

**PINOLE CITY COUNCIL
MINUTES
FEBRUARY 7, 2017**

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS**
2. **ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT**
 - A. COUNCIL MEMBERS PRESENT

Mayor Debbie Long
Mayor Pro Tim Banuelos (arrived at 5:40 p.m.)
Council Member Peter Murray
Council Member Roy Swearingen
Council Member Maureen Toms

- B. STAFF PRESENT

Michelle Fitzer, City Manager
Benjamin T. Reyes, City Attorney
Hector De La Rosa, Assistant City Manager
Neil Gang, Police Chief
Tamara Miller, Development Services Director

City Clerk Acosta announced the agenda was posted on Thursday, February 2, 2017 at 4:00 P.M. with all legally required notices.

Following an inquiry by the City Clerk, the Council Members stated there were no conflicts on any items on the agenda.

3. **CONVENE TO A CLOSED SESSION**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

- A. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Gov. Code §54597.6
City Labor Negotiators: Hector De La Rosa, Assistant City Manager and Labor Negotiator Bruce Heid, IEDA
Employee Organizations: Fire Local 1230
Pinole Police Employees Association (PPEA)
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Gov. Code §54956.8
Property: Pinole Assisted Living Community
Negotiator: City Manager Michelle Fitzer
Negotiating Parties: Pinole Assisted Living Community
Under Negotiation: Terms
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Gov. Code §54956.8
Property: Pinole Shores Business Park Phase II / APN: 402-230-020, 402-230-018, 402-230-017, 402-230-016, 402-230-015, 402-230-022
Negotiator: Assistant City Manager Hector De La Rosa
Negotiating Parties: Jordan Lim, Pro2 Solutions and Steve Thomas, Thomas Properties
Under Negotiation: Terms

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

At 7:12 p.m., Mayor Long reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS.

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

- A. Proclamations – none
- B. Presentations / Recognitions
 - a. Introduced Interim Fire Chief Aaron McAlister

Interim Fire Chief McAlister introduced himself to the City Council and stated that he is working closely with his staff. City Manager Fitzer welcomed and thanked him for his dedication to the team and to the City during his interim appointment.

6. CITIZENS TO BE HEARD (Public Comments)

The following speaker addressed the City Council:

James Tillman, Pinole citizen, addressed Council, expressed concerned about the inequity of the potential contract agreement between The City of Hercules and the City of Pinole Water Pollution Control Plant Facilities.

Ruskin Hartley, Pinole citizen and member of the Planning Commission addressed Council, requesting that Council consider adopting an ordinance as a Sanctuary City to welcome immigrants to his community. Proud to be a citizen of this community in a city that values tolerance and is a diverse community.

7. CONSENT CALENDAR

Items 7C and 7D were removed at the request of citizen, James Tillman, who stated his disapproval of these item.

ACTION: Motion by Council Members Swearingen/Murray Approving the Consent Calendar Items 7A-B

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

- A. Approved the Minutes of the Regular Meeting and Special Meeting of January 17, 2017
- B. Received the January 14, 2017 – February 3, 2017 Lists of Warrants and the January 27, 2017 Payroll in the Amount of \$363,710.44

ACTION: Motion by Council Members Swearingen/Banuelos Approving the Consent Calendar Items 7C-D

Vote:	Passed:	5-0
	Ayes:	Banuelos, Murray, Long, Swearingen, Toms
	Noes:	None
	Abstain:	None

Absent: None

- C. Introduced A Resolution Amending the City of Pinole's Master Fee Schedule
[Action: Adopt Resolution Per Staff Recommendation (B. Reyes /W. Rhodes)]
- D. Second Reading and Adoption of Zoning Code Amendment to Modify Section 17.10.070 of the Zoning Code Amending the Zoning Code Appeals Process for Council Members
[Action: Approve Ordinance 2017-XX (B. Reyes / W. Rhodes)]

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- A. Consider Letters of Support for AB1 and SB1 Regarding Transportation Funding
[Action: Provide Direction or Authorize the Mayor to Sign Letters (Fitzer/T. Miller)]

City Manager Fitzer and Development Services Director Miller presented the report and provided an overview of the current bills. The League of CA cities is requesting letters of support and if passed the City will expect to receive \$651,000 annually.

The Council discussed their concerns with the proposed bills due to language ambiguity and future funding allocation.

James Tillman, Pinole citizen, addressed Council, stating he does not support the City's name attached to these bills.

Jack Meehan, Pinole citizen, addressed Council, stating he does not support the City's name attached to these bills.

No action was taken. Council referred the matter back to staff and asked that the item be brought back for future consideration.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements

Mayor Long attended the Contra Costa Mayor's Conference and thanked staff for their hard work in preparing for the event. She was pleased with the presentation given by Deputy District Attorney Yancey on Senior Scams. She would like to have a televised presentation given to the Senior Foundation via the Seniors Club. She stated that she received a letter from a concerned resident regarding increase of trash near Sprouts and Starbucks. She requested that the Public Works Department inspect and install trash receptacles as needed in the area.

Mayor Long stated that the Elk's Lodge will be hosting Law Enforcement Night dinner and recognizing Officer Kyle Breckenridge as Officer of the Year. She also invited the community to join the Rotary Club's Crab Feed for Safety Personnel on February 18, 2017.

- B. Mayoral & Council Appointments – None
- C. City Council Committee Reports & Communications

Councilmember Toms attended the League of CA Cities Environmental Policy Committee on January 20th discussed topics such as CEQA updates and Rising Tides in Bay area. She also attended the ABAG General Assembly and will be attending the WESTCAT meeting. She stated that leadership role opportunities would be limited with term limits.

Councilmember Murray attended the West Contra Costa Integrated Waste Management Authority meeting and apprised Council on status of the Joint Exercise of Powers Agreement (JEPA).

Mayor Pro Tem Banuelos attended the League of California Cities meeting and the Mayors' Conference. He requested a proclamation at a future meeting for Kaiser's volunteer, Werner McMains.

Councilmember Swearingen attended the West County Transportation Advisory Committee and apprised Council of the current projects. He thanked staff on a job well done in organizing the Mayors' Conference.

- D. Council Requests For Future Agenda Items

Councilmember Swearingen requests a report on the condition, age and cost of repairs for the bridge on San Pablo Avenue. (5-0)

Councilmember Murray would like a report on the status of Alhambra Valley Road and plans for future repair. (5-0)

- E. City Manager Report / Department Staff – None
- F. City Attorney Report – None

12. ADJOURNMENT to the Regular City Council Meeting of February 21, 2017

At 8:58 p.m., Mayor Long adjourned the Regular Meeting of February 7, 2017, in Remembrance of Amber Swartz, former City Attorney Wayne Smith and our Military personnel all around the world.

Submitted by:

Rosa G. Acosta
City Clerk

Approved by City Council: