



City of San Pablo

1000 Gateway Avenue
San Pablo, CA 94806
(510) 215-3000
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

Monday, November 15, 2021

6:00 PM

Via Teleconference/Videoconference

CLOSED SESSION BEGINS AT 4:45 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 tele conference or video conference 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 <https://tinyurl.com/SPCCmtg111521> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPCCmtg111521>.

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: 823 3968 1242; International numbers available: <https://us02web.zoom.us/j/82339681242>.

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPCCmtg111521>.

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. [#21-400](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-INITIATION OF
LITIGATION/EXISTING LITIGATION
pursuant to California Government Code Sections 54956.9(d)(4) and
54956.9(d)(1): In Purdue Pharma L.P. et al., United States Bankruptcy
Court, Southern District of New York, Case No. 19-23649(RDD)
(bankruptcy); In re National Prescription Opiate Litigation, United States
District Court for the Northern District of Ohio, MDL No. 2804, Case No.
17-MD-2804 (class action).

2. [#21-441](#) CLOSED SESSION
Pursuant to Gov't Code section 54957:
PUBLIC EMPLOYMENT AND PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Attorney

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

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.

PRESENTATIONS

3. [#21-434](#) SAN PABLO COMMUNITY LIBRARY UPDATE (SENIOR COMMUNITY
LIBRARY MANAGER GIA PAOLINI)

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. [#21-436](#) MINUTES OF THE MEETING OF NOVEMBER 1, 2021.

Recommendation: Approve

LIABILITY CLAIMS

5. [#21-443](#) LIABILITY CLAIM OF BARBARA JONES (DOL 10/14/21)

Recommendation: Deny claim

MISCELLANEOUS

6. [#21-444](#) 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 DUE TO COVID-19 SOCIAL DISTANCING RECOMMENDATIONS FROM THE CONTRA COSTA HEALTH DEPARTMENT; AND CONFIRMING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES

Recommendation: Adopt Resolution

7. [#21-452](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO COMPLETE STATE-MANDATED LAW ENFORCEMENT RADIO ENCRYPTION UPGRADE SERVICES AND (1) AUTHORIZE THE CITY MANAGER TO PURCHASE REQUIRED UPGRADE FROM MOTOROLA FOR A ONE TIME COST OF \$135,746 FOR 164 RADIOS; AND (2) APPROPRIATE \$135,746 FROM IT SYSTEMS MAINTENANCE AND REPAIR/ ENTERPRISE PLANNING PROGRAMS UNDER GENERAL FUND DESIGNATED RESERVES TO POLICE DEPARTMENT SPENDABLE ACCOUNT 100-2110-42001 COMMUNICATIONS.

Recommendation: Adopt Resolution

8. [#21-446](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING A BUDGET APPROPRIATION OF \$20,000 FROM FY 2021/22 GENERAL FUND DESIGNATED RESERVES / SUCCESSION PLANNING & HR LEGAL ISSUES TO CITY MANAGER'S OFFICE PROFESSIONAL SERVICES BUDGET (100-1310-43600) TO FUND A CITY-WIDE COMPENSATION STUDY AS PART OF THE UPCOMING LABOR NEGOTIATIONS

Recommendation: Adopt Resolution

9. [#21-420](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DECLARING THE COMMUNITY SERVICES PARATRANSIT VEHICLE #9 (2007 FORD ELDORADO-18 SEAT BUS) AS SURPLUS PROPERTY TO BE SOLD OR DISPOSED OF WITH THE REVENUE GOING BACK INTO THE MEASURE J ACCOUNT FOR COMMUNITY SERVICES PARATRANSIT

Recommendation: Adopt Resolution

CITY COUNCIL CONSIDERATION/AUTHORIZATION

10. [#21-445](#) CITY COUNCIL AUTHORIZATION TO RATIFY THE LETTER OF SUPPORT TRANSMITTED ON OCTOBER 25, 2021 FROM SAN PABLO MAYOR PABON-ALVARADO TO CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT FOR THEIR GRANT APPLICATION FOR THE PARR BOULEVARD COMPLETE STREETS STUDY

Recommendation: Approve by Minute Order

11. [#21-449](#) CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING A LETTER TO THE SAN FRANCISCO REGIONAL WATER QUALITY CONTROL BOARD ON THE PROPOSED CHANGES TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (MUNICIPAL REGIONAL PERMIT 3.0 TENTATIVE ORDER)

Recommendation: Approve by Minute Order

ORDINANCES (Second Reading)

12. [#21-451](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING CHAPTER 8.12 OF THE SAN PABLO MUNICIPAL CODE REGARDING GARBAGE, RECYCLABLE MATERIALS AND ORGANIC WASTES

Recommendation: Waive second reading; adopt Ordinance

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

SUPPLEMENTAL MATERIALS (IF ANY)

13. [#21-435](#) 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 2021-008)

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 Elizabeth Pabon-Alvarado

Memberships: Contra Costa Mayors Conference (Primary); West County Mayors & Supervisors Association (Primary); League of CA Cities East Bay League Division (Primary)

Standing Committees: Budget, Fiscal & Legislative

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe; Local Business Assoc./Watch Meetings

(b) Vice Mayor Rita Xavier

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

Standing Committees: Public Safety

Ad-Hoc Subcommittees: Casino San Pablo/Lytton Tribe

(c) Councilmember Abel Pineda

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

Standing Committees: Community Services

Ad-Hoc Subcommittees: Community Public Health; Wireless Technology/S.P.E.E.D. Projects

(d) Councilmember Patricia Ponce

Memberships: Marin Clean Energy Board of Directors (Primary); San Pablo Economic Development Corporation Board of Directors (City Council Appointee); San Pablo-Manzanillo Sister City Committee (Primary)

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

Ad-Hoc Subcommittees: Community Public Health

(e) 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

Ad-Hoc Subcommittees: Wireless Technology/S.P.E.E.D. Projects; Local Business Assoc./Watch Meetings

ADJOURNMENT

Adjourn to Monday, December 6, 2021 at 6:00 pm.