

**JOINT PINOLE CITY COUNCIL &
REDEVELOPMENT AGENCY
MINUTES
JUNE 7, 2011**

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 in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the meeting to order at 5:30 PM and Council Member Long led the Pledge of Allegiance.

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

A. COUNCIL PRESENT

Phil Green, Council Member
Debbie Long, Council Member.
Peter Murray, Mayor Pro Tem
Roy V. Swearingen, Mayor

Tim Banuelos, Council Member was absent when roll was taken, and the voting record reflects his absence. His arrival was anticipated later in the meeting

B. STAFF PRESENT

Belinda Espinosa, City Manager / Executive Director
Michelle Fitzer, Assistant City Manager
Benjamin T. Reyes, City Attorney
Richard Loomis, Finance Director
John Hardester, Police Chief
Dean Allison, Public Works Director
Patricia Athenour, City Clerk

City Clerk Patricia Athenour announced that the Agenda was posted on Friday, May 13 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.

Athenour reported the addition of the following items at the dais and copies provided at the rear of the chamber:

Item 9A	Power Point Exhibit
Item 10A	Two Attachments – Right of Entry Agreement and Amendment to Listing Agreement
Item 7A	Revised draft Resolution for substitution

3. CONVENE TO A CLOSED SESSION – CITY COUNCIL AND AGENCY BOARD

At 5:36 p.m., Mayor Swearingen convened the Closed Session.

City Council

- A. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to GC §54597.6
City Labor Negotiator: Bruce Heid, Chief Negotiator, Belinda Espinosa,
City Manager & Michelle Fitzer, Asst City Manager
Employee Organizations: Local 1, AFSCME, Fire Local 1230, PPEA,
Unrepresented, & Management Group

Item A was held over to the end of the open meeting.

- B. CONFERENCE D WITH REAL PROPERTY NEGOTIATOR - GC §54956.8
Property Location: 850 San Pablo Avenue, Pinole Shores Business Park
Agency Negotiator: Michelle Fitzer, Assistant City Manager
Negotiating Parties: Panattoni Development Company
Under Negotiation: Contract Terms
- C. CONFERENCE D WITH REAL PROPERTY NEGOTIATOR - GC §54956.8
Property Location: 2361 San Pablo Avenue – Bank of Pinole Building
Agency Negotiator: Michelle Fitzer, Assistant City Manager
Negotiating Parties: None
Under Negotiation: Contract Terms

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

At 7:20 p.m., Mayor Swearingen reconvened the meeting in Open Session and announced by a majority vote the Council authorized Panattoni Development to exercise the option on the Pinole Shores Phase II Development, extending the due diligence and the closing of escrow from October 2011 to October 31, 2012.

5. RECOGNITIONS / PRESENTATIONS

- A. Proclamations
- B. Presentations

Mayor Swearingen recognized and thanked the citizens and businesses who participated in Pinole's first annual Community Day on June 4th. He highlighted the following projects: Community Corner beautification, Pinole Youth Center painting, Senior Center landscaping, visiting with senior citizen at several facilities, tire removal in the bay, weed removal at the Pinole Library, and of Bayfront Park. Mayor Swearingen thanked the Community Services Commissioners and recognized the Gold Sponsors and the sponsors donating \$100 by name.

Jeff Rubin, Community Services Commissioner provided a slide show on Pinole Community Service Day. He highlighted the Community Corner project, which was the outcome of a joint collaboration of the City and the Chamber of Commerce to enhance the corner at San Pablo Avenue and Tennent.

Council Member Green also thanked everyone, and especially Travalini Construction for providing a bobcat for excavation at the Community Corner. Mayor Pro Tem Murray and Council Member Long both thanked all the participants.

