

**PINOLE CITY COUNCIL
MINUTES
January 16, 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 6:05 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 6:10 p.m.)
Mayor Pro Tem Pete Murray
Council Member Debbie Long
Council Member Roy Swearingen
Council Member Maureen Toms

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant 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 January 11, 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 6:08 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

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 6:46 p.m., Mayor Banuelos reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamation

a. Proclamation presented to Police Officer of the Year, Detective Zach Blume
Mayor Banuelos presented a proclamation to Detective Zach Blume for being selected as the City of Pinole's Police Officer of the Year. Detective Blume thanked Chief Gang, his wife, the community and Council for the recognition and support.

b. Proclamation presented to Firefighter of the Year, Steven Dorsey
Mayor Banuelos presented a proclamation to Firefighter Dorsey for being selected as the City of Pinole's Firefighter of the Year. Firefighter Dorsey thanked Chief Kouns, his wife, the community and Council for the recognition and support.

B. Presentations / Recognitions

a. Quarterly WPCP Project Update by Community Development Director/City Engineer Tamara Miller

Project Manager Mike Warriner provided an update to Council on the status of the Pinole-Hercules Water Pollution Control Plant Upgrade Project. He stated that the project has achieved a safety milestone in Northern California with 600 days without an accident or injury. He stated that Kiewit continues to employ Hercules and Pinole residents as priority to support local labor. Due to unforeseen delays the project is scheduled for substantial completion December 26, 2018 with final completion date of February 26, 2019. Council asked questions and received responses.

b. Update on PVHS progress presented by Luis Freese, West Contra Costa Unified School District

Luis Freese of the West Contra Costa Unified School District and Marsha Perry Taras, Construction Manager with Roebbelen Contracting presented the report and provided Council with an update on the progress of Pinole Valley High School. The campus project completion date has been extended to March 5, 2019. The District continues to send out community outreach notices including newsletters with updates on construction projects to members.

Councilmember Long thanked them for the quarterly presentation and emphasized the importance of project completion by the expected completion date. Councilmember Murray informed Council and the community of a meeting with the District to discuss project materials and his satisfaction with the project. Councilmember Toms thanked Mr. Freese for the tour and their prompt response to community questions. Mayor Banuelos expressed his satisfaction with the project and stated that the community is mailed monthly newsletters on the progress of the project.

6. CITIZENS TO BE HEARD (Public Comments)

NONE

7. CONSENT CALENDAR

- A. Approved the Minutes of the Meeting of December 19, 2017
- B. Received the December 16, 2017 – January 12, 2018 List of Warrants and the December 29, 2017 and January 12, 2018 Payrolls in the Amounts of \$341,318.83 and \$440,235.26, respectively
- D. Approved a Third Amendment to the Jan-pro Cleaning Contract and Appropriate Funding in the amount of \$2,694 in the FY 2017/18 Budget from the Recreation Fund Reserve to provide Janitorial Services at the Pinole Youth Center
[Action: Approve Resolution Per Staff Recommendation (H. De La Rosa)]
- E. Adopted a Resolution Appointing Councilmember Debbie Long as a City Representative on the Board of Directors of the Pinole Assisted Living Community
[Action: Approve Resolution Per Staff Recommendation (M. Fitzer /H. De La Rosa)]
- F. Approved Amendments to the City of Pinole Procurement Policy to Incorporate Caltrans Local Assistance Requirements for Federally Funded Road Improvements
[Action: Approve Resolution Per Staff Recommendation (T. Miller)]

ACTION: Motion by Council Members Swearingen/Long, the Council Approved the Consent Calendar Items A, B, D, E and F

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

Mayor Banuelos removed item 7C for further discussion.

- C. Adopted a Resolution Approving a Memorandum of Understanding Between the City of Pinole and the International Association of Fire Fighters Local 1230 (IAFF) for the period of July 1, 2017 – June 30, 2020
[Action: Approve Resolution Per Staff Recommendation (H. De La Rosa)]

The following speaker addressed the Council,

Jerry Short, Vice-President of Firefighters Local 1230, addressed the Council and asked for their support in adopting the proposed amendment to the IAFF proposal.

ACTION: Motion by Council Members Swearingen/Long, to Approve Consent Calendar Item C.

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

8. PUBLIC HEARINGS

NONE

9. OLD BUSINESS

NONE

10. NEW BUSINESS

- A. Approving a Purchase and Sale Agreement by and Among the City Of Pinole, Pinole Assisted Living Community and Pinole Senior Living LP for the Property Located At 2850 Estates Avenue (APN: 310-010-017)
[Action: Approve Resolution Per Staff Recommendation (M. Fitzer/S. Downs)]

Assistant City Attorney Downs presented the report and provided an update to Council.

ACTION: Motion by Council Members Long/Swearingen, to approve a resolution for the purchase and sale agreement by and among the City of Pinole, Pinole Assisted Living Community (“PALC”) and Pinole Senior Living, LP, for the property located at 2850 Estates Avenue (APN: 310-010-017), and authorize the City Manager to execute the agreement and associated documents.

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

- B. Adopt a Resolution Authorizing the Filing of an Application for Allocation of Fiscal Year 18-19 Transportation Act Article 3 Pedestrian/Bicycle Project Funding
[Action: Approve resolution (T. Miller)]

Development Services Director/City Engineer Tamara Miller presented the report to Council and provided an overview of the project. The grant amount requested is \$22,300 to fund installation of pavement marking for sharrows and “Share the Road” signage and path improvements citywide. Council asked questions and received responses. Council suggested Public Education Outreach for members of the community on the use of sharrows. Councilmember Long stated that this project is included in the CIP project as unfunded; she stated her concern with future maintenance of the sharrows.

The following speaker addressed the Council,

Ann Moriarty, resident of Pinole, addressed the Council and expressed his support on the Pedestrian/Bicycle project proposed grant. He is concerned for the safety of bicyclist due to size of current lanes and condition of current streets.

Kent Moriarty, resident of Pinole, addressed the Council and thanked the City Council for including this project in the Capital Improvement Projects and moving forward towards a comprehensive bicycle plan to get vehicles off the road.

ACTION: Motion by Council Members Toms/Long to adopt a resolution authorizing the filing of an application for funding a FY 18-19 Transportation Development Act and State Transit Assistance (STA-TDA) Grant, which will fund sharrows, Project RO1713, and pavement maintenance, Project RO1707 on the CIP budget.

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

- C. Approve an Amendment to City Manager Michelle Fitzer's Employment Agreement to Ratify a Merit Increase Salary Adjustment, and Authorize the Mayor to Execute the Amendment Employment Agreement Amendment for the City Manager
[Action: Approve Resolution Per Staff Recommendation (H. De La Rosa)]

Assistant City Manager De La Rosa presented the report and stated that this report satisfies SB1436 requirements. The merit increase will be effective December 25, 2017. Council thanked City Manager Fitzer for her dedication and service to the community.

ACTION: Motion by Council Members Long/Toms, to approve an amendment to City Manager Michelle Fitzer's employment agreement to ratify a merit increase salary adjustment, and authorize the Mayor to execute the amendment.

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

- D. Approve an Amendment to City Clerk Rosa Acosta's Employment Agreement to Ratify a Merit Increase Salary Adjustment, and Authorize the Mayor to Execute the Amendment Employment Agreement Amendment for the City Clerk
[Action: Approve Resolution Per Staff Recommendation (H. De La Rosa)]

Assistant City Manager De La Rosa presented the report and stated that this report satisfies SB1436 requirements. The merit increase will be effective December 25, 2017. Council expressed their appreciation for City Clerk Acosta's performance and her commitment to continuous professional education as City Clerk and her dedication to the community.

ACTION: Motion by Council Members Swearingen/Long, to approve an amendment to City Clerk, Rosa Acosta's employment agreement to ratify a merit increase salary adjustment, and authorize the Mayor to execute the amendment.

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 Mayors' Conference, hosted by the City of Pinole and provided an update to Council. He also attended the City of Pinole's Crab feed and thanked staff for a job well done.

- B. Mayoral & Council Appointments

None

- C. City Council Committee Reports & Communications

Mayor Pro Tem Murray attended the Pinole/Hercules WPCP subcommittee and provided an update to Council.

Councilmember Toms stated that the MCE Board will not meet in January however; MCE will begin outreach to the community in the upcoming months. Community members currently enrolled with PG&E for solar energy can enroll with MCE after true ups in order to receive incentive. She will be attending the League of CA Cities Environmental Quality committee and will provide an update to Council. She attended a Redevelopment Roundtable in the City of Brentwood with Assemblymember Jim Frazier and provided an update to Council.

E. Council Requests For Future Agenda Items

Council requested an update on demolition of Fowler House and future site development (5-0)

Council requested an update on Farria House, future projects and funding (5-0)

Council requested regularly scheduled (monthly or quarterly) verbal updates from various City departments to keep community informed of current projects (5-0)

Council requested an update on sewer connection fees (5-0)

Council requested future discussion of anti-litter signage on onramp/offramp Pinole (5-0)

E. City Manager Report / Department Staff

None

F. City Attorney Report

City Attorney Casher attended the Pinole Crab Feed and thanked The Honorable Benjamin T. Reyes, former City Attorney, for attending the event and his support to the community. He informed Council that there is an Interested Persons meeting for the public and business community on Thursday, January 18, 2018 to discuss the proposed Styrofoam ban.

14. ADJOURNMENT to the Special Joint City Council and Planning Commission meeting of Monday, January 22, 2018 at the Pinole Senior Center.

At 9:10 p.m., Mayor Banuelos adjourned the Regular City Council Meeting of January 16, 2018, in Remembrance of Pinole resident, Priscilla "Rosie" Elder, Amber Swartz, and our Military personnel all around the world.

Submitted by:



Rosa G. Acosta
City Clerk

Approved by City Council: February 6, 2018