

**CITY COUNCIL MEETING
MINUTES
February 20, 2024**

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 Toms called the Regular Meeting of the City Council to order at 5:01 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

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

B. STAFF PRESENT

Neil Gang, Interim City Manager/Police Chief
Heather Bell, City Clerk
Eric Casher, City Attorney
Sanjay Mishra, Public Works Director
Maria Picazo, Recreation Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on February 15, 2024 at 4:00 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. 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

Gov. Code §54957.6

Agency designated representatives: Interim City Manager, Neil Gang and Human Resources Director, Stacy Shell

Employee organization: Engineers

B. PUBLIC EMPLOYEE APPOINTMENT

Gov. Code §54957

Title: City Attorney

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code §54957

Title: Interim City Manager

PUBLIC COMMENTS OPENED

James Tillman, Pinole, referenced Title 2 of the Americans with Disabilities Act (ADA), and brought to the City Council's attention a store within the City of Pinole that had its doors locked blocking accessibility to ADA parking in violation of Title 2 and federal requirements. He had raised the same issue in the past month but nothing had been resolved and he asked that the door be opened up to allow proper accessibility for the disabled. In addition, he noted the Pinole Police Department had Police Reserves in the 1980s, 1990s and 2000s, and asked that they be brought back and considered as a future agenda item.

Mayor Toms advised she would contact code enforcement on behalf of Mr. Tillman for the store she understood was located on Fitzgerald Drive to allow an investigation and to have the store address the matter. She added the City Council would receive a presentation from the Police Department later on the agenda.

PUBLIC COMMENTS CLOSED

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

At 7:27 p.m., Mayor Toms reconvened the meeting into open session and reported there was no reportable action from the Closed Session.

At this time the City Council moved forward to Item 8. Proclamations.

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Centenarian Recognition

The City Council read into the record a proclamation honoring Centenarian Mary Bianchini Highfill on her 100th birthday on January 5, 2024, with the proclamation to be delivered to Ms. Bianchini Highfill.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

2. Japanese Day of Remembrance

The City Council read into the record a proclamation recognizing February 19, 2024 as Japanese Day of Remembrance.

PUBLIC COMMENTS OPENED

Yoko Olsgaard, Contra Costa County Japanese-American Citizens League (JACL), thanked the City Council for the proclamation and awareness of the important reminder to protect all civil liberties, particularly when moving into an election year.

PUBLIC COMMENTS CLOSED

3. Fiat Music Company

The City Council read into the record a proclamation recognizing Fiat Music Company's 50th anniversary as a local business in the City of Pinole, with the proclamation presented to Founder, Marie Louise Fiatarone.

PUBLIC COMMENTS OPENED

Deputy City Clerk Stone reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

The City Council returned to Item 6. Citizens to be Heard.

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.

Mary Horton, Pinole, reported she had been a student of Mrs. Fiatarone and she thanked the City Council for recognizing her.

Ms. Horton commended the City Council for the infrastructure improvements and traffic calming measures on Fernandez Avenue, San Pablo and Tennent Avenues, repainting the parking lot at the dog park and the traffic signal at Appian Way and Marlesta Road. She stated the community appreciated all the improvements.

Rafael Menis, Pinole, provided an update on current hospitalization rates and wastewater tracking rates in Contra Costa County related to COVID-19.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Toms reported she had attended the Elks Club Dinner honoring law enforcement personnel from West County jurisdictions. She had also met with CVS Pharmacy regional and local management, Pinole Middle School Principal and Vice Principal, the West Contra Costa County Unified School District (WCCUSD) Board President and Pinole Police Sergeant Troy Oviatt to discuss the best ways to address retail thefts and disruptive behavior in the CVS store from students, with discussions to continue. She had also attended the Rotary Club Crab Feed where police and fire personnel of the year had been recognized; Coffee with the City at Starbucks with the next event the second Wednesday during the month of March at Peet's Coffee; Economic Development Summit, with an update to be provided to the City Council at a meeting in April; and the African-American Student Jubilee at Pinole Valley High School in recognition of Black History Month.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Mayor Pro Tem Sasai reported he had attended the Lunar New Year Celebrations at Pinole Library; African-American Student Jubilee at Pinole Valley High School in recognition of Black History Month; City Seal Ad-Hoc Subcommittee meeting; hosted a Valentine's Day community engagement event in partnership with some high school students; and expressed his appreciation to the Council Interns for their assistance.

