



ADMINISTRATIVE REPORT

DATE: FEBRUARY 6, 2009

TO: MAYOR AND CITY COUNCIL
BEN REYES, CITY ATTORNEY

FROM: BELINDA B. ESPINOSA, CITY MANAGER

PLACES TO BE

- **FEBRUARY 10 EDHAC MEETING**

The next regular meeting of the Economic Development and Housing Advisory Committee (EDHAC) will be on February 10, 2009 at 7:00p.m. in the Community Room at City Hall. The status of the Gateway East project (the Kaiser site) will be reviewed along with the sales and marketing of two below market rate homes on Maiden Lane. EDHAC will also receive an overview of existing economic development programs and marketing materials.

- **FEBRUARY 11 WCCUSD SPECIAL BOARD MEETING-SCHOOL CLOSURES**

The WCCUSD Board will be holding a Special Board meeting in the Richmond Auditorium (403 Civic Drive) to finalize their School Closure Issue prior to submitting their plan to the County Board of Education. The meeting will take place starting at 6:30 PM.

- **FEBRUARY 11 RICHMOND ELKS CLUB HONORS OFFICER OF THE YEAR**

Each year, the Richmond Elks Club honors the Officers of the year throughout West Contra Costa County at a dinner which will be held at the Richmond Elks Club in El Sobrante. The Mayor and Council are invited to attend. Please let Wanda know if you are planning on attending.

- **FEBRUARY 23 PINOLE PLANNING COMMISSION TO CONSIDER DRAFT SPECIFIC PLAN**

The draft Specific Plan for the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors has been prepared and will be discussed at a Planning Commission meeting scheduled for 7:00 pm on February 23, 2009 in the City Council Chambers.

ITEMS OF INTEREST

- **PRUNE STREET BRIDGE WINS REGIONAL AWARD**

The City's Prune Street Bridge Replacement Project was selected as the 2009 Distinguished Project by the Western Council of Construction Consumers. Wildan, the City's Engineer for the project submitted our project and it was one of 26 that competed for the top selection.

- **WCCUSD BOARD MEETING HELD IN PINOLE**

The WCCUSD Board met at Pinole Valley High School on February 4. The main item on the agenda was the School Closure issue. Approximately 500 people were in attendance mostly from the City of Richmond schools. Parents, teachers and students from Shannon Elementary were also in attendance. The City of Richmond City Council were there as well and announced that they would be saving the Richmond schools by providing \$1.5 million in gap financing. The Richmond schools being recommended for closure would not have closed until the Fall of 2010 while all of the other cities' schools including Shannon are scheduled to be closed in September 2009.

It is unclear where the source of the initial \$1.5 million is coming from, although some say through a utility settlement from Chevron. On the longer term, the City of Richmond is more than likely planning to put forth a parcel tax (see attached letter from Richmond Councilmember Jim Roberts) in order to generate the funds necessary to sustain the operating and maintenance costs of the Richmond schools.

New Legislation Proposed

In addition, the City of Richmond has worked towards four specific pieces of legislation. These legislative issues are pending and include the following:

- 1) An Assembly Bill (Skinner) so that Redevelopment Agencies could provide up to 5% of their tax increment to the School District;
- 2) A federal and State and Budget Amendment so that Measure J funds could go to the School district to eliminate part of their debt; and
- 3) A Federal and State Bill so that there could be a nexus between the "No Child Left Behind" requirements as an unfunded mandate that created the structural imbalance in the operating budgets. The net result would be requesting payment for the deficit from the government.

While there is merit to these pieces of legislation, it may not help save Shannon, since approval would come too late for the schools designated to close in September 2009. Board member Charles Ramsey at the meeting acknowledged the Pinole City Councilmembers present and all of the contributions that the City of Pinole has made over the years towards funding school district operations. Included has been the recent \$2 million towards the gymnasium at Pinole Middle School.

Boardmember Ramsey also stated that he was recommending that the Board consider taking Shannon off the closure list. The Shannon PTA should be calling WCCUSD Board members to lobby prior to the February 11 meeting to see if this is possible.

- **PRAXAIR PIPELINE PROJECT**

I met Wednesday afternoon with representatives from Praxair regarding their countywide pipeline project. If you recall, this project which will carry hydrogen through its line including utilizing some existing pipeline as well as replacing/constructing new line to form the connections. The project runs through parts of the unincorporated County, Richmond, Pinole, and Martinez. In Pinole a new pipeline will be constructed in Walters Avenue, Tennent Avenue, and within the railroad right of way in between these two roadways. The most impacted neighborhood will be the Pinole Shores neighborhood as they access the railroad right of way from the end of Pinole Shores Drive, and they plan to store some of their material and equipment in a parking lot at the end of Pinole Shores Drive, owned by the East Bay Regional Park District.

At the current time, the Draft Administrative Environmental Impact (EIR) Report has been circulated and revisions are being made to the document. The DRAFT EIR should begin circulation in early March with comments due by May 2009. It is anticipated that the EIR process will be completed by July or August with consideration by the Board of Supervisors in September. Parallel to this process, is the Conditional Use Permit and franchise negotiation between Praxair and the City of Pinole.

