

**JOINT PINOLE CITY COUNCIL &
REDEVELOPMENT AGENCY
MINUTES
August 4, 2009**

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

The Regular Pinole City Council / Redevelopment Agency Board of Directors meeting was held at the Pinole Council Chambers located at 2131 Pear Street, Pinole, California. Mayor Fujita called the meeting to order at 6:00 PM. The Pledge and Flag Salute was led by Boy Scout Troop #86.

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

A. COUNCIL MEMBERS PRESENT

Roy V. Swearingen, Council Member
Peter Murray, Council Member was absent / excused
Debbie Long, Mayor Pro Tem
Virginia Fujita, Mayor

B. STAFF PRESENT

Belinda Espinosa, City Manager / Executive Director
Benjamin Reyes, City Attorney
Michelle Fitzer, Human Resources Director/Asst to the City Manager
Dean Allison, Public Works Director
Richard Loomis, Finance Director
Paul Clancy, Police Chief
Jim Parrott, Fire Chief
Mary Drazba, Economic Development Director
Leslie Carbahal, Redevelopment Analyst
Patricia Athenour, City Clerk/Agency Secretary

City Clerk Athenour announced that the agenda was posted on Friday, July 31, 2009 at 10:00 A.M. All legally required notice was provided. She asked the Council and Redevelopment Board of Directors whether there were any conflicts with any items on the agenda. None were reported.

She advised the Council that on July 21 the Budget (Item 8B) Public Hearing was closed, but the matter was continued to August 4 at the end of the discussion. Should the Council wish to take public testimony, the Mayor should reopen the Public Hearing.

Ms. Athenour reminded the Council and the community that the filing period for the vacant Council seat closes on Wednesday, August 5th at 4:30 PM. Following the close of business, the names of the applicants will be released to the newspaper. An agenda for the Special meeting on August 13th would be posted with the names of the applicants and the meeting would be open to the public.

There will also a Special Meeting on Wednesday, August 12th at 4 PM in the Pinole Community Room. There will be a closed session at 4 PM following by a CIP workshop at 6 PM.

3. CONVENE TO A CLOSED SESSION

At 6:05 p.m., Mayor Fujita convened the meeting to a Noticed Closed Session:

- A. Pursuant To Government Code Government Code §54956.9, The Pinole Redevelopment Agency Board of Directors Conferred With Legal Counsel, City Attorney Benjamin Reyes Regarding Potential Exposure to Litigation (“one matter”)
- B. Pursuant To Government Code Government Code §54597.6, The Pinole City Council Conferred With Labor Negotiator, Michelle Fitzer Regarding Labor Negotiations With Local One, AFSCME, PPEA and Fire Local 1230

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

At 7:10 p.m., Mayor Fujita reconvened the meeting in open session and announced there were no reportable actions from Closed Session.

5. RECOGNITIONS

- A. Proclamations / Commendations
 - 1. Relay for Life – August 15-16, 2009

Mayor Fujita announced that the proclamation for the American Cancer Society for the Relay For Life fundraiser would be presented at the beginning to the event on Saturday, August 15th at the request of the event coordinator.

- B. Presentations
 - 1. Presentation by Pinole Artisans - Themes for the Public Safety Building Bead Mosaic Mural Project [**Council Report No. 2009-119; Action: Council Discretion to Select Theme (Carbahal)**]

Pinole Artisans Joan Landis and Ira Nelken presented four themes for the Mural project, and sought direction from Council to select the theme.

Ira Nelken addressed Council and said they selected Pinole Through The Ages as the theme and asked Council to provide direction on ten preliminary designs in September. They displayed images that would serve as inspiration for the artists.

Joan Landis presented the images, which included old photos of Pinole’s early businesses as well as current businesses and historic structures.

No action was taken. The Artisans announced their desire to address the Council in September, seeking direction on the preliminary designs.

6. CITIZENS TO BE HEARD (Public Comments – Agency Board and City Council)

The following citizens addressed the Agency Board / City Council:

Lorina Tornai, Pinole citizen, addressed Council seeking assistance for the Pinole Library. Due to the reduction in service hours from 42 to 24 hours, she asked if any council member or staff was or could coordinate an effort to reinstate the hours back to a minimum of thirty-five hours.

