



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, September 18, 2023

6:00 PM

City Council Chambers

Access the meeting remotely by using this URL

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

**Teleconference Location for Mayor Abel Pineda
(Pursuant to Government Code Section 54953(b))
1000 Gateway Avenue, Council Office
San Pablo, CA 94806**

The agenda will be posted at the remote location, and the teleconference location will be accessible to the public.

NOTICE:

Members of the public may attend the meeting in any following ways:

- *In-person at the Council Chambers at 1000 Gateway Ave, San Pablo, CA (as well as any additional in-person location that may be listed above);*
- *By Zoom by visiting <https://us02web.zoom.us/j/83708212256>; or*
- *By phone at 1-669-444-9171 or 1-669-900-6833 (San Jose); and entering Webinar ID: 837 0821 2256.*
- *The public can also view the meeting during livestream online at <https://sanpablo.legistar.com/Calendar.aspx>*

If you are attending in-person, we ask that all cell phones be turned off or silenced during the meeting.

PUBLIC COMMENT:

At each meeting, the public has the opportunity to address the City Council on items appearing on the agenda and, for items not appearing on the agenda but within the purview of the City Council, during ORAL COMMUNICATIONS. 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.

- **IN-PERSON PUBLIC COMMENT:**

Any person wishing to make such address Council should first complete and deliver a "Speaker Form" available at the speaker's podium and submit it 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.

- **REMOTE PUBLIC COMMENT:**

Members of the public participating remotely may provide public comment during the meeting in the following ways:

- **Web:** <https://us02web.zoom.us/j/83708212256> (Participate via Zoom and “raise hand” by selecting the virtual hand icon in the Zoom platform when the item is called. City staff will activate the speaker’s microphone when the speaker’s name is called. The speaker will need to unmute themselves. Council will not consider comments made in the chat function of the Zoom platform.)

- **Telephone:** Dial Or by phone 1-669-444-9171 or 1-669-900-6833 (San Jose),
Enter Webinar ID: 837 0821 2256 (press *9 to raise/lower hand; press *6 to mute/unmute)

- **WRITTEN PUBLIC COMMENT:**

Public comments may also be submitted 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 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.

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.

AGENDA MATERIALS

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>

AMERICANS WITH DISABILITIES ACT:

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 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.

Meeting accommodation requests should be submitted to the City as soon possible. The City will attempt to resolve before the meeting begins all accommodation requests received by 10 a.m. on the day of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC ANNOUNCEMENT

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)).

REPORT ON CLOSED SESSION

No 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. 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.

CEREMONIAL MATTERS

PRESENTATIONS

1. [23-373](#) PRESENTATION OF PROCLAMATION RECOGNIZING DR. CAROL WEYLAND CONNER'S LEGACY OF GIVING TO PEOPLE IN NEED AND THE RESOURCES SHE PROVIDED TO BENEFIT MANY RESIDENTS OF SAN PABLO AND THE GREATER CONTRA COSTA COUNTY

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

2. [23-374](#) PRESENTATION BY EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) ON U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) DIRECTED WATER METER INSPECTIONS IN SAN PABLO

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

Recommendation: For Informational Purposes Only

3. [23-292](#) PRESENTATION OF ANNUAL REPORT BY THE SAN PABLO POLICE DEPARTMENT

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

Recommendation: For Informational Purposes Only

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

4. [23-377](#) CONSIDER APPROVING MINUTES OF THE MEETING OF SEPTEMBER 05, 2023

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

Recommendation: Approve by Minute Order

PERIODIC REPORTS

5. [23-286](#) CONSIDER APPROVING VENDOR CHECK REGISTER REPORT FOR THE MONTH OF AUGUST 2023

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

Recommendation: Approve by Minute Order

PROCLAMATIONS

6. [23-356](#) REQUEST FOR ISSUANCE OF PROCLAMATION RECOGNIZING OCTOBER AS NATIONAL BULLYING PREVENTION MONTH

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

Recommendation: Approve by Minute Order

7. [23-363](#) REQUEST FOR ISSUANCE OF PROCLAMATION RECOGNIZING THE CITY OF SAN PABLO STAFF AND ALLIED AGENCIES IN SAFEGUARDING THE COMMUNITY OF SAN PABLO AND SURROUNDING AREAS DURING THE STANTON AVENUE HAZARDOUS CHEMICALS INCIDENT

CEQA: This is not a project defined by CEQA.

Recommendation: Approve by Minute Order

CITY COUNCIL AUTHORIZATION

8. [23-346](#) CONSIDER RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A TRANSFER AGREEMENT AND JOINT ESCROW INSTRUCTIONS BY AND BETWEEN THE CITY AND CHEVRON U.S.A. INC. FOR THE TRANSFER OF PROPERTY LOCATED AT 2001 RUMRILL BOULEVARD AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSFER

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

Recommendation: Adopt Resolution

9. [23-347](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONSULTING SERVICES AGREEMENT WITH HINDERLITER DE LLAMAS & ASSOCIATES FOR RENTAL REGISTRY PROGRAM IMPLEMENTATION AND ADMINISTRATION SERVICES FOR A FIVE-YEAR (5) PERIOD, WITH ALL COSTS OF SERVICES TO BE PAID FROM REVENUES GENERATED BY THE PROGRAM
- CEQA: This is not a project subject to CEQA.
- Recommendation:** Adopt the Resolution
10. [23-340](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SAN PABLO AND THE CITY OF RICHMOND FOR R3 CONSULTANT SERVICES TO DEVELOP A JOINT SOLID WASTE COLLECTION AGREEMENT REQUEST FOR PROPOSAL, IN AN AMOUNT TO BE PAID BY THE CITY OF SAN PABLO NOT TO EXCEED \$91,512.50
- CEQA: This is not a project as defined by CEQA.
- Recommendation:** Adopt Resolution
11. [23-365](#) CONSIDER RESOLUTION APPROPRIATING \$8,640 FROM FY 2023-24 GENERAL FUND DESIGNATED RESERVES (GFDR) - CITY FACILITY MAINTENANCE AND ONE-TIME IMPROVEMENTS TO POLICE SPECIAL DEPARTMENT EXPENSES ACCOUNT FOR REPAIR OF THE ELEVATOR WITHIN THE SAN PABLO POLICE DEPARTMENT
- CEQA: This is not a project as defined by CEQA.
- Recommendation:** Adopt Resolution
12. [23-364](#) CONSIDER RESOLUTION AUTHORIZING A SPONSORSHIP IN THE AMOUNT OF \$5,000 FOR THE CONTRA COSTA COLLEGE FOUNDATION SAN PABLO FORWARD SCHOLARSHIP PROGRAM
- CEQA: This is not a project as defined by CEQA.
- Recommendation:** Adopt Resolution
13. [23-367](#) CONSIDER ADOPTING RESOLUTION AUTHORIZING A COMMUNITY CENTER RENTAL FEE WAIVER IN THE AMOUNT OF \$816 FOR CONTRA COSTA COLLEGE'S ANNUAL MANAGERIAL RETREAT
- CEQA: This is not a project as defined by CEQA.
- Recommendation:** Adopt Resolution

14. [23-368](#) CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE SUBLEASE AGREEMENT WITH TENANT NUTRICION FUNDAMENTAL, INC. TO ELIMINATE THE REQUIREMENT THAT THE TENANT SELL COFFEE DRINKS.

CEQA: This is not a project subject to CEQA.

Recommendation: Adopt Resolution

15. [23-379](#) CONSIDER RESOLUTION AUTHORIZING AN EVENT SPONSORSHIP OF \$1,000 TO THE SAN PABLO LIBRARY (WITH FRIENDS OF THE SAN PABLO LIBRARY AS NON-PROFIT 501c(3) ORGANIZATION AS FISCAL AGENT) FOR THE THIRD ANNUAL CAR SHOW EVENT - LOWRIDERS AT THE LIBRARY - ON SATURDAY, OCTOBER 28, 2023

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

Recommendation: Adopt Resolution

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

PUBLIC HEARINGS

No items scheduled.

ORDINANCES

No items scheduled.

CITY COUNCIL DISCUSSION/CONSIDERATION

16. [23-378](#) CONSIDER RESOLUTIONS:
- (1) APPOINTING BRIAN HICKEY AS CITY ATTORNEY EFFECTIVE OCTOBER 16, 2023; APPROVING AN EMPLOYMENT AGREEMENT WITH THE NEW CITY ATTORNEY; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT;
- (2) CREATING A TEMPORARY NEW SPECIAL COUNSEL POSITION AND APPOINTING CURRENT CITY ATTORNEY TERESA L. STRICKER AS SPECIAL COUNSEL FROM OCTOBER 16, 2023 THROUGH OCTOBER 26, 2023 TO ALLOW FOR A SMOOTH TRANSITION IN THE CITY ATTORNEY'S OFFICE.

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

Recommendation: Approve resolutions.

SUPPLEMENTAL MATERIALS (IF ANY)

17. [23-275](#) 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 JPA Authority (Alternative); West Contra Costa Transportation Advisory Committee (Alternate);

Standing Committees: Community Services

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; Smart 5G Policy Projects; Solid Waste & Recycling Agreements, Programs and Services

(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); 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);

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

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe

(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: Smart 5G Policy Projects

(d) Councilmember Elizabeth Pabon-Alvarado

Memberships: MCE Clean Energy Board of Directors (Alternate)

Standing Committees: Budget, Fiscal & Legislative; Public Safety

Ad-Hoc Subcommittees:

(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 JPA Authority (Primary); West Contra Costa Transportation Advisory Committee (Primary)

Standing Committees: Public Safety; Public Health

Ad-Hoc Subcommittees: Solid Waste & Recycling Agreements, Programs and Services

ADJOURNMENT

Adjourn to Monday, October 02, 2023 at 6:00 pm.