Council member Murphy reported he had attended the African-American Student Jubilee at Pinole Valley High School in recognition of Black History Month; Contra Costa College African-American Staff Association event; Lunar New Year celebrations at Pinole Library and had met with the City's new PG&E representative to discuss a number of issues. He also provided an update on issues online and on social media regarding the Israeli-Hamas conflict and his position, and had released in partnership with local electeds across the United States, an open letter calling on the White House and Congress to take immediate action for a durable cease-fire in Israel and Palestine. He encouraged the public to read the open letter to be shared on social media and on his website.

Council member Murphy also reported that a presentation from Contra Costa Senior Legal Services would be held at Pinole Library on March 1, 2024 at 1:00 p.m., with topics to focus on recognizing scams, protecting one's identity and data and avoiding identity theft. No registration was required.

Council member Murphy announced the Pinole Rotary Club would be launching its first ever Youth Character Awards, with recipients to be honored in the month of May and with the community asked to help recognize and nominate students for the Youth Character Award. Nominees were required to be students of the City of Pinole and the WCCUSD. Additional information and nominations would be accepted at pinolerotary.org through March 30, 2024.

Council member Murphy further announced that the City Manager Selection Committee would next meet on February 21, 2024; he would not be present at the March 5, 2024 City Council meeting and he encouraged the public to register for Contra Costa County Supervisor Federal Glover's *How to Win a Winning Grant Proposal* seminar on March 20, 2024 from 8:30 a.m. to 4:30 p.m. at Los Medanos College (LMC).

Council member Tave reported he too had attended the African-American Student Jubilee at Pinole Valley High School in recognition of Black History Month; a memorial for Irma Anderson, the former Mayor of the City of Richmond and reported that another memorial event had been planned for the end of February; Rotary Club Crab Feed; and a meeting of the West Contra Costa Transportation Advisory Committee (WCCTAC), and briefed the Council on the discussions with the next meeting scheduled for February 23, 2024 at 8:00 a.m.

Council member Tave also commented on a recent homicide in the City that had involved domestic violence. He encouraged anyone in need to contact the Contra Costa County Crisis and Support Line 1-888-215-5555.

Council member Martinez-Rubin reported she had attended the City Seal Ad-Hoc Subcommittee meeting; Economic Development Summit and African-American Student Jubilee at Pinole Valley High School in recognition of Black History Month.

D. Council Requests for Future Agenda Items

Council member Murphy requested a presentation from the Contra Costa County Crisis and Support Center as a future agenda item. Consensus given.

Council member Murphy requested a presentation from the Environmental Health Trust as a future agenda item. Consensus given.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, stated he had made a request during the February 6, 2024 City Council meeting for the City Council to consider a proclamation to honor *Autism Acceptance Month* for the month of April, as opposed to Autism Awareness Month, as shown in the motion by the City Council approving the requested proclamation and as reflected on Page 6 of the February 6, 2024 City Council meeting minutes. He asked that the correction to the verbiage be made to the meeting minutes.

PUBLIC COMMENTS CLOSED

City Attorney Eric Casher clarified in response to the Mayor that if there was a consensus of the City Council, the February 6, 2024 City Council meeting minutes could be amended to reflect the requested change in verbiage and the proclamation could also be revised.

E. City Manager Report / Department Staff

Interim City Manager/Police Chief Neil Gang reported the Pinole Rotary and Elks Clubs had recently recognized first responders; the City had contracted with Bob Murray & Associates on City Manager Recruitment with different levels for the City to engage in the process and with a kick-off meeting of the Subcommittee scheduled for March 21, 2024; and the City had selected the Lew Edwards Group to consult on a potential ballot measure.

Interim City Manager/Police Chief Gang also provided an update on the recent homicide involving domestic violence and highlighted the great police work and partnerships that had allowed the apprehension and arrest of the suspect with no injuries to the suspect or officers. He applauded the Pinole Police Department for its response to the incident and the City Council for having a budget line item for mental health and wellness programs.

Interim City Manager/Police Chief Gang also reported that the Annual Easter Egg Hunt would be held on Saturday, March 16, 2024 from 10:00 a.m. to 2:00 p.m. at Fernandez Park, with more information on the City website and social media pages.

Public Works Director Sanjay Mishra highlighted Public Works Department operations maintenance from January 17 to February 16, 2024, which had been provided as an email to all Council members, and which had been published in The Pulse.

The City Council thanked the Public Works Department team for its hard work.

F. City Attorney Report

City Attorney Eric Casher reported the Municipal Code Update Subcommittee would meet on February 26, 2024, to discuss the Single Use Plastic Ordinance, Environmental Purchasing Policy and updates to the Procurement Policy.

City Attorney Casher explained that he had served as the City Attorney for the City of Pinole for the past seven years as a contract City Attorney as part of the law firm Meyers Nave and not as a full-time employee of the City. He reported that Meyers Nave had seven partners who all served as City Attorneys and who would separate from the firm and form a new firm, the Redwood Public Law Group, effective March 14, 2024. He planned to continue to serve as the City Attorney for Pinole and expressed his appreciation to the City Council for its support in that regard, with a new contract to be considered by the City Council at its next meeting. There would be no change or disruption in service to the City other than a new email address and employer.

PUBLIC COMMENTS OPENED (Items 7E through 7F)

Deputy City Clerk Stone reported there were no comments from the public.

The City Council returned to Item 8B. Presentations.

B. Presentations

1. Department Update: Police Department

Commander Jeremy Crone and Commander Matt Avery presented an extensive PowerPoint presentation titled *Pinole Police Department Council Update* dated February 20, 2024, which included an overview of the Police Department mission statement; staffing; crime reporting; Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) vs. National Incident Based Reporting System (NIBRS); UCR Part 1 & NIBRS Group A Crimes (2020-2023); 2022 & 2023 NIBRS Crimes; annual average response times for Priority 1 Calls from 2018 through 2023; 911 annual average dispatch answer times for 2021 through 2023; and highlights of the transition from The Blotter, which summarized and highlighted incidents in Pinole to the Citizen Records Integrated Management System (RIMS), which had increased access to law enforcement information and services on a web-based platform. Technology to assist with initiatives included Be on the Lookout (BOLO) Wrap restraint device, StarChase pursuit alternative, AXON Body 3 cameras and Taser Device.

In addition, the 2023-2024 Police Department Goals; volunteer work through the Police Explorer Program and Pinole Posse; community outreach and engagement efforts; Project Hope; School Liaison Officer Program and Student of the Month; Operation Blue Angel; Therapy Dog Program; social media platforms; Police Department impacts on the profession; Smash the Stigma Vehicle (STS) #188 Program; NBC Bay Area news video of Pinole Police Department's Zen Den; Special Olympics Torch Run and Bike the Bridges Ride; 2023 Torch Run & Polar Pledge; emerging technology and training and a brief video of PowerEngage (CueHit) of the Pinole Police Department were all highlighted. It was reported the Pinole Police Department had a satisfaction rate of 91.13 percent from July 2021 – December 2023. Assembly Bill (AB) 2773 and organized wellness initiatives were also highlighted.

Council member Martinez-Rubin asked about the statistics for the first quarter of the period that had been detailed in the PowerPoint presentation, and Commander Avery explained that the information provided was part of Part 1 UCR, January through March 2022, as shown in the PowerPoint presentation, while the period from April through December 2022 identified the NIBRS information. The numbers had then been bifurcated between UCR and NIBRS.

Council member Martinez-Rubin asked what had kept the finalization of the Emergency Operations Plan (EOP) from occurring sooner, and Commander Avery advised that part of the hold up with the EOP had been the Fire Department. When the City had contracted with the Contra Costa County Fire Protection District (CCCFPD), the EOP had come back to the Police Department and a consultant retained who had been working with the Police Department. The EOP was due to be complete by April 2024.

Council member Martinez-Rubin asked what the Police Department had done for the unhoused population based on current resources and how the Department had complemented that effort with County resources, and Commander Avery again detailed Project Hope, which was a single outreach effort and the hope it could be increased to two times a year along with the use of countywide programs where all information would be available to patrols.

Commander Crone noted that law enforcement, as the first responder, had officers trained to meet the immediate need and once the situation had been stabilized resources were then provided. The Pinole Police Department partnered with Contra Costa County C.O.R.E. Outreach, the mental health crisis arm of County resources and other various County resources, and referred to mental health resources when needed.

Interim City Manager/Police Chief Gang added that all officers were educated and well-resourced to handle the unhoused, which was not a crime, with the goal to find resources for those in need and be able to decipher and deliver those needs. Quarterly outreach with community services personnel was also provided to those in need along with the available professional resources from the County.

Council member Martinez-Rubin recalled the Police Department offered a program for K-9 owners whose purpose had been to bring pet owners together. She asked for clarification as to whether the program remained available, and Commander Avery advised the Paws on Patrol Program had provided training to citizens to recognize behavior that needed to be reported to the Police Department, which program was on their agenda to be revamped.

Council member Martinez-Rubin wanted to see that program be revitalized to engage the public and let them become aware of the role they could play to assist the Police Department.

Council member Murphy asked for more information on PowerEngage (CueHit) and whether the tool was only available to Police Departments across the state or available to other departments as well, and Commander Crone advised the program was currently only used for law enforcement platforms but the program had platforms that could cross departments as part of its portfolio.

Council member Murphy commended the Police Department on its satisfaction rate. He asked whether the strategy the Police Department used to be as diverse as it was in hiring could be detailed, and Interim City Manager/Police Chief Gang reported the Police Department was intentional, the City of Pinole was the sixth most diverse community in the State of California and diversity was important and had been used as a criterion for hiring. The Department was almost at 100 percent staffing levels.

Council member Murphy asked whether the Police Department charged a fee for Milo's Coloring Book and was informed by Interim City Manager/Police Chief Gang the item was a free resource provided to the community to teach children about police officers.

Council member Murphy commended the Police Department for its focus on mental health.

Mayor Pro Tem Sasai also appreciated the work of the Police Department on its community engagement and for being a national example. He asked about the theft of catalytic converters and whether the level of theft had changed since the pandemic. He also asked of the status of future Vehicle Identification Number (VIN) etching/engraving events.

Commander Avery stated he did not have the statistical information for catalytic converter thefts at this time, but the theft of catalytic converters was a larceny crime and such occurrences had decreased over the past year.

Interim City Manager/Police Chief Gang reported a VIN etching event had been held and was a successful partnership with local shops. If catalytic converter thefts increased, future events could be considered. As part of the program decals had been provided to identify a vehicle as having been through the VIN etching program and efforts had been taken to prevent catalytic converter thefts. He added that the Police Department would be as innovative as possible to prevent such thefts.

Mayor Pro Tem Sasai wanted to see the VIN etching program be revitalized but understood the data had to match the need. He also spoke to Gun Violence Restraining Orders (GVROs) and asked when the Police Department responded to domestic violence calls whether GVROs were offered as an option.

Commander Crone detailed the criteria associated with domestic violence calls and the resources provided. The criteria followed when guns were involved and GVROs was part of that process and could be requested directly from the courts or issued by the courts as part of a court proceeding.

Mayor Toms asked for more details on the Posse Program, and Commander Crone detailed the application process and background checking required to be part of law enforcement and ongoing training and programs that dictated how that worked and what would be expected.

Mayor Toms reported a member of the public had requested the City consider renting space to create a substation near Fitzgerald Drive. She asked whether that would be helpful or take someone off of patrol.

Interim City Manager/Police Chief Gang stated a substation had been located in the Fitzgerald Drive area in the past but did little to change the rate of crime. Assuming a substation in the area would mean the Police would respond more quickly was a poor assumption since the Police were in the area anyway and having to maintain a substation and any needed equipment and other services was not something the Police Department was interested in given it would not make an impact.

Council member Tave asked whether there were any changes in law to address the illegal dumping that was primarily done by non-residents.

Commander Crone explained that specific information would be required to allow enforcement of illegal dumping. The Police Department responded and had worked with the Public Works Department to address illegal dumping when reported.

Interim City Manager/Police Chief Gang suggested providing license plate numbers would be helpful when illegal dumping was viewed but urged people not to interact or try to stop it from occurring since it may lead to a violent encounter. He added that even with the license plate, the City had to prove the driver of that vehicle at that time had done the illegal dumping, requiring some investigation and enforcement may prove difficult.

PUBLIC COMMENTS OPENED

Anthony Vossbrink, Pinole, thanked the Interim City Manager/Police Chief and the Police Department for its work, but suggested there were different ways to address increased crime rates for the various categories that The Blotter had proven, with the majority of reported incidents located in the Fitzgerald Drive corridor. He requested consideration of a full-time officer on the beat or a substation for six months to a year in the Fitzgerald Drive area. He pointed out that City staff, the City Council and the Police Chief had dropped the ball in securing a retail theft grant which could have funded many things. He asked the status of traffic and pedestrian statistics including information during and pre-pandemic, which was to have been provided in a presentation to the Traffic and Pedestrian Safety (TAPS) Committee.