1. Presentation on EBMUD Rate Increase by Director Foulkes

Katie Foulkes, EBMUD Director addressed Council to discuss the proposed EBMUD rate increase. She said that the Board requested a budget that provided no more than a five percent rate increase, but found they could not support staying at that level. She said there had been layoffs, postponement of major capital expenditures, and a five percent increase would have meant reduction of maintenance staff. The lowest increase, and still remain responsible to the ratepayers, was determined to be six percent, which would retain the same level of maintenance, while deferring capital projects whenever possible, and retain their AAA bond rating. Director Foulkes explained that due to some rate reductions during the drought, they found they were under funded, and now with the excessive rain, had resulted in less water use and reduced revenue. She explained the majority of the budget was spent on chemicals, maintenance, capital projects and bond costs. She reported some agencies were looking at double-digit rate increases and demonstrated EBMUD was not out of line. She responded to a question from citizen, Mary Horton asking what the required reserves were and she said that EBMUD had no minimum reserve requirement. When there was a profit, it must be applied to capital.

Mary Horton, Pinole citizen, addressed Council, on the EBMUD rate increase stating that there had been very little public input. At the two meetings there were no public speakers and she felt it was due to inadequate noticing, and the time of the meetings during the workday. She said she was concerned with the outreach efforts, and also she understood there were funds for maintenance. Horton said that she did not believe maintaining a bond rating was a mandate and asked the City Attorney to opine. If too much conservation caused a rate increase, she asked if there was an incentive to conserve. She asked several other questions related to the rate for low income families. Horton reported that she had filed a protest letter and offered a template letter to members of the public if they were interested in filing a protest.

Marcia Kalapus, Pinole citizen, spoke in opposition to the EBMUD rate increase, noting that she had diligently worked to save water, and now would be paying the price for conserving. She asked if they were constructing more reservoirs, and if not, why not.

Joel Ganiotti, Pinole citizen, said he was a numbers person. He questioned why the cost of personnel had risen the past three years when staffing had been reduced.

Director Foulkes responded to the comments and questions, stating that both she and Director McIntosh represented Pinole. Director Foulkes said that a notice was included with each ratepayer's bill. The bond rating was extremely important; the higher the rating, the lower the interest and the less charged to the ratepayers. She explained that most of the expenses were not related to providing water, but rather to maintaining the infrastructure. She said there was an incentive to conserve. When there is the next drought, she said that Freeport would be online. Foulkes explained that it was very difficult to get an approval for a dam today, due to the environmental issues. Currently, they can adequately handle a 2-year drought and with Freeport, will be able to pull from it and blend to survive any foreseeable drought in the future. The rising personnel costs were due to compensation and medical benefits. There are four unions and none forewent any increases during the past three years.

Council Member Long said there were things that could be done to cap costs. Medical costs should not be borne by the ratepayers, and noted that EBMUD should have reduced benefits earlier. Council Member Long asked if they granted management bonuses. She said outreach should be conducted by holding meetings in jurisdictions where the ratepayers live. She asked if EBMUD had a local hiring policy and encouraged Director Foulkes to go to the board and in the spirit of being accountable, try a variety of locations for the public hearings, as the whole board is accountable to the public of which they serve.

Mayor Pro Tem Murray thanked her for attending and for the quality of delivery, but said he agreed with some of Council Member Long's statements. Murray said EBMUD had a commodity that was a necessity and a captured audience. He said that he did not feel that bonuses were a necessity. He said the Board should be fiscally conservative in this time.

Council Member Green supported construction of new reservoirs. As elected officials, their responsibility was not to people who run the system, but to the ratepayers. He cautioned Director Foulkes to make a strong stand not to raise the rates and find a different solution.

Mayor Swearingen asked for a status report on Los Vaqueros.

Director Foulkes said Los Vaqueros was within Contra Costa Water's jurisdiction and they had begun expansion. She explained that Los Vaqueros water was from the Delta and EBMUD's was from snow runoff in the mountains. Ratepayers had voted in opposition to using Delta water some years ago.

Mayor Swearingen said he did not hear that any rollbacks were made in any of their labor agreements. Pinole was in negotiations now and looking at concessions and raising the rate was a big concern. Swearingen encouraged Director Foulkes not to support a rate increase and said that the employees should not receive overtime. He compared EBMUD with the City, who was considering layoffs instead of tax increases to fix the problem.

Council Member Long thanked Mary Horton and asked that EBMUD provide an annual report to the Council.

Director Foulkes said she would take their comments back to the full Board. She reported that there had been attempts to meet at different times, in different communities, but spoke to the difficulty to take a seven member board on the road, and they also found difficulty with conducting the Public Hearings in the evening hours. Foulkes reiterated that EBMUD had dropped any non-emergency projects, but stated it was important to maintain the infrastructure. The matter would be considered on June 14, 2011.

6. CITIZENS TO BE HEARD (Public Comments)

The following speakers addressed the City Council / Agency Board:

Peter Murray, as a Pinole citizen, extended birthday wishes to his granddaughter, Alisia Rosales, on her 16th birthday.

Jeff Rubin, Pinole citizen, referred to his citations from official documents regarding firefighter base salaries over \$100,000. He said this evening he was citing 2010 firefighter salaries from the Bay Area News Group website. Rubin said the issue with the firefighters was not personal; they were financial. He said that nine firefighters had a base salary over \$100,000, and he cited

overtime salary data as a percentage of the base salary. He recited that \$448,000 of “other income” was paid to Pinole firefighters last year and invited an explanation from Local 1230.

Cindy Trego, Pinole citizen, said there should be more disclosure and transparency on PG&E salary and bonuses paid to their employees. She said she was considering contacting Congresswoman Jackie Speier and hoped for full disclosure through the PUC.

Nick Ronchetto, Pinole citizen, Local 1230, advised the Council their local was participating in the MS Drive on July 18 – 20, 2011, noting last year they were fourth in the entire state in the fundraising effort. He also advised Council they would be participating in the funerals of the two San Francisco firefighters later in the week. To Rubin’s questions, he referred to the Fire Local 1230 MOU, Attachment A on the City’s website, which shows that there is no base salary in excess of \$100,000. He cited the minimum staffing as the reason for the overtime.

Assistant City Manager Fitzer confirmed that the salary schedule was on the website, as well as the MOU. She said both Rubin and Ronchetto were correct, but both were looking at different information. Regarding base salary, the Bay Area News Group data separates overtime, and pensions, from base pay, but includes other pays such as incentive pay, holiday pay, and medical redirect (cash in lieu) as base pay. She also said the City had a significant exposure for overtime and does not always have enough people available to work to cover all the shifts (without overtime), due to on injuries.

Mayor Swearingen said there should be one set of numbers so the newspaper is not printing erroneous information that is taken out of context.

Ms. Fitzer explained the challenges with the payroll system, stating that they were unable to extract base pay only. She advised the best way was to look at total pay.

Ronchetto clarified when he referenced base salary, it is in Attachment A of the MOU, listed by rank.

Mr. Rubin said these statistics are maintained on many websites, and the common denominator is that they all come from the City of Pinole. He then provided total compensation for various firefighter staff members.

7. CONSENT CALENDAR

ACTION: Motion By Council Members Murray/Green, the City Council / Agency Board Approved the Consent Calendar

Vote: Passed: 4-0.

Joint Agency Board / City Council

- A. Approved the Minutes of the May 17, 2011 Meeting
- B. Received Notice of the May 27, 2011 Payroll in the Amount of \$417,143.62.

City Council

- C. Adopted **Resolution 2011-31**, Approved the Termination of the 401(A) Money Purchase Plan Administered By ICMA [**Council Report No. 2011-59 Action: Adopt Resolution (Miller)**]

8. PUBLIC HEARINGS

- A. Conduct a Public Hearing Regarding the Pinole Valley Landscape & Lighting Assessment District 2008-01 To Confirm the Assessment & Order The Levy For Fiscal Year 2011/12 [**Council Report No. 2011-60 Action: Adopt Resolution Per Staff Recommendation (Allison)**]

Dean Allison, Public Works Director presented Council Report 2011-60 into the record. The Public Hearing was held annually to place assessments on the commercial properties along Pinole Valley Road from Henry to Pinole Valley High School. The District was formed so that the benefitting properties pay into the funding mechanism for installing and maintaining the landscaping and lighting in the medians. The total assessment was approximately \$28,000; five percent less than the prior year. Allison explained the exemption process and recommended approval of the accompanying resolutions.

At 8:53 p.m., Mayor Swearingen opened and closed the Public Hearing, with no speakers rising to address the Council.

Council Member Green asked whether the redevelopment agency had most of the property under their ownership when the initial vote was taken several years ago and Mr. Allison confirmed that was correct, explaining that the votes are weighted by assessment and at that time the Agency controlled the majority of the property ownership.

Mayor Pro Tem Murray had no questions; he understood that the district was formed to enhance the area for the business district, and it appeared that staff had been efficient in streamlining costs to deliver a five percent decrease.

Council Member Long asked the cost the County charged to collect the fees and how the exemptions were handled. Mr. Allison said the County cost was two hundred thirty seven dollars, and the City had to backfill the exemptions.

Council Member Long said with the exemptions for the small businesses, she now supported the assessment district and found it a necessary funding mechanism.

Council Member Green commented that it was unfair not to go back to the vote of the property owners, since the prior ownerships was mainly held by the Agency. He said he was not in favor of the assessment.

Mayor Swearingen said the intrinsic value of the fee is that the people who receive the benefit pay their share, and no complaints or protests had been filed.

Mr. Allison advised Council of the outreach and notification process, stating the City goes above the statutory requirements.

ACTION: Motion By Council Members Murray/ Long, The City Council Adopted Resolution 2011-32, Approving The Annual Assessment Report, As Submitted Or Amended, And To Order The Levy And Collection Of Assessments For The Pinole Valley Road Landscape And Lighting Assessment District For Fiscal Year 2011/2012.

Vote: Passed: 3-1 (Green opposed)

9. NEW BUSINESS

City Council

- A. Approval of a Sale Agreement Between the City of Pinole and Dayna Dibble (The “Buyer”) Pertaining to the Disposition of Property Located at 2071 Buena Vista Drive - APN: 401-120-032 (Heritage Park Cottage) **[Council Report No. 2011-61 Action: Adopt Resolution Per Staff Recommendation (Kuykendall)]**

Francine Kuykendall, Senior Project Manager presented Council Report 2011-61 into the record regarding the sale of 2071 Buena Vista Drive, for \$212,500. She explained the funding process for this “moderate” affordable unit, as well as the history of the project, the fees collected and the taxes anticipated from this property, and the screening process for selecting qualified buyers. Kuykendall reported that the purchaser was a native of Pinole, and currently resides and works within Pinole. The net proceeds of the sale, after commission and closing costs would be \$202,406. Staff recommended adoption of the resolution approving the sale.

Dayna Dibble, the prospective buyer, addressed Council and provided background information as a lifelong resident, a Pinole Valley High student, and now a Pinole Valley High teacher Spanish and Leadership teacher and was available for questions.

Mayor Pro Tem Murray thanked Ms. Dibble for an excellent presentation. Support the execution of the sales agreement.

Council Member Green asked staff how the proceeds would be deposited.

Ms. Fitzer said that they were restricted funds and could be used for public infrastructure.

ACTION: Motion By Council Members Long/Green, The City Council Adopted Resolution 2011-33, Approving The Sale Of Real Property Located At 2071 Buena Vista Drive To Dayna Dibble.

Vote: Passed 4-0.

10. OLD BUSINESS

- A. Approval of a Purchase And Sale Agreement Between The City of Pinole and 2401 San Pablo Partners, LLC (The “Buyer”) Pertaining To The Disposition Of Property Located At 2401 San Pablo Avenue,(APN #:401- 166-060-4)**[Council Report 2011-62; Action: Adopt Resolution to Approve Sale (Drazba)]**

Mary Drazba, Economic Development Manager presented Council Report 2011-62; into the record, providing a comprehensive project history, including the funding, terms and conditions of the current sale for \$2,500,000 less the \$787,337 repair credit and the commission. Drazba said that the existing affordable housing covenant ran with the property and it was a guarantee the units will stay affordable for 40 years. The documents before Council included a purchase and sale agreement, the right of entry agreement for the repairs, and a reduction of the commission. In addressing the fiscal impact, the total cost of the project was listed as \$3,938,402. All costs and credits were shown in the report. Ms. Drazba was available for questions.

Mayor Swearingen asked for a clarification on page 4, the broker fee was listed at \$120,000. Ms. Drazba said that was the broker fee plus the escrow fee.

Irma Ruport, Pinole citizen, addressed Council to ask procedural questions, and asked to read another person's statement into the record. Her questions included:

1. Names of the three individuals in the limited liability company buying the property. Ms. Drazba said the primary partner was Ryan Madsen and she did not have the names of the other two.

2. Was the contract reviewed for content and not just legal form? Mayor Swearingen said that the contract was drafted by the City Attorney's firm.

Ms. Ruport said that in a prior statement, the City Attorney said that the contracts were reviewed only for legality and not content.

Inga Lintvedt, Assistant City Attorney, said the statement Approved as to Form, referred to the legality, but Meyers Nave drafted this contract for the City and worked closely and actively with staff on the deal terms, so the City Attorney office approved both substance and form.

3. Where will the funds be directed?

Ms. Fitzer said like Heritage Park the funds are restricted to public infrastructure and the housing fund.

Council Member Long said that a portion of the receipts go toward a loan from PALC.

Comments from **James Tillman**, Pinole citizen, were read into the record by Ms. Ruport. His comments related to questioning the reasons the Agency transferred the property to the City, and expressing his disturbance for that transfer. He expressed concern that the former owner was not a part of this new company and believed it was a preferable option to retain the property and sell them the market turned around.

Council Member Long commented that she felt the sale was in the best interest of the community and explained her position related to a municipality not being a leasing and property management business. She also raised the following comments / questions:

1. Copy of the purchaser's Secretary of State documents be made part of the Purchase and Sale Agreement (including the names of the parties);
2. Language in the contract specifying that the City retain the right if necessary to pursue any legal remedies for the deficiency, and not the new owner;
3. Language regarding the building being purchased "as is";
4. Language that there is a required annual audit for housing compliance and their books must be open;
5. No timeline to do the repairs was indicated;
6. Clarification on Page 2, Section 2.4 regarding the deposit, and the reference to \$100;
7. Confirmation that the buyer is paying for their own title search;
8. Clarity on the closing date; and
9. When would the review period begin?

Ms. Drazba responded that there was a twenty day window from the time documents are placed into escrow until close of escrow and dispersal of the monies. The Right of Entry would not be

finalized until it is reviewed and approved by the Council this evening. She said all the due diligence had been done.

Council Member Long said that approval of the tenants financial condition should not be subject to buyer approval and asked if there were accepting the numbers shown on the tenant security deposits.. She also reminded staff of their condition to obtain a business license,

Ms. Drazba confirmed that they had accepted the deposits as shown.

Council Member Green asked for clarification regarding the grant of entry permit, asking if they could revoke our right.

City Attorney Lintvedt said they would have the right to revoke the license. It is not going to be permanently recorded; it will be a license agreement, and if the City violated the terms, the owner could revoke our access rights.

Council Member Green asked if there is an onsite inspection on the housing units, by the City.

Ms. Drazba said that the right of entry is only for the water intrusion and the outside of the building. The owner always has a right to inspect the units for the affordable housing covenants.

Council Member Green asked if the new owner was being released of any claim and whether we were accepting the responsibility. Ms. Fitzer said the City planned to make a claim for our loss.

Council Member Green sought clarity on the commission and the sales price, confirming that the City actually received \$1.75 million after brokerage fee, which was confirmed by Ms. Fitzer. He discussed his position that the broker should have negotiated a different percentage based on the net sale amount which would be received by the City.

Council Member Green said that someone should be held accountable for the losses incurred and that he did not support this deal and that regarding the repairs, the original builder should have been given an opportunity to make the repairs.

Ms. Fitzer said staff would need to be cautious regarding response because there is potential litigation on this issue. She said to the best of her knowledge there had been some discussion and inspections by the general contractor who built this building.

Assistant City Attorney Lintvedt advised Council Member Green that these questions could be answered and discussed in Closed Session, due to the anticipated litigation and should be scheduled for a future agenda item.

Ms. Fitzer said that the attorney assigned by Meyers Nave had contacted the general contractor and had discussed how to proceed with our interests moving forward and invited the general contractor to do an inspection and to the extent of her knowledge, the inspection did occur.

Council Member Green said he didn't support an \$800,000 credit for repairs in the sale without the opportunity provided to the original contractor.

Ms. Lintvedt again cautioned the Council to refrain from this discussion in open session

Ms. Fitzer explained that the staff member that initially negotiated the development agreement on behalf of the Agency was no longer with the City. This Council and staff have discussed exercising much more caution in negotiations and entering contracts and do not believe staff would ever recommend guaranteeing a note again.

Mayor Swearingen reported that the Council had been working on this negotiation and sale for several months. Due diligence had been performed by both Council and staff. This sale would not preclude the City from exercising a defect claim for losses incurred due to the structural damage. He said the Agency did not enter into these investments to lose money but the economy changed, the City received the property back, and does not have the capacity to lease the building and operate as property manager and owner. He said the parties involved in the sale have made concessions and the deal is better than the initially presented. He requested a motion from Council.

ACTION: Motion By Council Member Green to Deny the Resolution Approving the Sale of 2401 San Pablo Avenue. The motion died for lack of a second.

ACTION: Motion By Council Members Murray / Long, The Council Adopted Resolution 2011-34, Authorized The Execution Of A Purchase And Sale Agreement Of 2401 San Pablo Avenue To 2401 San Pablo Avenue Partners, LLC For \$2.5 Million Dollars.

Council Member Long echoed Council Member Green's concerns and said she too was disappointed with the broker and believed that they misrepresented the potential sale price.

The record reflected Council Member Banuelos arrival at 10:22 P.M.

Mayor Swearingen asked whether Council Member Banuelos had any comments on the item.

Council Member Banuelos commented that as time passed, more building deficiencies were identified and perhaps the brokers inflated the building value initially, but he believed these brokers had the best experience and track record to sell the building, and it was likely the City wouldn't have received a better offer. He said the decision to approve the sale was, in his opinion, the best option.

Council Member Green said he didn't want the City in the real estate business, and continued to state that he opposed the \$800,000 building credit to the buyer and potentially litigating to receive damages.

Mayor Pro Tem Murray said he concluded if the property was retained, there was the immediate issue of fronting the repairs and continuing property management, and the costs would be greater. He said it was time to cut the losses and he addressed that fact that the property was built with housing funds that are restricted as the mechanism for the municipality to secure affordable housing as mandated by the State. The ultimate goal was accomplished (affordable housing) and the economic conditions have caused the property value to diminish from what it originally cost to construct.

Mayor Swearingen called the vote.

Vote: Passed 4-0-1 (Green abstained; and Banuelos was now present).

11. REPORTS & COMMUNICATIONS

A. Mayor / Chair Report

1. Announcements
 - a. Report on the West County Mayors Conference meeting on May 26 where PG&E addressed PG&E report on broken lines in San Bruno and notification of a rate increase
 - b. Shannon School was saved from closure for one more year. He complimented Council Member Long for her presentation at the School Board and said a letter would follow to the State Superintendent of Schools addressing the costs to close Shannon and the impact to the community.
 - c. Reported on the Memorial Day Ceremony at Fernandez Park

B. Mayoral / Council Appointments

1. Update on EDHAC Recruitment [**Agency / Council Report 2011-63; Action: Provide Direction / Minute Order (Athenour)**]

Mayor summarized Agency / Council Report 2011-63 and opened the discussion to Council. City Clerk Athenour provided a brief report regarding the current status of the recruitment and the current composition of the committee, with only two applications received for the now five vacancies, leaving only two board members remaining.

Council Member Green said based on the information in the report, perhaps the board should be deferred until the State's position on redevelopment was decided, especially in light of the lack of projects for their review.

Mayor Pro Tem Murray said they met a month or so ago, and the ones remaining are committed to the board. He suggested changing their tasks or meeting on an as needed basis.

Discussion followed regarding sending letters of appreciation to the outgoing members.

Council Member Banuelos suggested speaking with the core group remaining whether they wish to hiatus or meet on an "as needed" basis. It seems this committee is the victim of the economy also.

Ms. Fitzer said that at the last EDHAC meeting there was dialogue and the Chair raised the suggestion of a hiatus. She said EDHAC decided that staff should continue to bring items forward, if there were any, and otherwise cancel the meetings.

Council Member Long said Ms. Trego did not reapply due to the redevelopment reform, and was supportive of a hiatus or holding the committee in abeyance until information on the Redevelopment elimination / reform is determined and whether there is to be an oversight committee with requirement for specific membership qualifications. She said maybe the existing members could transfer to the new committee composition.

Irma Rupert, Pinole citizen, addressed Council and said rather than dissolve the committee, recommended that their role should be expanded, perhaps to review the budget and she said she would then be interested in applying again to serve on the committee.

Mayor Pro Tem Murray said to leave the committee on an "as needed" basis for now.

City Clerk Athenour clarified that there were only two committee members remaining; leaving no quorum. Ms. Fitzer said staff would review the bylaws to see if a quorum was needed.

Council Member Green commented that he supports membership of Pinole residents only from this point forward. Athenour explained how EDHAC was originally formed to also allow persons with business interests in Pinole.

No consensus direction provided. The City Clerk said she would cancel the recruitment, cancellation notices would be posted for the meetings when there was no business, and would wait for further Council direction once State decisions were made on redevelopment.

ACTION: Motion by Council Members Long / Banuelos, The Council Extended the meeting to the End of the Agenda.

Vote: Passed 5-0

B. City Council / Agency Board Committee Reports

Council Member Green thanked everyone for their participation in Community Service Day.

Council Member Banuelos reported on the WCCUSD Bond Oversight Committee, where the committee toured another new school in Richmond, and received a presentation on local labor requirements.

D. Council Requests For Future Agenda Items

1. Report from the City Manager/Asst Manager regarding contacting Loudon regarding the possible continuation of the annual of the CA Cruiser's Car Show in Pinole (Long)
2. Special Recognition to the Chamber / Chamber Director for the Community Corner project (Green)

E. City Manager / Executive Director Report / Department Staff

F. City Attorney Report

At 11:12 pm, the Mayor adjourned to the Noticed Closed Session to discuss Item 3A which was continued from the earlier Closed Session.

At 12:56 p.m., Mayor Swearingen reconvened the meeting and open session and announced there were no reportable actions from Closed Session.

12. ADJOURNMENT

At 12:57 a.m., Mayor Swearingen adjourned the Regular Meeting to the Special Redevelopment Agency/City Council Meeting of June 15, 2011 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz, Harry Petterson, John Huebner, Paul C. McNees, Patricia Louise Bowman, Eldon Rosco Allen and Shirley J. Mays.

Submitted by:

Patricia Athenour, MMC
City Clerk

APPROVED BY AGENCY BOARD / CITY COUNCIL:

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