PURSUANT TO SECTION 15.62.040 OF THE SAN PABLO MUNICIPAL CODE.

Recommendation: Adopt Resolutions

10. [#22-210](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) PRELIMINARILY APPROVING THE ENGINEER'S REPORT; (2) DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2022/23; AND (3) SETTING PUBLIC HEARING FOR JUNE 21, 2022.

Recommendation: Adopt Resolution

11. [#22-223](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH 4LEAF, INC. FOR RESIDENTIAL HEALTH & SAFETY (RH&S) PROGRAM COORDINATION AND INSPECTION SERVICES TO (1) EXTEND THE TERM OF THE CONTRACT FOR ONE YEAR THROUGH JUNE 30, 2023; (2) ESTABLISH NEW ADJUSTED RATES FOR FY2022-23, (3) INCREASE THE COMPENSATION UNDER THE AGREEMENT BY AN AMOUNT NOT TO EXCEED \$310,000, FOR TOTAL COMPENSATION NOT TO EXCEED \$410,000, WITH UP TO \$50,000 OF THE ADDITIONAL COMPENSATION ALLOCATED FROM FY2021-22 BUDGETED FUNDS AND UP TO \$260,000 OF THE ADDITIONAL COMPENSATION ALLOCATED FROM PROPOSED BUDGETED FUNDS FOR FY2022-23; AND (4) ADD REQUIREMENTS TO INSURE COMPLIANCE WITH THE CITY'S COVID POLICIES

Recommendation: Adopt Resolution

12. [#22-228](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO (1) EXECUTE THE FIRST AMENDMENT TO THE TRI-CITY DISPATCH SERVICES AND CAD/RMS AGREEMENT EXTENDING THE TERM FOR A PERIOD OF ONE YEAR THROUGH JUNE 30, 2023; AND (2) NEGOTIATE A NEW FIVE-YEAR TRI-CITY DISPATCH SERVICES AND CAD/RMS AGREEMENT WITH THE CITY OF PINOLE AND THE CITY OF HERCULES BEGINNING JULY 1, 2023, AND EXTENDING THROUGH JUNE 30, 2028

Recommendation: Adopt Resolution

13. [#22-233](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) WAIVING THE CITY'S OWN REQUIREMENTS FOR A COMPETITIVE PROPOSAL PROCESS DUE TO STAFFING AND CIRCUMSTANCES BROUGHT ABOUT BY THE COVID-19 PANDEMIC AND EMERGENCY; (2) APPROVING AMENDMENTS EXTENDING THE TERMS AND INCREASING COMPENSATION FOR THE FOLLOWING AGREEMENTS FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2022-2023: ANCHOR ENGINEERING, BELLECCI & ASSOCIATES, BUREAU VERITAS NORTH AMERICA, CAL ENGINEERING & GEOLOGY, CSG CONSULTANTS, EXARO TECHNOLOGIES, HARRISON ENGINEERING, MILLER PACIFIC ENGINEERING GROUP, PARK ENGINEERING, QUINCY ENGINEERING, SUBTRONIC CORPORATION, BAY ALARM, DMG JANITORIAL, AND KARLA'S JANITORIAL; AND (3) AUTHORIZING THE CITY MANAGER TO EXECUTE THESE AMENDMENTS.

Recommendation: Adopt Resolution

BOARDS AND COMMISSIONS

14. [#22-226](#) BOARDS AND COMMISSIONS - REAPPOINTMENT OF M.A. KAHN TO SAN PABLO SAFETY COMMISSION AND DIRECT STAFF TO SOLICIT AND ACCEPT APPLICATIONS TO FILL THE REMAINING VACANCY ON THE COMMISSION

Recommendation: Appoint applicant to four-year term; direct staff to solicit applications to fulfill remaining term through March 2023

CITY COUNCIL AUTHORIZATION

15. [#22-234](#) CITY COUNCIL AUTHORIZATION TO RECEIVE AND ACCEPT THE INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE REPORTS FOR PERIOD ENDING JUNE 30, 2021 FOR MEASURE Q AND MEASURE K TRANSACTION & USE SALES TAX.

Recommendation: Receive and File Report by Minute Action

16. [#22-240](#) CITY COUNCIL AUTHORIZATION BY MINUTE ORDER TO RATIFY LETTER TRANSMITTED BY MAYOR XAVIER TO WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD PRESIDENT AND TRUSTEES REGARDING SUPPORT FOR POSITIVE SCHOOL CLIMATE POLICY AMENDMENT TO POTENTIALLY REINSTATE SCHOOL RESOURCE OFFICERS (SROs) FOR ALL DISTRICT CAMPUSES IN WEST CONTRA COSTA CITIES.

Recommendation: Approve by Minute Order

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

PUBLIC HEARINGS

17. [#22-236](#) PUBLIC HEARING AND CITY COUNCIL REVIEW OF THE CITY OF SAN PABLO FY 2022/23 AND FY 2023/24 PRELIMINARY DRAFT OPERATING BUDGET AND CAPITAL IMPROVEMENT PROJECTS BUDGET

Recommendation: Conduct Public Hearing and provide direction to staff for final action on June 21, 2022

***** END OF PUBLIC HEARING *****

SUPPLEMENTAL MATERIALS (IF ANY)

18. [#22-220](#) 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.

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

(Approved by Resolution 2022-013)

Informational reports from Councilmember representatives to the following committees, commissions and organizations; brief reports on meetings attended at the expense of the City or Agency, as required by Government Code section 53232.3(d) (AB 1234); and other reports regarding items of general interest to the City Council. The City Council may take action on other items of interest that are specifically agendaized herein:

(a) Mayor Rita Xavier

Memberships: Association of Bay Area Governments (Primary); Contra Costa Mayors' Conference (Primary); League of CA Cities East Bay League Division (Primary); West Contra Costa Mayors & Supervisors Association (Primary); San Pablo Community Grant Foundation (Member); West Contra Costa Transportation Advisory Committee (Primary); West County Integrated Waste Management/RecycleMore JPA Authority (Alternate); Contra Costa City Selection Committee (Chair)

Standing Committees: Public Safety

Ad-Hoc Subcommittees: Public Fiber/Electric Vehicle Infrastructure; City Manager Employment Agreement

(b) Vice Mayor Abel Pineda

Memberships: West Contra Costa Transportation Advisory Committee (Alternate); West County Integrated Waste Management/RecycleMore JPA (Primary); Contra Costa County Mayors Association (Alternate); West County Mayors & Supervisors Association (Alternate)

Standing Committees: Community Services

Ad-Hoc Subcommittees: Public Fiber/Electric Vehicle Infrastructure; City Manager Employment Agreement

(c) Councilmember Patricia Ponce

Memberships: MCE Clean Energy Board of Directors (Primary); San Pablo Economic Development Corporation Board of Directors (City Council Appointee); San Pablo-Manzanillo Future Board Member Designation (Primary); League of California Cities East Bay Division (Alternate)

Standing Committees: Budget, Fiscal & Legislative; Economic Development, Housing & Project Management; Public Health

Ad-Hoc Subcommittees: None

(d) Councilmember Arturo Cruz

Memberships: Association of Bay Area Governments (Alternate); San Pablo Community Grant Foundation Board (Member)

Standing Committees: Community Services; Economic Development, Housing & Project Management; Public Safety; Public Health

Ad-Hoc Subcommittees: None

(e) Councilmember Elizabeth Pabon-Alvarado

Memberships: MCE Clean Energy Board of Directors (Alternate)

Standing Committees: Budget, Fiscal & Legislative

Ad-Hoc Subcommittees: None

ADJOURNMENT

Adjourn to Tuesday, June 21, 2022 at 6:00 pm.