MINUTES OF THE REGULAR MEETING OF THE SAN PABLO CITY COUNCIL

MONDAY, JULY 2, 2012

A closed Session was convened in the Council Conference Room at 5:30 pm.

ROLL CALL

Present at the Closed Session were Mayor Cecilia Valdez and Vice Mayor Leonard McNeil, and Councilmembers Genoveva Calloway, Paul Morris and Kathy Chao-Rothberg. Also present were City Manager Matt Rodriguez, City Attorney Brian Libow and Assistant City Manager Kelsey Worthy.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS
Government Code section 54957.6
Agency Designated Representatives: Matt Rodriguez and Kelsey Worthy
Employee Organization: Local One

ROLL CALL

The regular session convened in the Council Chambers at 6:14 pm. Present were Mayor Cecilia Valdez and Vice Mayor Leonard McNeil, and Councilmembers Genoveva Calloway, Paul Morris and Kathy Chao-Rothberg. Also present were City Manager Matt Rodriguez, City Attorney Brian Libow, Assistant City Manager Kelsey Worthy, Chief of Police Walter Schuld, Public Works Director Adêle Ho, Finance Director Bradley Ward, and Deputy City Clerk Lehny Corbin. Absent was City Clerk Ted Denney.

Mayor Valdez announced the nature of the Closed Session meeting.

ORAL COMMUNICATIONS – Council

Resident Ron Deziel spoke regarding his request for blue-curb painting and request for public records. Mr. Deziel was referred to staff.

FIRE DISTRICT UPDATE

Acting Battalion Chief Bryan Craig of the Rodeo-Hercules Fire District spoke and provided an update to the City Council of the recent activities in April and May 2012.

CITY MANAGER REMARKS

City Manager Rodriguez reported the copper wire theft at Wanlass Park over the weekend.

CONSENT CALENDAR

City Manager Rodriguez announced the last minute correspondence for item #13 (Boards and Commissions). It was moved by Councilmember Calloway, seconded by Councilmember Morris to adopt all items in the Consent Calendar, with the exception of the June 18, 2012 Minutes.

MINUTES
This item was pulled from the Consent Calendar and discussed separately. Suggested corrections were made by the Council and City Attorney Libow suggested that the Minutes would be corrected and brought back for reconsideration on July 16, 2012.

LIABILITY CLAIMS
Council
By adoption of the Consent Calendar, the liability claim of Eric Upshaw (DOL 9/15/11) was denied.

MISCELLANEOUS
Council
By adoption of the Consent Calendar, **Resolution 2012-093** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an agreement with the Council of Contra Costa Sheriff's Office to participate in the Sheriff's Work Alternative Program.

Council
By adoption of the Consent Calendar, **Resolution 2012-094** was approved, a Resolution of the City Council of the City of San Pablo Authorizing the City Manager to execute an agreement with Security Signal Devices Inc., for Burglar Alarm Monitoring of the City's Corporation Yard and Davis Park Head Start Building.

Council
By adoption of the Consent Calendar, **Resolution 2012-095** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to Execute an agreement with Callander Associates, in the amount of $268,419, for Design Services for the Rumrill Sports Facility Project (PW-531).

Council
By adoption of the Consent Calendar, **Resolution 2012-096** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute an amendment to the agreement with Balance Hydrologics, Inc., for the Wildcat Creek Vale Road Stream Gage Monitoring and Reporting.

Council
By adoption of the Consent Calendar, **Resolution 2012-097** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute a contract with Fehr & Peers in the amount of $199,893 to provide transportation planning services to facilitate an involved community process for the San Pablo Avenue: Complete Streets and Pedestrian Connectivity Project and appropriation of funds (PW 612).

Council
By adoption of the Consent Calendar, **Resolution 2012-098** was approved, a Resolution of the City Council of the City of San Pablo authorizing (1) contract award to Maggiora & Ghilotti, Inc. for the Wildcat Creek Daylighting at Davis Park Project (PW 579), and (2) Amendment #3 to the agreement with Restoration Design Group for technical services for said project.

Council
By adoption of the Consent Calendar, **Resolution 2012-099** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to enter into a Memorandum of Understanding with Urban Tilth's Summer Apprenticeship Program.

Council
By adoption of the Consent Calendar, **Resolution 2012-100** was approved, a Resolution of the City Council of the City of San Pablo authorizing (1) amendment to the June 18, 2012 Mid-Term Budget Adjustments (2) Allocation of $96,000 from the Budget Stabilization fund to cover the remaining budget short fall for the FY 2012-13 Budget due to rescission of layoffs in the Public Works Maintenance Division.

Council
By adoption of the Consent Calendar, **Resolution 2012-101** was approved, a Resolution of the City Council of the City of San Pablo Authorizing the City Manager to execute an agreement with Raymond E. Davis III, for Operational Efficiency Evaluation Services for the Public Works Maintenance Division.

Council
By adoption of the Consent Calendar, **Resolution 2012-102** was approved, a Resolution of the City Council of the City of San Pablo authorizing the City Manager to execute agreements with the State Board of Equalization for implementation of a local transaction and use Tax (Measure Q).

BOARD AND COMMISSIONS
Council
By adoption of the Consent Calendar, the City Council approved the renewal of a two-year term for Charlene Harlan-Ogbeidi on the San Pablo Community Foundation. As referenced in the last minute correspondence provided to Council, Karen Gilbert has resigned from the San Pablo Community Foundation. It was further recommended that a Notice of Vacancies would be posted for a minimum of 20 days.

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

PUBLIC HEARINGS
Council
It was moved by Councilmember Morris, seconded by Councilmember Calloway to adopt **Resolution 2012-**103, a Resolution of the City Council of the City of San Pablo, Contra Costa County, California, amending Resolution 2012-080 preliminarily approving the Engineer's Report and declaring intention to levy and collect assessments within the San Pablo Street Lighting and Landscaping Assessment District No. 1982-1 for Fiscal Year 2012/13, to set a new date of July 16, 2012 for a Public Hearing.

Council
City Planner Tina Gallegos introduced the item and provided further information through a PowerPoint presentation clarifying the language regarding signage requirements, security, non-compliance, findings and fee comparisons. Police Chief Schuld reported a fatality by a person whose head and neck was caused to be stuck and suffocated while attempting to retrieve items from a donation/collection box.

Mayor Valdez opened the public hearing at 6:25 pm. The following spoke: Julie Watt Faqir on behalf of US Again, LLC; Julie Wedge on behalf of Campus California; and John Schilt, attorney for Campus California. Mayor Valdez closed the public hearing at 6:35 pm.

It was moved by Councilmember Chao-Rothberg, seconded by Councilmember Calloway, and by passed by vote to waive the first reading and introduce the proposed ordinance amending Ordinance 2012-003 regarding the use permit requirements for donation and collection boxes. The motion passed as follows:

Ayes:	Chao-Rothberg, Calloway, McNeil and Valdez
Noes:	Morris
Abstain:	None
Absent:	None

Following Council discussion, City Attorney Libow clarified with Council its desire that staff would have further discussions with the stakeholders before the ordinance was brought back for adoption.

MAYOR AND CITY COUNCIL ASSIGNMENTS REPORTS
Mayor and City Council reported on their recent activities.

ADJOURNMENT
It was moved by Councilmember Morris, seconded by Councilmember Calloway, and unanimously passed to adjourn the meeting at 7:10 pm to Monday, July 16, 2012 at 6:00 pm.

Respectfully Submitted,

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Ted J. Denney, City Clerk

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Cecilia Valdez, Mayor