

**PINOLE CITY COUNCIL  
PINOLE REDEVELOPMENT AGENCY  
MINUTES  
SEPTEMBER 1, 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 6:03 PM. Boy Scout Troop 81 led the Pledge of Allegiance and the Flag Salute.

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

**A. COUNCIL MEMBERS PRESENT**

Roy V. Swearingen, Council Member  
Tim Banuelos, Council Member  
Peter Murray, Council Member  
Debbie Long, Mayor Pro Tem  
Virginia Fujita, Mayor

**B. STAFF PRESENT**

Belinda Espinosa, City Manager / Executive Director  
Benjamin Reyes, City Attorney  
Inga Lintvedt, Assistant City Attorney  
Michelle Fitzer, Human Resources Director/Asst to the City Manager  
Dean Allison, Public Works Director  
Paul Clancy, Police Chief  
Mary Drazba, Economic Development Director  
Leslie Carbahal, Redevelopment Analyst  
Francine Kuykendall, Redevelopment Project Manager  
Patricia Athenour, City Clerk/Agency Secretary

City Clerk Athenour announced that the agenda was posted on Friday, August 28, 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 Council and Agency Board of minor revisions to the following items on the Agenda. Copies of the revised document were provided to the Council and made available for the public.

1. Item 7C - Commercial Loan Policy. There was a change to page 1 and 2 of the Policy document. Advised Council they did not need to remove it from the agenda to vote separately.
2. Item 8B – Utility Users Tax. The agenda referenced a resolution, but the recommendation was that the levy and the exemption remain the same as the prior year, and could be approved by minute order.

3. Item 8C – Curfew Ordinance. The staff report incorrectly stated “adoption” of the ordinance instead of “introduction.” Correction on page 3, section 3 of the draft ordinance, the reference should read “Nighttime” curfew, not “Daytime” curfew.

### **3. CONVENE TO A CLOSED SESSION**

At 6:05 p.m., Mayor Fujita convened the Noticed Closed Session as follows:

- A. Pursuant To Government Code Government Code §54956.8, The Redevelopment Agency Board of Directors Conferred With Real Property Negotiator, Mary Drazba, Regarding Property Known as Gateway East, Department of Transportation Remainder Parcel Location: East side of Pinole Valley Road, between Henry and I-80, Pinole
- B. Pursuant To Government Code Government Code §54956.8, The Redevelopment Agency Board of Directors Conferred With Real Property Negotiator, Mary Drazba, Regarding Property: Pinole Shores Business Park Developer: Panattoni Development Company Location: 806 San Pablo Avenue, Pinole

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

AT 7:28 p.m., Mayor Fujita reconvened meeting in open session. She announced there were no reportable actions from Closed Session.

### **5. RECOGNITIONS**

- A. Proclamations
  - 1. September - National Alcohol & Drug Addiction Recovery Month

Mayor Fujita read the proclamation and announced it would be mailed.

- 2. Falls Prevention Awareness Week September 21 – 27, 2009

Mayor Fujita read and presented the proclamation to Sandy Warren. Mr. Warren accepted the proclamation and thanked the Council.

- 3. Proclamation to Former Council Member Mary Horton

Mayor Fujita read and presented the proclamation honoring Council Member Horton for nineteen years of service to the community.

Ms. Horton addressed Council, stating that her personal dream was fulfilled by being a member of Council. She thanked everyone who supported her in her previous campaigns, her husband Will, and her campaign managers, specifically mentioning Richard Enrique and Richard White in the last election. Mary Horton accepted the proclamation in memory of her parents, Frances and Harold Estabrook.

- B. Presentations

1. September - National Preparedness Month by Chief Jim Parrott

Chief Parrott announced it was National Preparedness Month and encouraged families to make preparations in the event of a disaster. He reminded them there was a shelf life on provisions and need to be replenished. On September 14<sup>th</sup>, the Pinole Fire Department would host the first CERT Program in Pinole. CCOP had been actively engaged in this activity and many of their members were enrolled in the course, which offers training to the layperson to sustain and assist their families and neighbors for seventy-two hours until help arrives. He also announced that the Contra Costa County Preparedness Faire would be held on September 26<sup>th</sup> at the Hilltop Mall in Richmond.

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

**Dolores Lucas**, former resident, addressed the Agency Board regarding the plaque that she said was promised to her sisters by the land developer and the Agency/City, to honor and identify their Faria family farm, now housing the Kaiser Medical Office Building. She understood that the City still retained a piece of the property and asked that the plaque be installed in a prominent location at Pinole Valley Road and Henry Avenue or along Pinole Valley Road.

The Council referred the matter to City Manager / Executive Director Espinosa.

**Ivette Ricco**, Pinole Chamber President, addressed Council to report that the Business Expo was a huge success. She thanked all the sponsors, and referred to the Chamber website where they were individually recognized. .

**Joan Landis**, Pinole Artisans, addressed Council to report that due to an offer by TKG, the Pinole Artisan would be opening their second gallery in the Pinole Valley Shopping Center. A grand opening event was planned for September 5<sup>th</sup> from 1-8 PM.

**Jeff Rubin**, CCOP member, addressed Council and applauded and thanked former Council Member Horton for the sense of community she provided. He announced the CERT training previously introduced by Chief Parrott and encouraged others to sign up for the training by contacting Chief Parrott or visit the CCOP website for more information.

**Marcia Kalapus**, Pinole Historical Society President, reminded the Council and community of the Images of Pinole book signing at Mechanics Bank on Wednesday, September 2, from 5:30 to 7:30 pm. The Society was also honoring the Bank of Pinole and the Downer Family for their contributions to Pinole. Kalapus also spoke in support of Falls Prevention Week and encouraged senior outreach, asking citizens to check on seniors in their neighborhoods.

**Judy Cheung**, Santa Rosa resident, addressed Council to advocate for appointment of a Pinole poet laureate, and nominated Claire J. Baker. She announced Ms. Baker's memberships in various organizations, and the talent she would bring to the community.

**Natica Angilly**, addressed Council on behalf of Artist Embassy International, read a letter into record, to nominate Claire J. Baker for the office of poet laureate. She also extended an invitation and gave tickets to the Council to attend a poetry festival on September 26, 2009 at the California Palace of the Legion of Honor in San Francisco.

**Denise L. Barney**, Pinole resident, supported the request for a Pinole poet laureate. She said that it would be the second Pinole poet laureate; stating that Jessie Clark served in that capacity in the 1970's. She said it fit well with the support of the arts that the City had traditionally given, and that Claire J. Baker would be an asset to the position.

**Claire J. Baker**, Pinole resident, addressed Council and said that poetry was her life work, and her poems were displayed at the Senior Center and the Pinole Artisans gallery. She explained the responsibilities of a poet laureate, said one would promote the city's image of cultural sensitivity. She suggested a two year appointment. She said that Jessie Howe Clark was appointed in 1973 and honored in 1985 with a tree and plaque dedication from the Pinole Garden Club. Ms. Baker was available to provide information and guidance as needed, and closed her presentation with a brief poem.

**Jim Tillman**, Pinole resident, announced the annual Coastal Cleanup event on Saturday, September 19<sup>th</sup> at 8:30 am at Bay Front Park. He said that Council Member Murray was the event organizer. He invited the community to assist and stay for the BBQ which would follow.

Council Member Murray thanked Mr. Tillman for his help with this event during the past ten years.

**Cindy Trego**, Pinole citizen, addressed Council, regarding the rise in the student population at Pinole Valley High and asked whether it was due to an increase in transfer students. She said that Pinole Valley High was the only high school in the district without cameras or a fence. She asked Council to investigate the transfer policy and the security issue cited above. Ms. Trego then discussed the Praxair pipeline project, requesting that radon testing be done in the area around Pinole Shores due to the high number of pipelines. A third issue was the need for more patrols by EBRPD police; citing an increase in bonfires lately.

## **7. CONSENT CALENDAR**

Council Member Murray removed Item 7B.

