

**CITY COUNCIL MEETING  
MINUTES  
September 6, 2022**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Salimi called the Regular Meeting of the City Council to order at 6:03 p.m. and led the Pledge of Allegiance.

**2. LAND ACKNOWLEDGEMENT**

*Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.*

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

*An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.*

**A. COUNCILMEMBERS PRESENT**

Vincent Salimi, Mayor  
Devin Murphy, Mayor Pro Tem  
Norma Martinez-Rubin, Council Member  
Anthony Tave, Council Member  
Maureen Toms, Council Member

**B. STAFF PRESENT**

Andrew Murray, City Manager  
Heather Bell, City Clerk  
Eric Casher, City Attorney  
Jeremy Rogers, Community Services Director  
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted and distributed on Friday, September 1, 2022 at 2:00 p.m. with all legally required written notices. One written comment had been received after 3:00 p.m. to be distributed and posted on the City website.

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

Mayor Salimi reported that agenda Items 4 and 5 would be taken out of order and considered prior to the end of the meeting. At this time the City Council moved forward with Item 8B.

## 8. RECOGNITIONS / PRESENTATIONS / COMMUNITY ANNOUNCEMENTS

### B. Presentations / Recognitions

#### 1. Pinole Young Actors Presentation

Patty Clark, one of the Founders of Pinole Community Players, explained that Pinole Community Players had been founded in 1986 through the Pinole Community Theater located at 601 Tennent Avenue. She introduced the Pinole Young Actors program developed by David Clark in 1968 as a four-week summer drama session. The program had been expanded to provide drama throughout the school year with two, twelve-week sessions meeting in the fall and spring each year. All students performed in a selected musical at the end of each session for family and friends. Thousands of children aged 6 through 14, and some older than 14 had moved into the Teen Drama Program until age 25. This program met five weeks each summer to rehearse and perform a full-length musical.

Ms. Clark reported that the students would perform Shrek the Musical this weekend. Programs provided educational and performance opportunities for the students from Pinole and the surrounding communities. The many opportunities the programs offered to allow the students to perform their work in front of an audience were highlighted.

Ms. Clark introduced this year's participants with a performance of Under the Sea from the Little Mermaid.

The City Council expressed its appreciation to the Clarks for their accomplishments over the years, recognized the programs' legacy for Pinole and congratulated the students on their performance.

Ms. Clark emphasized the program was her passion and she was pleased the City Council appreciated the children's performance. She also appreciated the support from the City Council and commented on her goal to also provide a program at Pinole High School.

#### PUBLIC COMMENTS OPENED

Deputy City Clerk Roxane Stone reported there were no public comments.

#### PUBLIC COMMENTS CLOSED

Mayor Salimi declared a recess at 6:17 p.m. The City Council meeting reconvened at 6:29 p.m. with all Councilmembers present.

#### 2. Pinole Car Show Presentation

Bob Kopp, Pinole, thanked all of the sponsors for the success of the Pinole Car Show and reported that some of the proceeds would be used for the 2023 Car Show. He encouraged residents to thank each of the business sponsors for their donations to the event.

Debbie Long, a member of the Car Show Committee, identified each individual business that had sponsored the Car Show in 2022.

Mr. Kopp also thanked the City Council and the City of Pinole for including funds for the Car Show in the City's budget, and thanked the Police, Fire and Public Works Departments for all their assistance during the event, which brought the community together benefitting all businesses in the downtown. He described the timeline for the event each year, thanked the Car Show Committee for their countless hours in preparing for the event and highlighted his responsibilities, with all decisions made by the Car Show team via a vote of its members. At this time, he presented a plaque to the Chief of Police and reported that plaques would also be presented at a later date to the wives and widows of two Pinole Police Department Posse Crew Members who had passed away; Nick Norton and Bill Journey, who had also been members of the Car Show Committee.

Mr. Kopp also expressed his appreciation to Frank S. for the ability to use the shopping center during the Car Show which allowed the event to be a success. He further commented on his involvement in various community events over the years and identified those volunteers who had provided ongoing assistance including former City Council members Pete Murray, Debbie Long and Roy Swearingen. The Car Show has been in operation for the past 25 years and had previously been hosted by the Northern California Cruisers, an organized car show operator that had later turned the event over to him the past three years. He reported that in 2022 there were 261 cars and thousands of participants.

