PINOLE CITY COUNCIL MINUTES MARCH 17, 2015

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

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the meeting to order at 6 p.m. and Mayor Pro Tem Swearingen led the Pledge of Allegiance.

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

A. <u>COUNCIL MEMBERS PRESENT</u>

Mayor Peter Murray Council Member Phil Green Council Member Debbie Long arrived at 6:07 pm Council Member Tim Banuelos Mayor Pro Tem Roy Swearingen

B. STAFF PRESENT

Belinda Espinosa, City Manager Hector De La Rosa, Assistant City Manager Benjamin T. Reyes, City Attorney Assistant City Attorney, Stephanie Downs Dean Allison, Development Services Director Neil Gang, Police Chief Rob Piper, Fire Chief Patricia Athenour, City Clerk

City Clerk Athenour announced the agenda was posted on March 12, 2015 at 4:00 P.M. and all legally required notice was provided. Following an inquiry by the City Clerk, the Council members reported there were no conflicts with any items on the agenda.

City Clerk Athenour noted that the revised Item 7E staff report was provided to the Council on March 16th subsequent to the publication of the agenda was posted on the website, and a public copy is available at the rear of the chamber.

3. CONVENE TO A CLOSED SESSION

At 6:05 p.m., Mayor Murray convened the Noticed Closed Session to confer with the City Attorney regarding the following:

A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Pursuant to Gov. Code 54956.9(d)(2). Number of Potential Cases: One Matter

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

At 7:07 p.m. Mayor Murray reconvened the meeting in open session. He announced there were no reportable actions on any of the three items in Closed Session. He recognized the passing of Fire Captain Rich Voisey.

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

 Honoring 2014 Police Officer of the Year, James Johantgen & Firefighter of the Year, Steve Dorsey

Mayor Murray presented the proclamation to the 2014 Police Officer James Johantgen, who accepted the award and thanked the Council for the recognition.

Mayor Murray presented a proclamation and congratulated Steven Dorsey as Firefighter of the Year. Officer Dorsey thanked the Council and his firefighter family for this award.

2. Honoring Finance Director Richard Loomis Upon His Retirement

Mayor Murray presented a proclamation to Finance Director Richard Loomis honoring him for his ten years of service with the City of Pinole. The proclamation was accepted by Mr. Loomis. Each Council Member thanked Richard Loomis for his service, leadership, his straight approach, simplified presentations and volunteer contributions.

<u>David Ruport</u>, Pinole citizen, addressed Council, and recognized Richard Loomis and wished him well.

<u>Anthony Gutierrez</u>, Pinole citizen, congratulated Richard on his retirement and noted his thorough reports. He recommended that Pinole adopt a procedure used in Hercules to list all the outstanding debts at the beginning of a financial review presentation.

- B. Presentations / Recognitions
 - EBMUD Update by Director McIntosh

EBMUD Director Lesa McIntosh updated the Council regarding the current water supply. Due to the continued drought, she reported that EBMUID increased the voluntary reduction to 15% in 2015, and said that EBMUD supplements the Mokelumne water supply. To date, there has been no financial impact to rate payers for the increased cost of water due to other reductions. With the continued drought, new fees are currently being considered, facing a long dry summer without any further rain. Conservation was above 13% last year but during the first two months of 2015, the rate was down to 3.1%, and EBMUD has asked customers to step up and conserve more. It is likely that conservation will become mandatory. Director McIntosh reported that EBMUD would be holding public hearings in April 2015 and welcome customer comment. She discussed costs and penalties and the mandatory outdoor watering regulations that are in effect statewide. Director McIntosh was available for questions from the Council and the public.

The Council asked questions about how the benchmark use was established and how long the surcharge would be imposed. Director McIntosh responded that there would be criteria in place for the increases to sunset. .

Council Member Long suggested holding the line on management salaries, and also raised the issue of recycled water.

Council Member Banuelos asked about plans for gray water systems. To which McIntosh responded that EBMUD was trying to evaluate all their options, but have no plans for gray water enhancements at this time.

Mayor Pro Tem Swearingen said he would like to see the water district identify as a priority a desalination plant.

Council Member Green asked about the formula for imposing penalties. He also said that EBMUD might be able to start planning for the future with Pinole on methods to better serve our communities with recycled water. He asked if EBMUD would build the infrastructure.

Director McIntosh responded that users will not be penalized for any conservation taken place prior to the raising the rates and the specifics would be worked out at the April meeting. With respect with recycled water, EBMUD and the City has dialogued in the pat, and EBMUD philosophy is the one that benefits, pays, and Pinole would have to bear the infrastructure costs.

Mayor Murray continued the discussion on recycled water, stating the issue in the past was that EBMUD needed an end user for recycled water. He also explained how the water is treated at the tertiary level at the Pinole plant and when processed as recycled for sale, it belongs to EBMUD, not the City of Pinole.

Director McIntosh said she would be happy for EBMUD staff to take up this conversation with Pinole again.

Mayor Murray agreed with Council Member Long on the surcharges, and that that money should be kept in a separate account. He raised the issue of government credit for heavy water users, and asked if there was any tax benefit to smaller users such as car washes.

McIntosh said EBMUD does not depend on the State water system.

<u>Anthony Gutierrez</u>, Pinole citizen, asked for clarification on the conservation rates and the following questions:

- 1. Does the 2040 Plan takes into account the new data from NASA regarding running out of water in one year.
- 2. Will there be a low income component on the surcharge?

She responded that the NASA study is new, the 2040 Plan was written and adopted previously. EBMUD always has plans to serve low income individuals and senior citizens and she assumed the practice would be maintained.

<u>James Tillman</u>, Pinole citizen, discussed a program for repairing leaks in Pinole. He asked if EBMUD had contacted Pinole about the leaks and when they would be corrected. He discussed the high infiltration to the WPCP, and asked EBMUD to attend a Pinole-Hercules Water Pollution Control Plant Subcommittee meeting. He also asked whether there was any opportunity for a former program for disabled citizens to be initiated again.

Director McIntosh responded that pipe repair projects are huge and fairly constant. An aggressive pipe replacement program will be rolled out soon doubling the 10 miles of replacement usually done yearly.

Mayor Murray said he would make a note to talk to the Public Works Department about this mater.

Director McIntosh informed the Council she would return with another update following their April meeting.

C. Community Announcements and/or Events

City Manager Espinosa reported on the plans for Rich Voisey's Memorial services on March 28th at 1 PM at St. Joseph's Church with a reception immediately following.

Mayor Murray asked her to insure that there is a bulletin on PCTV and the website about traffic and parking.

City Manager Espinosa announced the Easter Egg Hunt on April 4.

6. CITIZENS TO BE HEARD (Public Comments)

The following speakers addressed the Council:

<u>Abel Pineda</u>, field representative Assemblyperson Thurmond's Office, addressed Council regarding hosting two satellite meetings in City Hall.

<u>James Tillman</u>, Pinole citizen, announced the Pinole Hercules Water Pollution Control Plant Subcommittee meeting on March 26th at 9:15 am and solicited for public opinion from both Pinole and Hercules residents at that meeting.

<u>Anthony Gutierrez</u>, Pinole citizen, addressed Council regarding his request in November 2013 for a single source project manager for the Water Pollution Plant upgrade. He read a passage regarding getting a project started right, and said it was not too late to assign one individual the authority as the project manager.

7. CONSENT CALENDAR

Members of the public requested to remove Items 7B and 7E, 7F, and 7G. Council Member Long removed Item 7G for discussion.

ACTION: <u>Motion By Council Members Swearingen/Banuelos, The City Council Approved</u> the Consent Calendar Items A, B, C & D

Vote: Passed 5-0

Ayes: Banuelos, Green, Long, Murray, Swearingen

Noes: None Abstain: None Absent: None

- A. Approved the Minutes of the Meeting of March 3, 2015
- B. Received the February 28 March 13, 2015 List of Warrants and the March 13, 2015 Payroll in the Amount of \$325,021.40 **REMOVED FOR COMMENT BEFOR VOTE**

<u>Irma Ruport</u>, Pinole citizen, raised a question regarding a \$7,280 payment to D & H Landscaping, and asked if their contract included maintaining the Appian Way corridor, as she was told it is not on the schedule. Ruport requested a copy of the contract.

Ms. Espinosa confirmed Appian Way was not included in the contract, as there are no median islands on Appian, except for concrete near the freeway.

- C. Approved By Minute Order, the Amendment to Skate Park Design to Remove the Option for Pre-Manufactured Components [Council Report No. 2015-14; Action: Approve Per Staff Recommendation (Allison]]
- D. Adopted **Resolution 2015-10**, Authorizing the Acceptance and Receipt of Measure J 28B Grant Funds [Council Report No. 2015-15; Action: Adopt Resolution Per Staff Recommendation (Allison)]
- E. Authorize the City Manager to Execute a Contract With Sandra Sato To Serve as the Interim Finance Director [Council Report No. 2015-16; Action: Adopt Resolution Per Staff Recommendation (Espinosa)] REMOVED FOR DISCUSSION

<u>Irma Ruport</u>, Pinole citizen, asked if Ms. Sato would work with Mr. Loomis. She expressed concern that the permanent position be well advertised and vetted competitively, and recommended that Mr. Loomis serve as panelist.

Mayor Murray said she would begin to work with Mr. Loomis for a week, and will temporarily fill in interim status.

Mr. De La Rosa said the position is currently being advertised and a professional panel will interview the potential candidates. Hiring is anticipated in July.

Anthony Gutierrez, complained that the report lacked specificity.

ACTION: Motion by Council Member Swearingen / Banuelos, the Council Adopted Resolution 2015-11, Authorized the City Manager to Execute a Contract With Sandra Sato To Serve as the Interim Finance Director

Council Member Green objected to the compensation amount.

Vote: Passed 4-1.

Ayes: Banuelos, Long, Murray, Swearingen

Noes: Green Abstain: None Absent: None

F. Received and Accepted the 2014 General Plan Housing Element Progress Report [Council Report No. 2015-20; Action: Receive & Accept Report (Rhodes)] REMOVED FOR DISCUSSION

Anthony Gutierrez, Pinole citizen, referred to his concerns voiced at the December 2014 Planning Commission meeting regarding Commissioner Toms reference that the water pollution control facility was a JPA. He said the City has not addressed the responsibility to develop a policy regarding how the facility will be allocated. He said his comments were not addressed in the report, and wanted to insure this was on the radar screen and we need to come up with our policies, not be under EBMUD policies.

<u>Winston Rhodes</u>, Planning Manager said there are two processes regarding the housing element moving forward; the Housing Element Update and this matter which relates to the progress of the existing Element, which must be provided to the City Council and the State of California. This report did not address matters Mr. Gutierrez referenced. He clarified for Council that Mr. Gutierrez was referring to the new Housing Element which is a different item, and will be considered by the Planning Commission and ultimately the City Council.

Council Member Green asked the amount of money in the Housing Fund. Ms. Espinosa said she would check with Finance Director Loomis.

ACTION: <u>Motion by Council Member Long / Swearingen, the Council Accepted the 2014</u> Housing Element Progress Report

Vote: Passed 5-0

Ayes: Banuelos, Green, Long, Murray, Swearingen

Noes: None Abstain: None Absent: None

G. Authorize the City Manager Approve Contract with Raney Planning and Management for Environmental Review Services In the Amount of \$36,806, For the Proposed CVS Pharmacy Located at 1617 Canyon Drive And Relocation Of Two Existing Wireless Communication Facilities. [Council Report No. 2015-21; Action: Adopt Resolution Per Staff Recommendation (Rhodes)] REMOVED FOR DISCUSSION

Council Member Long noted the two incorrect references to "Gateway", to insure that all references to Gateway were removed from the Contract.

<u>Anthony Gutierrez</u>, Pinole citizen, asked if Armstrong Development Properties was working under an alias of Gateway, LLC and said the entire report needed to be redone.

Planning Manager Rhodes said all references to Gateway would be substituted with CVS and entered each typo into the record and the correct contract amount of \$36,806.

Mr. Gutierrez objected that the Fiscal Impact was incorrect.

<u>Jim Tillman</u>, Pinole citizen, requested that the item be pulled and rescheduled at the next meeting, stating that the City Attorney approved the contract form and that is should also be checked for legal adequacy.

City Attorney Reyes said he developed a standard template used for contracts, which was used for this item, and has full protection from any liability.

Mr. De La Rosa explained that the Master Fee schedule identifies that the developer pays the full cost of the consultant with the addition of an administrative fee. This is a pass through contract where the City retains the consultant and the developer is responsible for the cost.

Council Member Green said staff needs to be accountable for errors in the report.

ACTION: MOTION BY Council Member SWEARINGEN / LONG, The Council Adopted Resolution 2015-12, Authorizing The City Manager To Execute A Contract With Raney Planning & Management, With The Following Corrections: Replacement Of All

"GATEWAY" References To "CVS" As The Project And Correction Of The Monetary Denomination In The Contract To Reflect \$36,806 In The Contract Documents.

Vote: Passed 4-1.

Ayes: Banuelos, Long, Murray, Swearingen

Noes: Green Abstain: None Absent: None

8. PUBLIC HEARINGS

There were no Public Hearing items.

9. OLD BUSINESS

A. Authorize the City Manager to Execute an Operations and Maintenance Agreement with Contra Costa Transportation Authority for the I-80 Corridor Mobility Project [Council Report No. 2015-17; Action: Adopt Resolution Per Staff Recommendation (Allison]]

<u>Dean Allison</u>, Development Services Director entered Staff report 2015-17 and Exhibit materials into the record. The areas of responsibilities discussed in the agreement lie with the State, CCTA, the cities and County. The cities operate and maintain facilities within the right of way. He summarized the exhibit materials which addressed the responsibilities of the City of Pinole and that of CCTA, which program \$2 Million for reimbursement to jurisdictions. The monies are expected to last fifteen years and when exhausted, there are three options identified for additional funding. The staff recommendation was to authorize the City Manager to execute the agreement, and noted that Pinole was the final agency to bring this contract to their Council. Once approved, the project will be covered for operation and maintenance.

<u>Hisham Noeimi</u>, Engineering Manager, CCTA, responded to a question about the metering device and potential backup on City streets. He said the project was designed with that in mind with sensors installed at all ramps. If the systems were to fail, causing a traffic backup, a phone call to Cal Trans will shut off the metering lights.

Council Member Green said he was under the impression that the ramp at Pinole Valley Road was going to be extended. His concern was that trucks would not be able to reach sufficient speed to merge if they are stopped partially up the grade.

Mr. Noeimi said the percentage of trucks using the ramp was less than one percent, and should not be a problem. If this becomes a problem, CalTrans would shut off the metering lights. He stated that was written in a letter.

Mayor Pro Tem Swearingen said the Council is still concerned with the traffic pattern. He recommended being watchful, and seek a solution, if necessary.

Council Member Banuelos questioned the term of the agreement, thinking it was twenty-five years. Mayor Pro Tem Swearingen said it was reduced to fifteen years.

At the request of Council Member Long, Mr. Allison explained the difference between the City and CalTrans maintenance responsibilities. The City was responsible for cameras, informational signage along the streets, which is reimbursed from CCTA.

Council Member Long questioned how the funding allocation is divided between the cities, to insure that the larger cities do not draw down more than smaller cities. She said all cities should have the same opportunity at the funding.

Mr. Noeimi said the amount allocated to each City has been estimated and established, based on the amount of signage and equipment provided in each city.

Council Member Long asked the City Attorney for confirmation that the agreement can be terminated by the City with thirty days notice. City Attorney Reyes confirmed that was accurate.

Mayor Murray cited the newspaper column this week regarding the lack of synchronization of the signals along San Pablo Avenue and stressed the need for coordination.

Mr. Noeimi confirmed all signals and all arterials will be coordinated as part of the scope of this project, all along San Pablo Avenue. When asked about the average speed they were trying to achieve with this project, Noeimi said the goal was to mitigate the stop and go traffic, and reduce accidents by use of the metering lights and placement of warning signs regarding accidents.

Mayor Murray asked if this would cure cars exiting and reentering the freeway. The response was affirmative.

<u>Anthony Gutierrez</u>, Pinole citizen, asked if the City had other obligations beyond administrative duties.

Mr. Allison said the City operates and maintains equipment, submits invoices to CCTA, maintain records and allows CCTA to audit expenditures for four years. Currently the City contracts with the County and pay to maintain our signals so this program is a win for Pinole.

Mr. Gutierrez raised a question regarding placement of a sign for traffic mitigation on Pinole Valley Road. Mayor Murray said the matter should be brought up another time during Citizens to be Heard.

Being no further questions, the Mayor called for the question.

ACTION: Motion By Council Members Swearingen / Banuelos, The City Council Adopted Resolution 2015-13, Authorized the City Manager to Execute an Operations and Maintenance Agreement with Contra Costa Transportation Authority for the I-80 Corridor Mobility Project for the Equipment in Pinole

Vote: Passed 5-0

Ayes: Banuelos, Green, Long, Murray, Swearingen

Noes: None Abstain: None Absent: None B. Consider Measure S 2014 Prioritization Options [Council Report No. 2015-18; Action: Provide Direction to Staff on Preferable Option (Espinosa)]

Hector De La Rosa, Asst. City Manager presented Council Report 2015-18 into the record. Not asking the Council to make any decisions on conceptual funding, but were seeking input on the conceptual funding plan for the General Fund reserve. During the budget discussions, project funding would be part of the budget process. De La Rosa summarized the guiding principles identified at the last meeting, included in the staff report and in the exhibit materials. He identified \$5.5 Million as the goal for the General Fund reserves. Three options were presented. Option 1, \$461,337, was a 25% annual transfer and would take five years to reach the goal. Options 2 and 3 were fixed dollar amount transfers, which are easier to track. Accumulations of unallocated residuals are available in Option 2 and 3 only, and would generate between \$65,000 and \$186,000 in unallocated residuals in Measure S 2014.

Council questions followed.

Council Member Green asked how the current reserve balance of \$3.2 Million was reached.

Mr. De La Rosa responded that the majority of the funds were from the shopping center (2.2 Million) and the remainder from Return to Source funds.

Mayor Pro Tem Swearingen questioned the math in Option 3 and said the goal would be reached in 7.5 to 8 years. Staff confirmed he was correct.

Mr. De La Rosa said that it was likely there will be other revenues to fund the reserve and if that is the case, more money would remain in unallocated for Measure S projects.

Murray when will we get an answer from the State on the property disposal. Hector said likely June or July, assuming they have minimal to no questions regarding the plan.

The following citizens addressed the Council:

<u>David Ruport</u>, Pinole citizen, spoke to the voting record of Measure S in November, and read the ballot question into the record. He said it seems the City has lost sight of the promises for programs and services listed in the measure.

Mayor Murray said the process is to establish the funding amounts first to determine how the funds would be allocated to programs and services.

<u>Rick Waller</u>, Pinole citizen, thanked Council for replacing some of the carpet at the Senior Center. In his opinion the Senior Center needs to be addressed sooner rather than later.

<u>Carole Nelson</u>, Pinole citizen, addressed the leaky roof and the propensity to someone slipping and falling due to wet floors. She urged Council to address this problem. Facility users have left because of being flooded out. She also asked that the turn arrows to access Charles Avenue be changed to allow more time for turning left San Pablo Avenue.

<u>Laurelle Martin</u>, Pinole citizen, addressed Council and stated support for a small reserve, funding to public safety (police and fire), but was appalled by the misery amount given to Recreation. She said that qualify of life is significant and should be considered, and the programs needed fostering. She said additional staff resources were need in Recreation

/Senior /Youth. She thanked Mr. Allison and Inspector Junior Castro for the tennis court resurfacing.

<u>Diane Walden</u>, Pinole citizen, addressed Council regarding the leaky roof, and urged repair sooner, rather than later.

<u>Virginia Moon</u>, new Senior Club Board member, addressed Council regarding prioritizing the leaky roof at the senior center.

<u>Sidney Thompson</u>, El Sobrante resident, also addressed Council in support of repairing the Senior Center, and spoke to the risks associated with the deferred maintenance at the center.

<u>Anthony Gutierrez</u>, Pinole citizen, addressed Council in support of all options containing a zero contribution from the reserves and from the General Fund reserves. He said the money was not a reserve, it would go back to pay the \$3.5 Million Redevelopment loan. He said Option 3 did not account for any recession, and reminded Council of their outstanding PERB and Verizon lawsuits and that one could also occur with Thomas Properties if the LTPMP does not go well with the State.

Mr. De La Rosa responded, stating the City has unallocated residuals if there was a recession. The Council has set a goal not to deficit spend, and if there is a recession projects would be cut. Regarding the Redevelopment loan, if you look at it similar to a mortgage, paid on a monthly basis, there will be income remaining.

<u>Irma Ruport</u>, Pinole citizen, expressed concern about Measure S, and stated this exhibit appears more like a budget and balancing act. She said the reserves should be thrown out the window, and the money to be allocated as stated in the ballot question. Ruport said she watched the last Council meeting, and commented about hiring a project manager. She suggested reopening Station 74 and City Hall on Fridays, if more staff was hired. She also supported repairing the Senior Center.

Mr. De La Rosa addressed the roof, stating that an independent consultant was retained to evaluate the roof and are awaiting the report. Once received, staff will update Council, and move forward with bid specifications.

<u>Georgia Manessis</u>, Pinole citizen, thanked the City staff for the repairs to the restrooms and the painting to occur the following week. She advised Council of issues related to the fans and grease trap in the kitchen.

Staff requested direction from Council whether to fund projects or build the reserves with Measure S funds.

Council Direction: Regarding whether to fund projects or build the reserve?

Council Member Long commented on the roof and said a good portion of funding has already been set aside in building fund. She believes it is important to build reserves because they also provide essential services down the road. Council Member Long suggested a different direction to fund a ten percent reserve in Years 1 and 2, and increase the percentage yearly to allow more money to be funneled to projects and Public Safety. She said the cost of the Fire Chief was shifted out of Measure S, to free up more for projects. She believes that PCTV should be budgeted in the General Fund; and enhancements from Measure S. If we realize more than \$1.8 in Measure S, any overage should go to reserves.

Council Member Long asked who originated the project list. Ms. Espinosa said it was a compilation from Council, staff and citizen comments.

Council Member Banuelos said at the last meeting he did not think Measure S should be a cash cow for the reserves. He now said a preferable method would be to reduce the reserve allocation and get the big ticket items done sooner. He said he supported Council Member Long's new proposal and was in favor of doing more projects.

Mayor Pro Tem Swearingen favored Option 3. He explained that this plan is not set in stone, and adjustments can be made.

ACTION: <u>At 11 pm, Motion BY Council Member Swearigen/Banuelos, The Council Extended the Meeting to 11:30 PM.</u>

Vote: Passed 5-0

Ayes: Banuelos, Green, Long, Murray, Swearingen

Noes: None Abstain: None Absent: None

Council Member Green did not support using Measure S funds for the General Fund reserve. The first priority should be what was told to the voters when their vote was requested. Council Member Green did not support Options 1, 2 or 3 because they are not fair to the voters. He said the plan should show the amount going to Public Safety.

Council Member Long explained that the reserves also provide a cash flow.

Mayor Murray discussed the basis for the goal of \$5.5 Million in reserves, and using it to fund our operations, while waiting for revenues. He stated support for funding the reserve at some level and identified Option 3 and had interest in the new option for an escalating reserve beginning at 10 percent in year 1. He was also a proponent of paying the debt. Approve the format now and let staff work out the details. He disagreed with Council Member Long regarding cable, as it has been identified by our citizens as essential. He stated a willingness to step down to Option 3.

Council Member Green suggested approving a definition for "reserves." He understood it was untouchable, except for emergencies. He did not support using reserves for cash flow.

Mayor Murray polled the Council

Council Member Green said he did not support taking any money from Measure S for reserves, and supported all Measure S revenues being spent on projects. He also mentioned there were City properties around town that need to be rented.

Mayor Murray commented that the City could not move forward with the properties until the State issues their response to the Long Range Property Management Plan.

Mayor Pro Tem Swearingen said it is prudent to insure solvency and that Measure S funds are spent to the best advantage of the community. He supported Option 3, if it can be adjusted or changed anytime a monetary problem occurs.

Council Member Banuelos also supported Option 3, with some reservation.

Council Member Long supported Option 3 if it starts in Year 2, as she wished to see some projects underway.

City Manager Espinosa said that they cannot get to robust with projects, as resources are limited.

ACTION: <u>Motion By Council Member Swearingen / Murray, the Council Selected Option 3</u>
As the Preferred Plan.

Vote: Failed 2-3

Ayes: Murray, Swearingen

Noes: Banuelos, Long and Green

Abstain: None Absent: None

ACTION: Motion By Council Member Long/Banuelos, the Council Selected Approved a \$200,000 Allocation to the General Fund From Measure S 2014, Commencing in 2016/17.

Vote: Passed 3-2.

Ayes: Banuelos, Long and Green

Noes: Murray, Swearingen

Abstain: None Absent: None

ACTION: <u>Motion By Council Member Banuelos / Swearingen, the Council Extended the Meeting to Complete the Agendized Business</u>

Vote: Passed 5-0.

10. NEW BUSINESS

There were no New Business items.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
 - a. Mayors Conference in Martinez report on Family Justice Centers
- B. Mayoral & Council Appointments
 - Planning Commission Reappointments Commissioners Maureen Toms, Dave Kurrent and Norma Martinez-Rubin [Council Report No. 2015-19; Action: Council Discretion for Appointments (Athenour)]

ACTION: <u>Motion By Council Members Banuelos / Swearingen, The City Council Reappointed Maureen Toms, Dave Kurrent and Norma Martinez-Rubin to Serve A 4-Year Term, May 1, 20 April 30, 2019 on the Planning Commission</u>

Vote: Passed 5-0

Ayes: Banuelos, Green, Long, Murray, Swearingen

Noes: None Abstain: None Absent: None

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C. City Council Committee Reports

Mayor Pro Tem Swearingen passed out the League of Cities letter regarding Oil Transport By Rail Safety Recommendations and asked that Council consider sending a letter supporting the League's position for improving rail safety.

Council Member Banuelos reported on the WPCP Subcommittee meeting regarding permits and the time extension from the Water Board. The Subcommittee also briefly discussed the PLA to consider looking at some deal points to bring back to Council for consideration.

Council Member Long reported that the Pinole Valley High Marching Band was invited to the Chinese New Year's Parade. Regarding the PLA, she reported that there have been no negotiations by the City; Pinole was waiting to hear back from the City of Hercules.

Council Member Green asked if the PLA discussion was the pros and cons or the deal points of the agreement. Staff said it was the deal points of the agreement.

- D. Council Requests For Future Agenda Items
- 1. Execute Letter Supporting Safety Policies for Transporting Oil By Rail (Swearingen)
- E. City Manager Report / Department Staff There were no reports.
- F. City Attorney Report There were no reports.

12. ADJOURNMENT.

At 11:42 p.m., Mayor Murray adjourned the Regular Meeting to the Regular City Council Meeting of April 7, 2015 in remembrance of Amber Swartz, Captain Richard Voisey, Charlene Woolley, wife of former Captain John Woolley.

Submitted by:	
Patricia Athenour, MMC City Clerk	

APPROVED BY CITY COUNCIL: