

**PINOLE CITY COUNCIL  
MINUTES  
September 6, 2016**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the meeting to order at 5:33 PM and led the Pledge of Allegiance.

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

*An official who has a conflict must, prior to consideration of the decision: (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself /herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov't Code § 87105.*

**A. COUNCIL MEMBERS PRESENT**

Mayor Roy Swearingen  
Mayor Pro Tem Debbie Long  
Council Member Tim Banuelos (**Arrived at 7:00 pm**)  
Council Member Peter Murray  
Council Member Maureen Toms

**B. STAFF PRESENT**

Hector De La Rosa, Assistant City Manager  
Ben Reyes, City Attorney  
Neil Gang, Police Chief  
Tamara Miller, Development Services Director/City Engineer

Assistant City Manager/Deputy City Clerk De La Rosa announced the Agenda was posted on September 1, 2016 at 4:00 P.M. All legally required notices were provided. The Council stating there were no conflicts with any items on the agenda.

**3. CONVENE TO A CLOSED SESSION**

At 5:35 p.m., Mayor Swearingen convened the Noticed Closed Session to discuss the following item(s).

**A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Gov. Code § 54956.9(d)(2)  
Number of Potential Cases: 1

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Gov. Code §54956.8**

Property Locations: 1289 Pinole Valley Road/401-211-033  
City Negotiator: Michelle Fitzer, City Manager & Hector De La Rosa,  
Assistant City Manager  
Negotiating Parties: Scott Lee  
Under Negotiation: Price & Terms

- C. **PUBLIC EMPLOYMENT**  
Gov. Code § 54957  
Title: City Clerk

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

At 7:03 p.m., Mayor Swearingen reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS.

**5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

- A. Proclamations
  - a. Bay Day - October 1, 2016
  - b. Freedom from Workplace Bullies Week October 15-22, 2016

Mayor Swearingen read the Proclamations into record.

- B. Presentations / Recognitions
  - a. Pinole Assisted Living Facility - Alzheimer's

Mayor Swearingen deferred the item because Mrs. Gesselman was not present.

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

The following speaker addressed the City Council:

Jeff Rubin, President of the Pinole Historical Society, informed the City Council of their 3<sup>rd</sup> Quarter meeting to be held on September 9th.

**7. CONSENT CALENDAR**

**ACTION: Motion by Council Members Murray/Long Approving the Consent Calendar Items 7A-E.**

**Vote:**

<b>Passed:</b>	<b>5-0</b>
<b>Ayes:</b>	<b>Swearingen, Murray, Long, Toms, Banuelos</b>
<b>Noes:</b>	<b>None</b>
<b>Abstain:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

- A. Approve the Minutes of the Meeting of August 16, 2016
- B. Receive the August 13, 2016 – September 2, 2016 Lists of Warrants and the August 26, 2016 Payroll in the Amount of \$ 330,159.29
- C. Approve the Amendments to PERS Health Insurance Cap Effective 1/1/2017 for Local 1, AFSCME, Management and Unrepresented/Confidential Employee Groups and Elected Official Group [**Action: Adopt 5 Resolutions Per Staff Recommendation (De La Rosa)**]

- D. Accept a Donation of Two Tables at the Skateboard Park [**Action: Adopt Resolution Per Staff Recommendation (T. Miller)**]
- E. Award a Bid for Sewer Camera Equipment in the amount of \$63,690.68 to 3T Equipment Company Inc. in Santa Rosa, California [**Action: Adopt Resolution Per Staff Recommendation (T. Miller)**]

**8. PUBLIC HEARINGS**

**9. OLD BUSINESS**

- A. Discuss Future Uses of the Faria House Located at 2100 San Pablo Avenue [**Action: Receive Reports Provide Direction (H. De La Rosa)**]

Assistant City Manager Hector De La Rosa, presented the report citing a history of discussion on the possible uses of the Faria house which included a mix of commercial and residential uses, to public uses such as a museum or Chamber of Commerce offices.

At 7:20 pm, Mayor Swearingen allowed comments from the public.

**George Vincent**, spoke to the former Pinole Historical Commission formation and urged the City Council to move forward with dedicating the Faria House as a museum.

**Dolores Lucas**, supported the Faria House as only a museum. Inquired about the location of the stain glass windows, door, and hall light left as part of the house when the family moved out.

**Stella Faria**, read in to the record a brief history of the Faria House and the family. Encouraged the City to dedicate the Faria House as a museum.

**Jeff Rubin**, read a couple of responses from citizens on his facebook post of a historic building in Pinole. Stated that he hopes to establish a museum at the Faria House.

**Jack Meehan**, responded to a question raised on a former agreement for the operations and maintenance of the Faria House if it was a museum. Encouraged the City to provide advice on formation of a Foundation for fundraising purposes.

At 7:44 pm, Mayor Swearingen closed the public comment period.

The City Council members asked a couple of questions and each individually stated they supported the Faria House as a museum. Directed staff to draft a Letter of Intent so that the Pinole Historical Society could seek grant funding.

**ACTION: Motion by Council Members Long/Banuelos to use the Faria House as a Museum, draft a Letter of Intent and obtain a cost estimate on the needed improvements to the house.**

<b>Vote:</b>	<b>Passed:</b>	<b>5-0</b>
	<b>Ayes:</b>	<b>Swearingen, Murray, Long, Toms, Banuelos</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>None</b>

- B. Review and Discuss Recreation Subcommittee's Conversation related to Activities and programs at the Tiny Tots, Youth Center and Senior Center Facilities **[Action: Receive and provide Staff with Direction (R. Johnson/H. De La Rosa)]**

Recreation Manager Rochelle Johnson presented the report recapping discussion by the Subcommittee on the activities to the Recreation programs.

Mayor Pro Tem Long elaborated on the subcommittee's meeting and discussions.

Councilmembers inquired about the true cost to run the recreation program, programs the City provides versus those provided by the YMCA, affordability of programs and the need for future discussion on financial support from the General Fund and the amount.

## 10. NEW BUSINESS

- A. Receive an Update on the Development and Adoption of a Green Infrastructure Plan as part of the requirements of the Contra Costa County Municipal Stormwater Permit 2.0 **[Action: Receive Reports (T. Miller)]**

Community Development Director/City Engineer Tamara Miller presented the report citing changes to the Storm Water Regulations which will require the City to develop and adopt a Green Infrastructure Plan to divert stormwater to green landscaping for percolation purposes.

## 11. REPORTS & COMMUNICATIONS

- A. Mayor Report
  - 1. Announcements

Mayor Swearingen stated that he along with Mayor Pro Tem Long and Assistant City Manager attended the Mayors Conference in El Cerrito. Also, stated that the City should set funding aside to attend the League of California Cities Annual Conference.

- B. Mayoral & Council Appointments

None

- C. City Council Committee Reports & Communications

Councilmember Murray Invited the public to attend the Coastal Clean Up event on September 17<sup>th</sup> from 8am - 12 pm.

Mayor Pro Tem Long stated she attended the Finance Subcommittee meeting with Mayor Swearingen, sent Lisa Leblanc an email requesting a 3-week look forward schedule on the High School project, saw the donated tables at the skatepark which need maintenance, noticed a crack on the concrete at the skatepark, noted that maintenance at Fernandez Park is needed, and stated that it appears as if someone is sleeping behind the Collins house.

Mayor Swearingen announced Dumpster Day on September 24<sup>th</sup> at Pinole Valley Park starting at 8 am.

D. Council Requests for Future Agenda Items

Mayor Pro Tem Long requested a discussion on metering lights.

Mayor Swearingen said he would like to see a policy honoring citizens with a plaque and relooking at the street naming policy.

E. City Manager Report / Department Staff

None

F. City Attorney Report

None

**12. ADJOURNMENT** to the regular City Council Meeting of September 20, 2016.

At 9:42 p.m., Mayor Pro Tem Long adjourned the Regular Meeting of September 6, 2016, in Remembrance of Amber Swartz and military lost in foreign countries.

**Submitted by:**

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**Hector De La Rosa**  
**Assistant City Manager/Deputy City Clerk**

**Approved by City Council:**