

# MINUTES OF THE REGULAR MEETING OF THE SAN PABLO CITY COUNCIL

MONDAY, MARCH 3, 2014

## **ROLL CALL**

The meeting convened in the Council Chambers at 6:01 pm. Present during roll call were Mayor Paul Morris and Councilmembers Rich Kinney and Cecilia Valdez. Vice Mayor Chao Rothberg arrived at 6:13 pm. Absent was Councilmember Genoveva Garcia Calloway. Also present were City Manager Matt Rodriguez, City Attorney Brian Libow, Police Chief Walter Schuld, Finance Manager Kelly Sessions and City Clerk Ted Denney. Absent was Assistant City Manager Kelsey Worthy.

## **ORAL COMMUNICATIONS**

Ron Gay and Ernest Lemieux spoke on behalf of the San Pablo Baseball Association regarding the condition of the field at Davis Park. Melvin Siegel spoke regarding Proposition 13. Ron Deziel spoke regarding the solar panels, lack of spaces in the parking lot, disclosure of checks and requisitions.

## **CEREMONIAL MATTERS**

Development Services Manager Michele Rodriguez introduced Administrative Clerk Aaron Hauswirth and Administrative Intern Eugenio Salcedo. Community Services Manager Greg Dwyer introduced Paratransit Driver Jerome Ison and Recreation Coordinator Jennifer Chong. Environmental Program Analyst Cynthia Jackson was not present; City Manager Rodriguez indicated Ms. Jackson would be introduced at the next meeting.

## **FIRE DISTRICT UPDATE**

Operations Chief Alan Hartford updated the City Council on the status of the Contra Costa County Fire Protection District and the service calls received by Fire Station #70.

## **CITY MANAGER REMARKS**

City Manager Rodriguez announced the upcoming March 15, 2014 Sobriety Checkpoint in the city. He also announced the job training programs available through the San Pablo Economic Development Corporation.

## **CONSENT CALENDAR**

It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and passed by vote of those present to adopt all items in the Consent Calendar. The motion passed as follows:

AYES: Valdez, Kinney, Chao Rothberg and Morris  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

## **MINUTES**

By adoption of the Consent Calendar, the Minutes of the meetings of February 18, February 20 and February 21, 2014 were approved.

## **PROCLAMATIONS**

### **Council**

By adoption of the Consent Calendar, the Proclamation recognizing Brett Bennett as 2013 Officer of the Year was approved.

## **MISCELLANEOUS**

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-033** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute Amendment #5 to the agreement with Nichols Consulting Engineers, for the Wildcat Creek Trail Project (PW 219); with respect to the California Environmental Quality Act (CEQA) guidelines, a Notice of Exemption was filed.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-034** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a License and Operating Use Agreement with the Pacific Coast Farmers' Market Association and Palm Plaza Development, Inc. for the operation of the 2014 and 2015 San Pablo Farmers' Markets.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-035** was approved, a Resolution of the City Council of the City of San Pablo to approve Childhood Obesity Prevention Task Force (COPTF) appointments and approve consolidation of the Childhood Obesity Prevention Task Force to a single governing body.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-036** was approved, a Resolution of the City Council of the City of San Pablo authorizing fee waiver for use of the Madeira Room in Maple Hall for the West Contra Costa Integrated Waste Management Authority (RecycleMore) and The Watershed Project's Bye Basura Workshop on Saturday, March 29, 2014.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-037** was approved, a Resolution of the City Council of the City of San Pablo ordering the engineer to prepare and file reports for the levy of annual assessments for Fiscal Year 2014/15 for San Pablo Street Light and Landscape Assessment District No. 1982-1, and authorizing the City Manager to execute an agreement for these services with LCC, Inc.

**Council**

By adoption of the Consent Calendar, **Resolution 2014-038** was approved, a Resolution of the City Council of the City of San Pablo authorizing (1) the temporary closure of streets for the 2014 Cinco de Mayo Parade and Celebration; (2) waiver of traffic control fees; (3) provision of Police, Recreation and Public Works staff to support the event; (4) provide a \$7,000 event sponsorship; and (5) designate the Cinco de Mayo Committee as Fiscal Agent.

**Council**

By adoption of the Consent Calendar, **Resolution 2014-039** was approved, a Resolution of the City Council of the City of San Pablo authorizing to proceed with a community survey process to rename the former Circle S Project site for FY 2013-14.

**Council**

By adoption of the Consent Calendar, **Resolution 2014-040** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to amend the FY 2013-14 Organizational Structure of the City Manager’s Department consistent with the adopted 2014 Classification & Compensation Plan.

**COUNCIL AUTHORIZATIONS**

**Council**

By adoption of the Consent Calendar, the City Council authorized by Minute Order the Release of External Communications Report for First Quarter of External Communications Report (July 1, 2013 through September 30, 2013) for FY 2013-14.

**Council**

By adoption of the Consent Calendar, the City Council authorized by Minute Order to establish a temporary Ad-Hoc Subcommittee for revisions to the City Manager Employment contract.

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

**ORDINANCES**

**Council**

City Manager Rodriguez introduced the item, and City Attorney Libow provided some background information. Chief Schuld reported Commanders Krastof’s and Palmieri’s investigation of marijuana. Commander Palmieri made a PowerPoint presentation of the impacts marijuana has had in the City of San Pablo. Ron Deziel and George Simpson spoke. It was moved by Councilmember Valdez, seconded by Vice Mayor Chao Rothberg, to add this item to the FY2013-15 Council Priority Workplan, ad to waive the first reading and introduce the proposed ordinance, an Ordinance of the City Council of the City of San Pablo amending Section 8.02.020 of the San Pablo Municipal Code to declare as a public nuisance the cultivation of marijuana, and addition of ordinance to Council Priority Workplan. The motion passed as follows:

- AYES: Kinney, Valdez, Chao Rothberg and Morris
- Noes: None
- ABSENT: Calloway
- ABSTAIN: None

## **RESOLUTIONS**

### **Council**

City Manager Rodriguez introduced the item and made a PowerPoint presentation of the proposed local transaction and use (sales) tax measure for Fire Station #70 to fund emergency medical service costs. Dr. Gary Manross of SRI also made a PowerPoint presentation of the fire services survey conducted in August 2013 for support to fund a hybrid EMS model with ¼ cent increase in sales tax in order to protect fire services in San Pablo. Speaker Melvin Siegel expressed his concerns regarding the use of tax monies by the County. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Valdez, and passed by vote of those present to adopt **Resolution 2014-041**, a Resolution of the City Council of the City of San Pablo calling for and giving notice of a June 3, 2014 election on a proposed ballot measure seeking voter approval of a one-quarter of one percent (0.25%) Transactions and Use (Sales) Tax to fund emergency medical services at San Pablo Fire Station #70, establishing the policies and procedures for such an election and requesting that the County of Contra Costa conduct such an election. The motion passed as follows:

AYES: Kinney, Valdez, Chao Rothberg and Morris  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

It was further moved by Councilmember Valdez, seconded by Councilmember Kinney, and passed by vote of those present to appoint Morris and Calloway as signatories to author the ballot argument in favor of the measure. It was further moved by Councilmember Valdez, seconded by Vice Mayor Chao Rothberg, and passed by vote of those present to receive and file 2013 Survey Report and post on city website. The motion passed as follows:

AYES: Kinney, Valdez, Chao Rothberg and Morris  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

It was further moved by Councilmember Valdez, seconded by Vice Mayor /Chao Rothberg and passed by vote of those present to waive the first reading and introduced the proposed ordinance, an Ordinance of the City Council of the City of San Pablo imposing a Transactions and Use Tax for emergency medical services to be administered by the State Board of Equalization. The motion passed as follows:

AYES: Kinney, Valdez, Chao Rothberg and Morris  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

## **MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS**

Mayor and City Council reported on their recent and upcoming activities.

**ADJOURNMENT**

It was moved by Councilmember Councilmember Valdez, seconded by Vice Mayor Chao Rothberg, and passed by vote of those present to adjourn the meeting at 8:15 pm to Monday, March 17, 2014 at 6:00 pm, in memory of Carlos Figueroa, father-in-law of Maintenance Worker III MacNoel Alvarez. The motion passed as follows:

AYES: Kinney, Valdez, Chao Rothberg and Morris  
NOES: None  
ABSENT: Calloway  
ABSTAIN: None

Respectfully Submitted,

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Ted J. Denney, City Clerk

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Paul V. Morris, Mayor