Ms. Espinosa said City staff was not a part of any discussions. The City had in the past provided money for projects at the library, which funded extra hours, but with City budget reductions there are no funds available for supporting extra hours.

Council Member Murray responded that Supervisor Gail Uilkema, Pinole's representative at the County level. He recommended speaking with her to coordinate saving library hours, as it was her responsibility.

Council Member Swearingen said the Council could also speak with Supervisor Uilkema.

Leslie Carbahal, Pinole Redevelopment Analyst, addressed Council to announce the short confidential Housing Needs Survey for the General Plan Update. Copies were available at the rear of the chamber and also available on line on the City website.

Ivette Ricco, Pinole citizen, President of Pinole Chamber, thanked Council Members Swearingen and Long for attending the Chamber Mixer last week. She updated the council on the upcoming Business Expo 2009 and officially extended an invitation to the Mayor and Council to attend. She asked the Council to advertise it on the City website under Current News Mayor Fujita told Ms. Ricco to contact IT Manager Sherry Janke.

Tammy Campbell, Pinole citizen, provided an update on Pinole school activities. Highlights included the Ivy League College Program and Pinole Valley High Homecoming on October 23rd. She discussed the rising District healthcare costs, totaling \$46 million, encouraged a change in health care benefits, and asked Council to report the increase in health care costs in the City budget.

Marcia Kalapus, Pinole citizen, PHS President, invited the community to the Pinole Historical Society book signing on August 5 in the Alex Clark Room. As a citizen she addressed a letter sent to Council by citizen, Maureen Toms. She said as a senior she is gravely concerned regarding the finances and taxes, and said that a parcel tax for all home in Pinole was wrong. She said the Seals should consider more options for raising funds for the Swim Center. She advised the citizens concerned about the library to attend the Supervisors meeting, as Supervisor Uilkema never comes to Pinole's meetings.

Irma Rupert, Pinole citizen, addressed Council regarding an article in the West County Times on receipt of stimulus funds for a variety of cities from the US Department of Housing, and

asked if the City of Pinole has applied, and if not why. She said that she thought articles on City business that are in the West County Times should be contained in the Weekly Report. Lastly, she reported that she and Sean Duckworth were spearheading a surplus computer program for needy citizens. She provided contact information for interested parties and thanked Sherry Janke for her participation in the program.

7. CONSENT CALENDAR

Mayor Pro Tem Long removed Item 7C for discussion.

Mayor Pro Tem raised a question on Item 7D regarding the award of contract to Bruce Carone. She said it appeared that the add-on for rubberized asphalt caused the bid from Bruce Carone to exceed that of another bidder, O.C. Jones.

Public Works Director responded to questions regarding the project on Simas Avenue. He explained that Bruce Carone proved the lowest base bid and, and California Public Contracts Code states that contracts for competitively bid public projects must be awarded to the lowest responsible bidder.

Council Member Swearingen when there are alternates in the bid, contractors generally submit a low base bid, and bid the alternates higher. He suggested in the future, entertaining two bids.

Mayor Pro Tem Long said it was not uncommon to negotiate with the contractor to amend the alternate add-ons.

Public Works Director Allison said he did not believe it was possible to negotiate with the contractors, but suggest that the Council could reject the bid and direct staff to readvertise the project specifically for rubberized asphalt.

City Attorney Reyes advised the Council that there could be negotiation but that the City was obligated to pay what was bid. He said negotiation could occur after the contract was awarded.

Council discussion followed. Council Member Swearingen said unless we change the scope of the bid, we were obligated to the contract.

City Attorney Reyes said there was peremptory rejection, but agreed it was preferable to amend the project scope, as there were arguments that the practice was objectionable.

Council Member Murray suggested bidding it on the standard asphalt and saving money.

