

**PINOLE CITY COUNCIL
MINUTES
April 3, 2018**

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

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Pro Tem Murray called the Regular Meeting of the City Council to order at 6:01 p.m. and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Timothy Banuelos (arrived at 6:35 p.m.)
Mayor Pro Tem Pete Murray
Council Member Debbie Long
Councilmember Roy Swearingen
Council Member Maureen Toms

B. STAFF PRESENT

Michelle Fitzer, City Manager
Eric Casher, City Attorney
Neil Gang, Police Chief
Scott Kouns, Fire Chief
Tamara Miller, Community Development Director/City Engineer
Rosa Acosta, City Clerk

City Clerk Acosta announced the agenda was posted on March 29, 2018 at 4:00 p.m. All legally required notices were provided. Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

At 6:02 p.m., Mayor Pro Tem Murray convened to a Noticed Closed Session to discuss the following items:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8
Property: 2337 San Pablo Avenue (APN: 401-162-002)
Negotiator: Assistant City Manager, Hector De La Rosa
Negotiating Parties: Gozzano Trust/Old Town Realtor
Under Negotiation: Terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8
Property: 600 Tennent Avenue (APN: 401-142-010)
Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa
Negotiating Parties: Celia Lam
Under Negotiation: Terms

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8

Property: 612 Tennent Avenue (APN: 401-142-011)

Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa

Negotiating Parties: Celia Lam

Under Negotiation: Terms

OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED SESSION DISCUSSIONS, WHICH MAY OCCUR BEFORE 7:00 PM

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

At 6:37 p.m., Mayor Banuelos reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS.

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

B. Presentations / Recognitions

b. Update on City's Website Redesign Project by Assistant City Manager De La Rosa

Assistant City Manager De La Rosa provided an update on the City's redesigned website. Council asked questions and received responses. Pinole resident James Tillman commented on the needs of the community for an efficient and cost effective website.

A. Proclamation

a. Adult Education Day

Mayor Banuelos read into the record a proclamation declaring April 14, 2018 as Adult Education Day in the City of Pinole.

B. Presentations / Recognitions

a. Fire Department Verbal Update by Chief Scott Kouns

Chief Kouns provided an update on Fire Department activities and acknowledged staff, Councilmembers and peers from the various agencies for their support during his transition. He informed Council of current events and the various changes that the department will undergo. Council asked questions and received responses.

6. CITIZENS TO BE HEARD (Public Comments)

The following speakers addressed the City Council:

Jerry Short, Contra Costa Firefighters Local 1230, addressed the Council and provided historical data pertaining to Fire Department staffing and costs as previously discussed at the March 20, 2018 Council meeting.

John Corcoran, a resident of Pinole, stated his opposition to Measure P due to cost. He asked questions and City Manager Fitzer provided responses.

James Tillman, resident of Pinole, reiterated his concern and opposition to Measure P. He inquired on the status of various projects throughout the City.

Bob Kopp, resident of Pinole and member of the Community Service Commission informed Council and the public of the upcoming Community Cleanup event scheduled for Saturday, June 2, 2018 from 8:00 a.m. to 12:00 p.m., continental breakfast will be provided. Residents are encouraged to call and provide locations in need of cleanup. He also invited the community to the Car Show event on Saturday, June 24, 2018 on San Pablo Avenue.

Trustee Mister Phillips, West Contra Costa Unified School District, addressed the City Council to invite the Pinole Community to the 2nd Annual Building and Construction Trades Career event on Saturday, April 21, 2018 in Richmond. The career fair is for middle and high school students of the District. No RSVP needed.

Brandon Cody, resident of Pinole, stated his concern with Measure P due to cost. Mr. Cody asked questions and was directed to the City's website to review past Council meetings on discussion of Term Limits.

Irma Ruport, resident of Pinole, expressed her opposition to Repeal Term Limits - Measure P.

David Ruport, resident of Pinole and a member of Pinole for Fair Government stated his opposition to Measure P and provided an update on the efforts done opposing the measure.

Mary Horton, resident and former Mayor of Pinole, expressed her support of Measure P and the importance of continuity.

Steven Dorsey, department representative of IAFF Local 1230, stated his concern on the purchase of refurbished fire apparatus. He inquired about funding allocation for fire department purchases in current and past budgets.

Eric Datanagan, President of Bayfront Chamber of Commerce, introduced himself to Council and the community. He will be returning with periodic updates for the community.

7. CONSENT CALENDAR

- A. Approved the Minutes of the Special City Council Meeting and Minutes of the Council Meeting of March 20, 2018
- B. Received the March 17, 2018 – March 30, 2018 List of Warrants and the March 23, 2018 Payroll in the Amount of \$416,412.53 and \$355,817.78 Respectively
- C. Received City of Pinole's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017
[Action: Receive and File Audited Reports (A. Miller)]
- D. Approved an Amendment to the Professional Services Agreement with Gray-Bowen-Scott for Project Management Services During the Design Phase for San Pablo Avenue Bridge Replacement Over BNSF Railroad – Complete Street in an Amount not to Exceed \$215,000
[Action: Approve Resolution per Staff Recommendation (T. Miller)]
- E. Authorized Full Contract Payment for Carollo Engineers and HDR Engineering to the Water Pollution Control Plant Upgrade Project
[Action: Approve Resolution per Staff Recommendation (T. Miller)]

ACTION: Motion by Council Members Murray/Toms, to approve Consent Calendar Items A-E.

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

8. PUBLIC HEARINGS

- A. Adopt a Resolution Approving an Increase in Sewer Connection Fees for Residential and Commercial Accounts
 [Action: Approve Resolution Per Staff Recommendation (M. Fitzer/T. Miller)]

City Manager Fitzer and Development Services Director/City Engineer Miller presented the report and stated that the increase in sewer connection fees is for new construction throughout the City; this will not impact existing services.

At 8:32 pm, Mayor Banuelos opened the Public Hearing, and the following speakers addressed Council:

James Tillman, resident of Pinole, inquired about the fee increase and Development Services Director/City Engineer Miller provided a response.

Having no additional speakers, at 8:37 pm, Mayor Banuelos closed the Public Hearing.

ACTION: Motion by Council Members Long/Swearingen, to approve a resolution increasing the sewer connection fees for residential and commercial accounts from \$1955 per equivalent residential unit (ERU) to \$4,943 per ERU.

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

9. OLD BUSINESS

None

10. NEW BUSINESS

- A. Discuss Active Transportation Plan Development
 [Action: Receive Report & Provide Direction (T. Miller)]

Amelia Timbers, Senior Project Manager presented the report and stated that the City is proposing scoping the City's potential active transportation opportunities with an "Active Transportation Plan", in an effort to secure grant funding opportunities similar to West County and Contra Costa cities. Council asked questions and received responses.

ACTION: Council directed staff to begin outreach efforts for the creation of an Active Transportation Plan development (5-0).

- B. Discuss City of Pinole Electricity Procurement from MCE or PG&E for City Facilities
[Action: Receive Report & Provide Direction (T. Miller)]

Amelia Timbers, Senior Project Manager presented the report and provided background information on the Community Choice Aggregation program, and the process of initiating the transition of Pinole accounts from Pacific Gas and Electric to Marin Clean Energy. Council asked questions and received responses.

ACTION: Motion by Council Members Toms/Long to direct staff to opt out of MCE for the Sewer Treatment Plant until such time as contracts allow to opt back into MCE and opt out of any accounts that have photovoltaic until after the true up period concludes and any other accounts the City elects to stay in; at that time Council authorizes staff to automatically opt back into MCE, when triggers have occurred. Council requests a reevaluation of program one year after the last account is enrolled.

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 Banuelos attended the League of Cities, the West County Mayors meeting, and provided an update to Council.

- B. Mayoral & Council Appointments

None

- C. City Council Committee Reports & Communications

Councilmember Long informed the community of a service offered by the United States Postal Service called Informed Delivery; the program provides digital images of mail items and are sent daily at 8:00 a.m. Visit <https://informeddelivery.usps.com/box/pages/intro/start.action>

Councilmember Swearingen stated that the West Contra Costa Transportation Authority meeting was cancelled due to lack of quorum. He attended the Council of Industries meeting and provided an update to Council. He thanked members of the Garden Club for their work in maintaining the City sign.

Councilmember Toms attended the Municipal Code Update Subcommittee and the MCE Contract Subcommittee and provided an update to Council.

- D. Council Requests For Future Agenda Items

Discussion of turning off metering lights on Appian Way and other locations throughout the City (5-0)

Future discussion of active shooter response (5-0)

E. City Manager Report / Department Staff

None

F. City Attorney Report

None

12. **ADJOURNMENT** to the Regular City Council Meeting of April 17, 2018 In Remembrance of Amber Swartz.

At 9:46 p.m., Mayor Banuelos adjourned the Regular City Council Meeting of April 3, 2018, in Remembrance of Amber Swartz, and our Military personnel all around the world.

Submitted by:



Rosa G. Acosta
City Clerk

Approved by City Council: April 17, 2018

