

MINUTES OF THE REGULAR MEETING OF THE SAN PABLO CITY COUNCIL

MONDAY, MAY 5, 2014

The Closed Session meeting convened in the Council Conference Room at 5:15 pm. Present were Mayor Paul Morris, Vice Mayor Kathy Chao Rothberg, and Councilmembers Rich Kinney, Cecilia Valdez and Genoveva Garcia Calloway. Also present were City Manager Matt Rodriguez, Assistant City Manager Kelsey Worthy, Assistant to the City Manager Tina Gallegos, and Finance Manager Kelly Sessions,

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Govt. Code section 54957.6:

Agency Designated Representatives: Matt Rodriguez, Kelsey Worthy, Tina Gallegos and Kelly Sessions

Employee Organizations: Association of Intermediate Employees, Confidential Employees, Division Managers, Executive Management, Public Employees Local One, San Pablo Police Employees Association

ROLL CALL

The meeting reconvened in the Council Chambers at 6:02 pm. Present were Mayor Paul Morris, Vice Mayor Kathy Chao Rothberg, and Councilmembers Rich Kinney, Cecilia Valdez and 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 City Clerk Ted Denney. Absent was and City Treasurer Viviana Toledo.

Mayor Morris announced the nature of the closed session item.

ORAL COMMUNICATIONS

Rita Xavier was called and spoke regarding the Senior Center Flea Market on May 18, 2014 and the Second Annual Aloha Night.

Norman and Yasmin Lozano were called to who requested an extension of hours at NOYA on Fridays and Saturdays to 1:00 am. Mayor advised that no action will be taken at this time until such time as the request is agendized.

Ron Deziel was called and spoke regarding lack of contact information for the manager. He also questions regulations of laundromat enterprises. Mayor Morris advised the issue will be addressed by the City Manager.

PRESENTATIONS

Richmond High School Update

Richmond High School Principal Jose de Leon provided a PowerPoint presentation of Richmond High School and students Andrea Zuniga (Law Academy), Jennifer Ramirez (Engineering Partnership Academy), Jacqueline Herrera (Multi-Media Academy), and Cesar Munoz (Creative & Performing Arts Academy) each spoke regarding their

participation in the programs. Comments were made by Council and thanked Mr. de Leon for providing the presentation. Councilmember Chao Rothberg commented on the importance of community service hours and how the students would gain scholarship opportunities. Mr. de Leon commented on certified academies granted by the State through grants.

San Pablo Library Update

San Pablo Community Librarian Chela Lucas presented via PowerPoint the 2013 Annual Report at the San Pablo Library including highlights of community services and cultural events and upcoming events such as Lunch in the Library and the Summer Reading (Paws to Read) Program.

The meeting went into a five-minute recess.

CITY MANAGER REMARKS

City Manager Rodriguez reminded the Mayor and City Council about the Special Meeting on Wednesday, May 7, 2014, to administer the Oath of Office as Chief of Police. Chief Rosales spoke and commented on her experience thus far. City Manager Rodriguez also commented on the "May as National Bike Month", the May 8th Bike to Work Day, and the June 5, 2014 the Grand Opening of the Community Center at Helms Middle School, scheduled to begin at 5:30 pm.

CONSENT CALENDAR

It was moved by Councilmember Calloway, seconded by Councilmember Valdez, to adopt all items in the Consent Calendar, with the exception of Item #4 (contract with PMC consulting).

MINUTES

By adoption of the Consent Calendar, the Minutes of the meeting of April 21, 2014 were approved.

LIABILITY CLAIMS

By adoption of the Consent Calendar, the liability claim of Vanessa West (DOL 12/02/13) was denied.

PROCLAMATIONS

By adoption of the Consent Calendar, the requests for issuance of Proclamations from the (1) West Contra Costa Salesian Boys & Girls Club commending John and Lynne Wade as recipients of the 2014 West Contra Costa Salesian Boys & Girls Club "Don Bosco Award"; and request from (2) Community Violence Solutions recognizing April 2014 as "National Sexual Assault Awareness Month"; and (3) March 15, 2014 as "National Compassion Day" were approved.

