

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

**MONDAY, APRIL 21, 2014**

**ROLL CALL**

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

**ORAL COMMUNICATIONS**

Antonio Medrano spoke during Oral Communications.

The following also spoke concerning mortgage issues: Lorenzo Avila, Ruben Flores, Genny Zentella, Melvin Willis, Efrain Gomez, Enrique Perez, and Jim Hammons.

Robert Firmin of Firmin Studios made a PowerPoint presentation regarding memorial for the Huchuians Indians.

**CEREMONIAL MATTERS**

Chief of Police Walt Schuld introduced and administered the Oath of Office to San Pablo Police Officer Roberto Arguello.

**PRESENTATIONS**

Contra Costa College President Dr. Denise Noldon, and Contra Costa Community College District President John E. Marquez made a PowerPoint presentation and updated the City Council of the College District's facility needs and priorities, including Measure E.

The following grant recipients presented their Financial Reports by Grant Recipients to the City Council - FY 2013-14 Annual Community Grant Program: Center for Lao Studies, Courageous Women Association, Inc., K to College, Los Cenzontles Mexican Arts, Morada de Mujeres del Milenio, and The Watershed Project.

There were no representatives for the Bay Area Peacekeepers, Mariachi Nueva Luz & Cascabeles, Multi-Cultural Dance Foundation and Weigh of Life.

**CITY MANAGER REMARKS**

City Manager Rodriguez advised that the new Chief of Police Lisa Rosales will start on April 28, 2014, and that the new EDC newsletter has been published and sent out.

## **CONSENT CALENDAR**

It was moved by Councilmember Valdez, seconded by Councilmember Kinney, and passed by vote of those present, to adopt all items in the Consent Calendar, with the exception of the items related to the Vendor Check Register Report (item #2), the Investment Reports (item #4), and the Community Foundation Grant Application Guidelines (item #11). 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 meeting of April 7, 2014 were approved.

## **PERIODIC REPORTS**

### **Council**

This items was pulled from the Consent Calendar and discussed separately. Ron Deziel questioned items related to retiree dental benefits; Mr. Deziel was referred to Finance Manager Sessions for clarification. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and passed by vote of those present to approve the Vendor Check Register Report for the month of March 2014. The motion passed as follows:

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

### **Council**

By adoption of the Consent Calendar, the Quarterly Treasurer's Report for the third quarter of Fiscal Year 2013-14 was approved. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and passed by vote of those present to approve

### **Council**

This item was pulled from the Consent Calendar and discussed separately. Ron Deziel also inquired about the reports and was referred to Finance Manager Sessions for clarification. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and passed by vote of those present to approve Investment Reports for the quarters ending September 30, 2013, December 31, 2013 and March 31, 2014 were approved. The motion passed as follows:

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

### **Council**

By adoption of the Consent Calendar, the update on amended Cabaret Permit Resolution 2013-038 regarding live entertainment at NOYA Restaurant & Lounge located at 14350 Laurie Lane, Suites A & B, San Pablo was received and approved. The owners of NOYA were in the audience but did not speak.

### **Council**

By adoption of the Consent Calendar, the Independent Citizens' Oversight Committee Informational Report to City Council regarding Measure Q – Transaction and Use Sales Tax for period ending June 30, 2014 was received.

## **MISCELLANEOUS**

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-057** was approved, a Resolution of the City Council of the City of San Pablo appropriating up to \$18,000 for FY 2013/2014 for environmental programs, professional services for the purposes of conducting a feasibility analysis for Community Choice Aggregation with Marin Clean Energy and authorizing the City Manager to execute documents necessary to proceed with the feasibility analysis.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-058** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an amendment to the Stormwater Utility Area Agreement and to execute an Inspection Program Indemnification Agreement for the purpose of obtaining stormwater inspection services and therein appropriating funding in the amount of \$60,970.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-059** was approved, a Resolution of the City Council of the City of San Pablo rejecting all bids received for the janitorial services for city facilities.

### **Council**

By adoption of the Consent Calendar, **Resolution 2014-060** was approved, a Resolution of the City Council of the City of San Pablo to consider proposed purchase of the CINT Commander II Incident Management System and Tactical Phone from 836 Technologies with the appropriation of Asset Forfeiture Funds.

### **Council**

This item was pulled from the Consent Calendar and discussed separately. City Attorney Libow announced that Councilmember Valdez is abstaining from discussion of this matter because she is a member on the Board of Directors of a few of the organizations that have applied in the past and may apply again in the future. By adoption of the Consent Calendar, **Resolution 2014-061** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute the FY 2014-15 Annual San

Pablo Community Foundation Grant Application Guidelines, Program Criteria and Policy Changes. The motion passed as follows:

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

### **Council/LSA**

By adoption of the Consent Calendar, **Resolution 2014-062 and LSA2014-009** was approved, a Concurrent Resolution of the City Council of the City of San Pablo and the Local Successor Agency of the Former Redevelopment Agency of the City of San Pablo approving an Investment Policy for Fiscal Year 2014/15.

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

### **ORDINANCES**

#### **Council**

It was moved by Councilmember Kinney, seconded by Vice Mayor Chao Rothberg, and passed by vote of those present to waive the second reading and adopt **Ordinance 2014-005**, an Ordinance of the City Council of the City of San Pablo amending the zoning map to reclassify two vacant parcels with access on Rumrill Boulevard (APN 410-012-007 and 410-012-008) from a zoning designation of C-2 (Heavy Commercial) to OS (Open Space). The motion passed as follows:

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

#### **Council**

It was moved by Vice Mayor Chao Rothberg, second seconded by Councilmember Kinney, and passed by vote of those present to waive the second reading and adopt **Ordinance 2014-006**, an Ordinance of the City Council of the City of San Pablo ratifying Ordinance No. 2013-22 of the Contra Costa Fire Protection District amending the 2013 California Fire Code. The motion passed as follows:

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

### **RESOLUTIONS**

#### **Council**

Community Services Manager Greg Dwyer presented the item, and Tony Ramirez, teacher at Dover Elementary School, Lucy Alfaro, Co-Chair of Childhood Obesity Prevention Task Force, and Ian McLaughlin, Senior Staff Attorney at ChangeLab Solutions spoke. Mr. McLaughlin made a PowerPoint presentation of the proposed Community Action Plan, and Dr. Gary Manross made a PowerPoint presentation of the survey conducted in January 2014 regarding support for sales tax increase to fight childhood obesity. It was moved by Vice Mayor Chao Rothberg, seconded

by Councilmember Valdez, and passed by vote of those present to adopt **Resolution 2014-063**, a Resolution of the City Council of the City of San Pablo approving the recommended Childhood Obesity Prevention Task Force Community Action Plan (CAP) to combat childhood obesity in San Pablo. The motion passed as follows:

AYES: Valdez, Kinney, 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**

The meeting adjourned at 8:55 pm to Monday, May 5, 2014 at 6:00 pm, in memory of Mary Parker, former member of the San Pablo Safety Commission.

Respectfully Submitted,

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Ted J. Denney, City Clerk

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Paul V. Morris, Mayor