



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

Tuesday, July 5, 2022

6:00 PM

Via Teleconference/Videoconference

CLOSED SESSION BEGINS AT 5:00 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
<https://tinyurl.com/29euzkk4> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://us02web.zoom.us/j/81422984521>

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: 814 2298 4521; International numbers available: <https://us02web.zoom.us/j/81422984521>.

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/https://tinyurl.com/29euzkk4>.

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. [#22-295](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Existing Litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9: City of Long Beach v. Monsanto Company et al., United States District Court, Central District, Case 2:16-cv-03493-FMO-AS (class action)

2. [#22-298](#) CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: 1 potential case

****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.

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. 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.

3. [#22-186](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KIMLEY-HORN FOR DESIGN SERVICES FOR THE CITY OF SAN PABLO CONTRA COSTA COLLEGE MOBILITY HUB MASTER PLAN PROJECT (0901) IN AN AMOUNT NOT TO EXCEED \$200,000

Recommendation: Adopt Resolution

4. [#22-241](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO: (1) ACCEPT AND APPROPRIATE THE CALTRANS SUSTAINABLE COMMUNITIES PLANNING GRANT IN THE AMOUNT OF \$265,590 TO THE SUSTAINABLE TRANSIT ORIENTED DEVELOPMENT MASTER PLAN PROJECT (0956); AND (2) AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH IBI GROUP FOR DESIGN SERVICES FOR THE SUSTAINABLE TRANSIT ORIENTED DEVELOPMENT MASTER PLAN IN AN AMOUNT NOT TO EXCEED \$265,436

Recommendation: Adopt Resolution

5. [#22-242](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO (1) AUTHORIZE THE CITY MANAGER TO APPLY FOR THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) ONE BAY AREA (OBAG) 3 PROGRAM FOR UP TO \$3,500,000 IN GRANTS FOR THE BROADWAY SAFE ROUTES TO SCHOOL PROJECT AND THE CHURCH LANE GAP CLOSURE PROJECT; (2) ACKNOWLEDGE GRANT MATCHING REQUIREMENTS; AND (3) AUTHORIZE THE CITY MANAGER TO ENTER INTO FUNDING AGREEMENTS RELATED TO ANY OBAG 3 PROGRAM GRANTS AWARDED

Recommendation: Adopt Resolution

6. [#22-286](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING FINAL BUDGET BALANCING MEASURES NECESSARY TO BALANCE THE FY 2021/22 GENERAL FUND BUDGET BY AUTHORIZING THE CITY MANAGER TO ALLOCATE \$452,000 OF AVAILABLE AND UNASSIGNED FUND BALANCE AFTER THE FISCAL YEAR 2021/22 FINANCIAL AUDIT TO COVER FY 2021/22 UNFORESEEN EXPENDITURES

Recommendation: Adopt Resolution

MISCELLANEOUS

7. [#22-292](#) 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 SEPTEMBER 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.

Recommendation: Adopt Resolution

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

PUBLIC HEARINGS

8. [#22-212](#) PUBLIC HEARING AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO CONTRA COSTA COUNTY, CALIFORNIA, (1) CONFIRMING THE DIAGRAM AND ASSESSMENTS AS SET FORTH IN THE ENGINEER'S REPORT WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2022/23; (2) DIRECTING CITY CLERK TO FILE DIAGRAM AND ASSESSMENTS WITH THE COUNTY AUDITOR NO LATER THAN AUGUST 10, 2022; AND (3) LEVYING SAID ASSESSMENTS

Recommendation: Conduct public hearing; adopt Resolution

CITY COUNCIL DISCUSSION/CONSIDERATION

9. [#22-297](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE VARIOUS MEMORANDA OF UNDERSTANDING, FOR THE PERIOD JULY 1, 2022 TO JUNE 30, 2027 FOR THE FOLLOWING REPRESENTED EMPLOYEE GROUPS: SAN PABLO POLICE EMPLOYEES ASSOCIATION (LINE UNIT), SAN PABLO POLICE EMPLOYEES ASSOCIATION (MANAGEMENT UNIT), ASSOCIATION OF INTERMEDIATE EMPLOYEES (AIE), AND OPERATING ENGINEERS LOCAL 3, AND TO EXECUTE VARIOUS TERMS OF EMPLOYMENT AND SCHEDULE OF BENEFITS FOR THE PERIOD JULY 1, 2022 TO JUNE 30, 2027 FOR THE FOLLOWING UNREPRESENTED EMPLOYEE GROUPS: DIVISION MANAGERS, CONFIDENTIAL EMPLOYEES, EXECUTIVE MANAGEMENT, AND CONTRACT EMPLOYEES

Recommendation: Adopt Resolution

SUPPLEMENTAL MATERIALS (IF ANY)

10. [#22-260](#) 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 July 18, 2022 at 6:00 pm.