Mayor Pro Tem Long removed Item 7C.

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

**Vote: Passed 5-0.**

- A. Approved the Meeting Minutes of August 12, August 13 and August 18, 2009.
- B. Received the August 15-21, 2009 and August 22-28, 2009 Lists of Warrants and Received the August 21, 2009 Payroll in the Amount of \$458,002.15. **REMOVED FOR DISCUSSION.**

- C. Adopted **Agency Resolution 56-2009**, Approved Comcast As A Tenant At the Pinole Valley Shopping Center [**Agency Report No. 2009-55; Action: Adopt Resolution Per Staff Recommendation (Drazba)**] **REMOVED FOR DISCUSSION.**
- D. Adopted **Council Resolution 2009-92**, Approve the City and Agency Appropriations Spending Limit for FY 2009/10 [**Council Report No. 2009-139; Action: Adopt Joint Resolution Per Staff Recommendation (Loomis)**]
- E. Adopted **Agency Resolution 57-2009**, Approved A Modification to the Agency Commercial Rehabilitation Loan Policy to Include Permanent Interior Improvement Loans and Extend Eligibility to all Commercial and Mixed Use Districts Within the Redevelopment Area [**Agency Report No. 2009-56; Action: Adopt Resolution Per Staff Recommendation (Carbahal)**]
- F. Adopted **Council Resolution 2009- 93**, Accepted The Improvements and File a Notice of Completion For the Water Pollution Control Plant Digester Project with Pacific Mechanical Corporation And Approve the Release of Retention Monies [**Council Report No. 2009-140; Action: Adopt Resolution Per Staff Recommendation (Allison)**]

#### **Items Removed From the Consent Calendar**

##### **Item 7B.**

Council Member Murray referred to the entry on the Warrant List, page 2, check # 058498 to Hercules Municipal for UUT and asked if a utility user's tax (UUT) fee was paid to Hercules.

Richard Loomis, Finance Director, responded and said it referenced the invoice for electricity at the WPCP Plant, purchased from Hercules Power. The electricity fee is split between Hercules and Pinole, and the UUT assessment is credited to the City of Pinole.

**ACTIONS: Motion by Council Members Murray/Banuelos, the City Council Approved the Lists of Warrants and Received the August 21, 2009 Payroll in the Amount of \$458,002.15.**

**Vote: Passed 5-0.**

##### **Item 7C.**

Mayor Pro Tem Long requested clarification that the Agency does not approve the tenants at the Pinole Valley Shopping Center, so she wanted assurance that should Comcast bore into the parking lot they traffic circulation would not be impacted during construction and that the lot be repaired to the existing or better condition. She also did not support Comcast advertising on the pylon signs, which should be reserved for retail business to entice drivers from I-80. She asked if the City had any leverage with TKG on that issue. Her position was that the Planning Commission should be aware of the signage and tenant mix.

Ms. Espinosa said the use of the pylon sign is TKG's discretion, but staff would contact them regarding our position.

Agency Board Member Murray suggested adding language to the contract that the tenant was “subject to all appropriate permits from the City.”

**ACTION: Motion By Board Members Long/Swearingen, The Agency Board Adopted Agency Resolution 56-2009, Approved Comcast as a Tenant At the Pinole Valley Shopping Center, With Amendment to the Contract “Subject To All Appropriate Permits from the City.”**

**Vote: Passed 5-0**

## **8. REGULAR BUSINESS**

With the concurrence of Council, Mayor Fujita moved 8E forward as the first new public hearing.

