

**PINOLE CITY COUNCIL
MINUTES
March 20, 2018**

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

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Banuelos called the Regular Meeting of the City Council to order at 6:05 p.m. and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Timothy Banuelos
Mayor Pro Tem Pete Murray
Council Member Debbie Long
Council Member Maureen Toms

B. COUNCIL MEMBERS ABSENT

Councilmember Roy Swearingen

C. STAFF PRESENT

Michelle Fitzner, City Manager
Eric Casher, City Attorney
Neil Gang, Police Chief
Scott Kouns, Fire Chief
Tamara Miller, Community Development Director/City Engineer
Rosa Acosta, City Clerk

City Clerk Acosta announced the agenda was posted on March 15, 2018 at 4:00 p.m. All legally required notices were provided.

Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

At 6:08 p.m., Mayor Banuelos convened to a Noticed Closed Session to discuss the following items:

A. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Gov. Code §54597.6

City Labor Negotiators: Bruce Heid, Gregory Ramirez, and Hector De La Rosa,
Assistant City Manager

Employee Organizations: Local 1 & AFSCME

***OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED
SESSION DISCUSSIONS, WHICH MAY OCCUR BEFORE 7:00 PM***

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

At 7:00 p.m., Mayor Banelos reconvened the meeting in open session and announced there were NO REPORTABLE ACTIONS.

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

- A. Proclamation
 - a. American Red Cross Month

Mayor Banelos read into the record a proclamation declaring March 1-31, 2018 as American Red Cross Month in the City of Pinole and presented the Proclamation to Patty Nichols, Red Cross External Relations lead for West County. Ms. Nichols accepted the proclamation and thanked Council for recognizing the importance of their efforts. She encouraged members of the community to volunteer and assist in their efforts.

- B. Presentations / Recognitions
 - a. East Bay Regional Park Bay Trail Extension Project Update by Sean Dougan

East Bay Regional Board member Colin Coffey, representing District Ward 7, addressed Council and introduced Sean Dougan, Trails Development Program Manager. Mr. Dougan provided a status update on the Bay Trail Extension Project. The cost of the project is approximately \$13.3 million; progress has been made on the bridge that extends the trail over the railroad tracks. Council asked questions and received responses.

- b. Water Pollution Control Plant Upgrade Project Status Update by Mike Warriner

Project Manager Mike Warriner provided an update to the Council on the status of the Pinole-Hercules Water Pollution Control Plant Upgrade Project. He stated that the existing plant has been switched over to the new electrical building to power all plant operations. The projects new estimated final completion date is March 20, 2019. Council asked questions and received responses.

6. CITIZENS TO BE HEARD (Public Comments)

The following speakers addressed the City Council:

David Rupert, resident of Pinole, addressed the Council regarding the Term Limits Repeal ballot measure. He provided the City Clerk and Council with an article from Nextdoor dated February 6, 2018 and requested that the item be made part of the official record for the meeting.

Vincent Wells, Local 1230 of the Pinole Firefighters', stated his opposition to Measure P Repealing Term Limits and stated his desire to have a change in Council and the needs of the Fire Department.

William Horton, resident of Pinole, addressed the Council and stated his support for Measure P to Repeal Council Term Limits. Mr. Horton provided an overview of why he is expressing support.

Mary Horton, resident of Pinole, addressed the Council and stated her support for Measure P to Repeal Council Term Limits. Mrs. Horton provided an overview of the lack of candidates in prior elections and stated that the City of Pinole has had diverse representation.

7. CONSENT CALENDAR

- A. Approved the Minutes of the Meeting of January 22, February 6, February 20, and March 6, 2018
- B. Received the March 3, 2018 – March 16, 2018 List of Warrants and the March 9, 2018 Payroll in the Amount of \$250,991.30 and \$ 365,746.59, respectively
- C. Second Reading and Adoption of an Ordinance Adding Chapter 8.37 to the Pinole Municipal Code Prohibiting the Use and Sale of Polystyrene Products in the City of Pinole
[Action: Adopt Ordinance Per Staff Recommendation (E. Casher)]
- D. Received the 2017 Annual General Plan Housing Element Progress Report as Required by the State of California
Action: Receive and File Report Per Staff Recommendation (W. Rhodes)]
- E. Received the Housing Successor Agency Annual Report for Fiscal Year 2016-17
Action: Receive and File Report Per Staff Recommendation (H. De La Rosa)]
- F. Considered a Request from Pinole Valley High School for Waiver of Rental Fee for Fernandez Park and Gazebo for Their Day on the Green Event on May 19, 2018
[Action: Adopt Resolution Per Staff Recommendation (M. Picazo)]
- G. Authorized the City Manager to Execute an Engagement Letter for Legal Services with Jackson Lewis PC and the Finance Director to Amend the FY 2017/18 Budget to Add \$50,000 to the Human Resources Professional Services Expenditures
[Action: Adopt Resolution Per Staff Recommendation (M. Fitzer)]

ACTION: Motion by Council Members Toms/Murray, the Council Approved the Consent Calendar Items A-G.

Vote: Passed 4-0-1
Ayes: Banuelos, Long, Murray, Toms
Noes: None
Abstain: None
Absent: Swearingen

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- A. Sewer Connection Fees for Residential and Commercial Accounts
[Action: Discuss and Provide Direction to Staff (T. Miller)]

City Manager Fitzer stated that this item was requested to be brought to Council before the Development Impact Fee Study for Council discussion. Community Development Director/City Engineer Tamara Miller stated that connection fees for the Water Pollution Control Plant and the sewer collections system shall be increased to \$4,943 per equivalent residential unit. These fees would be implemented for new development and tear downs connecting to the City's capacity line. Council is within its authority to increase the fee prior to the completion of the Development Impact Fee Study. Once the new fee is adopted, there is a 30-day waiting period; therefore some projects prior to implementation will be approved at a lower fee. Council asked questions and received responses.

ACTION: Council directed staff to prepare and bring back a resolution for Council consideration to increase the fees to the proposed \$4,943 per equivalent residential unit, at the April 3, 2018 meeting. With review by City Attorney Casher (4-0).

- B. Consider a Nominee for the Contra Costa County Mayors Conference Appointment to the Contra Costa County Oversight Board
[Action: Discuss and Provide Direction to Staff (M. Fitzer)]

City Manager Fitzer presented the report and stated that one appointee to the Contra Costa County Oversight Board will be made at the Contra Costa County Mayors Conference.

Councilmember Long nominated Mayor Pro Tem Peter Murray to be the representative to the board given his knowledge and experience on the Council. Mayor Banuelos stated his support to nominate and appoint Mayor Pro Tem Murray as a representative of the City of Pinole.

Councilmember Toms stated that the City of Pinole has been a successful Redevelopment Agency and stated that Mayor Pro Tem Murray has experience in the Redevelopment and the Successor Agency. His nomination would allow him to represent various cities at the Mayors Conference.

ACTION: Council directed staff to prepare a letter to be signed by the Mayor nominating Mayor Pro Tem Murray as a representative to the County Oversight Board. The deadline for submittal to the Mayors Conference is April 23, 2018. (4-0).

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements

Mayor Banuelos attended the Mayors Conference, Pinole Community Players Cabaret performance, and the Pinole History Museum Board and provided an update to Council. He congratulated the Pinole Community Players on a job well done.

- B. Mayoral & Council Appointments

None

- C. City Council Committee Reports & Communications

Councilmember Long attended the Pinole Community Players Cabaret performance and congratulated staff on a job well done. She provided an overview and update to Council and the community on the Fire Subcommittee efforts to continue to support the Fire Department. Councilmember Toms attended the MCE Board meeting and provided an update to Council.

Mayor Pro Tem Murray attended the WCCIWMA (Recycle More) and provided an update to Council.

- D. Council Requests For Future Agenda Items
- None
- E. City Manager Report / Department Staff

City Manager Fitzer stated that she looks forward to attending next year's Cabaret event.

- F. City Attorney Report

City Attorney Casher stated that the Municipal Code Update Subcommittee will be meeting on Monday and informed Council that he will be attending the League of California Cities Public Works Officers Conference along with Community Development Director/City Engineer Tamara Miller on March 28-30, 2018.

12. ADJOURNMENT to the Regular City Council Meeting of April 3, 2018 In Remembrance of Amber Swartz.

At 9:08 p.m., Mayor Banuelos adjourned the Regular City Council Meeting of March 20, 2018, in Remembrance of Amber Swartz, Ann Calhoun Hansen a past member of the Pinole City Council, Irene Murray (Mayor Pro Tem Murray's mother) and our Military personnel all around the world.

Submitted by:



Rosa G. Acosta
City Clerk

Approved by City Council: April 3, 2018