MISCELLANEOUS

Council

This item was pulled from the Consent Calendar and discussed separate. Ron Deziel spoke on the item. City Manager introduced the item. Ron Deziel spoke regarding the lack of a Department Head signature on the Council Action Form. City Manager

addressed Mr. Deziel's question. Mr. Deziel also inquired about Title 17 and if any sections were related to the marijuana agenda item. City Attorney Libow responded and indicated that Title 17 may include the marijuana ordinance. It was moved by Councilmember Calloway, seconded by Councilmember Kinney, and unanimously approved to adopt **Resolution 2014-064**, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to amend an existing contract with PMC Consulting to add \$25,000 to finalize the Zoning Ordinance amendment and temporarily back-fill Planning staff.

Council

By adoption of the Consent Calendar, **Resolution 2014-065** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute agreements with the Local Government Commission and Contra Costa Health Services to assist with implementation of the California Department of Transportation Environmental Justice Planning Grant to develop a Rumrill Boulevard/13th Street "Complete Streets" Corridor Mobility Plan. This plan is exempt from the California Environmental Quality Act under 15306 Information Collection, Class 6.

Council

By adoption of the Consent Calendar, **Resolution 2014-066** was approved, a Resolution of the City Council of the City of San Pablo authorizing a professional services agreement with Pacific Coast Well & Pump, Inc. for the installation of two (2) above-ground storage tanks for the irrigation of Davis Park; with respect to the California Environmental Quality Act (CEQA) Guidelines, this project is categorically exempt.

Council

By adoption of the Consent Calendar, **Resolution 2014-067** was approved, a Resolution of the City Council of the City of San Pablo authorizing \$480 table sponsorship for the Rotary Club of San Pablo's "A Night in Tuscany" fundraising event on Friday, May 9, 2014.

Council

By adoption of the Consent Calendar, **Resolution 2014-068** was approved, a Resolution of the City Council of the City of San Pablo authorizing fee waiver for use of Maple Hall for a memorial ceremony held on Saturday, May 31, 2014 for. Mary Parker who served on both the San Pablo Safety Commission and the San Pablo Advisory Committee on Aging.

Council

By adoption of the Consent Calendar, **Resolution 2014-069** was approved, a Resolution of the City Council of the City of San Pablo authorizing Amendment #1 to the agreement with Bellecci & Associates for professional services for the El Portal Drive (West) Rule 20A Undergrounding Project (PW 384); with respect to the California Environmental Quality Act (CEQA) guidelines, the project is categorically exempt.

Council

By adoption of the Consent Calendar, **Resolution 2014-070** was approved, a Resolution of the City Council of the City of San Pablo authorizing (1) Amendment #1 to the agreement with Harris & Associates, and (2) an agreement with Swinerton Management & Consulting for professional services for staff augmentation.

Council

By adoption of the Consent Calendar, **Resolution 2014-071** was approved, a Resolution of the City Council of the City of San Pablo (1) authorizing an expenditure in the amount of up to \$45,000 for the All-American City Award Conference registration, travel, lodging and presentation materials; and (2) establishing an All-America City Ad-Hoc Subcommittee.

CITY COUNCIL AUTHORIZATION

Council

By adoption of the Consent Calendar, the City Council authorized the Planning Commission to co-host and sponsor a community film series "Designing Healthy Communities" regarding the impact of our built environment on public health.

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

ORDINANCES

Council

City Manager introduced the item. It was moved by Vice Mayor Chao Rothberg, seconded by Councilmember Kinney, and unanimously waived the second reading and adopted **Ordinance 2014-007**, 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, subject to approval by electorate.

Council

City Attorney introduced the item. Ron Deziel remarked that since Councilmember Calloway was not present at the first reading, he asked that she not participate. Mr. Deziel made his comments. Council requested clarification regarding "prescriptions" for medical marijuana and how registration of marijuana cultivation, enforcement actions, and prescription for medical marijuana. City Attorney Libow addressed their inquiries. It was moved by Councilmember Calloway, seconded by Councilmember Kinney, and unanimously passed to waive the second reading and adopt **Ordinance 2014-008**, 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.

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS

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

ADJOURNMENT

The meeting adjourned at 8:00 pm to Monday, May 19, 2014 at 6:00 pm, in memory of Father Gary Klauer, priest at St. Paul Church.

Respectfully Submitted,

Ted J. Denney, City Clerk

Paul V. Morris, Mayor