



City of San Pablo

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

Meeting Agenda

City Council

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

Monday, May 15, 2023

6:00 PM

City Council Chambers

Access the meeting remotely by using this URL

<https://us02web.zoom.us/j/83708212256>

CLOSED SESSION BEGINS AT 5:00 PM

Members of the public have the option to participate in this meeting in-person at the locations above or virtually using any of the options set forth below To participate through the online webinar, please use this link:

<https://us02web.zoom.us/j/83708212256>

Webinar ID: 837 0821 2256

To participate telephonically, please call any of the following numbers: 669 900 6833; 346 248 7799; 253 215 8782; 929 205 6099; 301 715 8592; 312 626 6799; International numbers available: <https://us02web.zoom.us/u/kd6rEJBd3F>.

The public can also view the meeting during livestream online at <https://sanpablo.legistar.com/Calendar.aspx>.

Speakers wishing to address the Council in-person on a specific agenda item should submit a form available at the speaker's podium to the City Clerk identifying the agenda item. The Mayor will invite you to speak at the appropriate time when the matter is being considered. If you are attending in-person, we ask that all cell phones be turned off or silenced during the meeting.

To make a public comment on a desired item while participating in the webinar, click on the "Raise Hand" option within the online webinar tool, or if participating via phone – press *9.

Persons addressing the Council must limit their remarks to three (3) minutes unless an extension or decrease of time is set. As allowed by the Brown Act, the Mayor may limit the total time for public comments to facilitate the completion of business on the agenda.

Written public comments may also be submitted via EMAIL to CityClerk@SanPabloCA.gov and each email must contain in the subject line "PUBLIC COMMENTS NOT ON THE AGENDA" [or] "PUBLIC COMMENTS AGENDA ITEM No.____". Written comments received by 12:00 noon on the day of the meeting will be provided in advance to the City Council and posted online with the agenda materials. During the meeting, the public may provide written public comments via email to CityClerk@SanPabloCA.gov. All written comments received after noon the day of the meeting will be read into the record before Council consideration of the item and will be limited to the same time allowed for other public comments. Comments that do not conform to the City Council's rules of decorum may be summarized rather than read verbatim. All written 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. Submitted comments posted with the supplemental agenda materials will not include personal information.

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>.

In accordance with the Americans with Disabilities Act and Brown Act, individuals with disabilities requiring reasonable accommodations, including auxiliary aids or services, in order to participate in the meeting should submit a completed Meeting Accommodation Request Form by email to CityClerk@SanPabloCA.gov, with "Accommodation Request" listed in the subject line of the email. Alternatively, completed Meeting Accommodation Request Forms may be submitted to the City Clerk's Office at City Hall, 1000 Gateway Avenue, San Pablo, CA 94806. Meeting accommodation requests should be submitted as soon possible and must be received by the City no later than 10:00 am on the day of the meeting for which accommodations are requested. Meeting Accommodation Request Forms may be found at <https://www.sanpabloca.gov/DocumentCenter/View/15988/FRM-Meeting-Accommodation-Request-Form-FINAL-020823>, or requested by email to CityClerk@SanPabloCA.gov, or by phone at (510) 215-3000.

ROLL CALL

REMOTE PARTICIPATION UNDER AB 2449

Consider and take action on any request from a Councilmember to participate in a meeting remotely due to Just Cause or Emergency Circumstances pursuant to AB 2449 (Government Code Section 54953(f)).

CLOSED SESSION

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.

1. [#23-184](#) CLOSED SESSION
CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Govt. Code section 54957.6)
AGENCY DESIGNATED REPRESENTATIVES: Vice Mayor Patricia Ponce and Councilmember Elizabeth Pabon-Alvarado
UNREPRESENTED EMPLOYEE: City Attorney

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

Reconvene to Regular Session**PLEDGE OF ALLEGIANCE****PUBLIC ANNOUNCEMENT****ROLL CALL****REPORT ON CLOSED SESSION****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.

CEREMONIAL MATTERS**PRESENTATIONS**

2. [#23-155](#) PRESENTATION OF PROCLAMATION RECOGNIZING MAY 21 - 27, 2023 AS NATIONAL PUBLIC WORKS WEEK.

CEQA: This is not a project as defined by CEQA.
3. [#23-149](#) PRESENTATION OF PROCLAMATION RECOGNIZING MAY 15, 2023 AS PEACE OFFICERS MEMORIAL DAY AND MAY 15 - 19, 2023 AS NATIONAL POLICE WEEK.

CEQA: This is not a project as defined by CEQA.

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.

PERIODIC REPORTS

4. [#23-208](#) CONSIDER APPROVING VENDOR CHECK REGISTER REPORT FOR THE MONTH OF APRIL 2023

CEQA: This is not a project as defined by CEQA.

LIABILITY CLAIMS

5. [#23-197](#) CONSIDER DENYING LIABILITY CLAIM OF MARIA CORTEZ CANDRAY (DOL 1/14/23).

CEQA: This is not a project as defined by CEQA.

BOARDS AND COMMISSIONS

6. [#23-215](#) CONSIDER ADOPTING RESOLUTION REAPPOINTING DR. RAYNATO CASTRO TO THE BOARDS AND COMMISSIONS - SAN PABLO MEASURE S AND MEASURE K CITIZENS OVERSIGHT COMMITTEE OR TERM MAY 16, 2023 TO MAY 15, 2026 (THREE VACANCIES)

CEQA: This is not a project as defined by CEQA.

CITY COUNCIL AUTHORIZATION

7. [#23-191](#) CONSIDER ADOPTING RESOLUTION APPROVING GENERAL FUND DESIGNATED RESERVES (GFDR) TOTAL FUND BALANCE ALLOCATION OF \$16,971,805 (GFDR AMENDMENT NO. 3) FOR FISCAL YEAR 2022-23, EFFECTIVE MAY 15, 2023.

CEQA: This is not a project subject to CEQA.

8. [#23-206](#) CONSIDER ADOPTING RESOLUTION APPROVING 1) THE BUDGET RESTORATION FOR FISCAL YEARS 2022-23 AND 2023-24; 2) MID-CYCLE ADJUSTMENTS TO THE BIENNIAL OPERATING BUDGET AND 3) APPROPRIATING \$2.99 MILLION OF GENERAL FUND DESIGNATED RESERVES TO FUND SAID ACTIONS.

CEQA: This is not a project subject to CEQA.

9. [#23-210](#) CONSIDER ADOPTING 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 2023/24; AND (3) SETTING PUBLIC HEARING FOR JUNE 20, 2023

CEQA: This is not a project as defined by CEQA.

10. [#23-212](#) CONSIDER ADOPTING RESOLUTION (1) ACCEPTING WORK PERFORMED BY GRADETECH, INC. FOR THE CHURCH/ WILLOW AND EL PORTAL/ MISSION BELL INTERSECTION IMPROVEMENT PROJECT (0701) AS COMPLETE; (2) DIRECTING A NOTICE OF COMPLETION TO BE PREPARED AND FILED WITH THE COUNTY RECORDER; AND (3) RECEIVING AND APPROPRIATING ADDITIONAL REVENUES AND RE-APPROPRIATING UNUSED FUNDS TO RUMRILL BLVD COMPLETE STREET PROJECT

CEQA: Acceptance of the work performed and receiving and appropriation of funds is not a project under CEQA.

11. [#23-150](#) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR AGREEMENT WITH COLE PRO MEDIA FOR CONSULTING SERVICES RELATED TO TRANSPARENCY ENGAGEMENT FOR A TOTAL AMOUNT NOT TO EXCEED \$114,000 OVER THE THREE YEARS.

CEQA: This is not a project as defined by CEQA.

12. [#23-132](#) CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE-YEAR CONSULTANT SERVICES AGREEMENT WITH WBA CONSULTING & INVESTIGATIONS LLC FOR ADMINISTRATIVE REVIEWS OF HIGH LIABILITY CRITICAL INCIDENTS AND INTERNAL AFFAIRS INVESTIGATIONS IN AN AMOUNT NOT TO EXCEED \$225,000 OVER THE THREE-YEAR TERM.

CEQA: This is not a project as defined by CEQA.

13. [#23-200](#) CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTING SERVICES AGREEMENT WITH 4LEAF, INC. FOR FISCAL YEARS 2023-24 THROUGH 2025-26 IN AN AMOUNT NOT TO EXCEED \$775,000 OVER THE THREE-YEAR TERM FOR ON-CALL INSPECTION, PLAN CHECK, PERMIT TECHNICIAN AND RELATED SERVICES.

CEQA: The requested action is not a project as defined by CEQA. CEQA Guidelines section 15378 states that “project” does not include the creation of government funding mechanisms or other governmental fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

14. [#23-201](#) CONSIDER ADOPTING RESOLUTION APPROVING THE ANNUAL APPROPRIATIONS GANN LIMIT FOR FISCAL YEAR 2023-24

CEQA: This is not a project as defined by CEQA.

15. [#23-202](#) CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE-YEAR CONSULTING SERVICES AGREEMENT WITH BUREAU VERITAS NORTH AMERICA, INC. IN AN AMOUNT NOT TO EXCEED \$75,000 PER FISCAL YEAR, FOR TOTAL AMOUNT NOT TO EXCEED \$225,00 OVER THE TERM OF THE AGREEMENT, FOR ON-CALL PLAN CHECK, PLAT REVIEW, INSPECTION, PERMIT PROCESSING AND RELATED SERVICES.

CEQA: The requested action is not a project as defined by CEQA. CEQA Guidelines section 15378 states that “project” does not include the creation of government funding mechanisms or other governmental fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

16. [#23-193](#) CONSIDER ADOPTING RESOLUTION AMENDING THE CITY’S CLASSIFICATION AND COMPENSATION PLAN FOR FY 2023/24 BY ADJUSTING THE PART-TIME HOURLY RATE SCHEDULE TO PROVIDE A FIVE PERCENT (5%) COST OF LIVING INCREASE EFFECTIVE JULY 1, 2023.

CEQA: This is not a project as defined by CEQA.

17. [#23-196](#) CONSIDER ADOPTING RESOLUTION DIRECTING (1) CITY STAFF TO COORDINATE WITH OTHER WEST COUNTY AGENCIES TO RETAIN A CONSULTANT TO ASSIST WITH FORMULATING A JOINT COMPETITIVE PROCESS FOR THEIR SOLID WASTE COLLECTION FRANCHISE AGREEMENTS AND (2) THE CITY'S RECYCLEMORE BOARD MEMBER REPRESENTATIVES TO DIRECT RECYCLEMORE STAFF TO WORK COLLABORATIVELY WITH MEMBER AGENCIES' STAFF TO DEVELOP AN OPEN AND COMPETITIVE PROCESS FOR A NEW POST-COLLECTION AGREEMENT AND TO OBTAIN RECYCLEMORE BOARD APPROVAL BEFORE ISSUING A REQUEST FOR QUALIFICATIONS OR PROPOSALS FOR THE NEW AGREEMENT

CEQA: This item is not a project as defined by CEQA.

18. [#23-162](#) CONSIDER ADOPTING RESOLUTION ACCEPTING AND APPROPRIATING \$37,912.46 IN GRANT FUNDING FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) OFFICER WELLNESS AND MENTAL HEALTH GRANT PROGRAM, FOR THE PURPOSE OF IMPROVING OFFICER WELLNESS AND EXPANDING MENTAL HEALTH RESOURCES FOR THE CITY OF SAN PABLO POLICE DEPARTMENT.

CEQA: This proposed action is not a project under the California Environmental Quality Act (CEQA), pursuant to Guidelines section 15378(b)(5): Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

19. [#23-168](#) CONSIDER ADOPTING RESOLUTION (1) APPROVING THE CHILDHOOD OBESITY PREVENTION ADVISORY GROUP (COPAG) RECOMMENDATIONS FOR CHILDHOOD OBESITY PREVENTION (COP) GRANT) PROGRAM AWARDEES FOR FISCAL YEAR 2023/24; AND (2) AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS / CONTRACTS WITH ELIGIBLE AGENCY PROVIDERS FOR CHILDHOOD OBESITY PREVENTION PROGRAMS FOR A TOTAL AMOUNT NOT TO EXCEED \$250,000 FOR ALL CONTRACTS FOR FISCAL YEAR 2023/24.

CEQA: This is not a project as defined by CEQA.

20. [#23-189](#) CONSIDER AUTHORIZATION TO RATIFY A LETTER TRANSMITTED ON APRIL 26, 2023 FROM SAN PABLO MAYOR ABEL PINEDA (SIGNED BY VICE MAYOR PONCE), ON BEHALF OF THE SAN PABLO CITY COUNCIL, TO U.S. SENATOR ALEX PADILLA THANKING HIM FOR HIS FEDERAL FUNDING REQUEST IN THE AMOUNT OF \$3 MILLION FOR THE CITY'S MUNICIPAL BROADBAND PROJECT TO FUND AND CONSTRUCT FIBER OPTIC CABLES

CEQA: This is not a project as defined by CEQA as a budget or financing mechanism pursuant to 14 Cal. Code of Regulations section 15378(b).

21. [#23-192](#) CONSIDER AUTHORIZATION TO RATIFY A LETTER OF SUPPORT TRANSMITTED ON APRIL 27, 2023 FROM SAN PABLO MAYOR ABEL PINEDA (SIGNED BY VICE MAYOR PATRICIA PONCE), ON BEHALF OF THE SAN PABLO CITY COUNCIL, TO ASSEMBLY MEMBER REGINALD JONES-SAWYER, CHAIR OF THE ASSEMBLY PUBLIC SAFETY COMMITTEE, AND INDIVIDUAL BILL AUTHORS, ON FENTANYL AND SUBSTANCE USE-RELATED PROPOSED STATE LEGISLATION

CEQA: This is not a project as defined by CEQA as a budget or financing mechanism pursuant to 14 Cal. Code of Regulations section 15378(b).

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

PUBLIC HEARINGS

No items scheduled.

CITY COUNCIL DISCUSSION/CONSIDERATION

No items scheduled.

SUPPLEMENTAL MATERIALS (IF ANY)

22. [#23-199](#) 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 agendized herein:

(a) Mayor Abel Pineda

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

Standing Committees: Community Services

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; Smart 5G Policy Projects; City's 75th Anniversary Celebration

(b) Vice Mayor Patricia Ponce

Memberships: Contra Costa Mayors' Conference (Alternate); West Contra Costa Mayors & Supervisors Association (Alternate); League of California Cities East Bay League Division (Alternate); MACE 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);

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

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; San Pablo 75th Anniversary Celebration; City Attorney Employment Agreement

(c) Councilmember Arturo Cruz

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

Standing Committees: Budget, Fiscal & Legislative; Public Safety

Ad-Hoc Subcommittees: City Attorney Employment Agreement

(d) Councilmember Elizabeth Pabon-Alvarado

Memberships: MACE Clean Energy Board of Directors (Alternate)

Standing Committees: Budget, Fiscal & Legislative; Public Safety

Ad-Hoc Subcommittees: City Attorney Employment Agreement

(e) Councilmember Rita Xavier

Memberships: Association of Bay Area Governments (Primary); League of CA Cities East Bay League Division (Primary); San Pablo Community Grant Foundation (Member); West County Integrated Waste Management/RecycleMore JAP Authority (Alternate); West Contra Costa Transportation Advisory Committee (Primary)

Standing Committees: Public Safety; Public Health

Ad-Hoc Subcommittees: None

ADJOURNMENT

Adjourn to Monday, June 5, 2023 at 6:00 pm.