

**CITY COUNCIL MEETING
MINUTES
April 25, 2023**

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

The Special 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 Murphy called the Special 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

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

B. STAFF PRESENT

Andrew Murray, City Manager
Eric Casher, City Attorney
Heather Bell, City Clerk
Markisha Guillory, Finance Director
Misha Kaur, Capital Improvement and Environmental Program Manager
Neil Gang, Chief of Police
Sanjay Mishra, Public Works Director

City Clerk Heather Bell announced the agenda had been posted on Thursday, April 20, 2023 at 3:30 p.m. with all legally required written notices. No written comments had been received in advance of the meeting.

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

4. 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.

City Clerk Bell reported there appeared to be technical difficulties with the audio for those members of the public wishing to speak via Zoom. A recess was taken at this time to allow staff to work with Pinole Community Television (PCTV) to address the situation. The City Council meeting reconvened at 6:30 p.m. with all Council members present and the City Council returned to Item 4.

Cordell Hindler, Richmond, stated after watching the April 18, 2023 City Council meeting, he had been appalled that resident Anthony Vossbrink had been cut-off when speaking to the City Council. He commented that the public should not have to wait until 10:00 or 10:30 p.m. to address the City Council, urged the City Council to condense staff reports, and requested the revisions to the City Council Norms and Procedures be agendized for the May 16, 2023 City Council meeting.

Maria Alegria, Pinole, stated that Pinole Valley Road had become a speeding raceway and should be designated a safe traffic and pedestrian corridor. She highlighted an incident she had witnessed on April 23, 2023 when a speeding vehicle had lost control while racing another vehicle on Pinole Valley Road. That vehicle had almost hit her vehicle head-on but had hit a City sign post and ended up in a neighbor's yard. She emphasized that Pinole Valley Road from Castro Ranch to San Pablo Avenue had become a raceway with little to no consequences to laws. Other residents shared her concerns and she had shared them with the City Manager. She asked the City Council to help facilitate an easier process for residents to report such incidents to the City Manager and Police Chief and help public safety officers keep the community safe from such scofflaws. This incident had also been reported on the Nextdoor platform where the analytics had reported over 2.7 thousand views. She asked that community safety become a community priority.

5. NEW BUSINESS

A. Fiscal Year (FY) 2023/24 General Fund Baseline Budget and Preliminary Council Requests for FY 2023/24 Budget Changes [Action: Discuss and provide direction (Guillory)]

Finance Director Markisha Guillory provided a PowerPoint presentation on the Fiscal Year (FY) 2023/24 General Fund Baseline Budget, which included an overview of the budget and budget development process, budget policy and General Fund Baseline Budget. Budget figures for the City's property taxes, sales and use tax for the two Measure S tax measures, Utility User's Tax (UUT), Franchise Tax, Intergovernmental Taxes, Transient Occupancy Tax (TOT), Business License Tax, Charges for Services (charges for services which included public safety charges received for dispatch services provided to the cities of Hercules and San Pablo through a cost-sharing agreement), other revenue sources and transfer-in from the Section 115 Pension Trust to offset the increase in pension costs were all highlighted.

Finance Director Guillory also provided an overview of expenditures that included salaries and wages, benefits, operations and maintenance, Contra Costa County Fire Protection District (CCCYPD) Fire Services Agreement, capital outlay, debt service and transfer out. A comparison of the Baseline Budget as compared to the Long-Term Financial Forecast for FY 2023/24 was also provided.

Finance Director Guillory further detailed the summary of fund balances and one-time consideration items the City Council had directed staff to include in the budget in the last two fiscal years, which had not been completed and which were to be covered by an unassigned fund balance, with all information contained in the April 5, 2023 staff report.

Finance Director Guillory identified the next steps in the process with staff to evaluate Council member additions to the budget, if any, to be incorporated into the Preliminary Proposed Budget and present that budget to the City Council during a meeting in May, date yet to be finalized.

Mayor Pro Tem Toms again clarified with Finance Director Guillory the fund balance summary with the General Reserve, who confirmed that the General Reserve ending balance as shown was within the City's policy.

City Manager Andrew Murray clarified with respect to the dispatch services for the West Bay Communication Center with the cities of San Pablo and Hercules that the City of Pinole was in the midst of negotiations for an updated agreement. He highlighted how the expenses were shared by each entity.

