

**PINOLE JOINT CITY COUNCIL & PLANNING COMMISSION MEETING
MINUTES
January 22, 2018**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

The Pinole Joint City Council and Planning Commission meeting was held at the Pinole Senior Center, 2500 Charles Avenue, Pinole, California. Mayor Banuelos called the meeting to order at 6:15 p.m. and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Tim Banuelos, Mayor
Peter Murray, Mayor Pro Tem (arrived at 6:20 p.m.)
Debbie Long, Councilmember
Maureen Toms, Councilmember
Roy Swearingen, Councilmember

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Stephanie Downs, City Attorney
Tamara Miller, Development Services Director/City Engineer
Winston Rhodes, Planning Manager
Rosa Acosta, City Clerk

City Clerk Acosta announced the agenda was posted on January 18, 2018 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.

3. CONVENE TO A CLOSED SESSION

At 6:15 p.m., Mayor Banuelos 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: PPEA

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

At 7:00 p.m., Mayor Banuelos reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS

5. CONVENE THE PINOLE CITY COUNCIL AND PLANNING COMMISSION SPECIAL JOINT MEETING

Mayor Banuelos called the Pinole Joint City Council and Planning Commission meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Tim Banuelos, Mayor
Peter Murray, Mayor Pro Tem
Debbie Long, Councilmember
Maureen Toms, Councilmember
Roy Swearingen, Councilmember

B. PLANNING COMMISSION MEMBERS PRESENT

Planning Commission Chair Carol Thompson
Planning Commission Vice-Chair Anthony Tave
Planning Commissioner Tom Brookes
Planning Commissioner David Kurrent
Planning Commissioner Ruskin Hartley
Planning Commissioner Norma Martinez-Rubin
Planning Commissioner Simon Wong

C. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Stephanie Downs, City Attorney
Alex Mog, Assistant City Attorney
Tamara Miller, Development Services Director/City Engineer
Winston Rhodes, Planning Manager
Rosa Acosta, City Clerk

City Clerk Acosta announced the agenda was posted on January 18, 2018 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.

7. CITIZENS TO BE HEARD (Public Comments)

The following speaker addressed the City Council:

None

8. NEW BUSINESS

A. Presentation and Discussion of 2017 Housing Legislation

Stephanie Downs and Alex Mog from the City Attorney's office presented the report and provided Council and Planning Commission with an overview of the bills that will have the biggest impact in Pinole. Attorney Mog stated that the bills are designed to address the housing crisis and the creation of both affordable and market rate housing units.

The City is required to ministerially approve multifamily housing projects that meet certain standards and can only apply objective requirements to projects. Attorney Mog stated that the

Regional Housing Needs Assessment (RHNA) determines the number of housing units required per County and ABAG determines the number of housing units per City.

He stated that SB-35 Planning and Zoning: affordable housing will create a streamline approval process for Cities that have not met their RHNA number. The City can only apply objective standards (measureable) and no discretionary (compatible with existing character of neighborhood). The impacts of the bill are limited; the City can still impose zoning standards; objective design criteria; affordability requirements; and health and safety requirements.

Attorney Downs stated that the Housing Accountability Act increases findings that the City must make to disapprove housing projects that comply with objectives standards. If applicant contests denial of project; the City is subject to fines up to \$10,000 per unit for violations of act.

Council requested clarification on the Housing Accountability Act project fines and the zoning of future projects.

Planning Manager Rhodes stated that objective standards can be reviewed (health and safety) and addressed prior to referring the project for Planning Commission and City Council approval.

Mayor Banuelos requested clarification on design and review guidelines for future City projects. Planning Manager Rhodes stated that the guidelines are designed for single and multi-family projects. Housing affordability agreement required for units with five or more housing units.

Planning Commissioner Hartley inquired about future developers' projects and inquired about the future approval of Planning Commission items. Attorney Mog stated that future projects may be impacted. All projects 600 ft or smaller will be reviewed and approved administratively and projects over 600 sq ft up to 900 sq ft require administrative hearing with staff input. Applicant can appeal the project to the Planning Commission. There are standards in place for future development; the current standards are objective and were reviewed accordingly.

Planning Commissioner Brooks inquired on future appeal processes. Attorney Mog stated that the City Council will review the project on the first appeal and then it will be sent to the Court.

Planning Commissioner Tave inquired about the parking requirements of future projects. Attorney Mog stated that the bill requires that if a project meets criteria it must be approved and can't require additional parking spaces per unit, identifying units where parking is not required. The Accessory Dwelling Unit requirements will be implemented i.e., historic district, residential parking and near transit.

Mayor Pro Tem Murray inquired about designated historical sites throughout the City. Attorney Downs stated that each site will be assessed by zoning designation and may not be acquired for development.

Councilmember Long inquired about County standards of future developments such as height and setbacks in particular of Appian Way. Attorney Mog stated he was not familiar with zoning and density requirements at that location. Housing funds can be used for residential specific plan and recapture cost if future developer is interested to meet RHNA numbers. The City has done a general plan update and EIR for the City of Pinole.

Attorney Downs stated that the state may review any act of the City to determine if it is consistent with City's adopted Housing Element. If the City does not fix inconsistency within required time, the State may revoke determination that the City's Housing Element is compliant with law. City may face serious consequences.

She stated that the City of Pinole has ordinance requiring housing projects of at four or more units to provide 15% per Municipal Code 17.32 She discussed the Affordable Housing Funding which can be used for Affordable Housing Assistance and/or to identify sites for future zoning. The City of Pinole will begin to receive an estimated annual funding of \$40,000 - \$80,000. The funds can be rolled over and are not required to be spent annually.

B. Discussion of Parking and Safety Measures in Old Town

Development Services Director/City Engineer Tamara Miller presented the report and provided an overview of potential measures to improve safety and better manage auto parking. She stated that a manual count of the project study area was done.

Short Term measures discussed:

- ST1: Way-finding signage directing drivers to public parking lots
- ST2: Pedestrian Crosswalk Striping and Signal Timing Improvements
- ST3: Signage and/or striping to discourage parking adjacent to fire hydrants, jaywalking, and direct pedestrians to available crosswalks
- ST4: Adding on-street parking time limits signage such as 20-minute, 1 hour, 2 hour or 4 hour parking
- ST 5: Resident Permit Parking Pilot Program
- ST 6: Improved on-street parking space striping

Long Term Measures discussed:

- LT1: Parking Meters
- LT2: Rafaela One Way Street Reconfiguration
- LT3: Rafaela Street Limited Shoulder Improvements

At a previous Council meeting, Council directed staff to move forward with the following long-term and short term measures:

- LT4: Resident Permit Parking Pilot Program was moved from short-term to long-term. Staff currently assessing programs and will prepare a year review.
- ST2: Pedestrian Crosswalk Striping and Signal Timing Improvements

Planning Commission Kurrent complimented East Bay Coffee for their efforts in reducing patron parking in the residential neighborhoods. He also stated an increase of patrolling in the area. He inquired about the possibility of losing parking spaces due to restriping. Development Services Director/City Engineer Miller stated that the existing spaces will be used more efficiently.

Commissioner Martinez-Rubin inquired about Resident Permit Parking Pilot Program as requested by the community. She stated her concerns with resident's jay walking and inquired about efforts to minimize the issue. Planning Manager Rhodes stated that the problem is persistent and at this time the City has no immediate solution, he encourages public outreach and awareness. At this time, the Pinole PD is not actively enforcing jay walking due to staff limitations.

Mayor Banuelos inquired about the Permit Parking Pilot Program and the possibility of expanding to additional neighborhoods within the City of Pinole. Development Services Director/City Engineer Miller stated that she continues to explore options.

Councilmember Long expressed her support of a Permit Parking Pilot program within the City. She stated that in the future public and private parking rights should be discussed and reviewed efficiently. Planning Rhodes stated that a future parking study will be done in Old Town.

The following speaker addressed the City Council:

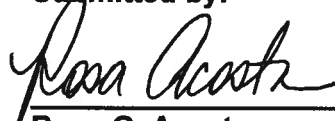
Ron Caldwell, resident of Old Town Pinole, addressed the City Council and stated his concern with traffic issues and the lack of police presence in his neighborhood. He stated that the crosswalk at San Pablo and Old Pinole Valley Road is under used by residents due to safety concerns. He requested additional police enforcement of the Old Town neighborhood.

Red Light Camera enforcement was discussed and City Manager Fitzer stated that Red Light Traffic cameras can't be used to issue citations due to a California state law which bans the enforcement of citations.

5. ADJOURNMENT of the Special Joint Meeting of the City Council and Planning Commission.

At 8:53 p.m., Mayor Banuelos adjourned the Special Meeting of January 22, 2018.

Submitted by:



Rosa G. Acosta
City Clerk

Approved by City Council: March 20, 2018