At this time, Mr. Kopp presented checks to various community organizations from the proceeds from the Car Show.

Elizabeth of Meals on Wheels, explained that meals were prepared on Tuesdays and Thursdays. She highlighted the programs for residents over 60 years of age and advised that more information was available by calling 925-937-8311. She accepted a check for Meals on Wheels in the amount of \$2,000 from Mr. Kopp and the Car Show Committee and explained that the funds would be used for existing services.

Sakara Sampson, Vice President, Pinole-Hercules Little League, described the League's mission to teach young citizens virtue and character building through baseball and stated more information was available at [pinoleherculesll.org](http://pinoleherculesll.org). Fall registration was currently at 120 children and donations would go a long way. She introduced one of the parent volunteers who detailed the partnership between the Pinole Car Show and Pinole-Hercules Little League and the work of Mr. Journey and his family who also worked with the League.

Jeremy Rogers, introduced himself as the new Pinole Community Services Director, and expressed his appreciation to Mr. Kopp for his volunteer work.

Mr. Kopp also reported the Car Show Committee had provided checks to the Pinole Senior Center and Pinole TV for needed equipment. A check would be presented to the Pinole Swim Team off-line. The next Car Show had been scheduled for June 25, 2023. He again thanked his team for all of their hard work. Volunteers present in the audience introduced themselves to the City Council and included (Rob Sexton, Wes Troth, Jim Travers, Marguerite Mattingly, Tom Mattingly), Debbie Long and Pete Murray.

The City Council thanked Mr. Kopp and the Car Show Committee for their support for local community programs and organizations. The City Council also thanked the City Manager and City staff for the funds allocated in the budget each year for the Car Show.

Mr. Kopp added that the Car Show Committee had also paid to have the home of a veteran painted.

A volunteer accepted the plaque on behalf of Bill Journey's widow who thanked the Car Show Committee and the City Council for the recognition.

The City Council moved onto Item 8A at this time.

**A. Proclamations**

**1. National Health Services Week**

The City Council read into the record a proclamation recognizing National Health Services Week.

**PUBLIC COMMENTS OPENED**

Deputy City Clerk Roxane Stone reported there were no public comments.

**PUBLIC COMMENTS CLOSED**

The City Council recognized the need to increase access to health care with local health centers helping to fill the gaps from larger health care centers to provide services to community members.

**2. Blood Cancer Awareness Month**

The City Council read into the record a proclamation recognizing Blood Cancer Awareness Month.

**PUBLIC COMMENTS OPENED**

Deputy City Clerk Roxane Stone reported there were no public comments.

**PUBLIC COMMENTS CLOSED**

Deputy City Clerk Stone reported in recognition of Blood Cancer Awareness Month, the City of Pinole would host a Community and Staff Blood Drive in partnership with the American Red Cross on September 7, 2022 from 9:00 a.m. to 3:00 p.m. at the Pinole Youth Center, 635 Tennent Avenue, with registration information available at [redcrossblood.org](http://redcrossblood.org) and by entering code *pcyc*.

The City Council thanked the City Clerk for spearheading the effort.

City Clerk Bell clarified the blood drive had been a collaborative effort this year. She thanked the staff from the Human Resources and Recreation Departments for helping to facilitate the logistics and for working with the American Red Cross.

**6. 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.*

Sheldon Coad, Pinole, thanked Council member Toms for her monthly newsletter which he found to be helpful as a public service. He otherwise reported that he had been trying for months to have the City clean trash from a City park on Sarah Drive and asked whether it was City policy to allow trash to accumulate in and around City parks. He emphasized the number of attempts to get the trash cleaned up either by phone or via email with no response from various City Departments. He expressed a willingness to work with whomever would clean-up the trash and commented on his attempts to clean up some trash while walking in the park, although he noted the amount of trash involved was more than he could handle.

Mayor Salimi advised that trash accumulation in City parks was not the policy of the City.

City Manager Andrew Murray expressed the willingness to address the concerns with the speaker. He was uncertain of the specific situation but reported that illegal dumping was addressed on a complaint basis. As to park maintenance, a presentation would be made to the City Council at a future meeting tentatively scheduled for October 18, 2022. He suggested waiting for that presentation to learn the schedule and activities related to park maintenance.