Council member Sasai asked for clarification for the changes shown in the budget for the City Manager/City Clerk Offices and Finance Director Guillory explained there were some items that had been considered to be baseline items, which staff had fine-tuned and determined were one-time expenses. This had resulted in the budget decreasing since the type of item from baseline to one-time had shifted.

Council member Tave referred to the balance for sales taxes in 2018 as compared to the present and asked whether the additional sales taxes of \$1 million, as shown, was a one-time increase or whether it could be relied upon in the future.

Finance Director Guillory clarified the delta between 2018/2019 and the present, which had shown an extra million would require some additional research to provide a clear explanation.

City Manager Murray explained that staff had consulted with HdL the City's sales tax consultant, and the main factor for the increase in sales taxes had been an increase in on-line sales, a run-up in consumption and the need to outfit home offices during the pandemic. Presently that run-up had flattened out with a one percent year by year increase expected. HdL had provided the revenue forecasting and staff had done some in-house forecasting based on trend analyses, with the difference in the Long-Term Financial Plan (LTFP) from 2022 and the baseline forecast a couple hundred thousand dollars.

City Manager Murray advised that staff was confident with the forecasts and a 10-Year Baseline Forecast would be presented to the City Council at the same time as the Preliminary Proposed Budget in May, which would build in more long-term projections on the revenue trends. He did not expect the City to lose money in sales taxes.

City Manager Murray further commented in response to Council member Tave that some vacant spaces had been re-tenanted by desirable retailers but no single retailer usually made that much of a difference in sales taxes. There was an action step in the Economic Development Strategy to continue to identify opportunities to attract retailers where the City had gaps which had not yet been implemented.

Council member Tave also clarified the funds related to the CCCFPD Fire Services Agreement were not pass-through funds, and City Manager Murray explained that the funds were netted-out of the expenditure shown for the CCCFPD Fire Services Agreement.

Council member Martinez-Rubin clarified with Finance Director Guillory the projected increase in Business License Taxes had been due to an increase in the license fee. The CCCFPD Fire Services Agreement amount was again clarified with the expenditure paying for staffing (those to be assigned to Station 74), operations and maintenance, utilities and dispatch services.

City Manager Murray again highlighted the FY 2022/23 and 2023/24 General Fund Baseline Budget expenditures as presented in the PowerPoint for the CCCFPD Fire Services Agreement, with the City's salaries, wages and benefits expenditures decreasing due to the reduction of 17 Pinole Fire Department employees as part of the CCCFPD Services Agreement. A comparison of Pinole firefighters to CCCFPD firefighters had not been provided since staff was relying on an independent fiscal analysis and mid-term update on the status of the contract with the CCCFPD, to be presented to the City Council at a future meeting.

Council member Martinez-Rubin also clarified with Finance Director Guillory the one-time initiatives and capital improvement projects (operating initiatives) which would be presented as part of the Capital Improvement Plan (CIP) and as part of agenda Item 5B, which would show how the various projects had been funded by the General Fund and the two Measure S funds.

City Manager Murray added there was a lot tied into those ideas, and he described the differences between the fund balance (one-time resources not being replenished to be used for one-time expenses) and capital projects funded by the General Fund and the two Measure S funds. He also clarified that capital projects were capital in nature, related to infrastructure, but there was also a gray area regarding the magnitude of a project. The one-time items would be included in the Preliminary Proposed Budget, most of which were underway, and were one-time not ongoing expenses which was the distinction in the baseline budget.

Finance Director Guillory also explained there was some overlap between the operating budget and the CIP in terms of how the projects had been classified, but all would be funded by the General Fund and Measure S funds, which was why the projects had been highlighted. In the event alternative sources of funding were found, it would come before the City Council as an amendment to the budget.

City Manager Murray clarified that alternative sources of funding had occurred in the past, and he referenced some one-time community development-related projects with respect to updating the Housing Element and other elements along with the creation of objective design standards. State grant funds had become available to assist in the funding for those projects. For the CIP, if something was funded by a local source or another funding opportunity that project may have to return to the City Council.

Council member Martinez-Rubin could not recall whether the City Council had discussed the Infrastructure and Investment Jobs Act and whether Pinole was eligible for any funding, to which Finance Director Guillory stated the City had not received any funding from the Infrastructure and Investment Jobs Act.