City Manager Espinosa **recommended that Council award the contract for the base bid of \$205,000 and authorize the City Manager to negotiate a change order up to \$244,000 for rubberized asphalt.**

Council concurred and accepted staff's recommendation as stated above.

City Attorney Reyes advised the Council that a separate motion was not required, the item could remain on the Consent Calendar and staff would follow the direction stated above.

ACTIONS: Motion by Board / Council Members Murray/Swearingen, the City Council / Agency Board of Directors Approved the Consent Calendar, With the Exception of Items 7C.

Vote: Passed 4-0.

- A. Approved the Minutes of the July 21, 2009 Meeting.
- B. Received the July 18-24 and July 25-31, 2009 Lists of Warrants and Receive the July 24, 2009 Payroll in the Amount of \$ 469,481.28.
- C. Approve An Agency Policy For Agency Loan Extensions and Modifications and Establish an Application Filing Fee As Part of the CDD Master Fee Schedule **[Agency Report No. 2009-50; Action: Adopt Resolution Per Staff Recommendation (Drazba)] REMOVED FOR DISCUSSION**
- D. Adopt **Council Resolution 2009-79**, Awarded Contract To Bruce Carone, Inc. And Authorize the City Manager To Execute Contract In The Amount of ~~\$255,150.60 Plus a Ten Percent Contingency~~ \$205,000 For the Simas Avenue Street Reconstruction Project **[Council Report No. 2009-116; Action: Adopt Resolution Per Staff Recommendation (Allison)]**
- E. Adopted **Council Resolution 2009- 80**, Declared Surplus Public Works Equipment **[Council Report No. 2009-120; Action: Adopt Resolution Per Staff Recommendation (Allison)]**

Items Removed From the Consent Calendar

- 7C. Approve An Agency Policy For Agency Loan Extensions and Modifications and Establish an Application Filing Fee As Part of the CDD Master Fee Schedule **[Agency Report No. 2009-50; Action: Adopt Resolution Per Staff Recommendation (Drazba)]**.

Staff provided a brief report. She said the policy was approved by EDHAC and Vice Chair Sean Duckworth was present to provide background information.

Council Member Swearingen asked if there would be one fee or two.

Ms. Drazba responded that this proposed policy contained a \$325 fee for a loan extension.

Sean Duckworth, EDHAC Vice Chair, said they discussed the loan extension policy and agreed with staff. He said the board wanted to see “more skin in the game” and that was the reason for the application fee.

Vice Chair Long said she supported the fee. She said the policy provided flexibility in implementation, had creative aspects and said there was discussion around the 5-year plan, about the opportunity to amend and redefine terms, and there would be flexibility to amend the

loans to persons in need with serious conditions. She said she asked for a report from the EDHAC Board because the meeting minutes were not contained with the staff report.

Council Member Murray said it appeared that there were nuances that are not defined in the report but are contained in the Board's notes. He asked that it be captured somewhere.

Ms. Drazba explained that the loan process was written, but that it left flexibility because all loans are very different and the policy must be broad. Each loan and loan extension would be tailored to the needs of the borrower.

ACTION: Motion By Agency Board Member Long/Swearingen To Approve Staff Approval On 7c And Adopted Agency Resolution 50-2009.

Vote: Passed 4-0

8. REGULAR BUSINESS

Mayor Fujita asked and received Council authorization to move Item 8D forward on the agenda.

- 8D. Conduct a Public Hearing and Adopt A Joint Agency and City Resolution to Approve the, 2009/10 City and Redevelopment Agency Operations Budgets [Joint Agency /Council Report No. 2009-112; Action: Adopt Resolution Per Staff Recommendation (Loomis)] CONTINUED FROM 7/21/09

Richard Loomis, Finance Director, opened the discussion continued from July 21, 2009, presenting a summary from the prior meeting. His report provided new information regarding State budget actions and potential impacts on this budget, recap the overall financial condition of the General Fund, adopt a resolution to amend appropriations for all funds for FY 2009-10 and 2010-11, and receive direction from Council on timing for additional reductions that may be necessary to balance the budget.

Loomis discussed the two components to the State actions: Prop 1A Borrowing (at least \$329,665) and a Take Away of Tax Increment totaling \$3,555,411 in FY 09/10 and \$731,996 in FY 10/11. Loomis referenced Slide 4, stating that there was a policy decision that must be entertained by this Council at a future meeting, whether Pinole should participate in the securitization pool or carry State's receivable, which is yet to be fully defined at this time. Loomis also presented the possibility of a "hardship waiver exemption" to the State Prop 1A borrowing, which would be another policy decision for the Council to determine whether Pinole should file for such an exemption. He said that information was still being assembled and the program had not been fully defined at this time and he did not have information regarding the ramifications of filing. Staff would update Council as information comes forward.

Slide 8 addressed the "State Take Away" or reallocation away from local agencies, to a pool called the Supplemental ERAF. It would involve another local policy decision for the Agency Board to determine whether to use Housing Set-Aside funds for payment of the tax transfers. Again no action was requested at this time.

The report stated that Pinole's unresolved General Fund deficit was \$227,657. On the revenue side, Loomis said that he adjusted Measure S collections downward by 15% and was confident to reach the projected revenue numbers. On the expenditure side, the payroll forecast was firm, and the only undetermined costs at the time were health care costs. A ten percent escalator was included, but the increase was now determined to be around four percent. Currently, health care premiums are \$2.1 million annually, and have increased 100 percent in ten years.

Public safety services are funded by all property, sales, and transfer taxes along with grants, program reimbursements for specific functions such as dispatch, fire service in Tara Hills. The remainder of the General Fund is expected to fund Administration, Planning, Public Works, and Recreation; and the revenue is inadequate to cover the costs. There have been \$3,500,000 adjustments to date, and personnel has been reduced by 27 FTE's.

Mayor Pro Tem Long raised the following questions:

1. Regarding animal control services costs based on \$5.62 per capita, has the County scaled back the deliverables due to the economy and whether the City of Pinole should be receiving a reduced rate for reduced services.

City Manager Espinosa said staff would research, but did not think there had been any reductions.

2. Was there an overtime budget for community policing.

City Manager Espinosa said there was for events that occur after their shifts.

3. Was overtime tracked in the Fire Department when mutual aid is provided.

City Manager Espinosa said it possibly was tracked on time sheets and would be looked at more closely with the fire service delivery review.

4. Questioned Cable TV overtime salaries for regular employees.

Ms. Espinosa said that overtime account could be reduced, however some of the events are unplanned, such as from other agencies, and an overtime budget must be retained.

Council Member Swearingen raised the following questions:

1. Asked if the alarm registration and response fee was an estimate and Ms. Espinosa confirmed that it was.

2. Why was there no revenue in the narcotic court fines?

Mr. Loomis said the line item could be deleted; they were no longer handling that program.

Council Member Swearingen said to remove the old account numbers and zeros.

3. Asked about the investment earnings, also empty. Due to the depletion of the reserves account there were no investment earnings.

4. Asked staff to explain the administrative transfer process.

Mr. Loomis explained generally transfers recover costs that would otherwise be paid from the General Fund, and provided examples such as transfer for administrative overhead.

Council Member Swearingen noted for the record that the State has hired inspectors to make sure the cities spend the stimulus money correctly.

At 9:00 p.m., Mayor Fujita opened the Public Hearing. The following citizens addressed the Agency Board.

Maureen Toms, Pinole citizen, swimmer /pool user, Special Olympics parent, addressed Council stating that a wide variety of folks using the pool. She reported that a group of community members met regarding closing the gap to keep the pool open – around \$35,000. They have a fundraiser mentor and volunteers. Fund raising suggestions include a spring race, the November Silent Auction, selling fence space to pool sponsors, grant writing through the Pinole Seals and the Youth Foundation, candy or gift wrap sale, as well as exploration of a recreation tax which would also cover subsidy of the Youth Center and Senior Center, and perhaps library and park maintenance. Reducing swim center costs, adding solar electric and solar thermal should also be considered. She noted that the swim center budget does not receive funds from the Youth Center programs that use the swim center. The Seals Board planned to meet next week to consider a formal action and will continue to work with staff.

Kyle Toms, deferred his time to Maureen Toms.

Ivette Ricco, Pinole Chamber President, addressed Council and said that closing City Hall sends a poor message to prospective investors or developers that cannot get any information with the reduced hours at City Hall. She recommended staffing the desk with volunteers to respond to questions and general public inquiries. She urged Council to discuss this at a future meeting. She addressed revenue enhancement, and stated when and if there is a ballot measure to increase business licenses in 2010, that the Chamber be included in all discussions. She offered support to Seals and all the members who use the swim center and asked that they be given the time they need to raise the funds and Pinole Chamber offered their assistance. She said the decisions the Council makes in the coming year will define the board, including the selection of a new member.

Tammy Campbell, Pinole citizen, addressed Council and stated that the only way to control our quality of life was by paying for it ourselves. She said that the public needed to know what it cost to run the City, and asked what would fund the City when the Agency funds cease. Campbell discussed her involvement with the prior Pinole tax measures and said that the Pinole Seals were instrumental in working on the Utility Users Tax measure years back. She said the \$227,000 gap could be closed by ending the subsidy for the youth center, the senior center, Cable TV, and the swim center through a recreation tax. She said this is within Pinole's control.

Derrick Stockton, Pinole resident, Pinole Seals, supported keeping the Pinole Swim Center open. He believed a recreation tax to save all services was a positive consideration.

June Stockton, Pinole resident, addressed Council in support of keeping the swim center open. She supported a recreation tax and said if the City could not save the center; it should be given back to the residents.

Susan Carlyle, addressed Council and asked if the youth at the Pinole Cinema events were paid employees. She reported concerns about the Code Enforcement and Rental Inspection Programs, specifically a one hundred dollar appeal fee. She said her experience with the

inspectors was an unpleasant experience. She referenced the City Employee salaries on the web site and said the City Manager salary was not provided, and questioned the salary level of the office assistant position. She said when City Hall was first built, there were insufficient funds to staff the building and it was accomplished through volunteers staffing the front counters. She also stated opposition to the security cameras at Fitzgerald and saw no benefit from them, as well as the one at the Senior Center. Ms. Carlyle also said the speed trailers serve no purpose. She said the City should consider the benefit of items before making expenditures.

James Tillman, Pinole citizen, addressed the Agency Board and raised the following issues and questions:

1. When was the last Agency audit performed?
2. List of past and current projects with overrun
3. Supported undergrounding for wastewater collection systems
4. Suggested Board consider whether sidewalk replacements could be accomplished with Agency funds
5. Requested full disclosure on the expenses and payments on the \$2.5 million loan from the Agency to City
6. Supported the Seals request to keep the pool open for public use

Marcia Kalapus, Pinole citizen, raised a question regarding the City's observation of specific holidays. She said just because the State recognizes them, she did not believe the City had to also. She responded to a question from MR. Tillman, stating that an Agency audit was accomplished under Interim Executive Director Long and that it was addressed in detail in the Agency minutes.

Cindy Trego, Pinole citizen, raised an issue regarding vehicle licensing fees and noted there were a lot of vehicles on the street without current licenses, and the City should focus additional enforcement or attention to this matter. She also asked a question through the Mayor to the City Attorney, asking how the State can take Agency funds, and were they not setting a precedent for cities to dip into their Agency budgets for deficit funding. She forwarded the following ideas for raising funds for the swim center: seek contributions from the Central Labor Council, set up a website for donations, infomercial on the local cable channel, major business sponsorships, and charity football / sports events.

Irma Rupert, Pinole citizen, asked if funding for the swim center would qualify under Measure WW. She said that she did not believe that a recreation tax would pass successfully. She recommended a ten to fifteen percent salary reduction, and said grant funding should have been available for the Seals.

Ms. Espinosa said it was only for new projects, not operations.

James McMillian, Pinole citizen, Pinole Seal parent, spoke in support of the pool. He raised an issue with the City's continuing negotiations with the labor units and not moving forward with concessions, as it is happening all over the State. He questioned statements by the City Manager about other recreation programs that are self funded, with exception of the pool, and he asked the Council what the City had done to make the pool more self-sufficient, stating that solar heat and electricity should drop the pool costs dramatically. McMillian requested to keep the pool open for two more years to implement solutions.

At 9:43 p.m., Mayor Fujita declared the Public Hearing closed, and brought the matter forward to the board for consideration

Council discussion followed.

Mayor Pro Tem Long said the City had been working diligently with the labor organizations, and needed consensus before bringing plan forward. She commended staff for presentation of a realistic budget and revenue forecast. She agreed with speakers that said the City must look inward to take care of ourselves, and said a recreation tax might be viable, and that it would good to put it out there for the community to decide. She asked if senior and hardship exemptions would be considered. Mayor Pro Tem Long supported giving the Seals a chance to fundraise and keep the pool in the budget, directing Ms. Toms to work with the City Manager. In closure, she gave her support of the budget, and keeping the pool open for future revenue forecasts.

Council Member Swearingen responded to comments about the pool, stating that twenty years ago the City saved the pool by taking it over for the community. Solar has already been calculated into the operations costs. He supported staff's efforts on the budget as well as labor negotiations, and appreciated the ideas forwarded by the Seals and said he supported the budget, as proposed.

Council Member Murray commended staff for their continued efforts at budget reductions and concessions, but acknowledged that the City cannot keep up with the State raids. The Council is open to discussion to work toward keeping the pool open, but want the help offered by the Seals this evening.

Mayor Fujita agreed with the Council members. She said the only item left for reduction was staffing, and she hoped further reductions would not be necessary, but cannot be sure at this time. She also commended staff on the budget. She supported trying to keep the pool open, to raise funds and work cooperatively, and supported passage of the budget.

Michelle Fitzer, Assistant to the City Manager, commended the employees for bargaining units for coming forward and working with the City. Although she could not provide further information, she said there was a tentative agreement with one unit, an agreement with another, and was hopeful to have agreements for concessions with all the units for Council consideration at the next regular meeting.

Ms. Espinosa advised the Council that the budget did include the pool closure, and if the Council was supportive to keep it open, that language should be reflected in the motion.

ACTIONS: Motion by Council / Agency Board Members Swearingen/Murray, the City Council / Agency Board of Directors Adopted Agency Resolution 51-2009 and Council Resolution 2009-81, Approve the, 2009/10 City and Redevelopment Agency Supplemental Operations Budget, As Amended To Reflect Exclusion of the Pinole Pool Closure from the Budget Documents.

Vote: Passed 4-0.

Mayor Fujita called a short recess, and reconvened the meeting at 10:20 p.m.

- A. Conduct a Public Hearing and Approve the Five-Year Redevelopment Agency Implementation Plan, 2010-2014, for the Pinole Vista Project Area (“Project Area”) [**Agency Report No. 2009-52; Action: Adopt Resolution Per Staff Recommendation (Carbahal)**]

Leslie Carbahal, Redevelopment Analyst, enter Agency Report 2009-52 into the record. The Implementation Plan, a five year visioning document, agency policy statement about the types of projects and programs in the five-year life of the plan. The Plan assists in setting priorities and allocating resources. Ms. Carbahal cited the implementation plan requirements and described the four main sections of the plan. The plan goals included Community, Downtown, Commercial, Center, Parks, Appearance, and Housing.

The plan reports on affordable housing production and spending and demonstrates that the Agency is on target to meet affordable housing requirements. It finds that the Agency Board needs to replace one housing unit that was lost and also spend a greater proportion of housing set-aside funds on projects that assist very-low income households before 2012. Staff recommended that the Agency Board conduct a Public Hearing this evening, adopt a CIP at a future date to implement the adopted plan, and review specific program approvals for Plan items and annually receive updates to the Implementation Plan.

Board Member Murray raised questions on the following:

1. Low and Moderate Income on Pg 41-42: Impose covenants and conditions and restrictions on the property to insure maintenance and protect against illegal activity on the premise.
2. Whether the Housing Program allows for the Agency to partner with housing authorities in other jurisdictions to explore joint opportunities for providing affordable housing.

Ms. Carbahal noted that the Housing Program project “Site Improvements, Project Development, Development Assistance, Acquisition, and Disposition for Agency-Owned Properties and Agency-Identified Opportunity Sites” on Pg 39 specifically includes the option to explore such partnerships.

3. Stated unfamiliarity with the Pinole Valley Road widening at I-80, contained on Page 30.
4. Concern with prioritization, and older projects being replaced by newer projects.

Economic Development Manager Drazba said that the Pinole Valley Road Widening would add a dedicated right-turn lane eastbound and westbound. She said it was on a regional transportation “wish list”, and appropriate to cover in this document.

City Manager Espinosa said the Implementation Plan was the visioning document and the CIP followed up and addressed the specific projects for funding.

Council Member Murray asked to add the following items to the plan:

1. Entry signs at Appian Way, particularly on northwest side, by Doctors Hospital are falling into disrepair

Ms. Carbahal said they are identified in the plan.

2. Marketing plan for Pinole Valley Shopping Center.

Ms. Espinosa said the plan has a section that could be addressed for that purpose.

3. Identified the need to apply covenants and conditions on projects.

Vice Chair Long noted that former Council Member Horton had said she was working on and would be presenting a marketing plan. She raised the following projects for consideration:

1. Fence installation at the Pinole Valley Park baseball field renovations
2. Pinole Valley Park soccer field parking lot to be included in this plan.

Staff responded that the park is not in the Agency area, and that those projects were in the draft CIP and on the Measure WW funding list.

3. Traffic signal at San Pablo Avenue and Appian.
Mr. Allison said it would need to be replaced in the next five years.

4. Fowler house - 2548 Charles Avenue

A brief discussion continued on the Fowler house. Council Member Swearingen noted that 2548 Charles seemed like a perfect location for a museum, with space behind to add parking. Ms. Drazba clarified that the project is not in the RDA project area, and is owned by the City, not the Agency.

Council Member Swearingen raised the following:

1. Request for continued progress reports on the Pinole Valley Road widening
2. Identify the streets to receive new street lights

Staff responded that this plan was visioning, and the streets were not identified yet.

3. Requested a better estimate for the skate park and the bocce ball courts (page 33).

Vice Chair Long asked Ms. Carbahal to identify the term transitional housing. Ms. Carbahal said it is the terminology for housing for individuals who were previously homeless.

ACTION: Motion by Swearingen / Long To Extend The Meeting To The End Of The Agenda. Passed 4-0.

At 11:05 p.m., Chair Fujita opened the Public Hearing. The following citizens addressed the Agency Board.

Sheila Grist and **James Tillman** were not present when called to speak.

Irma Rupert, Pinole citizen, echoed Council Member Murray comments regarding the affordable housing covenants, and spoke to East Bluff Apartments, as an example.

Ivette Ricco, Pinole Chamber President, said the Chamber was interested in working with the Agency on some of the projects in order to sustain the business community. Some of these programs are not effective and need to be modified. She cited the Rehabilitation Loan program as an example, stating there were more immediate need for business relocation, citywide marketing, and commercial loans.

At 11:10 p.m., Chair Fujita declared the Public Hearing closed, and brought the matter forward to the board for consideration

ACTIONS: Motion by Board Members Swearingen/ Murray, the Agency Board of Directors Adopted Agency Resolution 52-2009, Approved the Five-Year Redevelopment Agency Implementation Plan 2010-2014, for the Pinole Vista Project Area (“Project Area”)

Vote: Passed 4-0.

- B. Approve Staff Proposed Procedure for Processing Community Projects [**Council Report No. 2009-118; Action: Approve Procedure (Allison/Wooldridge)**]

Dean Allison, Public Works Director, entered Council Report 2009-118 into the record, and seeking direction from Council to determine when projects should be brought to Council. He said staff had received conflicting feedback. The proposed procedures include an initial preliminary Council review to introduce the plan, following by meetings for community / citizen input and the third step would be final review before Council prior to finalizing the plan. Mr. Allison requested input from Council and adoption of the procedure outlined in the report.

At the request of Council, staff provided examples of direction they had received on past projects, and explained staff was trying to identify a process that worked for Council and staff would follow.

Mayor Pro Tem Long suggested using the Consent Calendar to introduce a project or a concept to the Council for initial direction, as well as providing later updates regarding how a project is moving forward.

No speakers addressed Council.

After a brief discussion, the Mayor entertained a motion.

ACTIONS: Motion by Council Members Murray/Long, the City Council Approved the Procedure for Processing and Reviewing Community Projects.

Vote: Passed 4-0.

- C. Approve The Management And Leasing Fees For TKG Pinole LLC For The Pinole Vista Shopping Center [**Agency Report No. 2009-51; Action: Adopt Agency Resolution Per Staff Recommendation (Drazba)**]

Staff requested continuance to October 2009.

ACTIONS: Motion by Board Members Swearingen/Murray, the Agency Board of Directors Continued the Item to October 2009.

Vote: Passed 4-0.

9. OTHER POLICY ITEMS

10. ROUTINE REPORTS & COMMUNICATIONS

A. Mayor / Chair Report

1. Announcements

Mayor Fujita provided brief reports on the following:

1. WestCAT Board meeting included update on Hercules Transit, reduction in monthly bus passes, Mayor Pro Tem Long re-elected as Board Vice Chair

2. West County Mayors and Supervisors update regarding Gioia and McNiel's efforts to form a task force to address West County Fire services and to work with LAFCO and the city managers also tasked with the duty.

City Manager Espinosa said there would be a report at the September West County Mayors and Supervisors meeting.

2. Mayor's Task Force on Education

B. City Council / Agency Board Committee Reports

Council Member Swearingen reported he was elected as the WCCTAC Vice Chair and provided a WCCTAC update regarding their review of potential transportation issues associated with the proposed Point Molate casino, which could affect traffic on Appian Way and San Pablo. The Senate approved the Hot Lanes with provisions requested by WCCTAC, and the I-80 interchange could be a gap area.

Mayor Pro Tem Long reported dialogue with WCCUSD Trustee Tony Thurmond regarding an email forwarded from a student concerned about the safety at Pinole Valley High. She reported that her May 2009 request for information for a discipline matrix, settlement details on a lawsuit regarding student discipline, the transfer policy which defines a caregiver, and a copy of the dress code had not been provided. Nothing has come of these discussions of fences or camera and she asked that regular meetings be reinstated through Ms. Espinosa's office.

Council Member Murray reported on the County Workforce Development Committee meeting. He cited the City's participation in the Summer Youth Program as an excellent example of cooperation.

C. Council Requests For Future Agenda Items

1. Address Ms. Hurn's comments about safety issues in Pinole Valley Park and requested Police incident reports and consider relocating the gate closer to Pinole Valley Road. He suggested obtaining an easement from Hurn for the gate. (Swearingen)

Ms. Espinosa reported that staff had met with Ms. Hurn following the last Council meeting and Mr. Allison was working on relocating the gate, to her satisfaction.

2. Solar Thermal – explore and report back (Swearingen)
3. Report back on Ms. Rupert's inquiry on new stimulus program monies in the Weekly Report (Swearingen).
4. Review Code Enforcement with the Rental Inspection Program discussion (Long)
5. Police Department Update on the camera / fiber optics (in reference to comments from S. Carlisle)
6. Fast food/litter tax – plastic bag / Styrofoam ban (Murray)

D. City Manager / Executive Director Report

E. City Attorney Report

City Attorney Reyes had no report

11. ADJOURNMENT

At 11:50 p.m., Mayor / Chair Fujita adjourned the Regular meeting to the Special Redevelopment Agency/City Council Meeting of August 12, 2009 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz and J. H. Ezell.

Submitted by:

Patricia Athenour, MMC
City Clerk

APPROVED BY AGENCY BOARD / CITY COUNCIL: