

**MINUTES OF THE REGULAR MEETING OF THE SAN PABLO CITY COUNCIL
AND THE LOCAL SUCCESSOR AGENCY OF THE CITY OF SAN PABLO**

MONDAY, MARCH 17, 2014

ROLL CALL

The meeting convened in the Council Chambers at 6:00 pm. Present call were Mayor Paul Morris and Vice Mayor Kathy Chao Rothberg, and Councilmembers Rich Kinney, Cecilia Valdez and Genoveva Garcia Calloway. Also present were City Manager Matt Rodriguez, City Attorney Brian Libow, Assistant City Manager Kelsey Worthy, Police Chief Walter Schuld, Finance Manager Kelly Sessions and City Clerk Ted Denney. Absent was City Treasurer Viviana Toledo

ORAL COMMUNICATIONS

Walt Pedretti spoke regarding the school resource officer and requested the city seek the school district for funding this position. Mayor indicated the City Manager would look into the matter.

CEREMONIAL MATTERS

Public Works Manager for Environmental Programs John Medlock introduced new employee Environmental Program Analyst Jen Jackson, and Police Chief Schuld introduced Police Department Volunteer Gerson Asuncion.

Police Chief Schuld also introduced and administered the Oath to new San Pablo Police Officer Ernad Rosic.

CITY MANAGER REMARKS

City Manager Rodriguez announced and showed the cover of the March 2014 issue of the *Contra Costa Marketplace Magazine* which highlights San Pablo and the various activities offered by the City.

CONSENT CALENDAR

It was moved by Councilmember Calloway, seconded by Vice Mayor Chao Rothberg, and approved by vote of those present, to adopt all items in the Consent Calendar, and announced that someone from the audience would like to speak on the item concerning the proclamation. The motion passed as follows:

AYES: Calloway, Kinney, Chao Rothberg and Morris

NOES: None

ABSENT: Valdez

ABSTAIN: None

MINUTES

By adoption of the Consent Calendar, the Minutes of the meeting of March 3, 2014 was approved.

PERIODIC REPORTS

Council

By adoption of the Consent Calendar, the Vendor Check Register Report for the month of February 2014 was approved.

LIABILITY CLAIMS

Council

By adoption of the Consent Calendar, the liability claims of Yvonne Palmore (DOL 08/14/13) and Melvin Parker (DOL 01/01/14) were denied.

PROCLAMATIONS

Council

By adoption of the Consent Calendar, the request for issuance of proclamation recognizing March 2014 as "Prescription Drug Abuse Awareness Month" was approved. Cinthya Lopez, who spoke on behalf of the Contra Costa County Youth Health Coalition spoke and thanked the City Council for their support. April Rovero, founder of the National Coalition Against Prescription Drug Abuse also spoke.

MISCELLANEOUS

Council

By adoption of the Consent Calendar, **Resolution 2014-042** was approved, a Resolution of the City Council of the City of San Pablo to re-allocate and transfer \$5,000 within the adopted FY 2013-14 City Council Departmental Budget (Fund #100-1110-44050).

Council

By adoption of the Consent Calendar, **Resolution 2014-043** was approved, a Resolution of the City Council of the City of San Pablo authorizing \$1,000 sponsorship for the West Contra Costa Public Education Fund's 26th Annual Ed Fund Gala on Friday, May 16, 2014.

Council

By adoption of the Consent Calendar, **Resolution 2014-044** was approved, a Resolution of the City Council of the City of San Pablo authorizing fee waiver for use of Maple Hall for the Rotary Club of San Pablo's Annual "Night in Tuscany" Fundraiser event held on Friday, May 9, 2014.

Council

By adoption of the Consent Calendar, **Resolution 2014-045** was approved, a Resolution of the City Council of the City of San Pablo declaring certain property of the Police Department as surplus property and approving the sale or disposal of surplus property.

Council

By adoption of the Consent Calendar, **Resolution 2014-046** was approved, a Resolution of the City Council of the City of San Pablo establishing the Stormwater Utility Assessment Rate for FY 2014/2015 and requesting the Contra Costa County Flood Control and Water Conservation District to adopt an annual parcel assessment for drainage maintenance and the National Pollutant Discharge Elimination System Program.

Council

By adoption of the Consent Calendar, **Resolution 2014-047** was approved, a Resolution of the City Council of the City of San Pablo authorizing the Mayor to submit a letter to Marin Clean Energy to explore future membership in their Community Choice Aggregation Program.

Council

By adoption of the Consent Calendar, **Resolution 2014-048** was approved, a Resolution of the City Council of the City of San Pablo awarding the contract for citywide street sweeping services to Universal Building Services and authorizing the City Manager to execute an agreement for the contract effective July 1, 2014.

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

RESOLUTIONS

LSA

Finance Advisor Bradley Ward provided some background information on the tax allocation bonds, as did Financial Consultant Steve Gortler. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and approved by vote of those present to adopt **Resolution LSA2014-003**, a Resolution of the Successor Agency to the Redevelopment Agency of the City of San Pablo approving the forms of and authorizing the execution and delivery of an official statement and a continuing disclosure certificate with respect to not to exceed \$65,000,000 principal amount of Successor Agency to the Redevelopment Agency to the Redevelopment Agency of the City of San Pablo Refunding Bonds, series 2014; and authorizing related actions. The motion passed as follows:

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

ORDINANCES

Council

City Attorney Libow provided the City Council with some background information and advised of the petition for review pending with the California Supreme Court in the case of *Maral v. City of Live Oak*. City Attorney Libow presented the Council with options on the item at hand. It was moved by Councilmember Calloway, seconded by Vice Mayor Chao Rothberg, and passed by vote of those present, to postpone consideration of the proposed Ordinance amending Section 8.02.020 of the San Pablo Municipal Code, to declare as a public nuisance the cultivation of marijuana, until after the Supreme Court decision on whether to accept the case for review. The motion passed as follows:

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

The following spoke against the proposed ordinance: Robert Gutierrez, Beth Dickinson, Zack Meahan, Chris Conrad, Mikki Norris, and Melvin Siegel. Resident George Simpson spoke in support of the proposed ordinance. Council expressed their concerns about the public safety impacts of marijuana.

A brief recess was taken from 7:18 to 7:22 pm.

PUBLIC HEARINGS

Council

City Manager Rodriguez introduced the item. Development Services Manager Michele Rodriguez made a PowerPoint presentation of the project. The public hearing was opened at 7:27 pm. No one spoke for or against the item. The public hearing was closed on 7:27 pm. It was moved by Councilmember Calloway, seconded by Councilmember Kinney, and passed by vote of those present to adopt **Resolution 2014-049**, a Resolution of the City Council of the City of San Pablo approving Plan1402-0004 for a General Plan amendment at two vacant parcels with access on Rumrill Boulevard (APN 410-012-007 and 410-012-008), from a General Plan Designation of Industrial Mixed Use to Parks/Recreation. The motion passed as follows:

AYES: Calloway, Kinney, Chao Rothberg and Morris

NOES: None

ABSENT: Valdez

ABSTAIN: None

STUDY SESSION

Council

City Manager Rodriguez introduced the item regarding Proposition 13 – Commercial Property Tax Reform. Bren Grieff, Campaign Director for Evolve made a PowerPoint presentation and requested support for a proposed commercial property tax reform ballot initiative. Alex Alferis of Contra Costa Taxpayers Association, Melvin Siegel and City Clerk Ted Denney, also spoke and urged the Council not to take action on the item.

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

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

ADJOURNMENT

It was moved by Councilmember Calloway, seconded by Vice Mayor Chao Rothberg, and passed by vote of those present to adjourn the meeting at 8:08 pm to Monday, April 7, 2014 at 6:00 pm. The motion passed as follows:

AYES: Calloway, Kinney, Chao Rothberg and Morris

NOES: None

ABSENT: Valdez

ABSTAIN: None

Respectfully Submitted,

Ted J. Denney, City Clerk

Paul V. Morris, Mayor