Rafael Menis, Pinole, reported on the current COVID-19 case rate in the City of Pinole, which was lower than it had been in the month of August but still high with Pinole having the sixth highest rate in Contra Costa County. He encouraged continued precautions. He also reported Coastal Clean-Up Day had been scheduled for Saturday, September 17, 2022 and he encouraged everyone to take part. He otherwise asked who would have been the best staff person for Mr. Coad to contact to receive the best response.

City Manager Murray advised that the most appropriate department to contact was the Public Works Department. There was information on the Department website or residents may email him or any other City Department who should forward inquiries to the right City Department.

Jeff Rubin, Pinole, President Pinole Historical Society, announced the Pinole Historical Society would be having its first program in nearly three years in their new home on Friday, September 9, 2022, from 6:30 to 8:00 p.m. at Pinole Sportsman Club, 201 Pinon Avenue. Cal State University Professor John Robinson would make a presentation on the short-lived history of Bay Area shoreline artwork made out of driftwood and other objects. He also announced the Pinole History Museum would hold a fundraiser on Saturday, September 24, 2022 at Valley Bible Church in the City of Hercules when a number of prizes would be available along with community support from a number of community organizations. Information was available at [pinolehistorymuseum.org](http://pinolehistorymuseum.org) and everyone was encouraged to attend.

In response to the Mayor's understanding the City had purchased tickets for the fundraiser in the past, City Manager Murray explained if the City Council wanted to purchase tickets for the current event the City Council would have to approve an appropriation for that purpose with City staff to view it as a donation to a non-profit organization, which could be considered as a future agenda item request. The City did not have a standard policy for donations to non-profits, and while it could be considered there was no consistent historical practice for such donations.

## 7. REPORTS & COMMUNICATIONS

### A. Mayor Report

#### 1. Announcements

Mayor Salimi reiterated that in recognition of Blood Cancer Awareness Month the City of Pinole would host a Community and Staff Blood Drive in partnership with the American Red Cross on September 7 from 9:00 a.m. to 3:00 p.m. at the Pinole Youth Center. He reported the City would receive representatives from the French government on Thursday, September 8, 2022 to discuss economic development. He also announced the passing former Mayor Debbie Long's brother, James Autrey, and asked for a Moment of Silence.

Debbie Long, Pinole, thanked the City for the acknowledgement of her brother's passing and for sending flowers. She reported her oldest brother had died of multiple myeloma, was a good man with a family and had been a cherished husband, father, son and brother, which was his legacy. She also reported on the recent passing of Bobby Alvarado, Executive Officer of the Northern California Carpenters Regional Council, a big part of the community and another great man and gentleman in every way.

The City Council held a *Moment of Silence for Messieurs Autrey and Alvarado*.

#### B. Mayoral & Council Appointments: None

#### C. City Council Committee Reports & Communications

Council member Martinez-Rubin reported she had attended a West Contra Costa Transportation Advisory Committee (WCCTAC) meeting and briefed the Council on the discussions. She also reported that a Special Meeting of the WestCAT Board had been scheduled for September 14, 2022.

Council member Tave reported the next meeting of RecycleMore would be September 8, 2022. He encouraged everyone to participate in the Household Hazardous Waste and Mattress Collection event scheduled for Saturday, September 24, 2022 in the City of Richmond.

Mayor Pro Tem Murphy reported he had filled in for the Mayor at the August West County Mayors' Association meeting with a discussion focused on school safety and data. A future presentation would be provided to the City Council from the West Contra Costa Unified School District (WCCUSD) on the same data. He also reported he had been invited to attend the White House Climate Emergency and Energy Security Summit hosted by the U.S. Department of Energy in Washington, D.C., and briefed the Council on the attendees and topics of discussion; he had participated in a webinar hosted by People for the American Way Foundation and Public Citizen, two non-profit organizations helping cities to adopt resolutions to support core democracy and free and fair elections; the Contra Costa County Clerk's Office had joined a coalition of County Clerks with a focus on fighting against election misinformation; and the State of California had extended an invitation to a statewide planning session for the California Master Plan on Aging scheduled for September 20, 2022 in the City of Sacramento, which would include stakeholders having conversations around aging, disability and equity and with a virtual option to be available through [caforall.org](https://caforall.org).

Mayor Pro Tem Murphy reiterated that Coastal Clean-Up Day had been scheduled for September 17, 2022 and the Marin Clean Energy (MCE) Technical Committee would meet on September 16, 2022.

Council member Toms reported she had attended a recent meeting of the WestCAT Board. All rides in the WestCAT system would be free during the month of October and all BART rides would be half off during the month of September with the use of the Clipper Card. Also, the Bay Area Rapid Transit System (BART) would celebrate its 50<sup>TH</sup> birthday at the Lake Merritt Station on Saturday, September 17, 2022. She would also meet with those individuals working with the East Bay communities to mitigate fire issues within the region on Friday, September 9, 2022. Additionally, the Pinole Police Department community was involved in the Torch Run, a fundraiser for Special Olympics and Bike the Bridges, another fundraiser to start and end in the City of Benicia on October 1, 2022. Donations were welcome.

#### D. Council Requests for Future Agenda Items

Mayor Pro Tem Murphy requested a future agenda item for the Capital Improvement Plan (CIP) to return to the City Council with the intention of discussing a rubric or index of priorities.

City Manager Murray advised that staff had provided a quarterly status report on the CIP. The next report was scheduled for the September 20, 2022 City Council meeting as a Consent Calendar item, which could be pulled for discussion. While he did not recall a prior discussion for a rubric or index to prioritize CIP projects, the CIP included a narrative of how staff identified projects to recommend in the CIP and identified funding and how to make priorities. There was no qualitative methodology for scoring the projects, which was a different discussion and new agenda item, and staff could return with a more qualitative methodology for prioritizing CIP projects.

Mayor Pro Tem Murphy recalled the City Council had discussed a methodology and would like that to be part of the discussion, and City Manager Murray noted that would not be part of the quarterly status report on the CIP to be presented on September 20, 2022.

City Manager Murray reiterated that staff would provide a quarterly report on CIP projects, another agenda item could then be discussed about a methodology to prioritize CIP projects, and he envisioned staff would discuss the methodology currently being used. The City Council could then provide direction on how a more quantitative methodology for prioritizing CIP projects could be developed. He suggested the first City Council meeting scheduled for the month of November could include that discussion.

Mayor Pro Tem Murphy reiterated his request for a future agenda item to bring back the CIP both as a discussion and action item on the creation of an index or rubric that would better formalize the selection process for CIP projects. Consensus given.

Mayor Pro Tem Murphy requested a future agenda item for a local democracy resolution and explained how that resolution could be crafted.

Council member Martinez-Rubin wanted the resolution to also blend in some aspect of how candidates were attempting to promote fair campaign practices in order to promote and sustain democracy.

Mayor Pro Tem Murphy suggested the City Clerk create a resolution. He had provided the City Clerk with templates and modifications to the resolution could be included in the discussion.

City Clerk Bell clarified the intent was that the item return as a consent item.

City Manager Murray clarified the request was for a resolution in a model similar and in-line with those seen before and Council member Martinez-Rubin's recommendation could be considered as part of that item when discussed by the City Council. Consensus given.

Council member Toms requested a future agenda item to invite the Insurance Commissioner to provide a presentation to the City Council. Consensus given.

Council member Toms requested a future agenda item to bring back the Historic Overlay, although Mayor Salimi clarified that he and Council member Tave would have a conflict of interest on that topic and would not be able to participate in the discussion.

City Attorney Eric Casher reported an update to the design guidelines and an ordinance for the historic downtown area would be presented to the City Council at its October 18, 2022 meeting.

#### E. City Manager Report / Department Staff

City Manager Murray reported the City had opened the Senior Center as a Cooling Center during September 5 and 6; reiterated that Coastal Clean-Up Day had been scheduled for September 17 and National Night Out had been scheduled for October 4, 2022 at Fernandez Park with a Halloween theme. He also reported there would be a Special City Council Workshop on September 13, 2022 with a focus on the draft contract for fire services with the Contra Costa County Fire Protection District (Con Fire), and he briefed the Council on a number of tentative agenda items to be included on the September 20, 2022 City Council meeting agenda. Another Special City Council meeting had been scheduled for September 27, 2022 to further discuss the draft fire services contract with Con Fire.

#### F. City Attorney Report: None

#### PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referred to the suggestion for the timing of a discussion about fair campaign practices which was a voluntary commitment and one he had personally adopted. He hoped his fellow candidates would also adopt that commitment and that a discussion would be held as early as possible to ensure no misunderstanding with fair political campaign practices.

#### PUBLIC COMMENTS CLOSED

### 9. 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.*



- A. Approve the Regular Meeting Minutes of August 2, 2022.
- B. Receive the July 30, 2022 – September 2, 2022 List of Warrants in the Amount of \$1,767,833.73, the August 5, 2022 Payroll in the Amount of \$522,608.27, the August 19, 2022 Payroll in the Amount of \$527,112.01, and the September 2, 2022 Payroll in the Amount of \$532,034.86
- C. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Resolution Authorizing the City Manager to Execute Second Amendment to Agreement with Client First Technology Consulting to Provide Support Services During the Upgrade and Migration of the Permit Tracking and Online Application System and Appropriating Funding **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**

#### PUBLIC COMMENTS OPENED

Deputy City Clerk Roxane Stone reported there were no public comments.

#### PUBLIC COMMENTS CLOSED

**ACTION: Motion by Council member Toms/Mayor Pro Tem Murphy to approve Consent Calendar Items 9A through 9D, as shown.**

<b>Vote:</b>	<b>Passed</b>	<b>5-0</b>
	<b>Ayes:</b>	<b>Salimi, Murphy, Martinez-Rubin, Tave, Toms</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>None</b>

#### 10. PUBLIC HEARINGS: None

*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.*

#### 11. OLD BUSINESS: None

#### 12. NEW BUSINESS: None

#### 4. 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Gov. Code § 54957  
Title: City Manager

## PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, suggested the City Manager had done a fantastic job, provided Council direction and had a lot of potential. He urged the City Council to consider his hard work during the Closed Session.

## PUBLIC COMMENTS CLOSED

The City Council convened to Closed Session at 8:12 p.m.

### 5. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

At 8:45 p.m., Mayor Salimi reconvened the meeting into open session and announced there was no reportable action from the Closed Session.

### 13. CITIZENS TO BE HEARD (Continued from Item 6) (Public Comments)

*Only open to members of the public who did not speak under the first Citizens to be Heard, Agenda Item 6.*

**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.*

Cordell Hindler, Richmond, referenced the August 2 City Council meeting which had been scheduled the same night as National Night Out. He asked in the future that the City Council be more considerate in scheduling a meeting on the same night as that event. He also commented that when the City Council discussed the budget it would be important that a consultant be present to provide guidance on diversity, equity and inclusion. He hoped the \$80,000 the City Council had earmarked for economic development would be used for that purpose. On another matter, he expressed disappointment that a discussion with Con Fire at a prior City Council meeting had taken up the majority of the meeting at that time, which in his opinion set a bad example. He hoped the City Council would consider more timely discussions.

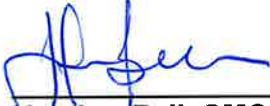
Mr. Hindler further referenced the Special Meeting and discussion of the EDS, and stated he was not confident the City would be able to successfully attract potential new businesses to Pinole given the high number of vacant properties and the speed of traffic along Tennent Avenue.

In response to the Mayor, City Manager Murray reported that different communities celebrated National Night Out on different dates. Due to the pandemic, the City of Pinole decided to celebrate National Night Out on the first Tuesday of October. National Night Out in Pinole had not been celebrated on August 2, as referenced by the speaker and would be celebrated on October 4, as earlier reported. No City Council meeting had been scheduled for that date to allow City Council members to participate.

### 14. ADJOURNMENT to the Special City Council Meeting of September 13, 2022 in Remembrance of Amber Swartz, Bobby Alvarado and James Awtry.

At 8:50 p.m., Mayor Salimi adjourned the meeting to the Special City Council Meeting of September 13, 2022 in Remembrance of Amber Swartz, Bobby Alvarado and James Autrey.

**Submitted by:**



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**Heather Bell, CMC**  
**City Clerk**

**Approved by City Council: September 20, 2022**

