

**PINOLE CITY COUNCIL  
MINUTES  
DECEMBER 8, 2015**

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

The Special Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the meeting to order at 6:35 PM and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Roy Swearingen  
Mayor Pro Tem Debbie Long  
Council Member Tim Banuelos

COUNCIL MEMBERS ABSENT

Council Member Peter Murray

B. STAFF PRESENT

Michelle Fitzer, City Manager  
Hector De La Rosa, Assistant City Manager

The Agenda was posted on December 3, 2015 at 5:00 P.M. All legally required notice was provided. The Council Members had no conflicts with the item on the Agenda.

**3 BUSINESS ITEM – CITY COUNCIL INTERVIEWS**

Staff advised that applicant Carol Thompson withdrew her application earlier in the afternoon, and did not participate in the interview process.

Public comments were taken prior to the interview portion of the meeting. The following speakers addressed the Council:

**Sandee Glanz**, Pinole citizen, addressed Council and stated support for Maureen Toms due to her familiarity with City and service on the Planning Commission.

**Julie Maier**, Pinole citizen, addressed Council and said the appointee should be someone that Council Member Green would have wanted to carry his legacy. She said politics should not enter into the appointment and encouraged the Council to carefully consider who Council Member Green and his supporters would want.

A. City Council Interviews

Interviews for the Selection and Appointment of a Council Member To Fill the Vacant Office for An Approximate One-Year Term, Until the Certification of the November 8, 2016 Election [**Action: Conduct Interviews; Possible Appointment or Agendize for Consideration at the December 15, 2015 Regular Meeting**]

Five minutes were allotted for each applicant to provide candidate statements.

1. Warren T. Clayton

Mr. Clayton reiterated his responses on the application document. He said his concerns included costs and fiduciary responsibility. Mr. Clayton said he was a twenty-five year resident of Pinole.

2. Maureen Toms

Ms. Toms provided background information. She was born and raised in Pinole and became involved in Pinole politics early, and spoke of her experience in park measures. Ms. Toms graduated from Pinole Valley High, and received her degree from Cal State Hayward. She discussed her local government experience spanning twenty-five years and participated in many levels of local government including planning matters, schools, development and park improvements.

Council comments and questions followed.

Mayor Swearingen addressed the time commitment of a Council member and discussed the responsibilities and the importance of reading and reviewing the reports prior to the meeting, as well as describing the many public activities. Both applicants stated that they had sufficient time to meet the requirements of the position.

Mayor Pro Tem Long explained how one member could be in a minority position and that it was difficult not to just give over your vote to the majority and it was more important to hold your position, but still work with the rest of the Council on all matters.

Ms. Toms discussed her experience on the Planning Commission and the Pinole Oversight Board to the former City of Pinole Redevelopment Agency and explained that a member could be influenced by the majority, but if he/she is familiar with the case, has a basis for the position, should stand convictions and vote accordingly and not be dissuaded by influence.

Mr. Clayton said he prided himself as an independent thinker, sometimes to his detriment that he holds his ground and expresses his opinions and believed in democracy and majority rules

Mayor Pro Tem Long stated that a lot of time is given to community input and asked at what time do you feel it is appropriate to share information with Council and staff?

Mr. Clayton said it should be done at a Council meeting.

Ms. Toms stated that the Planning Commission had encountered such issues and said that everything does not have to be voiced to the Council and supported providing information to staff to avert surprises at Council meetings.

Council Member Banuelos asked both applicants what they felt were the main issues affecting Pinole.

Mr. Clayton responded that it was the cost of governance and the allocation from the taxpayers. He referred to the former Redevelopment project adjacent to Sugar City and said it was not the best use of the money, in his opinion.

Ms. Toms responded that the budget was the main issue, and supported a responsible method of budgeting for all City services. The budget must be sustainable and include a climate action plan. Other important goals are economic development, increasing the tax base and improving transportation.

Council Member Banuelos asked the applicants for their understanding of past and current state of affairs ending Redevelopment.

Ms. Toms said the City just past a huge hurdle to obtain an approval of the Long Range Property Management Plan and provided an explanation of that action. Redevelopment had provided an additional revenue stream, but with the approved LRPMP, the City would still receive 10-23% of the tax revenue.

Mr. Clayton said if he had been on Council when Redevelopment was first proposed he would not have voted in opposition to it. His opinion was that Pinole did not need Redevelopment funds and said when you get monies from the State and Federal government, there are always strings attached.

Mayor Pro Tem Long asked how they would handle receipt of calls from developers when their projects are under consideration.

Mr. Clayton said he was opposed to discussing their development and would not participate. He said that was a prohibition of the Brown Act and AB 1234.

Ms. Toms said she as an elected, she felt it was acceptable to meet with an applicant proposing a project and the suggestions and input might help a developer to amend and improve the plan. A meeting with an individual elected member would not be a Brown Act violation.

Council Member Long asked if they had an opportunity to review the FY 2015/16 budget and if they had any comments.

Ms. Toms said she reviewed the budget in May and June prior to the adoption and noted a lot of revenue sources have strings attached and it can be complicated but was not aware of any restrictions.

Mr. Clayton said he had not reviewed the budget in depth.

Mayor Pro Tem Long directed a question only to Mr. Clayton, noting that he was Pinole's delegate on the Mosquito & Vector Control Board and asked about his background. To that Mr. Clayton responded that his background was twenty years in quality control/assurance. HE attended Cal State Hayward and was raised in Richmond.

Council Member Banuelos asked their opinions of the status of the Public Safety Departments.

Mr. Clayton said he was somewhat unfamiliar and did not wish to comment.

Ms. Toms mentioned the retirement of the Fire Chief, the possibility of Station 74 opening and said she had not researched the labor agreements. The Police Department has great partnerships and collaboration with the community.

Mayor Swearingen closed with the final question, asking about ways to improve the community going forward. There is currently a reasonably solvent budget and future to grow financially.

Ms. Toms said methods to grow the budget include retaining the existing and growing the tax base, economic development on vacant sites, responsible planned and the addition to the tax rolls would provide for a balanced budget.

Mr. Clayton spoke to a conversation with a community member regarding Pinole's growth with a projected 3,000 increase in population. He would look to ways to control costs and minimize increases in taxes.

Council Action: No action taken at the meeting. The Council directed to agendize the appointment at the December 15, 2015 Regular Meeting when Council Member Murray would be present to also weigh in and vote.

#### **4. ADJOURNMENT**

At 7:07 p.m., Mayor Swearingen adjourned the meeting to the Regular Meeting of December 15, 2015 in remembrance of Amber Swartz.

**Submitted by:**

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**Patricia Athenour, MMC  
City Clerk**

**APPROVED BY COUNCIL:**