

CITY COUNCIL MEETING
MINUTES
JULY 20, 2021

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

The City Council Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Martínez-Rubin called the Regular Meeting of the City Council to order at 5:04 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

Norma Martínez-Rubin, Mayor
Devin Murphy, Council Member
Anthony Tave, Council Member
Maureen Toms, Council Member

COUNCILMEMBERS ABSENT

Vincent Salimi, Mayor Pro Tem

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Misha Kaur, Senior Project Manager
Markisha Guillory, Finance Director
Roxanne Stone, Management Analyst

City Clerk Heather Iopu announced the agenda had been posted on Thursday July 15, 2021 at 4:00 p.m. All legally required notice was provided and subsequently amended to revise the title of Item 3C. Written correspondence had been received for agenda Items 3C and 5, the correspondence had been distributed to the City Council, and posted on the agenda page of the City's website.

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

3. CONVENE TO A CLOSED SESSION

Citizens may address the Council regarding a Closed Session item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.

A. CONFERENCE WITH LABOR NEGOTIATORS

Government Code § 54957.6

Agency designated representatives: City Manager Andrew Murray, Assistant City Manager Hector De La Rosa, and City Attorney Eric Casher

Employee organizations: AFSCME, LOCAL 1, IAFF

B. CONFERENCE WITH LABOR NEGOTIATORS

Government Code § 54957.6

Agency designated representatives: City Manager Andrew Murray, Assistant City Manager Hector De La Rosa, and Assistant City Attorney Alex Mog

Employee organizations: PPEA

C. CONFERENCE WITH LABOR NEGOTIATORS

Government Code § 54957.6

Agency designated representatives: City Attorney Eric Casher

Unrepresented Employee: City Manager

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

At 7:35 p.m., Mayor Martinez-Rubin reconvened the meeting to open session and announced there was no reportable action from the Closed Session.

5. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes and is subject to modification by the Mayor. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

David Ruport Jr., Pinole, supported the philosophical adherent concept of having a museum in the City of Pinole but at the same time questioned how the idea had been applied over the years. The Pinole Historical Society had recently published its summer edition of its publication Newsbriefs, which included a stern critique of the process going on in the City specifically over the last few months. He found the process to be flawed in its logic, had issued each City Council member a 9-page response to comments made to Jeff Rubin, an individual involved in promoting the concept of a museum, and asked each member of the City Council and the public to read the information available which had also been posted on www.pinolehistoricalsociety.org. He had also issued a 9-page position letter to the City Council with addendums that addressed ethical issues that remained to be resolved. He encouraged the City Council to read all information provided, suggested there had been a rush over the years to get the museum started, and urged the City Council to table the matter and not get into a money pit with no end in sight.

George Pursley, Pinole, briefed the City Council on the discussions of the recent Pinole Library Commission meeting. He referenced Measure X passed by the voters in November 2020, which would provide funds to the County. Since May 12, 2021, the Measure X Advisory Board had sought comment on how the funds should be spent. On July 28, 2021, the County Librarian would be making a presentation to the Measure X Advisory Board requesting funds to increase library hours across the board in Contra Costa County libraries. He asked the City Council and members of the public to write letters of support for the County Librarian to include in her presentation. A packet of information would be provided to the City Council with a sample letter he hoped the City Council would consider. He asked that letters of support be submitted to the County Librarian by July 26, 2021, and advised the Contra Costa County Board of Supervisors would make the ultimate decision on this matter.

Roy Swearingen, Pinole, reported that Dumpster Day held on July 17, 2021, had been a successful event hosted by the Pinole Community Services Commission and Republic Services, with over 200 residents having participated in removing debris from Pinole Valley Park. He thanked the Community Services Commission for its work on the project and expressed his appreciation to everyone who had participated including City staff for coordinating the event with Republic Services, Public Works Department employees, and Community Services Commission members, but had been disappointed that no members of the City Council had been present.

Debbie Long, Pinole, reminded the City Council of the requirements of the Brown Act. She remained concerned that Council member Murphy continued to not stand for the Pledge of Allegiance, and while it was his right to do so, to date he had refused to state his reasons for not standing. In her criticism of Council member Murphy, she had been attacked on several fronts by his supporters. She reminded the Council that the Citizens to be Heard section of the agenda was the time for citizens to express themselves regarding City issues and not to be used as a forum to allow personal attacks on other citizens.

Ms. Long read into the record Section 4(G), Notes 41 and 42 of the Brown Act and expressed concern that some citizens may not speak for fear of being attacked and singled out. As a result, she would continue to exercise her right of Free Speech under the Brown Act and would continue to ask Council member Murphy why he did not stand for the Pledge of Allegiance. Once she was given a clear and direct response to that question, she would stop asking the question. On another matter, she asked the City Council when it had long Closed Sessions that items not completed be continued until after the last agenda item, which had been done in the past to avoid having the community wait for the regular meeting after the completion of a Closed Session.

Rafael Menis, Pinole, thanked Mr. Swearingen for his comments and expressed his appreciation to everyone who had participated in Dumpster Day but noted that unless people were directly involved they had been encouraged not to participate. He reported the last dumpster had some space for additional items and greater social media outreach could have filled all of the dumpsters. He emphasized that social media was an important tool when encouraging participation in City events.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

There were no proclamations.

B. Presentations / Recognitions

- 1. EBMUD Drought Update by Director Marguerite Young and Andrew Lee, Customer & Community Services Manager**

Marguerite Young, East Bay Municipal Utility District (EBMUD) Director and Andrew Lee, EBMUD Customer & Community Services Manager provided a PowerPoint presentation on EBMUD's Drought Update for the EBMUD service area; sources where EBMUD received its water supply; an overview of the Stage 1, Drought Declaration declared on April 27, 2021; water conservation efforts with a 10 percent voluntary customer demand reduction; and the fact that different parts of the State were experiencing different levels of drought with water conservation goals varying by location.

It was reported that EBMUD had been able to weather the current drought with the 10 percent voluntary conservation effort and supplemental supplies. Water saving tips/tools, monitoring information and the services/programs provided by EBMUD were also detailed and available on EBMUD.com.

PUBLIC COMMENTS OPENED

Roxanne Stone, Management Analyst, reported there were no public comments for this item.

PUBLIC COMMENTS CLOSED

Mr. Lee, Ms. Young and Ben Glickstein, EBMUD Communications Affairs Representative, responded to questions from the Council and described the EBMUD Lawn Rebate Program; Urban Water Management Plan and 2019 Recycled Water Plan, dependent on funding with the funding mechanism yet to be identified; and reported that EBMUD was seeking federal and State funds for a variety of projects to ensure there was sufficient potable water for essential activities in the EBMUD service area. It was also noted that EBMUD and Phillips 66 stakeholders had scheduled a meeting on July 21, 2021. The scope of the meeting was unknown but it would be the first meeting in two years. Phillips 66 had announced a fully renewable fuels plan in the next few years. EBMUD was uncertain if that meant more water would be needed and could determine whether the City of Pinole should have representation at that meeting or shortly thereafter since it made sense to have all stakeholders involved.

It was also reported that EBMUD customers were doing a great job and had used 13 percent less water than the previous year although conservation efforts continued to be encouraged. Conversion of lawns and looking for water leaks were a couple of the best ways to reduce water usage. Increasing infiltration space and green space and looking for ways to do that by using plant material that did not require much additional water during the summer were also being encouraged. EBMUD had information on native plant material for California landscapes and demonstration gardens that could be viewed. A workshop could also be considered for the City of Pinole on sheet mulching and other methods to encourage a water conserving landscape.

Mayor Martinez-Rubin asked that EBMUD keep the City Manager apprised of forthcoming meetings with Phillips 66 and stakeholders and suggested the City Council decide who should be the City representative during any stakeholder meetings with Phillips 66.

The City Council thanked EBMUD for the presentation.

7. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referenced Consent Item 7A, Page 8 of the Agenda Packet. He suggested the motion as shown for Item D was inaccurate and should be corrected to read:

D. Resolution Condemning Donald Trump [Action: Review and Consider Approval (Murray)]

ACTION: Motion by Council member Murphy moved to approve item 7D with an amendment to the resolution language

Vote:	Passed	<u>3-0-2</u>
	Ayes:	<u>Martinez-Rubin, Tave, Murphy</u>
	Noes:	<u>None</u>
	Abstain:	<u>Salimi, Toms</u>
	Absent:	<u>None</u>

Mr. Menis also referenced Item 7C, emphasized the presence of the COVID-19 Delta variant that was doubling the rate of infection among the unvaccinated population that would continue to increase and spread, and suggested it was worthwhile for people to speak to their health care providers on getting a vaccination to improve one's immunity. He supported the resolution for Item 7C and thanked City staff for rewriting that agenda item to make it clearer on what was being implemented. He encouraged everyone to get vaccinated.

PUBLIC COMMENTS CLOSED

Council member Toms agreed that Item 7A should be amended as proposed by Mr. Menis.

City Clerk Iopu confirmed a revision had already been made to Item 7A.

Mayor Martinez-Rubin referenced Item 7B, the payment amounts identified for PG&E, specifically regarding 11 Tennant Avenue in the amount of \$72,574.63, and was informed by City Manager Andrew Murray that the expenses were related to the Pinole-Hercules Wastewater Treatment Plant. He would confirm that information and report back to the City Council.

- A. Approve the Minutes of the Meeting of May 18, 2021
- B. Receive the June 26, 2021 – July 16, 2021 List of Warrants in the Amount of \$788,398.89 and the July 9, 2021 Payroll in the Amount of \$474,824.81
- C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Approve an Amendment to the On-Call Contract with Metropolitan Planning Group (M-Group) and Issuing a Task Order for Environmental Services for Four (4) Projects for an Amount not to Exceed \$125,000 **[Action: Adopt Resolution and Appropriate Funds per Staff Recommendation (Hanham)]**
- E. Accept and Appropriate \$586,000 In Grant Funds From The State of California Department of Transportation (Caltrans)) and Adopt Plans and Specifications For The San Pablo Avenue Rehabilitation Project (CIP Project #RO1801) **[Action: Adopt Resolution per Staff Recommendation (Kaur)]**

ACTION: Motion by Council member Toms/Mayor Martinez-Rubin to Approve Consent Calendar Items A through E, subject to modification to Item 7A.

Vote:	Passed	4-0-1
	Ayes:	Martinez-Rubin, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	Salimi

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

- A. Amending Definition of "Offices, Business and Professional" in Section 17.22.020(F)(40) of The Pinole Municipal Code and Chapter 11, Definitions, in the Three Corridors Specific Plan [Action: Conduct Public Hearing and Introduce Ordinance per Staff Recommendation (Hanham)]**

Planning Manager David Hanham reported the original property owner who had the application sold the property to another buyer and after speaking with the new property owner, they did not want to proceed with the rezoning of the property since they had a use that was a permitted use allowed in the Zoning Ordinance. The new property owner did not want to pursue the matter. He recommended the City Council table the item to a future meeting or table the item indefinitely.

PUBLIC HEARING OPENED

Ms. Stone reported there were no public comments for this item.

PUBLIC HEARING CLOSED

Council member Murphy asked staff to clarify why the item would not be germane to the future of the City, and Mr. Hanham detailed the background of the application as shown in the July 20, 2021 staff report. He reiterated that with the sale of the property, the new property owner desired to come in with a use that was permitted and there was no reason to change the Zoning Code. While Zoning Codes were fluid documents and could be amended, in most cases it was done in a more comprehensive manner. It was possible in the future if the City Council were to consider amendments to the Three Corridors Specific Plan or a more comprehensive look was considered, the property could be brought back for consideration. At this time, it was prudent to drop the item, allow the new property owner to pursue his permitted use, and move forward and consider the property in the future as part of a more comprehensive review of the Zoning Code.

Mr. Hanham confirmed the application had not gone before the Council Municipal Ad Hoc Committee, although in the future such applications would be brought before the Committee to ensure consistency with the Zoning Code.

Council member Murphy expressed concern that one particular applicant could have changed the entire Zoning Code. He asked in the future that the Municipal Ad Hoc Committee review such applications which would allow input on what was happening and which would ensure that any changes to the Zoning Code benefitted the entire City and not just one applicant.

In response to Council member Tave, Mr. Hanham reiterated the background of the initial application which had not been City-initiated.

On the question of whether it would be appropriate by motion to table the item indefinitely, City Attorney Eric Casher confirmed it was appropriate to table the item indefinitely via a motion to that effect.

Council member Tave offered a motion, seconded by Council member Toms to table the item indefinitely to be reviewed at a later date.

On the motion, Mayor Martinez-Rubin found the language in the motion to be contradictory. She asked that the motion be modified so it was understood the item could come up in the future but at this time the City Council wanted to table the item.

Council member Tave offered a motion, seconded by Council member Toms to table the item indefinitely.

Mayor Martinez-Rubin commented the matter may come up again and she would support the motion if it was not indefinite.

City Manager Murray explained if the item needed to be reconsidered it could be brought back. As the Planning Manager had mentioned, this had been a property owner-initiated application and it was not unusual for development projects to require consideration of changes to the City's Municipal Codes, and for planning related matters it was a common occurrence for a single property owner to approach the City with a proposal for a project that the applicant knew would require some changes to the Municipal Code or some other plan. He did not foresee the item would come back, but if it did, it could be rescheduled as a new item. From staff's perspective, the item could be tabled.

Council member Tave again restated his motion to table the item indefinitely.

City Clerk Iopu advised the City Council may make a motion to table an item to a date certain or to an unspecified date.

City Attorney Casher commented that it was an unlimited or unspecified amount of time and the language offered by the City Clerk meant the same thing.

ACTION: Motion by Council members Tave/Toms to Table Amending Definition of "Offices, Business and Professional" in Section 17.22.020(F)(40) of the Pinole Municipal Code and Chapter 11, Definitions, in the Three Corridors Specific Plan Indefinitely.

Vote:	Passed	4-0-1
	Ayes:	Martinez-Rubin, Tave, Murphy, Toms
	Noes:	None
	Abstain:	None
	Absent:	Salimi

9. OLD BUSINESS (Item Continued from July 6, 2021 Meeting)

- A. Council Member Requests for Additional Appropriations in Fiscal Year (FY) 2021/22 **[Action: Discuss, Provide Direction and Adopt Resolution per Staff Recommendation (Guillory)]**

Finance Director Markisha Guillory presented the staff report and asked the City Council to discuss the additional appropriations for Fiscal Year (FY) 2021/22 beyond those included in the adopted FY 2021/22 Operating and Capital Budget, and adopt the resolution contained in Attachment A to the staff report approving any additional appropriations the City Council would like to add at this time.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, suggested it would be worthwhile for the City Council not to expend all of the funds not currently allocated to the reserves, which could be viewed as available funds, since the process so far had been done in an ad hoc manner. While each group of items may be a good idea, the downside of that approach was it left fewer funds available for planning processes the City was running now, as an example. He recommended the City Council consider the cost of the implementation of changes in the ad hoc process rather than a planned or structured process through City staff. He suggested a round robin process for Council member items if the current process were to be followed, which would allow a Council member to bring up an item and the next Council member to bring up an item and so on to allow equal opportunity for all Council members to bring up items for consideration.

Irma Ruport, Pinole, suggested that Pinole TV was essential, a priority, and more funds should be considered. She suggested that Pinole TV be removed from Community Services and moved under the auspices of the City Manager and that it be an independent entity as it had been in the past to allow it to become more viable. She also suggested the individual operating Pinole TV was excellent and should be involved. In addition, she suggested the Deputy City Clerk should be preparing meeting minutes, the City Clerk needed help, and that hiring new employees should not be friends of family but people qualified and capable of doing the jobs needed. Further, she found the City had done a poor job with communication and she understood the City would be receiving funds from the federal government. She asked the City Council to make a list of projects and itemize all funds and any restrictions, with all information to be posted to the public.

Ms. Ruport also understood the Faria House was to be tabled and placed in the unassigned fund category. Because of that, she suggested consideration of funds for Fire Station No. 74 to be used as a public safety building, particularly since the City owned the building.

PUBLIC COMMENTS CLOSED

Mayor Martinez-Rubin commented on the new composition of the City Council, new strategies being implemented, new approaches and processes that had been undertaken which included the budget approval process that was not entirely new, but now included consideration of the Capital Improvement Program (CIP) at an earlier date than the City Council had been accustomed in the past. She found the suggestion for a round robin approach to be interesting and acknowledged the City Council had done a single Council member approach and had then grouped the items together. She recognized due to the Zoom broadcast of City Council meetings, there was a bit of a lag to add individual comments as opposed to having meetings live in-person. She suggested this was the opportunity for Council members who had not yet specifically identified any appropriations to identify those items they would like the City Council to consider.

Council member Toms found the current budget process difficult to understand including the direction the City Council had taken during the first six months of the year when the City Council had been presented a report from a consultant who had identified staffing needs, and based on

the conclusions recommendations for staffing had been put forward in the budget. There had also been a Fire Study with a recommendation placed in the budget. The City Council had recently discussed various funding recommendations late into the evening, which discussion should have occurred during a Study Session back in June with input from the entire City Council.

Council member Toms preferred to leave more funds in the unassigned fund category. In her opinion, the City should have a Climate Action Plan (CAP), and while she was hesitant to bring it up now it should be considered when climate issues and the status of the Sustainability Element was submitted to the City Council for consideration. It could also be considered during quarterly budget updates. She was troubled with the current budget process, noted that every appropriation that had been identified had not been vetted by staff or discussed at a City Council meeting, and if leaving funds in the unassigned category when they had those discussions during quarterly budget updates those items could then be considered.

Council member Toms agreed with Mr. Menis that the ad hoc approach was not a good practice. She had nothing to add at this time other than when discussions were held by the City Council on the various items, she would then like to consider whether they could have a budget appropriation for the item after adequate discussion on the need.

Mayor Martinez-Rubin echoed the comments but found the ad hoc approach versus the structured approach to be a benefit since it allowed a rationale for certain appropriations. She suggested there was a larger degree of uncertainty when there was an appropriation that was simply a placeholder, which was why the amount for Pinole TV was as low as it was since it allowed staff the flexibility to identify the best use of funds after reflection and reassessment.

Council member Tave recognized that trying to get as much done as possible late in the evening had resulted in the continuation of this item. He had many items on his list that had been pending for years. He suggested the Strategic Plan that had been prepared contained a lot of good points, recognized the challenges related to prioritizing projects, and recommended a workshop to discuss the potential appropriations with a deep dive discussion on the direction the City may take over the next few years. In addition, when the City received its American Rescue Plan Act (ARPA) funds, he emphasized that more discussion was needed by the City Council to accelerate many of the projects and staff needed the flexibility to maneuver as things changed over time.

Mayor Martinez-Rubin clarified that there was eligibility criteria involved in the ARPA funds and more information would be provided to the City Council in the near future.

Council member Murphy reiterated a need for a Study Session on the appropriation items. He was open to such a format on several of the issues either on a regular meeting night or a Saturday session. He appreciated staff's ability to provide facts, data and staff reports allowing staff to do its job better, with members of the public also able to provide input on various matters. He looked to the Strategic Plan as a prime opportunity but suggested it had missed the mark on a CAP and sustainability efforts and there was an opportunity to intervene and propose solutions. He also suggested that placeholders offered a great opportunity to identify items the City Council determined were appropriate. He pointed out the City had plans that had yet to be executed, such as the Economic Development and Strategic Communications Plans, but in the meantime there were certain proposed solutions not being funded as they should be such as Pinole TV.

Council member Murphy wanted the City Council to be more visionary and innovative as to how it approached the budget process, which needed to include input from the entire City Council and

members of the public. He suggested the ARPA conversation would also be an opportunity to expand on the budget discussion. He supported a survey of what interested the public, the questions that remained, and data that could be made available to the City Council. He pointed out the City Manager and Director Guillory had been provided information on The Balancing Act, and he suggested now was the time to implement that tool.

Council member Tave asked the City Manager and Finance Director whether a Study Session could be crafted with a potential date for consideration.

City Manager Murray confirmed that staff could structure its thoughts for a City Council meeting that was structured more in a workshop or Study Session format, although that meant different things to different people. Study Sessions typically did not include action on the part of the City Council but staff foresaw such a conversation differently in that there would be decisions on different appropriations. He recommended a workshop in a less formal format than a typical City Council meeting allowing more dialogue from the public. He and Director Guillory could propose a format and also have workshops on other issues. In terms of scheduling, the City Council could be polled for possible dates and times.

In terms of the subject budget, City Manager Murray explained that the process was traditional and had been used in the past. He recognized there were new Council Members who had varying ideas and perspectives and suggested that having a workshop to conclude the appropriation process would be acceptable. The City Council may also consider whether it wanted to combine that workshop with a discussion of the ARPA funds or the topics could be considered separately. Staff would take direction from the City Council in the form of a motion and order to prepare an agenda for a future City Council workshop on appropriations and/or discussion of the ARPA funds and come back with a proposal and dates for City Council consideration.

City Clerk Iopu verified with staff that no action was required on the resolution contained in Attachment A to the staff report.

City Manager Murray described the procurement policy for government agencies as opposed to private industry, which did not allow sole source procurement. The City would have to identify a need, identify firms to meet that need, and advertise that opportunity to firms and get proposals. For smaller amounts of money there was a more streamlined process. Staff was interested and supportive of tools like The Balancing Act, and whether it was that tool or some other tool that had comparable functionality staff would look at options and return to the City Council with a proposal.

In response to Council member Tave, City Manager Murray acknowledged that staff availability would have to be considered. As part of the budget, additional positions had been added in order for the City to be able to achieve the vision outlined in the Strategic Plan and the critical path to achieving some of the strategies, service improvements, and programs, a lot of which would flow through new Department Heads that would have to be recruited such as new Community Development, Public Works and Human Resource Directors around mid-September at the earliest, and then return to the City Council for prioritization and scheduling of certain projects.

City Manager Murray suggested the path forward was a dialogue through a workshop of the City Council to discuss additional General Fund appropriations possibly combined with the ARPA funds discussion, to create a list of desirable additional projects, and that workshop and decisions would likely not occur for another month or so.

Mayor Martinez-Rubin reiterated that all Council members wanted to do something better for Pinole but differed on approach. She suggested the public's desires had not been reflected in the existing appropriations and she hoped the City Council would be open to hearing more on that, and to recognizing that the process to identify what projects would be carried out, either via staff resources or public funding would be allotted and would not happen in a single workshop or single year, partly due to how State and federal funding was handled and the timing of those resources was not always under the City's control. She suggested the workshop be specific on the outcome for the City Council and members of the public in terms of its purpose and expected results.

Mayor Martinez-Rubin reported she had spoken with the City Clerk and members of the City Council on how the format of City Council meetings did not allow engagement amongst Council members and given the limitations would help manage the public's expectations. She also agreed that some additional time beyond the City Council's typical format for discussions was warranted and a more informal discussion could be considered through a workshop format.

City Manager Murray was happy to accept direction that a City Council workshop be proposed to address the additional General Fund and all fund appropriations including ARPA funds that would be in a more interactive format and include the use of some tools for community engagement on budget prioritization with the goal of gathering community input, responding to community questions and comments, and allowing time for discussion for Council members and ultimately allowing time for decisions on additional appropriations. He recommended the City Council table the item to a date uncertain.

City Manager Murray added that the City Council could hold the workshop, receive input, have time to deliberate, and potentially decide to make decisions at that time or the City Council could consider one workshop for the information gathering and dialogue and a second workshop for the decision making.

Mayor Martinez-Rubin supported the two workshop approach.

Director Guillory agreed to a two workshop approach since the City Council would have the year-end review as well as the first quarter numbers and the numbers would be more refined.

By consensus, the City Council decided to have a two part workshop; one for the information gathering and dialogue and a second workshop for the decision making.

10. NEW BUSINESS

There was no New Business.

11. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Martinez-Rubin encouraged the public to continue to adhere to public health social distancing and masking guidelines, get vaccinated, and remain healthy.

B. Mayoral & Council Appointments

There were no Mayoral or Council Appointments.

C. City Council Committee Reports & Communications

Council member Murphy invited the public to a talking conversation scheduled for Sunday, July 25, 2021 via Zoom at 9:00 a.m., with information on his website. He also reported that he had attended a meeting of Marin Clean Energy (MCE) and briefed the Council on the discussions; reported on Senate Bill (SB) 612, a ratepayer equity bill; the next MCE Executive Committee meeting had been scheduled for August 6, 2021; and reminded everyone of the July 21, 2021 Bay Area Air Quality Management District (BAAQMD) meeting which would begin at 8:00 a.m. to discuss a proposal for Rule 6.5, a measure to reduce health destroying particulate matter from Chevron Richmond and PBF Martinez Refineries, with additional information on the BAAQMD website. He also urged everyone to remain safe, get vaccinated, and be kind to one another.

Council member Tave reported he would be meeting with Republic Services which would be conducting a tour of how waste was being disposed. He urged everyone to get vaccinated, stay safe, and enjoy local trails and amenities.

Council member Toms thanked George Pursley for his report and advised if citizens desired to write a letter in support of Library Services to the Measure X Advisory Committee the deadline was Friday, July 23, 2021, and any letters of support should be submitted the day before to be included in the agenda packet. Public input would also be allowed during the Measure X Advisory Committee Zoom meeting scheduled for July 28, 2021.

D. Council Requests for Future Agenda Items

Council member Murphy requested a future agenda item for a Climate Emergency Resolution.

Council member Toms liked the idea but suggested it could be combined with a staff presentation on the Sustainability Element or potential CAP.

Council member Murphy requested a future agenda item for a presentation from West Contra Costa Unified School District (WCCUSD) Ward 1 Representative Jamela Smith-Folds. Consensus given.

Council member Tave requested a future agenda item for an Equal Pay Act Resolution and advised that he could submit a resolution currently being considered by the City of Hercules. He wanted to ensure that the language in an equal pay resolution was in every City contract.

On the discussion, Council members sought more information on the request and were unaware there was an issue for non-equal pay in the City of Pinole. City Clerk Iopu expressed the willingness to circulate the draft resolution to the City Council for review and Mayor Martinez-Rubin asked that the City Council be allowed another meeting to take a look at the issue and the request could be made again at a future meeting.

Council member Toms requested information to identify the timeline throughout the year when the City Council received annual reports, such as the first quarter budget adjustments, second

quarter, budget practices and so on, which would be useful as an informational item, also made available to the public and e-mailed to the City Council.

City Manager Murray confirmed that information was a collaboration between himself and other staff members and it would be provided.

E. City Manager Report / Department Staff

There was no report.

F. City Attorney Report

There was no report.

12. ADJOURNMENT to the Regular City Council Meeting of August 17, 2021 in Remembrance of Amber Swartz.

At 10:00 p.m. Mayor Martinez-Rubin adjourned the meeting to the Regular City Council Meeting of August 17, 2021 in Remembrance of Amber Swartz.

Submitted by:



Heather Iopu, CMC
City Clerk

Approved by City Council: September 21, 2021

