



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, September 19, 2022

6:00 PM

Via Teleconference/Videoconference

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 encourages holding public meetings online (teleconferenced or videoconferenced) meetings.

In order to comply with public health recommendations 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/SPCC091922> (no password needed); OR Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join <https://tinyurl.com/SPCC091922>.

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: 850 3744 5662; International numbers available: <https://us02web.zoom.us/j/kcRNGaBils>.

2. Public comments may be submitted watching the meeting via online link: <https://tinyurl.com/SPCC091922>.

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>.

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.

PRESENTATIONS

1. [#22-373](#) PRESENTATION OF PROCLAMATION RECOGNIZING THE TEN-YEAR ANNIVERSARY OF THE SAN PABLO ECONOMIC DEVELOPMENT CORPORATION.

Recommendation: For Informational Purposes Only

2. [#22-388](#) PRESENTATION AND UPDATE TO CITY COUNCIL ON SPLASH (SAN PABLO LOAN ASSISTANCE FOR SUSTAINABLE HOUSING) PROGRAM

Recommendation: For Informational Purposes Only

***** END OF PRESENTATIONS *****

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

3. [#22-364](#) MINUTES OF THE MEETING OF SEPTEMBER 6, 2022.

Recommendation: Authorize by Minute Order

PERIODIC REPORTS

4. [#22-385](#) VENDOR CHECK REGISTER REPORT FOR THE MONTH OF AUGUST 2022

Recommendation: Approve by Minute Order

5. [#22-372](#) ANNUAL PROGRESS REPORT OF THE CITY OF SAN PABLO'S FLOOD MANAGEMENT PLAN FOR THE 2022 COMMUNITY RATING SYSTEM (CRS) RECERTIFICATION

Recommendation: Receive and file

MISCELLANEOUS

6. [#22-328](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) ACCEPTING AND APPROPRIATING GRANT FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION FOR TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN / BICYCLE PROJECT FUNDING IN THE AMOUNT OF \$85,000 FOR THE WILDCAT CREEK TRAIL CROSSING ENHANCEMENTS PROJECT (0702); (2) APPROPRIATING MEASURE J FUNDING IN THE AMOUNT OF \$90,246 FOR THE WILDCAT CREEK TRAIL CROSSING ENHANCEMENTS PROJECT (0702); AND (3) AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS RELATED TO ACCEPTING THE GRANTS

Recommendation: Adopt Resolution

7. [#22-378](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE-YEAR AGREEMENT WITH AXON ENTERPRISE, INC. FOR FY 2022/23 THROUGH 2026/27 AT A FIVE-YEAR BUDGETED COST NOT TO EXCEED \$907,215 FOR THE PURCHASE OF BODY-WORN CAMERA EQUIPMENT, HARDWARE, SOFTWARE, WARRANTY, SERVICE, MAINTENANCE, AND TRAINING; AND (2) WAIVER OF FORMAL BID REQUIREMENTS FOR SERVICES FROM AXON ENTERPRISE, INC.

Recommendation: Adopt Resolution

8. [#22-390](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$1,201,598 FROM THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL PROJECT (0201) TO THE RUMRILL COMPLETE STREETS PROJECT (0700) TO AUGMENT THE CONSTRUCTION CONTINGENCY

Recommendation: Adopt Resolution

9. [#22-387](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) RE-APPROPRIATING FUNDS IN THE AMOUNT OF \$50,000 FROM THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL PROJECT (0201) TO THE SUTTER URBAN GREENING PROJECT (0300) TO AUGMENT THE DESIGN PHASE BUDGET AND CONTINGENCY; AND (2) AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES BETWEEN THE CITY OF SAN PABLO AND GEOSYNTEC CONSULTANTS FOR UP TO \$29,971 IN ADDITIONAL DESIGN SERVICES FOR THE SUTTER URBAN GREENING PROJECT (0300), WITH A \$44,471 CONTINGENCY AMOUNT, FOR A TOTAL CONTRACT AUTHORIZATION NOT TO EXCEED \$435,283.

Recommendation: Adopt Resolution

10. [#22-386](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO INCREASING THE TOTAL AUTHORIZATION FOR THE AGREEMENT WITH GHILOTTI BROTHERS, INC. FOR THE CONSTRUCTION OF RUMRILL BOULEVARD COMPLETE STREETS PROJECT BY \$1,201,598, TO A TOTAL AUTHORIZATION OF \$17,107,478, WHICH INCLUDES APPROXIMATELY 14% IN CONTINGENCY

Recommendation: Adopt Resolution

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

PUBLIC HEARINGS

11. [#22-363](#) CONDUCT A PUBLIC HEARING AND PROVIDE COMMENT AND DIRECTION ON A FIRST DRAFT HOUSING ELEMENT UPDATE FOR THE CITY OF SAN PABLO THAT IS SUBJECT TO PUBLIC REVIEW PRIOR TO SUBMITTAL TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR A 90-DAY REVIEW PERIOD.

Recommendation: Conduct public hearing; provide direction

*** * * END OF PUBLIC HEARINGS * * ***

CITY COUNCIL DISCUSSION/CONSIDERATION

12. [#22-379](#) 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 DECEMBER 31, 2022 DUE TO COVID-19 SOCIAL DISTANCING RECOMMENDATIONS FROM THE CONTRA COSTA HEALTH DEPARTMENT UNDER ASSEMBLY BILL 361 FINDINGS; DIRECTING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES TO CONTINUE TO ASSESS THE CITY'S OPERATIONAL NEEDS AND PUBLIC HEALTH CONSIDERATIONS OVER THE NEXT 90 DAYS AND TO PRESENT A RECOMMENDED FUTURE CITY OPERATIONAL PLAN TO THE CITY COUNCIL FOR A POLICY DISCUSSION NO LATER THAN DECEMBER 19, 2022; AND CONFIRMING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES.

Recommendation: Adopt Resolution

SUPPLEMENTAL MATERIALS (IF ANY)

13. [#22-365](#) 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; San Pablo 75th Anniversary Celebration

(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; San Pablo 75th Anniversary Celebration

(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 Monday, October 3, 2022, at 6:00 pm.