City Manager Murray reported there would be a future agenda item during a City Council meeting in May to discuss the funding opportunities as part of a City Council request for a future agenda item.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, asked for clarification of the Finance Director's PowerPoint presentation and a statement that the City had fewer expenditures related to the California Public Employees' Retirement System (CalPERS) since CalPERS had recently provided a presentation to the City Council and had reported on a near term increase in demands due to losses. He understood the change in expenditure was due to workers' compensation and liability premiums and he asked why the numbers had increased so significantly given that the covered pool of the City would be at a lesser risk with the removal of Pinole firefighters from the covered pool for both categories. He asked whether the level of increase was typical year after year.

Mr. Menis also referenced the General Reserve offset interest losses and asked whether the General Reserve fell under the Investment Policy and whether the funds had been invested in the same manner as Pension Investment Funds, the Local Agency Investment Fund (LAIF) or a money market account.

Mr. Menis also referenced Table 1, Page 5 of the April 25, 2023 staff report, and commented on the percentage of increases in expenditures for the Finance, Human Resources and Police Departments. He understood the increases in the Human Resources and Police Departments were due to new staffing but if not accurate requested clarification. He otherwise thanked the Finance Director for the information in the PowerPoint presentation and the slide for the Baseline Budget Compared to Long-Term Financial Forecast, which he found to be helpful.

Irma Ruport, Pinole, appreciated the report on the budget but suggested the inclusion of PCTV in the Community Development and Recreation Departments budget should be separated out as a separate budget item. She also opposed staff approving any changes in expenditures or in items in the budget without the discussion and approval of the City Council. As to the potential for grant funding, she noted that some grants had a deadline during the month of May and she urged staff not to miss the deadline for any potential grant opportunities.

Cordell Hindler, Richmond, asked for clarification of the one-time items, in particular an item in the amount of \$10,000 for business development.

PUBLIC COMMENTS CLOSED

Finance Director Guillory responded to the public comments and explained as it related to CalPERS rates that the City would have to deal with the CalPERS losses in 2024. In the previous year the CalPERS valuation and five-year forecast was lower because at that time the system had experienced higher than expected returns on investments; however that had reversed and in FY 2024/25 the City would see the impacts.

In terms of the transition to the CCCFPD, Finance Director Guillory noted the City was still responsible for the payment for this budget year, which had been captured as a one-time item. Moving forward the City would not be responsible for the fire staff who had transitioned.

Finance Director Guillory also responded to questions related to the General Reserve and clarified that fell under the City's Investment Policy, which was different from the Section 115 Pension Trust Policy. The City had been investing in Certificates of Deposit (COD) United States Treasury bonds and some in LAIF. She further clarified the increases in the baseline budget related to the Finance Department had been due to an administrative staff person who had previously been allocated to other departments but who had picked up some tasks in the Finance Department and that salary had shifted to the Finance Department. For the Human Resources Department, other factors including non-personnel costs to support the City's Human Resources operations had been added to the budget as ongoing expenses and were related to legal services in the Department.

Mayor Murphy clarified the Sales and Use Tax and asked whether it had been compared to other cities in Contra Costa County, and Finance Director Guillory stated that comparison had been done but she did not have that information at this time. The information could be forwarded to the City Council prior to its next meeting.

Mayor Murphy also clarified the budget development key dates and asked how the public could utilize the Balancing Act – Community Priorities Survey to assist the City Council in making decisions on the budget.

Finance Director Guillory explained that the Balancing Act had been set up using the Prioritization Module for a qualitative survey, with respondents asked to pick and rank their top five priorities to be reported back to the City Council to decide how to fund those initiatives. Staff would also work with the Public Works Department to use the survey in the same way for CIP projects with a report back to the City Council in the same way.

Mayor Murphy spoke to the 10-Year Forecast and asked whether CalPERS variables would be part of that conversation and Finance Director Guillory explained that the 10-Year Forecast was the baseline forecast and those factors would be considered and be presented along with the Preliminary Proposed Budget.

Council member Tave referenced the Inflation Reduction Act (IRA) and asked what impact that would have in terms of what projects were shovel ready, and City Manager Murray explained there was no future item to discuss the IRA but that could be added to the discussion of the Preliminary Proposed Budget or the Preliminary Proposed CIP.

Public Works Director Sanjay Mishra highlighted the Bipartisan Infrastructure Law (BIL) that would make investments in the transportation sector, improve public safety and climate resilience, create jobs across the country and deliver a more equitable future.

