

**JOINT PINOLE CITY COUNCIL &  
REDEVELOPMENT AGENCY  
MINUTES  
NOVEMBER 1, 2011**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS**

The Regular Pinole City Council / Redevelopment Agency Board of Directors meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the meeting to order at 5:30 PM and Council Member Long led the Pledge of Allegiance.

**2. ROLL CALL, CITY CLERK/SECRETARY'S REPORT & STATEMENT OF CONFLICT**

Phil Green, Council Member  
Debbie Long, Council Member  
Tim Banuelos, Council Member  
Peter Murray, Mayor Pro Tem  
Roy Swearingen, Mayor

**B. STAFF PRESENT**

Belinda Espinosa, City Manager / Executive Director  
Michelle Fitzer, Assistant City Manager`  
Benjamin Reyes, City Attorney  
Richard Loomis, Finance Director  
Dean Allison, Public Works Director  
John Hardester, Police Chief  
Patricia Athenour, City Clerk

City Clerk Patricia Athenour announced that the Agenda was posted on October 27, 2011 at 4 p.m. All legally required notice was provided. She asked the Council whether there were any conflicts with any items on the agenda. None were reported. There were no further reports. She announced that the Special Meeting scheduled on November 8<sup>th</sup> was no longer needed since the item was scheduled for discussion this evening.

**3. CONVENE TO A CLOSED SESSION – CITY COUNCIL AND AGENCY BOARD**

At 5:35 p.m., Mayor Swearingen recessed the open session and convened to a Noticed Closed Session to discuss the following matters:

City Council

- A. CONFERENCE WITH LEGAL COUNSEL--POTENTIAL LITIGATION -  
Government Code Section 54956.9(b)(1)  
Legal Counsel: Redevelopment Agency Counsel Claudia Hutner  
Number of Cases: One Matter
- B. CONFERENCE WITH LEGAL COUNSEL  
EXISTING FILED LITIGATION – Gov. Code §54956.9(a)  
City of Pinole v. Bruce Carone Grading & Paving, Inc. et.al

- C. Contra Costa County Superior Court Case No. C 10-02168  
CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED LITIGATION – Exposure to litigation -GC §54956.9(b)(1)  
One Matter
  
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GC §54956.8  
Property Location: Pinole Vista Shopping Center, 1200-1400 Fitzgerald Drive  
Pinole Valley Shopping Center, 2700–2830 Pinole Valley Rd.  
Agency Negotiator: Michelle Fitzer, Assistant City Manager  
Negotiating Parties: TKG Pinole Valley, LLC & TKG Pinole Vista, LLC  
Under Negotiation: Price & Terms

#### 4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

At 7:13 p.m., Mayor Swearingen reconvened the Regular Meeting in open session and announced there were no reportable actions from Closed Session.

#### 5. RECOGNITIONS / PRESENTATIONS

- A. Proclamations
  - 1. Shelter-In-Place Education Day November 2, 2011

Mayor Swearingen read the proclamation to be mailed to the recipient, CAER.

- B. Presentations

Mayor Swearingen moved the Youth Commission appointments forward on the agenda under 5B.

Council Member Banuelos presented the report, stating he and Council Member Green conducted interviews the prior week. There was a strong core group of commissioners returning, along with several new members. The Stewart Elementary slot remained vacant as did four adult positions.

**Jo Altman**, Recreation Coordinator explained the duties of the Youth Commission who serve as the youth voice for the community. They participate in fundraisers for Youth activities and make decisions regarding the type of events for the youth population.

**Hope Hoben**, Pinole Youth commissioner, addressed Council regarding their goal to recruit more youth and more adults to the commission. She reported that the Youth Center was celebrating its 10<sup>th</sup> anniversary gala at the Pinole Senior Center on November 4<sup>th</sup> from 7-10 PM and a kid's carnival at the Youth Center, the same evening.

Council Member Banuelos read the Youth Commission appointees in the record to serve a one-year term. He said that several more students would be interviewed at a later date for the remaining vacant positions.

Council Member Green spoke about ways to improve the Youth Center and a dance was suggested – an event for both young and older citizens.

**ACTION: Motion by Council Members Banuelos/Green; the City Council approved the Youth appointees for a one- year term and Don Castro as an adult member for a two-year term.**

St. Joseph's (one)	Destinee Interiano
Pinole Middle School (one)	Edwin Guerra
Stewart Elementary (one)	<i>vacant</i>
9th Grade (one)	Angie Cassidy
10th Grade (one)	Kevin Lao
11th Grade (one)	Hope Hoben
12th Grade (one)	Ezekiel Starling

At Large Members

Andrew Almacen  
Ezekiel Knox  
Jessica Guerra  
Sierra Penn  
Aliza King  
Araya Turner  
Cherie Amor T. Calica (pending interview)

Adult member

Don Castro – 2 year term

Council Member Green announced the need remains for adult commissioners to work with the youth and encouraged interested citizens to apply.

**Vote: Passed 5-0.**

**6. CITIZENS TO BE HEARD (Public Comments)**

James Tillman, Pinole citizen, addressed Council stating that he had been led to believe a citizen filed a complaint against TKG, with the FPPC and if so, said that negotiations with TKG shall cease and desist.

Mayor Swearingen responded that he was unable to comment on that at this moment. He also cautioned Mr. Tillman and other members of the public to be cautious how they speak and choose their words wisely.

City Attorney Reyes reported that the City has information that the City Clerk received from a FPPC special investigator concluding that the FPPC looked into the matter and would not be performing any further investigations.

Mr. Tillman again asked if a citizen filed a complaint, and also why he should choose his words carefully about a public and private partnership.

Mayor Swearingen said alleging a wrong doing could lead to repercussions.

Jeff Rubin, Pinole citizen, addressed Council on behalf of the Pinole Historical Society and announced the following upcoming events:

1. November 11<sup>th</sup> – the 4<sup>th</sup> Annual Veteran's Day & Flag Retirement Ceremony
2. . November 17 – PHS general membership meeting.

He said that \$2,000 had been secured from sponsorships to televise the Veteran's Day event.

**Irma Rupert**, Pinole citizen, addressed Council summarizing her October 18<sup>th</sup> request that all property negotiations be halted until an FPPC complaint was filed and investigated against TKG. Based on information she was provided that the FPPC would not act on a complaint against private parties, she said a complaint should be directed to the District Attorney, and asked the Council and Attorney to file a complaint against TKG.

**Ira Nelken**, Pinole Artisan, announced an upcoming fundraiser on November 17<sup>th</sup> at 5:30 pm at Chevy's. The restaurant will donate 25% of dinner ticket proceeds to the Pinole Artisans. A Silent Auction will also be held, with two one-week timeshare vacations with values of \$3,500.

## **7. CONSENT CALENDAR**

Council Member Green removed Item 7C.

**ACTION: Motion by Council Members Murray / Long, the Council Approved Consent Items A & B.**

**Vote: Passed 5-0.**

### Joint Agency Board / City Council

- A. Approved the Minutes of the October 18, 2011 Meetings
- B. Received the October 15 –October 28, 2011 List of Warrants and Receive the October 28, 2011 Payroll in the Amount of \$344,138.46

### City Council

- C. Authorize the City Manager To Execute A Contract With City Mechanical, Inc. In The Amount of \$122,906 for the HVAC Repairs At City Hall [**Council Report No. 2011-123; Action: Adopt Resolution Per Staff Recommendation (Allison) REMOVED FOR DISCUSSION.**]

Dean Allison, Public Works Director, presented Council Report 2011-23. The repairs included a boiler and a control system. The project funding is from a grant from Air Quality Management District and requires no matching funds from the City.

Council Member Green said the installers were not located within the City of Pinole; however one bid was received from a Pinole business. He had said he would like to see preferential treatment for businesses within the City limits, and suggested five or ten percent. He also referred to language in the staff report that reference the swim center in a negative manner.