### **CONTINUED PUBLIC HEARINGS:**

- A. Conduct A Public Hearing, Adopt Agency Resolution Approving Entering Into A Sublease And Improvement Agreement and Loan Agreement With Surinder Pal Sroa, dba Okrah Restaurant For 2300 San Pablo [**Joint Agency / Council Report No. 2009-141; Action: Request Motion for Continuance to October 6, 2009 (Kuykendall)**]

**ACTION: Motion by Board Members Murray/ Swearingen, the Council and Agency Board Moved Staff Recommendation to Continue the Public Hearing to October 6, 2009.**

**Vote: Passed 5-0.**

- B. Conduct A Public Hearing and Approve the Annual Review of the Utility Users Tax [**Council Report No. 2009-142; Action: Conduct Public Hearing & Approve Staff Recommendation (Loomis)**]

**Richard Loomis**, Finance Director, presented Council Report 2009-142 into the record. pursuant to the Municipal Code, the City was required to conduct an annual review of the necessity of the tax, the adequacy of the rate and report the financial performance / annual revenue. The Council also has discretion regarding the rate of this tax and to modify the income levels for exemptions from the tax. We have adopted the same exemption thresholds used by PG&E. Mr. Loomis reported that receipts totaled \$2,130,646 in FY 2008/09; two percent greater than the prior year. Staff budgeted \$2,299,189 for FY 2009/10 and recommended continuation of the levy. Staff also recommended making no changes to the household income threshold for exemptions. The city has granted 1,200 exemptions from a base of 6,000, which translated to about \$400,000 per year. Loomis was available for questions.

Mayor Pro Tem Long asked the following questions:

1. How the eight percent increase from last year was derived. Mr. Loomis said it was an estimate formulated due to the base being larger with a PG&E rate increase and other fluctuations.
2. Was the CARE exemption information documented? Mr. Loomis said verification was done on a percentage of the applications received; and audit sampling.

Mayor Pro Tem Long suggested that the City consider doing sampling or spot check in the future. Council Member Murray agreed with Mayor Pro Tem Long.

At 8:40 p.m., Mayor Fujita opened the Public Hearing. No speakers addressed Council and the Public Hearing was closed.

**ACTION: Motion by Council Members Swearingen/Murray, the Council Adopted Staff Recommendation with No Changes to the Levy or the Exemption**

**Vote: Passed 5-0.**

**NEW PUBLIC HEARINGS:**

- E. Conduct A Public Hearing And Adopt City and Agency Resolutions Approving Purchase and Sale Agreement Between The Agency And Judy S. Tang and Calvin King, II (The "Buyer") Pertaining To The Disposition Of Property Located At 620 Maiden Lane [**Joint Agency / Council Report No. 2009-145; Action: Adopt Per Staff Recommendation (Carbahal)**]

**Leslie Carbahal**, Redevelopment Analyst, presented Joint Agency / Council Report No. 2009-145 into the record, recommending that the Council and Agency Board adopt resolutions approving the sale of 620 Maiden Lane to Judy S. Tang and Calvin King II, approve the Reuse Report required by H&S Code 33433 and as the Agency, authorize the sale of the real property as a Below Market Rate single-family residence. She presented the \$390,000 offer for the BMR moderate income home. The buyers completed the pre-qualification process, and desire to live in Pinole near their families. Next steps included due diligence related to the sale of the property, with an anticipated closure in late September.

Ms. Carbahal was available for questions. Council questions followed.

Mayor Fujita asked why there were no priority points. Ms. Carbahal said the priority points were developed to rate buyers when more than one offer was received.

At 8:50 p.m., Mayor Fujita opened the Public Hearing. The following citizens addressed the Council.

**Judy Tang**, prospective buyer, addressed Agency, introduced her family and expressed their desire to put roots down in Pinole. She said she appreciated the Agency's consideration in accepting their offer

At 8:53 p.m., Mayor Fujita closed the Public Hearing.

The Agency Board / Council welcomed the family to Pinole.

**ACTION: Motion by Council / Agency Board Members Long/Murray, the Agency Board and City Council Adopted Council Resolution 2009- 94 and Agency Resolution 58-2009, Approving Purchase and Sale Agreement Between The Agency And Judy S. Tang and**

**Calvin King, II (The “Buyer”) Pertaining To The Disposition Of Property Located At 620 Maiden Lane**

**FURTHER ACTION: The Council and Agency Board approved the Reuse Agreement under Health & Safety Code 33433; and**

**FURTHER ACTION: The Agency Board authorized the sale of the real property as a Below Market Rate single-family residence.**

**Vote: Passed 5-0.**

- C. Conduct A Public Hearing and Introduce an Ordinance Amending the PMC Related to a Daytime Curfew [**Council Report No. 2009-143; Action: Conduct Public Hearing and Introduce On First Reading By Title (Clancy)**]

**Paul Clancy**, Police Chief, presented Council Report 2009-143 into the record, with a recommendation to introduce an ordinance adding PMC Code Section 9.16.020 related to Daytime Curfew. The draft ordinance allows enforcement actions against juveniles who do not stay in school. The ordinance is anticipated to have a positive effect on the community and the schools, reducing the number of burglaries and shoplifting incidents. The curfew would be effective between 8 am and 2 pm, when absent from school without a lawful excuse. Clancy reported there were 294 truants last year. Violation of the ordinance would be an infraction with a \$50 fine on the first conviction; \$100 for a second offense within a calendar year; and \$200 for a third; the minor's parent or guardian would be liable for payment. The proposed ordinance was similar to ordinances in Benicia, Hercules, Pittsburg, and Fremont. He recommended introduction and was available for questions.

Chief Clancy responded to City Councilman Roy Swearingen, and acknowledged that the ordinance does not cover students 18 years old and older.

In response to Councilman Pete Murray, Chief Clancy said students would be allowed to walk to off-campus for off-site physical education activities, but would be in violation of the ordinance if they went elsewhere.

Council Member Swearingen clarified that eighteen year olds could not be cited and Chief Clancy responded affirmatively.

Mayor Pro Tem Long asked who was responsible for the fine – the parent, the caretaker, or the juvenile. Chief Clancy said it would be the parent or the “legal” guardian.

Council Member Banuelos asked for a breakdown by age group for the 294 truancy citations. Chief Clancy responded they were all high school students.

Mayor Pro Tem Long asked about the relationship between the District and the Police Department and whether there were issues within the school district that would need to be addressed in this ordinance. Chief Clancy said he would report back.

At 9:05 p.m., Mayor Fujita opened the Public Hearing. The following citizens addressed the Council.

**Cindy Trego**, Pinole citizen, asked what happened with someone receives three curfew cites, and whether the District would work with the City for constant repeat offenders. She suggested speaking with EBRPD to adopt this ordinance also to address juveniles within the park jurisdiction.

Chief Clancy said the school district was very active in enforcement. City Attorney Reyes said under California law the maximum fine was \$1,000 for infractions.

At 9:08 p.m., Mayor Fujita closed the Public Hearing.

Council Member Murray asked if we know the time of day when the school takes the daily census. Council Member Swearingen said they take attendance/census at every class.

Mayor Pro Tem Long asked if the school district provides home address info to the police. Clancy responded affirmatively.

**ACTION: Motion by Council Members Swearingen / Long, the Council Introduced Ordinance 2009-07, On First Reading by Title Only, Amending the PMC Section 9.16.020 Related to a Daytime Curfew**

**Vote: Passed 5-0.**

- D. Conduct A Public Hearing and Introduce an Ordinance Amending the PMC Chapter 16.30 - West County Subregional Transportation Mitigation Program Related To the STMP Fee [**Council Report No. 2009-144; Action: Conduct Public Hearing & Introduce On First Reading By Title Only (Hersch)**]

**Anne Hersch**, Associate Planner, presented Council Report No. 2009-144 into the record, recommending a modification to Chapter 16.30.030 Sub-Regional Transportation Mitigation Fees to correct a deficiency in the fee, calculated previously at “per 1,000 square feet, whereby, it should be assessed and collected “per square foot” to be consistent with the cooperative agreement with WCCTAC and collection by the neighboring agencies. The fee established by ordinance, requires a second reading. Staff was available for questions.

Mayor Pro Tem Long confirmed there were no changes in hotel, senior housing and multi-family units. Associate Planner Hersch said that was correct.

Ms. Hersch responded to Council Member Banuelos stating that if a tenant improvement triggered a change in the peak hour trips, it would be subject to the fee.

At 9:14 p.m., Mayor Fujita opened the Public Hearing. No citizens addressed the Council and Mayor Fujita declared the Public Hearing closed.

The Council asked if they could add to the list to identify other projects, other than the Bay Trail to utilize the fees collected.

**Winston Rhodes**, Planning Manager, responded that there was a nexus study to determine the cost to develop the projects and set the fees. As the projects move through the list to completion, there will be an opportunity to add projects.

Mayor Pro Tem Long asked if there was a relationship to the amount a community contributed and the number of projects. Mr. Rhodes responded that there was not.

Council Member Banuelos said the Richmond Transit Center was completed. Mr. Rhodes concurred and said the money collected goes to other projects on the list to be completed.

**ACTION: Motion by Council Members Murray/Swearingen, the Council Introduced Ordinance 2009-08, On First Reading by Title Only, Amending the PMC Chapter 16.30 - West County Subregional Transportation Mitigation Program Related To The STMP Fee.**

**Vote: Passed 5-0.**

## **9. OTHER POLICY ITEMS**

There were no policy items.

## **10. ROUTINE REPORTS & COMMUNICATIONS**

### **A. Mayor / Chair Report**

#### **1. Announcements**

- a. September 2<sup>nd</sup> - Pinole Historical Society HS book signing at Mechanics Bank
- b. September 19<sup>th</sup> – Coastal Cleanup

#### **2. Appointments**

- a. Appoint a Subcommittee & Select a Date to Conduct Planning Commission Interviews
- b. Appoint a Subcommittee & Select a Date to Conduct Youth Commission Interviews

**[Council Report No. 2009-146; Action: Council Discretion (Athenour)]**

City Clerk Athenour asked the Council to select an interview panel and a date to conduct both Planning Commission and Youth Commission interviews. Ms. Athenour recommended extending the filing period to September 10, 2009, since applications had been received to date.

There was Council concurrence that the Planning Commission interviews would be conducted by a subcommittee comprised of Council Member Banuelos and Mayor Fujita on September 23<sup>rd</sup> and that the filing period was extended to September 10<sup>th</sup>.

There was Council concurrence that the Youth Commission interviews would be conducted by a subcommittee comprised of Mayor Pro Tem Long and Council Member Swearingen on September 24<sup>th</sup>.

### **3. Council Assignment List**

Mayor Fujita asked Council Member Banuelos if he wished to assume the committee/board alternate positions that former Council Member Horton had previously held on the East Bay Division, West Contra Costa Integrated Waste Management Authority, WCCTAC, WestCat, EBRPD Bayfront Trail JPA, and ABAG.

Mayor Fujita recommended sunsetting the Business Improvement District Subcommittee, a committee formed several years ago to assess lighting, landscaping and security costs to businesses, and all action was tabled with the passage of Measure S.

**ACTION: Motion by Council Members Murray/Swearingen, the Council Sunsetting the BID subcommittee.**

**Vote: Passed 5-0.**

Mayor Fujita also recommended formally sunsetting the Centennial Committee and the Defensive Strategy Committee.

**ACTION: Motion by Council Members Swearingen / Banuelos, the Council sunsetting the Centennial Committee.**

**Vote: Passed 5-0.**

There was a Council brief discussion regarding the Defensive Strategy Committee which addressed formed regarding emergency preparedness. It was determined that the Council's role in an emergency was addressed in the City's Emergency Operations Plan to enact necessary legislation and other required functions.

**ACTION: Motion by Council Members Banuelos/Murray, the Council sunsetting the Defensive Strategy Committee**

**Vote: Passed 4-1; Murray opposed.**

Mayor Pro Tem Long asked the Mayor to entertain a motion to sunset the Pinole Hercules Adhoc subcommittee that had not met in a formal capacity for over six years.

**ACTION: Motion by Long / Murray, the Council sunsetting the Pinole-Hercules Adhoc Subcommittee.**

**Vote: Passed 5-0.**

Council Member Banuelos agreed to assume former Council Member Horton's alternate delegate positions. He expressed interest in serving as a delegate on several committees next year.

#### B. City Council / Agency Board Committee Reports

Council Member Swearingen reported that he chaired the last West County Mayors meeting for Mayor Fujita. He reported on the Identification Card Program, which was held over to the next meeting, and also reported on EBMUD's presentation on water issues, desalination plants and

other methods of getting water for West County. Council Member Swearingen also reported on the Motorcycle Car show fundraiser for the Blue Star Moms last week. He thanked the fire department staff from all West County departments for the wonderful barbeque.

Council Member Murray reported that the last WCCUSD Bond Oversight meeting was cancelled due to lack of a quorum. He provided an EBRPD Bay Front Trail JPA meeting update and said that after twenty years the trail connection was moving forward. The group also discussed the Praxair right-of-way issues at the park.

Council Member Banuelos said he and Mayor Fujita walked the trail where Praxair proposes to install the pipeline. He said reviewing on site and noting the proximity to the residences and the topography provided a much difference perspective than reviewing an exhibit.

City Manager Espinosa reported that Pinole was interested in hosting a community meeting to provide an interactive forum for the residents. She said Praxair was agreeable to conducting the meeting and it would be scheduled sometime in October. Ms. Espinosa also mentioned notifying surrounding residents of the community meeting.

Mayor Pro Tem Long reported meeting with Supervisor Uilkema regarding the Praxair project and fire service delivery issues. They discussed the possibility of a virtual tour for Praxair and Supervisor Uilkema suggested working with the County Planning Commission and zoning administrator and to have representatives present at those meetings. Mayor Pro Tem Long also encouraged volunteers to attend the County meetings. Mayor Pro Tem asked the City Clerk to be sure that Supervisor Uilkema's staff was on the Council meeting e-distribution list.

City Manager Espinosa reported on the City Manager's group which was tasked with making a presentation to LAFCO on the Fire Service Delivery study.

### C. Council Requests For Future Agenda Items

1. Set scheduled meetings with the WCCUSD representatives (Ramsey, Harter, and Principal Kahn) with City Council /staff representation (Long, Murray, Espinosa, Clancy) at Pinole Valley High. A topic for discussion should include the safety inspection and the City's offer to undertake it under blight alleviation. (Long)

Chief Clancy responded that the Community Preservation and Safety team conducted a safety inspection and would provide a report at an upcoming Council meeting.

2. Requested additional information on the poet laureate request. (Long)

City Clerk Athenour said she would check the past Council minutes to see if an appointment was made in the past.

3. Final post-event reporting from the Pinole Historical Society and the Pinole Chamber of Commerce pursuant to the Community Group Funding requirements. (Long)

City Manager Espinosa said that the Council subcommittee (Long/Fujita) would receive the report in order to release the retention monies.

4. Schedule the Alarm Ordinance for Council consideration. (Swearingen)
5. Schedule discussion regarding the Identification Card proposal discussed at the West Contra Costa Mayors & Supervisors meeting, where cities would issue identification cards to persons having no other form of identification, to be honored by all the jurisdictions in the area to serve for people who have no other form of ID. (Swearingen)

Mayor Pro Tem Long suggested taking no action or discussion at this time, to see what other West County Mayors are doing. She asked that the City sponsoring this request make a presentation before the Pinole City Council. There was Council concurrence.

6. Consider endorsement of a resolution supporting the jurisdictions opposing the Peripheral Canal. (Murray)

D. City Manager / Executive Director Report

City Manager Espinosa reminded the community that the Bay Bridge would be closed September 4-8.

E. City Attorney Report

There was no report.

## 11. ADJOURNMENT

At 10:08 p.m., Mayor Fujita adjourned the Regular Meeting to the Regular Redevelopment Agency/City Council Meeting of September 15, 2009 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz, Leo G. Young and Ed Alveraz.

**Submitted By:**

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**Patricia Athenour, MMC**  
**City Clerk**

**APPROVED BY AGENCY BOARD / CITY COUNCIL:**