Council member Tave sought more discussion on the IRA, the need to identify shovel ready projects and the need to discuss the possibilities. He asked staff to see how the IRA would weave into the budget in terms of what could realistically be done.

City Manager Murray recommended adding a discussion on CIP project funding from the IRA and the BIL as part of the Preliminary Proposed CIP.

Mayor Murphy noted that during the April 18, 2023 City Council meeting, the City Council had directed staff to prepare a resolution in support of partnering with Contra Costa County's Inflation Reduction Act (IRA) Conference where more guidance would be helpful on the use of IRA funds and other funding sources. He understood that some members of City staff would be attending the IRA Conference on May 18, 2023.

Mayor Pro Tem Toms noted that some of the one-time initiatives would fall under the environmental parts of grant funding. The Recycled Water Feasibility and Municipal Broadband Feasibility one-time projects, as examples, may involve a planning grant and if the City were to partner with the City of Hercules that could be another opportunity, although the City of Pinole would not qualify for the Keller Mitigation Funds, which were only for East County (Pittsburg/Bay Point and a bit of Antioch).

Council member Sasai clarified with staff the staff recommendations that may include any City Council recommended changes to the baseline budget which staff would evaluate. Any recommended additions to the CIP would be part of Item 5B.

City Manager Murray reiterated the staff recommendation and clarified the City Council may take action to remove any of the one-time items that had been approved in the past, although many were partially underway. For any other recommendations, City staff would need to prepare cost estimates and determine the operational feasibility of those recommendations.

Council member Martinez-Rubin asked that staff come back with additional information on the baseline budget, amending the City's agreements with franchisees to the extent possible. She wanted to know the range, whether the tax amount was regulated, and whether there was some "wiggle" room along with the timelines when new contracts were due.

Council member Tave asked for more clarification on the "needs" versus the "wants." He wanted to know whether there was any room for adjustment given concerns with asking a lot in the CIP and asking a lot of staff, and he wanted assurance that what had been indicated to be done would be done without maxing everyone out and diminishing returns.

City Manager Murray explained that would be discussed in detail during the Special Meeting on April 29, 2023 as part of the discussion of the Strategic Plan. He added the City Council's Balanced Budget Policy required City staff to propose an initial budget that was balanced. When staff returned at a future meeting, the Preliminary Proposed Budget would be balanced with staff to work to close the current gap in the budget. He also explained the solution to closing the gap would involve fine-tuning the baseline and a discussion with all Departments on what could be done in-house along with other fixes. He further clarified that anything learned about grant opportunities was still a few months down the road and the process would play out with the City Council's adoption of the Operating and Capital Budget and CIP. Subsequent to that based on new information on funding sources, if City staff identified any shifting to another direction based on outside funding that would be brought back to the City Council during a mid-year adjustment to the CIP.

Finance Director Guillory again identified the next steps and confirmed at this time that the City Council had not proposed any changes to the budget. The next step would be to work to implement budget balancing measures to bring the gap in the budget to zero, with staff to return with a Preliminary Proposed Budget at a City Council meeting in May. Staff would also return with information in response to questions raised on sales taxes and guidance on the IRA and BIL.

City Manager Murray added that staff would also incorporate the information on federal funding and look into the issue of the franchise agreements, and a future agenda item would include a discussion on a successor for the City's existing refuse franchise agreement.

Council member Martinez-Rubin clarified with Finance Director Guillory that public comment on the use of the Balancing Act tool would remain open for another three weeks with access on the City website and City Facebook page.

B. Overview of Draft Fiscal Year 2023/24 Through 2027/28 Capital Improvement Plan [Action: Discuss and provide direction (Kaur)]

Capital Improvement and Environmental Program Manager Misha Kaur provided a PowerPoint presentation on the Draft Fiscal Year 2023/24 through 2027/28 Capital Improvement Plan (CIP), which included an overview of the Draft Five-Year CIP containing 32 capital projects and seven infrastructure assessments, and for Fiscal Year 2023/24 there were 30 capital projects slated for work and seven infrastructure assessments in the categories of: facilities, parks, sewer, stormwater, streets and roads and infrastructure assessments.

Ms. Kaur also identified the complete or anticipated completion projects by June 30, 2023 in the Draft CIP and the budget summary of the Five-Year CIP and clarified that since the most recent meeting of the Finance Subcommittee, staff had met with Finance Department staff to evaluate some of the projects, discuss the possibility of moving funding and possibly use Growth Impact Fees. She also provided an overview of the FY 2023/24 budget summary which showed a reliance on the Growth Impact Fees.

Ms. Kaur reported the next steps would include the addition of a Tree Mitigation Project for \$50,000 annually to address tree removal, projects the City Council wished to add or delete, and a ranking of projects via a Capital Projects Prioritization Matrix. Staff would return with a Preliminary Proposed CIP at a City Council meeting in May, which would thereafter be reviewed by the Planning Commission for consistency. The Final Proposed CIP would be considered by the City Council at a meeting in June.

Council member Sasai referenced CIP Project RO2303, Pinole Smart Signals, and asked when the project had been incorporated into the CIP.

Ms. Kaur explained that CIP RO2303, Pinole Smart Signals was a project in collaboration with the Contra Costa Transportation Authority (CCTA). When the City had applied for the One Bay Area Grant 3 (OBAG 3) funds for the Pinole Valley Road and Tennent Avenue improvements, CCTA proposed a countywide project with all of the jurisdictions in the County to upgrade some of the signals in the arterials of the city. The project would be sponsored by CCTA with a small match from the City of Pinole. The project had been programmed when the City had submitted its OBAG 3 application.

Council member Sasai questioned whether the Pinole Smart Signals project was counterproductive in terms of the need to reduce speeds of drivers on the City's roadways. He reported a member of the public had contacted him raising a concern with how the project would impact green wave where traffic signals were synchronized in such a way where stops were not permitted. He requested clarification.

Public Works Director Sanjay Mishra explained that RO2303, Pinole Smart Signals would look mostly at the regionally significant routes and arterials including San Pablo Avenue, Appian Way and Pinole Valley Road. Smart Signals were adaptive and depending on the traffic volume or the speed of traffic, the signals would be synchronized or set with time intervals to allow traffic to go through. Once the project had been developed, the timing of the signals could be discussed further with the consultants. He added that during the commute hours, the traffic signals were synchronized to move the traffic and not to stop traffic along a major route.

Council member Tave asked why Growth Impact Fees were being used as opposed to funds in the Sewer Enterprise Fund for sewer projects, and Ms. Kaur explained there were a number of projects in the unfunded and funded program list that would come from the Sanitary Sewer Master Plan, which had identified projects in a Five-, Ten- and 20-Year period that would exceed the amount of funds the City had in the Sewer Enterprise Fund. The intent was to leverage fees in the Growth Impact Fund dedicated just to sewer. She again clarified the figures in the FY 2023/24 Budget Summary as part of the PowerPoint presentation.

Council member Tave asked what mechanism or program was in place for residents to proactively review their sewer laterals to reduce Inflow and Infiltration (I&I), to which Public Works Director Mishra advised the City did not currently have a program to help residents financially but the Residential Sewer Lateral Ordinance adopted in 2012 required all homeowners to complete a sewer lateral video and correct any defects. The repair work must be completed when a home was to be sold and before the close of sale. He commented that in terms of I&I, a reduction would not be visible as yet since the City had not done any projects, although private sewer laterals were being pursued as they came and people were being educated on the requirements. The City was not yet going after those homeowners who had not completed the sewer lateral work.

Public Works Director Mishra also commented as to the Wastewater Treatment Plant facility that it did not have a separate stormwater facility and dispersed into the sewer at the plant. A calculation had been done during a normal day with one inch of rain, 350,000 gallons from the facility, and for a large subdivision where stormwater would be going into the sewer, which would be significant. He again explained what the sewer projects were trying to address.

Ms. Kaur added the entire sewer system collection would be videoed to allow the City to identify other sources of I&I.

Finance Director Guillory again clarified that the previous discussion on the baseline budget incorporated all General Funds including Measure S funds. Staff had initially had more CIP projects allocated to Measure S 2014 but staff had been able to leverage funds from the Growth Impact Fees, with a good portion having been moved away from Fund 106, Measure S 2014 to the Growth Impact Fees. The funds could not be moved to some of the other funds identified in the summary since there were restrictions attached. The only option was out of the three General Funds, as shown.

Mayor Murphy also clarified the Infrastructure Assessments with Ms. Kaur, who reiterated that when the Proposed Preliminary CIP came back to the City Council a number of projects that had come out of those planning efforts would be seen. As an example, the Local Road Safety Plan (LRSP) had identified some improvements, staff had applied for funding and it had now been programmed as a project. As projects were ready with a basis to apply for grants, staff could seek grants and then program those projects. Projects with funding would appear in the CIP and those that had identified needs through those projects would appear in the unfunded and un-programmed list.

Mayor Murphy also spoke to the addition of the Tree Mitigation Project and commented that in 2019, the City's Beautification Ad Hoc Committee had recommended a Tree Master Plan, which was an unfunded project in the CIP. Given the staff recommendation for the Tree Mitigation Project, he asked whether staff had considered those two projects together.

Ms. Kaur explained that the Tree Mitigation Project would be an immediate project to address impacts from the recent winter storms and staff hoped to obtain reimbursement from the Federal Emergency Management Agency (FEMA). A Tree Master Plan was a much bigger effort and was on the unfunded list.

City Manager Murray stated the City Council may provide direction to fund a Tree Master Plan in the Preliminary Proposed CIP, which could include mitigation of trees on City property, types of street trees to be planted and partner with the Garden Club on tree planting and the like.

Mayor Murphy asked of the status of requests for funding from the state legislators' district process and whether information could be provided at the next City Council meeting.

City Manager Murray reported the City had not received a response on the status of the funding requests for the rehabilitation of Fernandez Park and funding for various components of the Senior Center and parking lot upgrade, but a status report could be provided when the Preliminary Proposed Budget returned to the City Council. If funding was received from federal or state sources for the Senior Center that would supplant the local funding the City would otherwise use and if funding was available for Fernandez Park it would be added to the CIP.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, spoke to the differences between the net surplus deficit and the amounts shown in the Budget Summary of the PowerPoint presentation. He suggested the difference was that the presentation for Item 5B had shown one-time costs as opposed to the PowerPoint presentation for Item 5A, which involved ongoing costs. He asked whether it would be beneficial or possible to combine unfunded projects UF016 and UF017, the sidewalk improvements and retaining wall for the shale below the church between Oak Ridge and Tennent Avenue to create a San Pablo Avenue Complete Streets Project, which may make grant opportunities easier. As to the Growth Impact fees, he asked that future presentations show the remaining fund balance for the Growth Impact Fund since the fees were a limited source of funding.

Mr. Menis also understood that most of the unfunded totals for FY 2024/25 were related to the San Pablo Avenue Bridge Project and delays in state funding. He asked whether there were other major projects contributing to that substantial unfunded total.

Anthony Vossbrink, Pinole, asked whether there was something in place where the City did not have to wait for major CIP projects to take effect. He wanted to see the City be more proactive if not preventative with certain projects and provide better measures to ensure the public health and safety standards in the City. As an example, painting and striping of speed bumps along Sarah Drive and all throughout the City, painting of the posted speed limits on all roads that were currently faded, painting and striping of demarcation lanes on roads and streets and sidewalks to be done immediately as well as addressing traffic signals that had been obstructed by trees and branches and stop lights that that were inoperable up and down Pinole Valley Road from Henry Avenue to the turnout at Adobe Road. He emphasized that those maintenance needs had been reported to the City on numerous occasions, the City Manager had stated work would be done, but that work had not occurred. He wanted to see the City be more proactive and preventative rather than reactive after the fact.

Irma Rupert, Pinole, urged the City Council to include PCTV in the CIP given that it was an important asset and was not being used to its fullest. She added that surveys did not work, there was few respondents and many were unable to navigate the City's website. She expressed the willingness to volunteer to man a desk at City Hall for interested residents and possibly a table could be posted at the Senior Center to solicit comments from the public.

PUBLIC COMMENTS CLOSED

Council member Martinez-Rubin requested the following projects be included in the unfunded list of CIP projects:

- Demarcation and painting of roads, lanes and pedestrian pathways.
- Assessment for repair and maintenance of the pedestrian walkways along Pinole Creek.
- Handicap access to be provided at Pinole Creek Trail near Sarah Court which could be done at the same time or supplement recently approved paving.
- Pedestrian bridge near Jamba Juice and the shopping center should have a more durable surface.
- Assessment of the pedestrian bridges at Plum Street and Pinole Valley Park.
- Repaint pedestrian crosswalks west of the Appian 80 Shopping Center on Tara Hills Drive and an assessment throughout the City.
- Traffic signal at Appian Way and Canyon Drive had been impacted and the direction of the traffic signal had been moved by large trucks, a safety issue that needed to be addressed, with the added questions as to whether the traffic signal was the responsibility of the City or of Caltrans, and whether the bridges belonged to the City or some other entity.
- Signalization and traffic lights projects to also consider sensors for scooters and motor scooters.
- Promote and support alternative uses to vehicles.

Council member Tave offered the following comments:

- Separate fencing between small and large dogs at the dog park to be included in the CIP.
- Trees had not been incorporated into the Parks Master Plan yet to be presented to the City Council and if included, the contract would have to come back to the City Council for modification. The Tree Master Plan would address trees as previously discussed and with the new Tree Mitigation Project to be added, as discussed.
- With Request for Proposal (RFP) to be issued for all City facilities for energy conservation, generation and storage assessments with the use of wastewater gas from the Wastewater Treatment Plant there may be other options for the use of the sludge from the Plant.

Council member Sasai requested the following addition to the CIP:

- A Complete Streets Project for San Pablo Avenue.

City Manager Murray reiterated the process for staff to return with information on the requests made by the City Council after evaluation after which the City Council would decide whether or not the projects could be included in the CIP or be placed on the unfunded list. He clarified that a formal motion was not required for each request.

Mayor Pro Tem Toms offered the following comments:

- Preventative maintenance items such as street striping may not belong in the CIP, with staff to provide alternative language such as beefing up the budget for the Public Works Department.
- Staff to provide more information on the costs for upgrading PCTV.
- Earmark for Fernandez Park improvements to be added as an unfunded project in the CIP.
- Staff to consider a San Pablo Avenue Complete Streets Planning Grant.

Mayor Murphy offered the following comments:

- Clarified with staff a Master Plan for an RFP remained to be issued for PCTV, it was not an infrastructure project and had already been funded in the 2022/23 budget cycle between \$30,000 and \$50,000. Consideration of different revenue sources would be considered.
- Additional details for the budget for PCTV and routine street maintenance items would be provided to the City Council as part of the Preliminary Proposed Budget discussion.
- Wanted to see the scope for the Master Plan for PCTV particularly for operations and infrastructure.

- Wanted the City to leverage its spending power to improve the Pinole Library facility holistically, work with the County to develop improvements, consider other options and new funding mechanisms, with staff to report on the County's intention to transfer ownership to Pinole in 2024, and with staff to meet with County staff in the coming weeks.
- Clarified staff had recommended the creation of a Facilities and Real Estate Master Plan, which would include the library, and whether that facility should be renovated would be included in that plan. The consultants for the Parks Master Plan had been asked to consider the area around the library in the Parks Master Plan and there could be some recommendations to improve that area as part of the Plan.
- Clarified with staff road design CIP projects had gone through an RFP process and not on-call services which were intended for smaller projects. Staff would have to get back to the City Council at its next meeting with the amount spent for on-call services.
- Clarified with staff the history and background of the existing dispatch services contract with Hercules and San Pablo as part of a Tri-City agreement for dispatch services initiated by the Police Chiefs at that time.
- Clarified with staff partnerships with other agencies for public works had not been explored in the past and fell under the arrangement of shared services within the scope of the consultants who would be preparing the LTFP to determine whether those opportunities existed for Pinole. Separately, the Public Works team could look into opportunities for shared services for some public works maintenance functions although that would not be accomplished this budget cycle and could be considered as part of the mid-year budget. Staff clarified that none of the CIP projects could be considered for that option but regular operations maintenance items lent themselves to that opportunity. The first step would be to determine whether other organizations were interested in partnering with the City in that fashion with a report back from staff when the budget was next discussed.

Council member Tave referenced Urban Tilth, a non-profit located in North Richmond, which grew food for its community as part of a community garden and he asked that also be considered as a CIP project with a cost estimate for a community garden. He otherwise commented on the fact the City's paving truck had been shared with the City of Hercules, Pinole shared Hercules' bucket truck, and possibly further discussion was needed on what a shared agreement would look like.

City Manager Murray confirmed that would be a CIP project but would be considered as part of the Parks Master Plan. If the City Council wanted to act on the project more quickly before the completion of the Parks Master Plan, staff could review the costs and feasibility of a standalone community garden and could return at the next meeting with a scope, schedule and budget for a community garden. Staff would also provide additional information in the operating budget on shared resources with Hercules.

Mayor Pro Tem Toms stated the City was currently working on its Climate Action Plan (CAP) which may include things like an urban garden and tree planting plan. She added that the Urban Tilth project involved East Bay Regional Park District (EBRPD) Measure WW funds, Park Dedication Funds and the donation of land. She noted that County Public Works Directors and City Managers routinely met along with Sustainability staff.

Mayor Pro Tem Toms further commented that Pinole, Hercules and San Pablo had a Priority Development Zone along San Pablo Avenue and it made sense if there were projects along that stretch. There was already a Memorandum of Understanding (MOU) with the Association of Bay Area Governments (ABAG) for a special designation for higher density along that roadway with a framework for those areas already in place.

Council member Martinez-Rubin also suggested a category specific to pedestrian trails be considered that could be highlighted for future attention whether for operations or for seeking funding sources.

City Manager Murray explained that staff would find a place for that in the CIP but the magnitude and costs for those projects would be smaller than some of the other projects and whether it should be a standalone category would be considered with a recommendation in the Preliminary Proposed CIP.

Ms. Kaur commented in terms of the trails that a while ago staff had applied for Transportation Development Act (TDA) funds to pave some of the multi-purpose trails along the creek but a portion of the trail was not owned by the City and there were some challenges the Parks Master Plan and Active Transportation Plans would have to address.

Council member Martinez-Rubin suggested it may be time to have a conversation with the Contra Costa County Flood Control District (CCCFCD) to learn what their priorities were for projects along the creek.

Ms. Kaur and Public Works Director Mishra summarized the comments from the City Council for staff to:

- Return with potential projects that could be funded through various grant opportunities available;
- Provide an update on requests for legislative funding for the Fernandez Park project and Senior Center Parking Lot Upgrade;
- Provide more information on the project requests made by the City Council during the meeting;
- Incorporate project requests from the various Master Plans into the unfunded project list, and for the projects defined provide a cost estimate for a community garden or cost estimate for preliminary engineering design for San Pablo Avenue Complete Streets, as part of the Preliminary Proposed CIP;
- Provide some information regarding some of the items for preventative operations maintenance in the CIP;
- Once staff had a discussion with the County about the status of the Pinole Library it may be included as part of the Facilities Master Plan;
- Provide information on the total costs the City had paid for On-Call Services in 2022;

- Give some thought on shared services with other cities which could be forwarded into an existing MOU; and
- Give some thought as to how to include the pedestrian trails as a separate category.

In response to Council member Tave, Ms. Kaur and City Manager Murray reiterated that staff would return with rough estimates for an urban garden; the costs for emergency power for critical failure were waiting for the Emergency Operations Plan (EOP) to identify critical facilities with \$30,000 initially programmed for an assessment, with the remaining funds of \$170,000 in case a generator or some other mechanism was needed; and the Facilities and Real Estate Master Plan was a CIP project that had been proposed to come forward in the Preliminary Proposed CIP. The Parks Master Plan would be completed by the end of the calendar year and staff further clarified roofing, tiny tots, water and the like would be part of the Facilities and Real Estate Master Plan.

Ms. Kaur reiterated in response to the Mayor that the Tree Master Plan would be a separate project from the Tree Mitigation Project already discussed. Staff believed the annual amount for the Tree Mitigation Project would be \$50,000 but staff was still assessing damages from the recent winter storms and hoped to have an amount defined at the next meeting. The City would seek reimbursement of those costs from FEMA. She again clarified the Facilities and Real Estate Master Plan had been estimated at \$200,000 with a funding source yet to be identified.

City Manager Murray again clarified in response to the Mayor that the deficit in the budget and funding for the Facilities and Real Estate Master Plan would come from the fund balance, one-time resources for one-time funds.

Council member Tave hoped as grants became available it would accelerate some of the projects under discussion such as some of the preventative and maintenance items.

Mayor Murphy thanked staff, the City Council and members of the public for their input on the discussion of the budget and CIP.

6. ADJOURNMENT to the Special City Council Meeting of April 29, 2023, in Remembrance of Amber Swartz.

At 9:38 p.m., Mayor Murphy adjourned the meeting to the Special City Council Meeting of April 29, 2023 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: May 16, 2023