Mr. Vossbrink also asked whether the information would be provided separately or as an addendum to the PowerPoint presentation, and he sought the status of numerous shootings that occurred every week in the City.

Cordell Hindler, Richmond, thanked the Police Department for the incredible presentation and for taking into account the health of its officers with the mental wellness programs provided. He too asked about the traffic and pedestrian data, such as the number of traffic stops on a regular basis on the Tennent Avenue intersection, which was the second hot spot for speeding. In addition, he liked the idea of the officers checking in on local schools and he respected the Pinole Police Department for keeping its residents safe.

PUBLIC COMMENTS CLOSED

Commander Crone clarified the PowerPoint presentation had touched on traffic stops from 2022 to 2023, and that overall traffic stops had increased over 200 percent but specific data could be provided.

Council member Martinez-Rubin spoke to the public comment and the suggestion shootings happened every week. She explained when incidents occurred in a relatively short period of time, it was easy to perceive there was an increase in crime overall and she asked staff to provide clarification.

Commander Crone commented that a concentration of events or even one event brought that to light and with the RIMS system, residents could search and learn what was or was not occurring, the rate of occurrence and where. He clarified the Police Department had not seen an increase in shootings compared to other years but understood how that could be a perception based on current events.

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 Minutes of the Regular City Council Meeting on February 6, 2024.
- B. Receive the February 23, 2024 – February 16, 2024 List of Warrants in the Amount of \$525,863.21 and the February 16, 2024 Payroll in the Amount of \$497,529.29.
- C. Adopt a Resolution Approving a Revised Compensation and Benefits Plan for Management and Confidential Employees. **Action: Adopt a Resolution per Staff Recommendation (Stacy Shell)**
- D. Award Contract for Scanning/Imaging Services for Community Development and Public Works Departments. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen, Sanjay Mishra)**

- E. Development Process and Timeline for the Fiscal Year (FY) 2024/2025 Operating and Capital Budget. **Action: Approve Staff Recommendation (Markisha Guillory)**
- F. Adopt a Resolution Approving Side Letter Agreement to the Memorandum of Understanding (MOU) Between the City and Pinole Police Employee Association (PPEA) to Amend Article 23 – Education Incentive Programs. **Action: Adopt a Resolution per Staff Recommendation (Stacy Shell)**
- G. Fiscal Year (FY) 2023/2024 Second Quarter Report on Implementation of Capital Improvement Plan (CIP) Projects. **Action: Receive Report (Sanjay Mishra)**
- H. Stormwater Utility Area Assessment for Fiscal Year 2024/2025. **Action: Adopt Resolution per Staff Recommendation (Sanjay Mishra)**
- I. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between September and December 2023, Considered at an Administrative Hearing on February 8, 2024. **Action: Adopt Resolution per Staff Recommendation (Roxane Stone)**
- J. Adopt a Resolution Approving a Consulting Services Agreement for Informational Outreach and Ballot Measure Coordination for Potential 2024 Ballot Measure. **Action: Adopt Resolution per Staff Recommendation (Markisha Guillory)**
- K. Adopt a Resolution Authorizing the Application/Receipt of Funds for the Prohousing Incentive Program. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen)**

Mayor Toms referenced Item 9A and advised the third motion, as shown on Page 6, would be corrected to read:

ACTION: Motion by Mayor Toms/Council member Martinez-Rubin to consider a proclamation recognizing Autism Acceptance Month for the month of April.

Vote:	Passed	5-0
	Ayes:	Toms, Sasai, Martinez-Rubin, Murphy, Tave
	Noes:	None
	Abstain:	None
	Absent:	None

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, referenced Item 9E, and having reviewed past budgets, expressed concern with the lack of adequate funds for a diversity, equity and inclusion consultant. For item 9C, he supported the item.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council members Tave/Martinez-Rubin to adopt Items 9A, as amended and Items 9B through 9K, as shown.

Vote: **Passed** **5-0**
 Ayes: **Toms, Sasai, Martinez-Rubin, Murphy, Tave**
 Noes: **None**
 Abstain: **None**
 Absent: **None**

10. PUBLIC HEARINGS: None

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Parks Master Plan Adoption Action: Receive Report and Adopt Resolution per Staff Recommendation (Maria Picazo)

Recreation Manager Maria Picazo introduced Zachary Mueting, Principal Landscape Architect, RJM Design Group, who had been contracted to complete the Parks Master Plan, identify the City's current parks and recreation assets, determine the City's future parks and recreation needs and priorities and recommend capital, operational and financial strategies to meet the City's needs. The project also included a series of community workshops, stakeholder interviews, surveys and opportunities for community feedback. The Parks Master Plan project was to be completed by February 2024.

Zachary Mueting, Principal Landscape Architect, from RJM Design Group, provided an extensive PowerPoint presentation of the City of Pinole Parks Master Plan, which would be a guide and implementation tool for the management and development of parks, recreation facilities and programs, identify local community needs and offer recommendations to support the local Pinole community. He highlighted the process and timeline; review of existing documents and inventory of existing parks and facilities; mapping analysis; inventory of programs; demographics (based on the 2020 population); community outreach and engagement; participation distribution; stakeholder interviews on park/facility and program needs; feedback comments summary and summary of Workshops #1 and #2; Community Facility and Program Needs – Prioritization; acreage and Service Area Gap Analysis; Geographical Information System (GIS) Mapping Analysis; key strategies and recommendations; maintenance recommendations; funding and implementation; funding sources and the current and projected capital project costs.

Council member Tave found it refreshing to hear back from the community and document it as part of the process. He understood maintenance costs did not always meet the demand, with many issues contributing to the needs on the maintenance side and with many City parks already over the cliff in terms of maintenance. He asked whether ongoing maintenance costs had been prepared that were sustainable and did not leave the City in its current condition.

Mr. Mueting explained that the \$17.4 million in projected unplanned Parks Master Plan park and facility recommendations had not included maintenance costs, which would have to be balanced, with any facility that came on line with annual three percent inflation numbers.

Mr. Mueting acknowledged that construction costs had increased dramatically over the years, currently had not decreased but were plateauing with the \$17.4 million good numbers for construction costs alone. He found the Public Works Department had done a good job tracking costs and a cost analysis would help predict information and accurately predict the costs for some of the facilities identified.

Council member Tave suggested if the funds were spread out it could be more digestible to the community. He asked which items were considered as “low hanging fruit” that could be cut out in the budget to get the project off the ground.

Mr. Mueting referenced Pages 31 and 32 of the PowerPoint presentation that had identified the Facility and Program Priorities along with the “low hanging fruit” elements, and noted some could be combined as funding allowed where some of those items could be implemented. The City could ebb and flow and maneuver as funding became available and as grants started to free up where those resources could be utilized. The priority had been to identify the area of maximum community impact, and should the City get a windfall, as an example scenario, the City could start to fund the larger projects. The Parks Master Plan was 15 to 20 years out and a living document to enable the growth of the community.

Council member Martinez-Rubin referenced the Workshop #1 Summary and asked for clarification as to what had been identified by the public for improvements. She asked whether the identification of the specifics had been by the consultant or was verbiage from different formats obtained from the public.

Mr. Mueting explained he had summarized the comments after he had attended all of the workshops, reviewed all comments throughout the community and summarized the public comments via the bullet points, as shown in the PowerPoint presentation. As an example, there had been a lot of comments about desired seating/benches on trails and the waterfront, and based on that information adding a couple of benches to Bay Front Park for reflection and connection to nature, picnic seating and a place to sit and congregate were areas where there was a focus for improvements. The public comments were there, but in terms of location there had been some qualitative decisions made.

Council member Martinez-Rubin referenced the list of potential resources which appeared to be categories and not specifics. She commented that the City of Pinole was not eligible for Community Development Block Grant (CDBG) funds given its size and stated that should be eliminated from the report as an option.

Mr. Mueting clarified the purpose of the appendices portion of the Parks Master Plan, which was an exhaustive list of all funding options. He agreed the City of Pinole would not qualify for CDBG funds and that should be stricken from the information. He had attempted to narrow the funding sources and had identified some funding sources and recommendations for specific projects in the Parks Master Plan.

Council member Murphy spoke to the data for the Acreage and Service Area Gap Analysis and asked for clarification, and Mr. Mueting again detailed the Acreage and Service Area Gap Analysis, with a half-mile radius circled around parks and identification of the service radius for the park (GIS was currently used for the analysis) which offered mapping and a different layer of analysis.

Private parks had also been reviewed as part of the Service Area Gap Analysis in terms of whether there were any gaps in some of the walking radii. The Service Area Gap Analysis had also looked at the parkland per 1,000 residents and the gap analysis and the 10 to 15-minute walking radius in terms of the GIS analysis, and if there was a gap.

Mr. Mueting reported that Policy CS3.4 of the Pinole General Plan stated the City should have three acres per 1,000 residences of parkland and the intent was to meet the needs of community residents rather than just achieving the goal, with a focus on community driven programs and services. As shown in the PowerPoint presentation, there may be opportunities with undeveloped parkland and trail opportunities that may double as a maintenance road for access into some of the undeveloped parkland areas for maintenance improvements, as an example, and doubling as a trail and creating benches, which may reach the three acres per 1,000 criteria and provide the amenities the residents wanted.

Council member Murphy also spoke to regional trails and engagement with the East Bay Regional Park District (EBRPD) in the process of identifying strategic partnerships. He asked how that relationship had gone thus far and what communication lines had been opened with the EBRPD.

Mr. Mueting explained that regional connections were more for the trail connectivity in the Active Transportation Plan (ATP), with the Parks Master Plan side having identified the community's desire for those trails. While the EBRPD had not been part of the workshops, survey or engagement as part of this process and staff had not reached out to EBRPD specifically, EBRPD had not been excluded and information on the ATP had been provided by an individual during the workshops.

Council member Murphy asked what it would look like to engage the EBRPD on the Parks Master Plan, and Mr. Mueting suggested input from the EBRPD could be part of the next steps which was important once they had the Parks Master Plan in place, with trails and bay front one of the identified specific needs, and staff could then reach out to form those partnerships and share the resources the City had prepared.

Council member Murphy asked what had been the most difficult part of the process, and Mr. Mueting suggested it was the building of relationships, building the connections, going through the community outreach, speaking with the WCCUSD and Pinole Aquatic Seals, as examples, and strengthening the relationships between such entities and the City, to hold those relationships and have those bonds stick to allow the development of community resources collectively and collaboratively.

Council member Murphy asked whether City Directors had seen the Parks Master Plan outside of the City Council meeting, and Recreation Manager Picazo confirmed the Parks Master Plan had been sent to other Directors and there had been feedback, particularly from the Public Works Department.

Public Works Director Mishra verified that other City Departments had worked collaboratively on the Parks Master Plan from the beginning, with the former Community Services Director having taken the lead on this effort.

Council member Murphy spoke to the list of maintenance recommendations and asked whether the Public Works Department team could easily integrate the types of maintenance items that had been identified.

Public Works Director Mishra reported the Public Works Manager worked on the development of the plan and staff was comfortable with what had been recommended but current staffing levels were inadequate. While specific maintenance types could be identified, there were staff limitations. Once staff was available, sub-tasks could be identified and reports could be prepared to allow that to happen.

Mayor Toms reported she had attended the two workshops and recalled a discussion about programs for seniors and adults with disabilities, which had not made the recommendations identified in the PowerPoint presentation. She asked whether it had been included elsewhere in the document.

Mr. Mueting clarified the information in the PowerPoint presentation was only a summary with the appendices in the Parks Master Plan having included a long list of detailed elements in terms of the program recommendations.

Mayor Toms identified a spelling error on Page 41 of the Parks Master Plan, under Contra Costa County Parks, and advised that the spelling of Montarabayh should be corrected to read: *Montara Bay Park*. She otherwise found the document reflected what had been provided by the community from the workshops.

Council member Martinez-Rubin commented that during one of the workshops she had attended there had been a range of how long residents had been living in Pinole. She found the input was reflective of the time residents may have been residents of Pinole, which may not have appeared in the comments, or perhaps comments had been documented that had occurred again and again regardless of the time of residence. She also found the term “programs” to be too broad and would like more information on specific events such as some of the more recent events.

Mr. Mueting advised he had not compared that information directly to the program responses, but he could go back and do an assessment on what he heard about from this community base.

PUBLIC COMMENTS OPENED

Marie Bowles, Pinole, stated that students who attended Pinole Valley High School never had a pool and to be a swimmer you must practice daily, with the closest pool at Contra Costa College which was due to be resurfaced. Most swimmers on swim teams were privileged and if the City and the Parks Department did not work together, students at Pinole Valley High School would not have a pool. Swimmers also did not have the use of a van to attend sporting events as compared to some of the other athletic programs at Pinole Valley High School and had to rely on parental support. She suggested rather than build a new pool, the City work with what it had, make improvements to allow water polo, swim meets on weekends and provide better access to the facility. She urged the City Council to consider the logistics related to the sport.

Cordell Hindler, Richmond, agreed and also asked the City to work with what it had which would be easier.

Anthony Vossbrink, Pinole, echoed the comments from the consultant. Having participated in the workshops and online surveys, he found the numbers in the survey were small with few responses. He asked the consultant whether the respondent numbers were high or low based on the size of the City and how Pinole compared to similar sized cities. In terms of “low hanging fruit”, he suggested current projects be prioritized for parks and infrastructure needs with a must have and a good to have list based on available resources. He questioned why there was a double standard where structures downtown and around Bay Front Park were well maintained and new whereas other structures in Pinole Valley were not and just needed a fresh coat of paint on the walls or toilet seat covers, as examples, which issue had been raised with the City Council in the past with no resolution. He also referenced the Adobe Trail breach/slide, which was to have been repaired years ago.

Mark Shaf, understood the WCCUSD was in dire straits for FY 2024/2025. He noted that Pinole Valley High School students used to practice at the Pinole Swim Center and he suggested when the pool at Contra Costa College was not available for the swim team for practice it would be a good gesture for the City to host the swim team. He emphasized that swimming was a good sport, offered good exercise for the athletes and there could be more participation in the sport if the City offered the use of its facility. When asked by the Mayor, he understood the pool at Contra Costa College, when renovated, would cancel water polo for season two and he recognized Pinole’s pool may not have the depth for the sport.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council members Martinez-Rubin/Tave to adopt the Pinole Parks Master Plan, dated February 20, 2024, per the staff recommendation.

Vote:	Passed	5-0
	Ayes:	Toms, Sasai, Martinez-Rubin, Murphy, Tave
	Noes:	None
	Abstain:	None
	Absent:	None

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, suggested the Interim City Manager/Police Chief had done an outstanding job as City Manager and had followed up on items; acknowledged a lovely email from the Mayor regarding the City having retained a consultant to work with the City Council on obtaining a new City Manager, which he stated for the record had been his idea and suggested that any engagement the consultant had with stakeholders should be distributed in a survey.

Mr. Hindler also asked that the first or second meeting of the month of March include a proclamation for International Women's Day and that the City Council invite EBRPD Deputy General Manager Dr. Ana Alavarez to discuss the State's 30x30 Initiative. He also expressed concern that any time Anthony Vossbrink called in to provide public comment his time was cut off. He had spoken with other cities in West County who allowed members of the public to complete their comments and he asked the City Council to listen to its constituents.

Anthony Vossbrink, Pinole, suggested if the City wanted to build public participation and engagement and get feedback from constituents, the public should be allowed to complete their comments and the City Council to provide a formal reply to comments either in writing or by telephone call. He also commented that over the past couple of meetings a member of the public with accessibility issues had raised concerns, but the City Council had not provided responses to those concerns. He also clarified the recent Lunar New Year event at Pinole Library had not been hosted by the West County Mandarin School but by a martial arts academy in the City of Hercules. In addition, he asked that there be an investigation into the Pinole-Hercules Wastewater Treatment Plant to determine whether COVID, RSV and drug usage numbers were being tracked from Hercules and Pinole. He also asked for consideration to reduce the number of stop signals after hours up and down Pinole Valley Road, which should be placed on a blinker system.

Mayor Toms explained that the City Council did not normally respond to public comment during the meeting. She did provide an update and reported that resident James Tillman had attended City Council meetings and provided public comment and she had followed up with Mr. Tillman regarding a complaint about code enforcement and ADA issues. She had also checked with the County Health Officer about a year ago about the request for COVID testing at the Pinole-Hercules Wastewater Treatment Plant and shared that response with Mr. Vossbrink. That issue remained unchanged and sampling had been done at locations already set up and it was not necessary to consider more testing areas. She also understood that several City Council members had responded to some of the public comments that had been provided; however, the nature of public comment was for items not on the agenda and the City Council was not intended to respond back at the same time comments were made.

14. ADJOURNMENT to the Regular City Council Meeting of March 5, 2024 in Remembrance of Amber Swartz.

At 10:53 p.m., Mayor Toms adjourned the meeting to the Regular City Council Meeting of March 5, 2024 in Remembrance of Amber Swartz.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: March 5, 2024