It is anticipated that there will be mitigation and community benefits that will also have to be negotiated as a direct response to the EIR requirements. I have suggested to Praxair that they begin to meet with the Pinole Shores Neighborhood Association to present an overview of the project and how their neighborhood might be affected during construction. Praxair will also be coming to the City Council to provide a project overview and so that the issue can be discussed and public input obtained on the project.

The Council just passed (February 3) an amendment to the zoning code to require a conditional use permit for the construction pipelines carrying hazardous or volatile gas and/or liquid. This ordinance facilitates the imposition and collection of mitigation fees and conditions of approval to address potential impacts from future pipeline projects, such as this, through the city.

- **COMMUNITY DEVELOPMENT DEPARTMENT**

The draft Specific Plan for the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors has been prepared and will be discussed at a Planning Commission meeting scheduled for 7:00 pm on February 23, 2009 in the City Council Chambers. The electronic link to this information is provided below. Please feel free to contact Planning Manager, Winston Rhodes to discuss the document and/or schedule an appointment. He may be reached directly at (510) 724-9832. We look forward to extensive public input on the draft

Plan so that Planning Commission acting as the Steering Committee can develop the best possible blueprint to guide future development in these areas of the City.

http://pinolegeneralplan.com/documents/library/Pinole_SpecificPlan_Full%20PDF.pdf

- **POLICE DEPARTMENT**

Two employees of the Police Department were honored during a recognition event on Tuesday morning. Becki Douthit was recognized for her 20 years of service as a 9-1-1 dispatcher, and Officer Mike Pistello was recognized for his 5 years of service.

Approximately 300 people rallied at the Pinole Valley Shopping center on Wednesday evening and marched to a West County School District school closure meeting at PVHS. Over 600 people peacefully expressed their opinions to the School Board at the actual meeting. Police personnel ensured the safety of all present.

The suspect in our recent vandalism cases where "SCAB" and "CHICO" were spray-painted on many of our city walls was arrested in Berkeley on our warrant. His name is Donovan Munoz, a 21-year-old resident of Hercules.

- **FIRE DEPARTMENT**

Municipal Service Review

The Fire Department received its first draft of the Municipal Service Review (MSR) from LAFCO (Local Agency Formation Commission). LAFCO performed this review for the six fire districts and the three city fire departments in Contra Costa County, reviewing service relationships and relative services provided. Our staff is now reviewing the Pinole Fire Department Annex. A number of clarifications and corrections will be made to this initial draft. The fire service consultant is presenting the initial countywide draft to the LAFCO board on Wednesday the 11th of February in Martinez, followed by a review and comment period.

Local Hazard Mitigation Plan

The City of Pinole will participate in the countywide Local Hazard Mitigation Plan (LHMP). This plan reviews the naturally caused threats to our "infrastructure". Threats such as flood, fire, earthquake, wind etc. are assessed for their potential impact on city buildings, facilities and improvements. A mitigation plan is then formed to determine what steps would alleviate the threat before such an event. Approximately one hundred cities and special districts are in place within Contra Costa County and the FEMA grant seeks to corral as many of these as possible into the LHMP. This plan will dovetail with the safety element of the city's General Plan update.

This plan is required for several types of federal funding and grants. While ABAG (Association of Bay Area Governments) has also been involved in this type of plan, the fire

department elected to participate in this FEMA funded consortium. Once adopted, this plan must be updated every five years and the FEMA coordination will likely be available for the subsequent updates.

Community Warning System (CWS)

This system operated by the Office of the Sheriff, is used to alert the public of hazardous materials accidents and other emergencies that pose an imminent threat to human life or health. The CWS uses sirens (not in Pinole), radio and TV broadcasts and targeted telephone call-outs. Recently, cellular phones have been added as a form of public notification. Persons living or working in Contra Costa County are invited to register their cell phone number and ZIP code area for which they would want to receive these (infrequent*) alerts.

Simply go to <http://cws.cccounty.us>, and enter your cell phone number and zip code selections. Then check to accept the terms of service and click "Submit". You may change or cancel the registration simply by submitting new selections.

The community can get more information by emailing cwsstaff@so.cccounty.us or by calling the CWS office at (925) 313-9622. Please help spread the word about this important improvement in public warning capability for Contra Costa County.

*Last year the CWS was only activated eleven times for a variety of emergencies. Most of those alerts were localized so most subscribers received no alerts at all.

- **PUBLIC WORKS DEPARTMENT**

Economic Stimulus

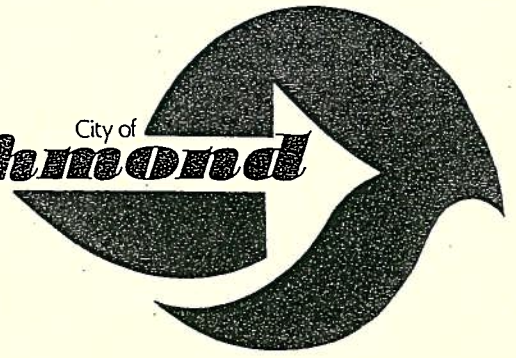
It seems that with each week more information emerges on the topic of economic stimulus. It currently appears that federal dollars will be available for the Appian Way reconstruction/resurfacing project as well as the Pedestrian Safety Improvements on San Pablo Avenue at Fern Avenue.

New this week is information that if and when the stimulus bill is signed into law it will include funding for wastewater improvements and that in California the Clean Water Revolving Fund Program will administer funding. Staff attended a meeting to learn some of the details. It appears that plant improvements, and sewer rehabilitation to correct Inflow and Infiltration problems will be the target of much of the funding.

-END

Jim Rogers, Councilmember

City of
Richmond



COUNCILMEMBER JIM ROGERS' PLAN TO PREVENT SCHOOL CLOSURES:

The School District has been forced to save \$3 million per year by planning to close local schools, as part of a broad and drastic plan of cutbacks to deal with a huge deficit. Closing local schools hurts property values, causes increased police costs and truancy, and, most importantly hurts the education our kids are getting.

Rather than argue about which schools should be closed, I propose that we should support the following plan to save all the schools:

- 1) Lobby the governmental bodies in the WCCUSD area (El Cerrito, Hercules, Pinole, Richmond, San Pablo, and Contra Costa County) to provide two year bridge financing, which amounts to a total of \$6 million over a two year period. (On 1/6/09, the Richmond City Council unanimously directed the City Manager to find funds to pay Richmond's fair share, i.e. about \$3 million, without interfering with vital basic services like police, fire, libraries, parks, etc.)
- 2) We should all commit to supporting a Save Our Schools initiative on the next possible ballot, to provide long term financing to pay the cost of keeping our local schools open. If you can make a specific commitment, please let the school board know that (I have personally committed to raising \$10,000 to support such a ballot measure.)

WHAT YOU CAN DO:

Contact your local Council members (or County Supervisor if you live in an unincorporated area) to encourage them to provide their fair share.

Thanks in advance for caring about saving our kids' local schools.
Please feel free to contact me if you have any suggestions, comments or questions.

Jim Rogers
510.867.5725
elirapty@aol.com

The Contra Costa Pipeline

DELIVERING HYDROGEN FOR CLEANER AIR

Praxair's proposed Contra Costa Pipeline will carry hydrogen from Praxair's planned hydrogen plant in Richmond to the Shell Refinery in Martinez — providing the hydrogen that's essential for making today's cleaner-burning fuels, which are required to meet state and federal "clean air" standards.



- The 12-inch hydrogen pipeline will extend about 21.5 miles through Richmond, Pinole, Hercules, Martinez and unincorporated areas of Contra Costa County.
- About eight miles of existing pipeline will be used for the project and about 13.5 miles of new pipeline will be constructed. Both new and existing pipelines will be carefully tested to ensure safety, strength and structural integrity.
- The project includes a new 16-inch pipeline to carry natural gas, which is needed to produce hydrogen. The pipeline runs essentially parallel to the hydrogen pipeline, starting at the Chevron Refinery in Richmond and extending about two miles, where it connects to an existing PG&E pipeline.
- The pipelines will be buried a minimum of four feet underground.

- To reduce environmental impact and increase safety, the pipeline route uses existing utility corridors wherever possible, and avoids or limits routing along heavily congested roads, residential areas and sensitive environmental areas. A team of biologists helped plan the route to minimize environmental impact and avoid wetlands, and landslide and flood hazards.
- After completion, the project's 100-foot wide construction corridor will be restored by removing construction debris, returning the ground to its original contour and replanting. The pipeline will be monitored 24/7 from Praxair's control room at the Chevron Refinery in Richmond, and will be maintained according to strict federal standards.
- The project will employ about 100 construction workers, and is scheduled to begin in July 2008 and be completed by the end of 2008.
- To protect workers, the environment and the community, all federal, state and local regulations will be carefully followed, along with Praxair's own strict safety standards.
- Hydrogen is nontoxic and dissipates quickly in open air. Because it is flammable, special care is taken to prevent leaks. Hydrogen is routinely transported by truck or through hundreds of miles of pipelines in many parts of the world.

ABOUT PRAXAIR

Praxair is a Fortune 300 company and one of the world's largest suppliers of industrial gases, with 27,000 employees in over 30 countries. We have nearly 1,000 employees in California at about 80 locations.

The gases supplied by Praxair are used in a variety of ways — to preserve foods, produce computer chips, improve industrial processes, reduce emissions, clean and recycle waste water, treat hospital patients, produce fiber-optics for telecommunications, make cleaner-burning fuels, increase energy supplies and put the fizz in soft drinks.

We even received an Academy Award for our special effects "synthetic air" — which you've seen in movies like *Spider Man*, *Batman and Robin*, *Armageddon*, *Deep Impact* and *Bruce Almighty*.

For more information, please visit us at www.praxair.com





Pinole Police Department

PROMOTION
AND
SWEARING IN CEREMONY

Lieutenant Danny Hughes

Sergeant Les Lopez

Officer James Johantgen

Officer Justin Takacs

Thursday, February 12, 11:30 a.m.

Pinole City Council Chambers

