

**JOINT SPECIAL PINOLE CITY COUNCIL &
PINOLE REDEVELOPMENT AGENCY
MINUTES
DECEMBER 9, 2009**

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

The Special Pinole City Council / Redevelopment Agency Board of Directors meeting was held in the Alex Clark Room / Public Safety Building located at 880 Tennent Avenue, Pinole, California. Mayor Long called the meeting to order at 5:05 PM. and led the Pledge of Allegiance and the Flag Salute. This meeting was not taped or televised.

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

A. COUNCIL MEMBERS PRESENT

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

Council Member Murray was absent.

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
Mary Drazba, Economic Development Manager

The agenda was posted on Friday, December 14, 2009 at 10:00 A.M. All legally required notice was provided. There were no conflicts reported with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

At 5:08 p.m., Mayor Long convened the meeting in a noticed Closed Session in the Alex Clark Room, 880 Tennent Avenue to discuss the following items:

City Council

- A. CONFERENCE WITH LABOR NEGOTIATOR - GC §54597.6,
City Labor Negotiator: Michelle Fitzer & Bruce Heid
Employee Organizations: LOCAL ONE, AFSCME, PPEA & FIRE LOCAL 1230

Redevelopment Agency Board

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GC §54956.8
Property Location: Pinole Vista Shopping Center, 1350 Fitzgerald
Agency Negotiator: Mary Drazba, Economic Development Manager
Negotiating Parties: None At This time
Under Negotiation: Price and Terms / Strategy Formation

**4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION
IN ALEX CLARK ROOM**

At 6:34 p.m., Mayor Long reconvened the Special Meeting in open session. She announced there were no reportable actions from Closed Session.

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

The following speaker addressed the City Council:

George Banburg, Security Public Storage business owner, addressed Council to request that a team be assembled to clear the debris in the Pinole Creek, adjacent to his business property on Pinole Valley Road. He referred to the December 2005 floods. He said that Public Works staff had already cleared the culvert. He asked who would be responsible and who he should confer with to cause this to happen.

Mayor Long directed Public Works Director Allison to explore the scope of work and work in concert with the Friends of Pinole Creek.

Mr. Allison commented that he would also make property owners aware of their responsibility to keep the property clear.

Mayor Long asked staff to provide an update in January regarding the status of property owner compliance.

6. STUDY SESSION REPORTS

- A. Status Update on the Pinole-Hercules Water Pollution Control Plant (WPCP) Permitting Process [**Verbal Presentation (Allison)**]

Dean Allison, Public Works Director, provided a verbal status update utilizing slide materials on the wastewater permitting process. He responded to questions from Council.

The Council provided the following direction to staff: Amend the rate structure to “normalize” the rates between single and multi-family units for consideration by Council at a future meeting, as a Public Hearing.

- B. Status Report on Review and Update of Business License Procedures / Review of Current Ordinance [**Verbal Presentation (Fitzer)**]

Michelle Fitzer, Human Services Director/Assistant to the City Manager presented a status report on the business license project.

Mayor Long provided the following comments:

1. Since a portion of the license fee was constant, the prorated portion should be increased (the portion based on period less than calendar year);
2. Monitor to insure that when contractors pull permits, they also obtain business licenses and maintain during the entire duration of the work;
3. Employ consequences for those who fail compliance; suggestion for a notice of default or appearance before Council.
4. Seek proactive compliance from the potential licensees – vendors, permit recipients, and also investigate complaints.

Benjamin Reyes, City Attorney, advised Council that the Code allows the City to prosecute non-compliance as an infraction.

6. ADJOURNMENT

At 8:17 p.m., Mayor Long adjourned the Special Meeting to the Regular Redevelopment Agency/City Council Meeting of December 15, 2009 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz and Felix Zuker.

Submitted by:

Patricia Athenour, MMC
City Clerk

APPROVED BY AGENCY BOARD / CITY COUNCIL: