PINOLE CITY COUNCIL
MINUTES
MARCH 7, 2017

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 6:40 p.m.)
Council Member Peter Murray
Council Member Roy Swearingen
Council Member Maureen Toms

B. STAFF PRESENT

Michelle Fitzer, City Manager
Eric Casher, 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, March 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

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)

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

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

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations
a. Proclamation presented to Patty Nichols and Elizabeth Whitford of the American Red Cross in Honor of American Red Cross Month

Mayor Long presented a Proclamation establishing March 2017 as American Red Cross Month in the City of Pinole.

Elizabeth Whitford, an American Red Cross Volunteer, accepted the Proclamation on the Organization's behalf and thanked Council for the recognition. She discussed the Red Cross' important work within our community.

b. Proclamation presented to Officer of the Year Kyle Breckenridge

Mayor Long presented a proclamation to Officer Kyle Breckenridge. Officer Breckenridge thanked the community and Council for the recognition.

c. Proclamation presented to Firefighter of the Year Captain Jim Brooks

Mayor Long presented a proclamation to Firefighter of the Year Captain Jim Brooks. Captain Brooks thanked the community and Council for the recognition.

B. Presentations / Recognitions

a. Presentation of the West Contra Costa High-Capacity Transit Study by WCCTAC

John Nemeth, Director of WCCTAC, introduced Rebecca Kohlstrand, Project Manager, who provided the City Council with an update on the West Contra Costa High-Capacity Transit Study. Ms. Kohlstrand stated that the study was conducted to alleviate congestion on I-80 and BART. The study area includes the regional corridor I-80 and West County along San Pablo Avenue (southern to northern end). The study is advancing six alternatives such as Express Bus, Bus Rapid Transit (BRT); Commuter Rail and BART. All the information pertaining to this study will be available on the website for members of the public. Ms. Kholstrand also requested 1) the Council provide feedback on the presentation 2) members of the public provide input to WCCTAC. She stated that WCCTAC will continue to do presentations to surrounding cities within the next few weeks. A draft WCCTAC plan will be presented to the Board in April for review.

Council members asked several questions and stated their concerns regarding proposed extensions at Appian Way/I-80 due to parking and site restrictions. They stated their desire to alleviate the current congestion at BART's El Cerrito del Norte service. Council expressed their appreciation for being able to provide input and noted that all projects will have a cost implication that may impact residents and it is important to inform the community.

The following speakers addressed the City Council:

Jack Meehan, Pinole citizen, addressed Council, expressed concern about future projects and asked Council to consider placement of project.

Keri Cummings, Pinole citizen, addressed Council, expressed her support and concern on imminent domain of the future placement of BART station at Appian Way.

b. Presentation on the Status of the Water Pollution Control Plant Upgrade Project

Tamara Miller, Director of Public Works provided an update on the Wastewater Pollution Control Plant Upgrade project. Council asked questions and received responses. Council thanked staff for their diligence and highlighted that the project has been running smoothly. Mayor Long responded to a citizen's request to review the Joint Powers Agreement between the City of Pinole and City of Hercules, Council will not be amending the contract at this time, due to current project construction. Council directed staff to place this contract for future review, after the project is complete.

6. CITIZENS TO BE HEARD (Public Comments)

Councilmember Toms stated her concern about not being in compliance with the Brown Act by not allowing members of the public to pull Consent Agenda items for comment. Mayor Long stated that she has consulted with the City Manager recently and that the action pertaining to public comment is consistent with policy as adopted by the majority of the Council.

Jack Meehan, Pinole citizen, addressed Council, to request clarification on definition of the Solid Waste Water Fund item 7E pages 66-89.

Andrea Miller, Finance Director, stated that this is a special revenue fund that receives revenue from Republic Services and WCCIMA for solid waste capital projects. It is not a sewer fund and the word "Water" will be removed from the CAFR next year to reflect, "Solid Waste Fund".

7. CONSENT CALENDAR

A. Approved the Minutes of the Meeting of February 21, 2017

B. Received the February 18, 2017 – March 3, 2017 Lists of Warrants and the February 24, 2017 Payroll in the Amount of $339,254.65

C. Approved Placement Of Liens For Delinquent Unpaid Waste Collection Charges Falling Delinquent Between September & December 2016, Considered At An Administrative Hearing On February 2, 2017 **[Action: Adopt Resolution Per Staff Recommendation (R. Acosta)]**

D. Second Reading and Adoption of Ordinance to Amend Municipal Code Section 2.04.160 to Increase the City Manager's Signing Authority for Purchases and Contracts to $45,000
[Action: Waive 2nd Reading and Adopt Ordinance Per Staff Recommendation (M. Fitzer)]

E. Received City of Pinole's Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2016
[Action: Review and Accept Per Staff Recommendation (A. Miller)]

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

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

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

None

10. NEW BUSINESS

A. Discuss Traffic and Pedestrian Safety Committee recommendations and provide direction to staff
[Action: Receive report and Provide Direction (T. Miller)]

Development Services Director/City Engineer Tamara Miller presented the report and discussed the committee's recommendations with Council. She stated that the Department of Public Works staff issued notifications to all potentially affected residents and businesses to provide an opportunity for public comment.

Council members asked questions and discussed their concerns with the proposed red curb installation at Pinole Valley Road and Rafaela Street, in specific how this action would affect residents of the area. Council requested that the proposed red curb on Pinole Valley Road at Rafaela Street be shortened to red curb at the corner of the intersection for minor impact to residents and businesses.

Matt Avery, Pinole citizen, addressed Council, stating his opposition to the installation of red curb at Pinole Valley Road and Rafaela Street.

Charles Anderson, representative of WESTCAT, addressed Council stating his support for the installation of red curb at San Pablo Avenue and Walter Avenue.

ACTION: Motion by Council Members Toms /Banuelos to approve red curb installation at Henry Avenue at Pinole Valley Road; Walters Avenue at San Pablo Avenue and a shortened red curb portion of Pinole Valley Road at Rafaela Street.

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

11. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Long and Mayor Pro Tem Banuelos attended Ellerhorst Elementary and judged student participants for Black History Month Poster contest. Listed are the winners and their respective categories: Kindergarten - Hayley Lu (2nd Place) and Teresia Rho (1st place); Second Grade - Oreli Horta (2nd Place) and Jayson Cornels (1st Place); Fourth Grade - Lalo Horta (2nd Place) and Zhuri Ruffis (1st Place); Sixth Grade - Ayana Ruffin (2nd place) and Meme Gonzalez (1st place). The Essay Contest winners were Jayhanna Dizon (2nd Place) and Claire Ngugi (1st place). Congratulations to all! She also attended the Cabaret Performance and the Mayors' breakfast. Mayor Long informed the Council that she has requested City Manager Fitzer to evaluate PG&E expenses for City facilities and to provide an update to Council on cost reduction recommendations.

B. Mayoral & Council Appointments

None

C. City Council Committee Reports & Communications

1. Community Service Commission Appointments **[Action: Council Discretion (Interview Subcommittee)]**

Councilmember Swearingen forwarded a recommendation from the Interview Subcommittee to appoint Emily Ricketts and Tamira Jones to the Community Services Commission to serve two year terms.

ACTION: Motion by Mayor Long/ Councilmember Swearingen, the Council accepted the recommendation of the Interview Committee, and appointed Emily Ricketts and Tamira Jones as the Community Services Commissioner.

Vote: Passed 5-0

Councilmember Swearingen attended the "Path to Transit" ribbon cutting in Hercules. The "Path to Transit" is reference to Hercules Regional Intermodal Transportation Center with trans-bay ferry service, a Capitol Corridor train stop, and a bus terminal that the city envisions for its waterfront.

Mayor Pro Tem Banuelos attended the Mayors Conference.

D. Council Requests For Future Agenda Items

Councilmember Swearingen requested a future evaluation of the Food Truck permit process for the City of Pinole. (5-0)

E. City Manager Report / Department Staff

None

F. City Attorney Report

City Attorney Casher stated that the Municipal Update Subcommittee comprised of Mayor Pro Tem Banuelos and Councilmember Toms met on March 6, 2017. The committee will be recommending two ordinance updates that will be brought to Council on the March 21, 2017 meeting.

12. ADJOURNMENT

At 10:15 p.m., Mayor Long adjourned the Regular Meeting of February 7, 2017, in Remembrance of Maurine (Reen) Thiesing, Amber Swartz, and our Military personnel all around the world.

Submitted by:

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Rosa G. Acosta
City Clerk

Approved by City Council: