

**PINOLE CITY COUNCIL
MINUTES
September 19, 2017**

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

Mayor Long called the meeting to order in honor of the US military at 6:02 PM and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Debbie Long
Mayor Pro Tem Tim Banuelos (arrived at 6:25 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
Tamara Miller, Development Services Director
Rosa Acosta, City Clerk

Assistant City Manager/Deputy City Clerk De La Rosa announced the agenda was posted on September 14, 2017 at 4:00 P.M. All legally required notices were provided. The Council responded to the City's Clerk question, stating there were no conflicts with any items on the agenda.

Deputy City Clerk De La Rosa announced the following documents were presented subsequent to the publication of the agenda and provided at the dais for the Council and copies at the rear of the Chamber for the public.

- Item 5B – PowerPoint presentation Quarterly WPCP Project Update

3. CONVENE TO A CLOSED SESSION

At 6:04 p.m., Mayor Long convened to a Noticed Closed Session to discuss the following items:

- A. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Gov. Code §54597.6
City Labor Negotiators: Bruce Heid and Hector De La Rosa, Assistant City Manager
Employee Organizations: Fire Local 1230
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

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

At 7:18 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 to Pinole Valley High School in recognition of its 50th Anniversary

Mayor Long presented a proclamation to Principal, Kibby Kleiman of Pinole Valley High School (PVHS) recognizing their 50th year anniversary. Principal Kleiman thanked the Council for the recognition and spoke in remembrance of Coach Jerry Deuker who began his career with PVHS in 1967 and ran a successful athletic program for students for 37 years. He was a great mentor and contributor to students and the community. Students and faculty of PVHS will honor and remember Coach Deuker for his countless contributions. “A fallen Spartan will never be forgotten”!

B. Presentations / Recognitions

- A. Quarterly WPCP Project Update by Project Manager Mike Warriner

Project Manager Mike Warriner provided an update to the Council on the status of the Pinole-Hercules Water Pollution Control Plant Upgrade Project. He stated that the structures are 95% complete with active phases of construction within budget. The project is on schedule for completion on October 28, 2018 and final completion date of December 26, 2018. Mayor Long stated that at this time local hires are at about 25% Pinole and Hercules residents.

6. CITIZENS TO BE HEARD (Public Comments)

The following speaker addressed the Council,

Bob Kopp, resident of Pinole, addressed Council and reported that the Coastal Cleanup was a success with 95-100 volunteers. He reminded community members that Dumpster Day will be held on Saturday, September 23rd from 7:30 a.m. to 11:30 a.m. and Congressman Mike Thompson Family BBQ event on Sunday, September 24th in Crockett, tickets still available for purchase.

Justin Takacs, member of the Pinole Police Department, addressed Council and the community to invite them to an upcoming national program called “Paws on Patrol” on October 14th at 1:00 p.m. following the Police Citizens’ Academy at the Police Department in the Alex Clark Room. The program relies on residents, specifically pet owners, to be the extra set of eyes and ears within their neighborhoods. Please contact Crime Prevention Unit members Sandra Trevino and Natasha Valdepena at 510-724-8961 to RSVP for the event. Announcements will be advertised on all social media sources, Pinole TV scroll, City Manager’s report and Crime Prevention Bulletin.

Eve Perez, Director of Government Affairs for Ygrene Energy Fund, requested an opportunity to present to Council additional information of the programs available to the community of Pinole.

7. CONSENT CALENDAR

- A. Approved the Minutes of the Meeting of September 5, 2017
- B. Received the September 2 - 15, 2017 List of Warrants and the September 8, 2017 Payroll in the Amount of \$353,355.75

Council member Murray requested clarification for expenses paid to Home Depot USA, Inc. listed on the Warrant Listing page 7 of 25 as cancellation of permit fees. Community Development Director/City Engineer Tamara Miller stated that this was a building application and Home Depot was the chosen contractor for window installation, this item is a correction of permit fees.

ACTION: Motion by Council Members Murray/Swearingen, the Council Approved the Consent Calendar Items A-B.

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

8. PUBLIC HEARINGS

- A. Introduction and First Reading of an Ordinance Reauthorizing the City's Public Educational, and Government (PEG) Fee on State Cable Franchisees Operating Within the City and Amending Section 13.18.620 of the Pinole Municipal Code Related to PEG Fees
[Action: Approve First Reading Per Staff Recommendation (Casher)]

City Attorney Casher presented the report.

At 8:05 pm, Mayor Long opened the Public Hearing, and having no speakers, at 8:05 pm, Mayor Long closed the Public Hearing.

ACTION: Motion by Council Members Swearingen/Toms, to reauthorize and amend Pinole Municipal Code Section 13.18.620 relating to the City's public, educational, and government (PEG) fee on state cable franchises operating within the City.

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

9. OLD BUSINESS

None

10. NEW BUSINESS

- A. Confirm the City Manager's Authority to Provide Management Merit Increases Already Budgeted in FY 17/18, per SB 1436
[Action: Approve Resolution Per Staff Recommendation (Fitzer)]

City Manager Fitzer presented the report and stated that in accordance with the new legislation, SB 1436, changes to the management employee's salaries and benefits must now be "announced" at a public meeting before the final approval.

The following speaker addressed the Council,

Vincent Wells, representative of Local 1230, addressed Council to express his concern about management increases of approximately \$40k with combined merit and COLA increases. He requested that Council consider giving members of Local 1230 a substantial salary increase as given to management staff.

Mayor Long questioned management increases and clarification of merit vs. step increases. City Manager Fitzer stated that step increases are merit based increases. She stated that management employees receive the compensation of the AFSCME bargaining unit. City Manager Fitzer will reach out to Mr. Wells to further discuss his concerns and will provide Council a follow up with the outcome of the discussion.

ACTION: Motion by Council Members Swearingen/Banuelos to confirm the City Manager's authority to provide Management merit increases already budgeted in FY 17/18, per SB 1436.

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

- B. Consider Letter of Support for SB 231 Regarding Stormwater Funding Options
[Action: Approve Authorization of Signature by Minute Order (T. Miller)]

Community Development Director/City Engineer Tamara Miller presented the report and requested Council's support in approving the draft letter of support for SB231 regarding storm water funding options. This bill would amend definition of "sewer" in the Proposition 218 Omnibus Implementation Act to include storm water drainage systems. This change would allow local governments to finance storm water projects using the existing transparency and accountability requirements that currently exist under Proposition 218. Council asked questions and received responses.

ACTION: Motion by Council Members Toms/Banuelos to approve the letter of support for SB231 regarding storm water funding options.

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

Abstain: None
Absent: None

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 1. Announcements

Mayor Long stated her concern with water infiltration into the City's sewer system. Community Development Director/City Engineer Tamara Miller stated there was discussion at the Wastewater Subcommittee and at this time staff is considering contracting out services for camera review of sewer lines. She requested clarification of fund allocation for the Veteran's Day telecast. Assistant City Manager De La Rosa stated that in past years fees have been waived and will be waived again this year, the event will be broadcasted as a City sponsored event. Mayor Long attended the League of California Cities and provided an update to Council.

- B. Mayoral & Council Appointments

None

- C. City Council Committee Reports & Communications

Councilmember Toms attended the City Municipal Code Update Subcommittee meeting and provided an update to Council.

Councilmember Murray thanked Council, Stephanie Downs and Eric Casher of the City Attorney's office, City staff of the various departments, the Community Service Committee members, and donors for their support and efforts during the Coastal Cleanup event. He informed the public that the City of Pinole will be hosting Dumpster Day on Saturday, September 23rd. He attended a meeting with Mayor Long and members of the Contra Costa School District to discuss school construction; he also attended a WCCIWMA meeting and provided an update to Council.

Mayor Pro Tem attended a WestCat meeting and City Municipal Code Update Subcommittee meetings and provided an update to Council. He also thanked Councilmember Murray for his efforts in coordinating Coastal Cleanup and suggested reaching out to local service groups to share volunteer opportunities.

Councilmember Swearingen reminded members of the community that Dumpster Day is exclusive to residents of Pinole; ID will be required.

- D. Council Requests For Future Agenda Items

Schedule a future presentation from Ygrene Program to the City Council (5-0)
Schedule a discussion of prioritizing the evaluation of the infiltration into sewer system (5-0)
Schedule a future tour of PVHS construction project (5-0)

- E. City Manager Report / Department Staff

City Manager Fitzer stated that she attended a Special WCCIWMA meeting and provided an update to Council. The City has received, for the 20th year, the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

F. City Attorney Report

None

12. ADJOURNMENT to the Regular City Council Meeting of October 3, 2017 In Remembrance of Amber Swartz.

At 9:20 p.m., Mayor Long adjourned the Regular City Council Meeting of September 19, 2017, in Remembrance of Amber Swartz and our Military personnel all around the world.

Submitted by:

Rosa G. Acosta
City Clerk

Approved by City Council: October 3, 2017