City Attorney Reyes spoke to the local preference policies adopted by the Council and Agency Board about 1.5 years ago. He said it was difficult to write and enforce an ordinance unless there is a disparity that shows it is more expensive to do business in a specific community, and only San Francisco has such a law. In order to demonstrate the disparity, a costly survey would have to be commissioned to show the economic disparity to do business in Pinole.

Mr. Allison spoke to Council Member Green's comment on the Swim Center, and he said it was noted only to provide clarity.

**ACTION: Motion by Council Members Murray / Banuelos, the Council Adopted Resolution 2011-79, Authorize the City Manager To Execute A Contract With City Mechanical, Inc. In The Amount of \$122,906 for the HVAC Repairs at City Hall.**

**Vote: Passed 4-0-1 (Green opposed)**

**8. PUBLIC HEARINGS**

**9. OLD BUSINESS**

**10. NEW BUSINESS**

City Council

Continued from October 18, 2011

- A. Provide Comments and Direction to WCCIWMA Delegate Murray on the Post Collection Franchise Agreement [**Action: MOTION FOR CONTINUANCE TO NOVEMBER 15, 2011 (Allison)**]

**Dean Allison**, Public Works Director, requested a continuation to November 15, 2011 to provide direction to Mayor Pro Tem Murray about the upcoming post collection (recycling and disposal) contract.

**ACTION: Motion by Council Members Banuelos / Murray, the Council continued to the item to November 15, 2011.**

**Vote: Passed 5-0.**

- B. Authorize The City Manger To Enter Into A Contract Totaling \$5,070 With AECOM For Engineering Services Related To The Update Of The Final Environmental Impact Report For The Pinole-Hercules Wastewater Treatment Plant [**Council Report No. 2011-124; Action: Adopt Resolution Per Staff Recommendation (Allison)**].

**Dean Allison**, Public Works Director presented Council Report 2011-124 into the record to authorize a consultant contract to amend the EIR certified for this project in July 2010. The EIR was originally certified as a "Pinole only" project and since then, Hercules decided to remain with Pinole to upgrade the plant. The consultant contract cost is \$5,000 and the cost would be shared 50-50% with Hercules.

**James Tillman**, Pinole citizen, addressed Council, stating that in 2010 Hercules determined to go alone and that any costs incurred should be borne by Hercules, not Pinole ratepayers. He asked the Council to consider that request.

Mr. Allison commented that the cost of the EIR was shared 50-50% with Hercules, even though it was the "Pinole only" option. This is now an update and Hercules is again sharing half of that cost. Allison said we were obligated to update the EIR in order to move forward with the project.

Mayor Pro Tem Murray commented that the point Mr. Tillman was presenting, and asked if there would have been this additional cost, if we had stayed with the original plan, and Mr. Allison confirmed the additional cost was attributable to changing options.

Ms. Espinosa further explained that two options were studied in the EIR and in the final document, the Pinole only option was chosen. Now we are amending and updating the records to select the other option.

Council Member Long said she could see both sides of the issue and that it was discussed at the JPA meeting. Hercules position was that they never opted out, yet it was on the website and in a letter from their City Manager to ours.

Council Member Green said his concern was not the \$5,000 but was regarding the structure and authority of committees and the approval of expenditures by some entity or person other than the City Council. He continued stating that he was apprised that the city manager has authorization to expend up to \$20,000, but he believes it should be a Council decision and that the Council should be giving direction to their delegates when they go into the JPA meeting, and he had not heard it discussed at the Council level previously. He asked the City Manager to agendaize this item because he was told that it was within the manager's authority to execute this contract.

Council Member Long responded that updates have been provided under Council Reports, and she agreed that not just two members should make decisions without allowing input from the Council and the public. The practice has been for the JPA to reach a recommended conclusion which is brought to the respective Councils and she assured that she would not approve spending any money unnecessarily. This contract was a very small amount, and the JPA is attempting to design a new structure and build trust among the cities, and assured that the public will be kept in the loop. She understood Mr. Tillman's issue and had struggled with whether Pinole should have to pay for this amendment, but felt it was a goodwill gesture to move forward as partners and she did not feel \$2,500 was out of line.

Council discussion ensued on the matter. Mayor Pro Tem Murray agreed with Council Member Long's explanation regarding the reasoning but felt it appeared to be a continuance of the same mentality. Council Member Banuelos said the committee members are working for the betterment of both cities, and there are some offsets that justify this \$2,500 expense. Council Member Long explained that we would still have commissioned that EIR, and that Hercules agreed to pay their share and were billed and contributed at least \$100,000 to the EIR.

Council Member Green asked Mr. Allison if he was certain that Hercules had paid their share of the EIR. Mr. Allison confirmed that Hercules had paid for half the cost.

Mayor Pro Tem Murray said the motivation was that Hercules would be tied to the Pinole plant for five more years, even though they were committing to West County Sanitary, so they were responsible for sharing the EIR cost.

Mr. Reyes said there was a contractual obligation requiring Hercules to pay fifty percent of all capital costs.

Ms. Espinosa explained that Hercules paid a share of the EIR because it was their fallback position, and they were reserving their right in the event they remained with Pinole and would have a certified EIR. The action this evening would approve a contract to amend the EIR to amend the reporting forms to the "Pinole-Hercules" option.

Mayor Swearingen summarized the comments, and stated that the Council wants to insure that they do not pay any more costs than necessary and asked for a motion on the item.

Mayor Green made closing comments that his main concern was reporting out by the subcommittee and discussions by the entire council before decisions are made at the JPA level.

Mayor Pro Tem Murray said that the delegates have done an excellent job; he was just dismayed by Hercules' behavior

**Chris Lehon**, Recyclemore, addressed the Council, commenting on the five member WCCIWMA agency whereby the individual cities come together as a region, similar to the board in this discussion.

**ACTION: Motion by Council members Long / Banuelos, the Council Approved Adopted Resolution 2011-80, Authorized The City Manger To Enter Into A Contract Totaling \$5,070 With AECOM For Engineering Services Related To The Update Of The Final Environmental Impact Report For The Pinole-Hercules Wastewater Treatment Plant.**

**Vote: Passed 5-0.**

Workshop /Study Session Item

- C. Surplus Property Review and Prioritization [**Attachment: Property Inventory; Action: Review and Provide Comments to Staff (Espinosa/Fitzer)**]

**Michelle Fitzer**, Assistant City Manager, introduced the subject matter and the staff members, Mary Drazba and Francine Kuykendall to present the subject matter. She said this property inventory workbook was developed in response to a Council request, to review all City surplus property for prioritization and identification for retention and/or potential sale. Copies of the document were available on the web and in the foyer. The material included housing and non-housing, vacant land, and parking lots in a separate section, with the assumption that the Council would wish to retain the parking sites. Ms. Fitzer said staff would be seeking direction from Council and encouraged receipt of any comments/direction and questions this evening, so staff could address properties requiring more information at a future workshop.

**Mary Drazba**, Economic Development Manager and **Francine Kuykendall**, Senior Project Manager, presented the report, referencing each site individually and entered both the workbook with the description summary and the power point exhibits into the record. The properties presented included:

1. Pinole Valley Park Caretaker's House – 1270 Adobe Road
2. Pinole Senior Village – 2850 Estates Avenue
3. Fire Station 74 – 3790 Pinole Valley Road
4. Gateway East Medical Pad – Pinole Valley Road (vacant land)
5. Gateway East Restaurant Pads – Pinole Valley Road (vacant land)
6. Gateway West – 1300-1400 Pinole Valley Road (vacant land)
7. 651 Pinole Shores Drive
8. Pinole Shores Business Park - Phase II
9. 811 San Pablo Avenue – vacant land

10. 2548 Charles Avenue
11. 2101 Pear Street – Pinole Post Office
12. Fernandez Park Patio - adjacent to Taqueria Sanchez
13. 2101 San Pablo Avenue - vacant land
14. 2301 San Pablo Avenue - vacant land
15. 2361 San Pablo Avenue – Historic Bank of Pinole
16. 600 Tennent – former Blackie's sight
17. Samuel Street – Pinole Grove (open space)
18. 2100 San Pablo Avenue - Faria House/Heritage Park – Pedestrian walkway is currently being used for Public Purposes – residence is land us is commercial mixed use and various uses have been considered.
19. 612 Tennent Avenue - Collins House

Staff's presentation included the summary in the workbook and highlighted the additional points:

- 811 San Pablo - Critical to receive direction Critical to receive direction from Council regarding this parcel purchased with Housing Funds. If not developed before March 15, 2012, the City has to repay the housing fund.
- 2101 Pear Street – held as collateral for the Agency loan to the City
- Fernandez Park Patio – no recommendation to sell; used as part of Fernandez Park
- 2361 San Pablo Avenue – no recommendation to sell; currently marketed for lease
- Samuel Street – Pinole Grove - the cost to develop is prohibitive; can continue to hold and use as open space (current land use designation). It is a remainder parcel, and if the property were sold, the proceeds would have to paid back to the Housing Fund.
- 2100 San Pablo Avenue – The pedestrian walkway is currently being used for Public Purpose; the Faria House residence is designated as Commercial Mixed Use and various public purpose uses have been considered

Council questions and discussion ensued. They commented on each property individually and provided direction to staff regarding methods for further refinement to the document through categorization or subgroups, updated land use information using the new general plan and specific plan on the commercial properties, identify properties definitely for hold vs. sale. Mayor Pro Tem Murray said that this exercise seemed a little premature, in light of the lawsuit regarding redevelopment was still unsettled.

Ms. Fitzer suggested reconfiguring into commercial properties, housing, vacant land, and still retain the government use and parking as a separate category, unless the Council wanted to identify that now as parcels to be retained and they would be removed from further discussion..

Council Member Banuelos said the workbook should also address the marketability of the properties and prioritize ones would sell quickly and the ones that may not.

Council Member Long agreed with the prior speakers, but said this was a good starting point and brought an awareness of the total property inventory, which was the intent. The presentation was very detailed and the next step would be to define the properties in categories.

**Mary Horton**, Pinole citizen, addressed Council and supported selling properties that would benefit the General Fund balance.

Regarding 1271 Adobe, the Caretaker House, Mayor Pro Tem Murray said this property is being used for its intended use, and the only his only question was whether the rent payments are current.

Discussion followed whether the City could even sell this property as it appeared it was not a separate parcel from Pinole Valley Park. Ms. Drazba suggested looking at the contract, if the rent was an issue.

Council Member Long requested a contract overview, including an analysis of the utilities, whether there was any restriction on the number of occupants, detailed list of the oversight and maintenance requirements of the occupant and the time expended to carry out the duties. Ms. Espinosa said the maintenance duties included open and close of park and restrooms, brush removal and general maintenance.

Council Member Green asked for background information regarding the original intended use when the properties were first acquired.

**Mary Horton**, Pinole citizen, displayed a conceptual rendering of 2301 San Pablo Avenue from several years ago. She said she was speaking generally since the disposition of redevelopment funds was unknown, but recommended looking more futuristically and said she supported development of the corner parcel.

**Jeff Rubin**, Pinole citizen, presented a conceptual drawing of the same site from 1992 which also featured a walking esplanade to the parking lot to the rear and a rendering of a building where the Pear Street Bistro is located today. He received this drawing from the Bay Area News Group along with many other items that appeared in the West County Times from 1990 to 2000.

No further speakers addressed the Council.

Mayor Pro Tem Murray asked what staff how they envisioned moving forward.

Ms. Fitzer responded that they were seeking direction from Council if they wished to retain the government use properties, and to outline any further information requested. Staff could forward recommendations to retain the government and parking properties and further recommendations for disposal of certain sites, and further categorization in the groups, as requested.

Mayor Pro Tem Murray said in response to Council Member Green's question regarding the idea for accumulation of these properties was to have control over how these properties would be developed. In response to staff, he said the request to Council to identify the properties they wish to sell is not going to work in this situation, as more land use information was and marketing will take considerable effort; would staff's work plan be property maintenance or pursuit of effective marketing.

Council Member Green said in order to develop or encourage development on these properties, the City should form an economic development corporation and close the book on the redevelopment agency, with a plan for developing each property.

City Attorney Reyes responded, stating that we transferred most of the Redevelopment Agency assets from the Agency to the City and that matter was submitted for validation by the Council. The court has deemed that those transfers were valid. He stated that a hearing regarding the

redevelopment opt-in was scheduled on November 10<sup>th</sup> and should provide some direction in a month, when the City must decide whether to opt back into redevelopment. The correct steps have been taken to protect the properties but take further action will be necessary following the court decision.

City Manager Espinosa said most of the properties would fall under restricted funds (general redevelopment i.e., blight removal, public infrastructure, or housing) so any proceeds, if sold, would not be go to the General Fund. This is not an exercise to find money to put in the General Fund or to hold a fire sale. She further explained that Council should define the properties they wish to retain staff would categorize the others as Council requested, for further analysis and review. She confirmed Mayor Pro Tem Murray's explanation that most of the properties were purchased in order to control the use and development of the property. Because this Council had not shown the same interest in that model, she recommended consideration of marketing some of the properties. Certain properties have restrictions that may preclude selling, such as the caretaker parcel, and concluded stating that it would take creative and dynamic thought processes to determine the best outcome for the vacant parcels.

She described typical projects, which generally have mixed use because housing is needed to make the project pencil out. The challenges are along the San Pablo corridor, Old Town and Appian Way. Until we know what will happen with redevelopment, we are in a holding pattern which made this a good opportunity to begin reviewing our property inventory and establishing a plan.

Council Member Banuelos said that the non-residential sites would require further analysis to the allowed uses and potentially more restrictions due to the Specific Plan. Ms. Drazba noted that most of the sites were identified in the Specific Plan as Opportunity sites.

Mayor Swearingen gave direction to staff to categorize the properties and bring back in a more defined manner. He further directed not to agendize the entire inventory list for review at one meeting.

## **11. REPORTS & COMMUNICATIONS**

### **A. Mayor / Chair Report**

1. Announcements
  - a. WCCTAC report

BART Director Keller requested to agendize a project to improve the transportation in West Contra Costa County including some improvements to BART and a planning committee comprised of all WCCTAC board members was formed to look at transit improvements from El Cerrito to Crockett. In addition he reference funding for pedestrian and bike lanes and noted that San Pablo and Appian were identified areas.

### **B. Mayoral / Council Appointments**

1. 2011-12 Youth Commission Appointments

This item was presented under 5B earlier in the meeting.

### **C. City Council / Agency Board Committee Reports**

Council Member Long provided a Pinole-Hercules JPA meeting update, reported that Hercules had selected an engineer to serve on the Selection Committee for the Design Engineering Firm

for the Water Pollution Control Plant Upgrade and Pinole selected former plant manager, Julian Misra, as Council had confirmed at the October 18, 2011 meeting.

Public Works Director Dean Alison reported that a JPA meeting was scheduled on November 9<sup>th</sup> at 9 am in the Community Room regarding the Water Board permit and that they would be aggressively pursuing receipt of the permit to use the shallow water outfall, as it means a ten million dollar savings.

Council Member Long said the committee requested additional information, and once the JPA committee reviewed the matter, she would report out to Council. Council Member Long briefly addressed the various forms of governance under discussion by the JPA committee, and asked City Attorney Reyes to report to the Council. Formalizing a JPA or creating a separate district would be very costly and the committee discussions are in very early stages. She said the board discussed also creating an alternating third member, but there were difficulties identified with such a proposal.

City Attorney Reyes reported that as a joint endeavor, he and Hercules' City Attorney made a presentation on the three different options for formation of governance. He addressed the three options briefly, as first identified by Council Member Long, and said the group appears to want to work in a collaborative approach. The three options discussed were:

1. Formation of a separate district
2. Formation of a formal Joint Powers Authority; (problem with how to select a third member)
3. Keep the current governance structure and provide new language to address concerns of both agencies, such as what to do in the event of a tie.

Mr. Reyes said it was clear, in his perspective, that Pinole has the operational authority over the plant.

Council Member Long said the short term is to consider making necessary changes, but asked to schedule discussion on a future Council agenda to receive input from the Council and the community.

Council Member Long reported a meeting she conducted with Supervisors Gioia and Glover and community members regarding efforts to save the Swim Center. Both supervisors took it seriously and planned to do some outreach. She explained this was a long term endeavor. The SOS committee would be meeting the following week, and Council Member Long would keep the Council updated.

Council Member Banuelos provided a WCCUSD Bond Oversight Meeting report. Mr. Savidge left the District, and with that some items have fallen through the cracks. The remainder of Pinole Middle School is scheduled to move on November 11<sup>th</sup> which should alleviate some of the traffic drop-off problems.

Mayor Pro Tem Murray reported on the West County Mayors Conference. The board received a presentation from the El Cerrito Public Works Director on a Street Pavement Maintenance program funded through a ballot measure and an EBMUD presentation on West of Hills Pipeline Realignment.

Mayor Swearingen reported on the Supervisors Town Meeting Hall meeting on October 20, which was attended by approximately fifty persons from within and outside Pinole. The meeting

was broadcast and funded by the supervisors. Supervisor Glover planned to attend the Youth Center 10<sup>th</sup> Anniversary Gala.

Council Member Banuelos reported on the meetings regarding the Pinole Valley High traffic and circulation plans for the proposed new campus. Discussion ensued. Unresolved issues include an interim parking plan during construction and parking areas for students and teachers. Council Member Long said that the District should commission the traffic study beyond the area studied, as it has farther reaching effects on Pinole Valley Road and adjacent streets. The proposed signal is an issue with some of the nearby residents. Talk about adding signals which is an issue with some of the residents. She suggested agendaizing the matter before Council and provide better notification.

Public Works Director sought direction from the Council to determine a specific area of notification. Specific direction was not provided, except stating it should be extended out in the Valley. The Council directed to schedule for discussion on the December 6, 2011 Council agenda.

D. Council Requests For Future Agenda Items

1. Pinole Valley High School traffic issues – December 6, 2011 **(Long)**
2. Review Pinole Valley Park Caretaker Contract **(Long- requested under previous discussion)**
3. Discussion on governance structure for the Pinole Hercules Waste Water JPA **(Long)**

E. City Manager / Executive Director Report / Department Staff

F. City Attorney Report

City Attorney Reyes reported that on November 10, 2011, the Supreme Court would test the validity of the redevelopment legislation passed by the Governor and the legislature. He said that he would be monitoring the arguments and anticipates a ruling in December in approximately thirty days, and would be reporting back to Council as any news arises.

## 12. ADJOURNMENT

At 10:54 p.m., Mayor Swearingen adjourned the Regular meeting to the Regular Redevelopment Agency/City Council Meeting of November 15, 2011 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz, Raymond E. Johnson and Irene N. Flinn.

Mayor Swearingen announced that the Special Workshop Council Meeting on November 8, 2011 as previously announced, was canceled.

**Submitted by:**

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**Patricia Athenour, MMC**  
**City Clerk**

**APPROVED BY CITY COUNCIL/ AGENCY BOARD:**