

**PINOLE CITY COUNCIL  
MINUTES  
JULY 7, 2015**

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

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the meeting to order at 6:04 PM and led the Pledge of Allegiance.

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

**A. COUNCIL MEMBERS PRESENT**

Mayor Peter Murray  
Mayor Pro Tem Roy Swearingen  
Council Member Tim Banuelos  
Council Member Phil Green  
Council Member Debbie Long

**B. STAFF PRESENT**

Belinda Espinosa, City Manager  
Stephanie Downs, Assistant City Attorney  
Dean Allison, Development Services Director  
Fire Chief, Rob Piper  
Winston Rhodes, Planning Manager  
Patricia Athenour, City Clerk

City Clerk Athenour announced the agenda was posted on July 2, 2015 at 4:00 P.M. and all legally required notice was provided. Following an inquiry by the City Clerk, the Council members stated there were no conflicts on any item on the Agenda.

City Clerk Athenour entered the following items into the record, provided subsequent to the publication of the Agenda:

- 7E – Clean Water Presentation Materials
- 10A- San Pablo Avenue Pavement Rehabilitation Contract Presentation Materials
- 10B- Solid Waste Issues - Presentation Materials

She announced that the annual Relay for Life Event would be held on August 8 and 9<sup>th</sup> at Fernandez Park. The event coordinator asked if the Mayor or a Council representative could present a proclamation and provide opening remarks at 10 am on August 8.

Mayor Murray, Council Member Long and Council Member Green said they would be present at the opening ceremonies and Mayor Murray would present the proclamation.

Ms. Athenour reminded the Council of their semi-annual campaign contribution filing obligation on July 31, 2015.

### **3. CONVENE TO A CLOSED SESSION**

At 6:12 p.m., Mayor Murray convened the Noticed Closed Session to discuss:

- A. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to GC §54597.6  
City Labor Negotiators: Belinda Espinosa, City Manager and Labor  
Negotiator Bruce Heid, IEDA  
Employee Organizations: Local 1 and AFSCME

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

At 7:05 p.m., Mayor Murray reconvened the meeting in open session. He announced there were no reportable actions from Closed Session.

### **5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

- A. Proclamations
- B. Presentations / Recognitions

### **6. CITIZENS TO BE HEARD (Public Comments)**

The following speakers addressed the City Council

**Lay Brother Steven Gerard Sidlovsky**, Citizen Overlay or Life Peace Zones, addressed Council regarding social issues that impact a citizen and said a new Citizen Overlay Zone that his group was promoting would offer a proactive new approach to handle sensitive local issues. He said these zones would preserve childhood, motherhood and fatherhood and stop Planned Parenthood facilities.

**Jack Meehan**, Pinole citizen, addressed Council regarding EBMUDs exclusive rights to market recycled water, and reported that he received the email District's response from City Manager Espinosa via email. He asked that a copy of his questions and EBMUD responses be memorialized and forwarded to the Planning Commission. He addressed EBMUD's response not to construct a reservoir. He read one line of the response regarding the selling of recycled water and said it was time to approach our legislators stating it is time for a change.

Council Member Long said regarding recycled water, if we were using it for our public sector and were not selling it, it would remain under our purview.

Mayor Murray said everything he has heard is regarding the selling of water, not the use of water.

Mr. Meehan urged Council to open a dialogue with our State representatives.

**Bob Kopp**, Pinole citizen, spoke on September 13<sup>th</sup> BBQ or the Troops to be held at Fernandez Park and the July 12<sup>th</sup> program "Refuse to Be a Victim" in the Alex Clark Room at 1 PM.

**Ana Morales**, President of Local 1, addressed Council to present the employees and a tentative agreement to be ratified by the Council, asking Council consider their plea regarding the requested increase. She reported that the employees have given up benefits to help their City, have taken increased contributions to retirement, and while taking on an increased workload due to reductions in the workforce. Morales said their request was minimal and wages have not increased for the last two years, while benefit costs keep rising.

**Lisa Davis**, Local 1 Business Agent, said there are still a few pending items, such as the COLA on the table. She asked the Council to consider the sacrifices made by the employees the last few years and help compensate the members. They stepped up to the plate and are dedicated to the community and the employer; they agreed to be team players in the past, accepted cuts and reductions to benefits in times of uncertainty. Ms. Davis said she looks forward to the continuance of good working relationships, and asked that the Council provide authority to the negotiation team to increase the offer on the table.

**Rheem Henning**, Local 1 employee, referred to an email she sent previously to the Council and said she has worked in Pinole for 11.5 years and at this point they really need a salary increase, stating that the net salary is less now, than when she hired here in 2004. She hoped the Council considers their request.

**Yvonne Cuellar**, Local 1 employee, Police Property Specialist, said she assumed duties and tasks of others who had been laid off. Ms. Cuellar said that Local 1 members are the backbone of the City, and they have not seen a cost of living increase in a very long time and ask that they consider the salary increase requested.

**James Tillman**, Pinole citizen, said he would like to see more volunteers in the community. He provided his personal background and participation in the past, as follows: he was involved in Measure S, part of Wireless Ordinance Study, a Planning Commissioner, a Blue Ribbon committee member, chair of Design Review for six years, and was a Donation Coordinator for Coastal Cleanup. In addition he was involved in the City Hall design committee and his name is on the plaque, is an advocate for the City at Water Pollution Control Plant Subcommittee meetings and was one of five persons who started the recall committee in 2007. His comments moved to the recent Planning Commission vacancy, his application and failure to be appointed,

Council Member Long, one member on the Interview Committee responded and said Mr. Tillman was as strong a candidate as the rest, and said it was a difficult decision. She said he brings what he does best right now, being a representative of the community on a multitude of levels as he just mentioned. She said Carol Thompson was appointed, as she felt Ms. Thompson was previously not given the opportunity to fill the role due to extenuating circumstances, when she was previously appointed to the Commission.

## **7. CONSENT CALENDAR**

Council Member Green removed Item 7B and Mayor Pro Tem Swearingen removed Item 7D and 7F for discussion.

**ACTION: Motion by Council Members Swearingen / Banuelos, the Council Approved the Consent Calendar, With the Exception of Item 7B, 7D and 7F.**

**Vote:**           **Passed:**       **5-0**  
                  **Ayes:**           **Banuelos, Green, Long, Murray, Swearingen**  
                  **Noes:**           **None**  
                  **Abstain:**       **None**  
                  **Absent:**       **None**

- A.     Approved the Minutes of the Meeting of June 16, 2015
- B.     Received the June 13 - July 3, 2015 List of Warrants and the June 19, 2015 Payroll in the Amount of \$332,706.98. and the July 2, 2015 Payroll in the Amount of \$427,992.46 **REMOVED FOR DISCUSSION**

Council Member Green asked if there was a method to verify the social security numbers of the employees working for companies under contract with the City, making reference to a weed abatement contract. He asked that staff be directed to provide a response under City Manager's Report at a future Council meeting, rather than in an email.

Council Member Green referenced an invoice paid to Meyers Nave in the amount of \$87,345 and referred to pending lawsuits, stating there is no indication of who is being held responsible for actions leading to litigation. He requested that the Council add a future agenda item to discuss some of the litigation matters in an open forum so the public is aware. Verizon Wireless was specially called out for discussion.

Mayor Pro Tem Swearingen asked the invoices associated with the Project Labor Agreement was for one month or several. Ms. Espinosa responded that it was for several months and it was a pass through, paid through Meyers Nave to the contract attorney.

Mayor Murray said citizens around for the past three years have knowledge about the litigations raised by Council Member Green. Discussion followed between Mayor Murray and Council Member Green, with Green stating his concern was accountability for errors that were made. Mayor Murray said further discussion of Verizon would only cause the City Attorney to assess additional fees, to review the matter again.

Council Member Green said the two items he wanted added to the Agenda for future discussion related to the litigation were Verizon Wireless and Station 74.

There was Council consensus to agendize a discussion regarding those two cases.

- C.     Adopted **Resolution 2015-46**, Approve the Growth Management Program Checklist for Submittal to Contra Costa Transportation Authority (CCTA) for Measure J Local Street Maintenance and Improvement Funds [**Council Report No. 2015-53; Action: Adopt Resolution Per Staff Recommendation (Rhodes)**]
- D.     Adopted **Resolution 2015-47**, Approved Sick Leave Policy and Procedures for Part-Time Employees Pursuant to AB 1522 [**Council Report No. 2015-54; Action: Adopt Resolution Per Staff Recommendation (De La Rosa)**] **REMOVED FOR DISCUSSION**

Mayor Pro Tem Swearingen removed the item for further clarification. Following a presentation by Assistant City Manager De La Rosa, Mayor Pro Tem Swearingen's said he was clear and had no objections.

- E. Authorized the Mayor to Execute A Letter of Opposition to the California Regional Water Quality Control Board Stating Opposition to the Tentative Order Reissuing the Municipal Regional Storm Water Permit MRP 2.0 **[Council Report No. 2015-55; Action: Adopt Resolution Per Staff Recommendation (Allison)]**
- F. Authorized the City Manager To Execute a General Services Agreement CBX Technologies, Inc, in the Amount of \$30,000 for Annual Maintenance on the City's Surveillance Camera System **[Council Report No. 2015-56; Action: Adopt Resolution Per Staff Recommendation (Gang)] REMOVED FOR DISCUSSION**

Mayor Pro Tem Swearingen removed the item and raised the following points:

- Does the system require \$2,500 of maintenance monthly?
- He supported adding cameras at Pinole Valley Shopping Center,
- Why wasn't the contract put out for bid?

City Manager Espinosa said she believed it was a single source provider, but indicated that the item could be held over to the next meeting when Chief Gang could respond to the three issues raised.

**ACTION: There was Council concurrence to hold the matter over to July 21, 2015**

**ACTION: Motion by Council Members Swearingen / Green, the Council Approved the Consent Calendar 7B and 7D, and Held Item 7E Over to July 21, 2015.**

<b>Vote:</b>	<b>Passed:</b>	<b>5-0</b>
	<b>Ayes:</b>	<b>Banuelos, Green, Long, Murray, Swearingen</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>None</b>

## **8. PUBLIC HEARINGS**

There were no Public Hearings.

## **9. OLD BUSINESS**

- A. Discussion Regarding Reinstating Membership with ABAG **[Council Report No 2015-57; Council Discussion & Provide Direction to Staff (Mayor Murray)]**

Mayor Murray reported that Mayor Pro Tem Swearingen was nominated and appointed as the Mayors' Conference alternate ABAG delegate. He discussed his conversation with ABAG President Julie Pierce about the ABAG funding opportunities and he thought this was an opportune time and unique opportunity to get back on board and take advantage of the better economy. Therefore, the matter was agendaized for Council discussion.

City Clerk Athenour provided background information in the staff report containing the documentation when the City withdrew membership in ABAG. Ms. Athenour reported that Ken

Moy, Legal Counsel for ABAG called her today and reported if the Council wished to reinstate, they would need a letter from the City accompanied by a City Council minute order action, or resolution with the effective date of membership. The ABAG Finance Department would send an invoice, prorated for the portion of the fiscal year.

Mayor Pro Tem Swearingen said he had led the charge to withdraw from ABAG because he felt they provided erroneous housing goals. He discussed a conversation with Executive Director Rapport who discussed the misappropriation of \$1.3 million from ABAG's coffers which led him to think it may be time for more representation and oversight and become involved again.

In discussing the matter, Council Member Long said she does not think ABAG can exclude the City from grants if we are not members, but they do not have to make it easy either.

Council Member Banuelos discussed the inconsistencies in the numbers and the Board playing to other larger cities. He feels that ABAG has seen other cities withdraw also and now they are providing more opportunities for smaller cities. He agreed this is a good time to consider rejoining, and thought perhaps Mayor Pro Tem Swearingen's position as the Mayor's Conference alternate could also help.

Mayor Murray said Mayor Pro Tem Swearingen can advise the City of opportunities and speak up if something seems amiss.

Council Member Green asked for the following information prior to making a decision:

- Does the City have to be a member in order for Swearingen to be appointed as the Mayors' Conference alternate?
- Does the City have to be a member to receive ABAG grants?

He voiced his opinion that he does not think the City should reinstate membership in order to allow Mayor Pro Tem Swearingen to serve as the Mayors Conference alternate.

Mayor Murray and Council Member Long suggested they speak with President Julie Pierce to seek responses to the questions above, and also would ask whether the membership could occur subsequent to the appointment.

**Council Direction: Mayor Murray To Direct The Questions Raised By Council Member Green To ABAG President At The July 9 Mayors' Conference And Agendize A Continuing Council Discussion At Either The July 21 Or August 18 Meeting.**

## **10. NEW BUSINESS**

- A. Award Contracts for the Rehabilitation Of San Pablo Avenue; Sunnyview Drive To Pinole Shores Drive [**Council Report No. 2015-58; Action: Adopt 2 Resolutions Per Staff Recommendation (Allison)**]
1. Authorize The City Manager To Award And Execute A Contract In The Amount Of \$571,222 With MCK Services For The Rehabilitation Of San Pablo Avenue - Sunnyview Drive To Pinole Shores Drive, And Authorize The Expenditure Of Up To \$57,122 For Possible Extra Work For A Total Authorization Of \$628,344
  2. Authorize The City Manager To Expend Up To \$76,372 Under An Existing On-Call Contract With Willdan Engineering For Construction

Management Services For The Rehabilitation Of San Pablo Avenue -  
Sunnyview Drive To Pinole Shores Drive

3. Authorize The City Manager To Expend Up To \$20,000 Under An Existing On-Call Contract With Cornerstone Earth Group For Geotechnical Engineer Services For The Rehabilitation Of San Pablo Avenue From Sunnyview Drive To Pinole Shores Drive

**Dean Allison**, Public Works Director presented Council Report 2015-58 into the report. Two bids were received on June 4, 2015. The lowest responsible bid was within four percent of the Engineer's estimate. Staff presented the project budget in the amount of \$729,716 including contingency and the multiple contracts for project management and geotechnical engineering. He discussed the attempts to minimize disruptions to the residents by conducting the noisier work such as grinding during the day when residents are gone and paving at night. He recommended approval of the construction contract as presented and the other two accompanying consultant contracts.

Council Member Green asked questions about construction management and asked if it was bid and whether the requests for bids were sent to local companies. Mr. Allison said the request for bids were sent to three local area consultants in Oakland and Walnut Creek.

Mayor Pro Tem Swearingen was concerned when only one bid is received and sometimes thinks there is collusion among the project management firms to drive the costs up.

Mayor Murray said he shared Mayor Pro Tem Swearingen's concerns and said the cost was very high for a 2.5 month project, and also feels there is concern for collusion on the federally funded projects.

Mr. Allison understood their concerns and advised the Council that he would bring San Pablo Avenue, Rehabilitation, and Phase II for consideration on July 21<sup>st</sup>, but that phase will not have federal money, and the project management portion would be handled by City staff.

Council Member Banuelos asked the amount of funding received from solid waste, and Mr. Allison said it was \$280,000 and it was unrestricted. Allison said staff had said that streets were going to be the main focus of that money at prior Council discussions

Council Member Long asked if there was a maximum weight load on San Pablo Avenue, and if not, should a weight limit be imposed and signage installed.

Mr. Allison said generally he would be concerned where a new roadway is being installed. The paving does not change the structural integrity. He said the City should be looking at restrictions on Pinole Valley Road, and direct all heavy trucks to Appian and directly onto San Pablo.

Council Member Long supported looking at weight limits on streets and discussed have loads divided into two trucks vs. one, especially with respect to the WPCP Plant Upgrade Project. She asked staff to research the maximum weight limit on San Pablo Avenue and place signage to limit it and develop a policy for insuring limitations are met.

Mayor Murray asked about whether San Pablo Avenue would qualify for a weight limit due to the amount of heavy trucks from Sugar City and shouldn't the street be constructed to handle those loads.

Council Member Green agreed and said the Council should not impose restrictions to make trucks make multiple loads and hamper their competitiveness.

**ACTION: Motion by Council Members Swearingen / Green, the Council Adopted Resolution 2015-48, Authorizing the City Manager to Execute a Contract with MCK for the Rehabilitation of San Pablo Avenue Phase 1, In an Amount Not to Exceed \$628,344.**

**FURTHER ACTION: Motion by Council Members Swearingen / Green, the Council Adopted Resolution 2015-49, Authorizing the City Manager to Expend Up To \$76,372 Under An Existing On-Call Contract With Willdan Engineering For Construction Management Services**

**FURTHER ACTION: Motion by Council Members Swearingen / Green, the Council Adopted Resolution 2015-50, Authorizing the City Manager to Expend \$20,000 Under An Existing On-Call Contract With Cornerstone Earth Group For Geotechnical Engineer Services**

<b>Vote:</b>	<b>Passed:</b>	<b>5-0</b>
	<b>Ayes:</b>	<b>Banuelos, Green, Long, Murray, Swearingen</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>None</b>

- B. Discuss Current Issues Related to the WCCIWMA Board and Provide Direction to Board Member Murray Regarding Contra Costa County Becoming a Voting Member, the Disbursement of Out of Area Funds, and Determination of the Amount of In Area Funds to Be Retained by the Board [**Council Report No. 2015-59; Action: Discussion of Current Issues (Allison)**]

**Dean Allison**, Public Works Director presented Council Report 2015-59, He reported the following:

- There was \$900,000 in operating reserves which were lock-boxed with no discussion to release.
- Recycling revenues from agencies outside the JPA area is \$1 Million.(money from the IRRF
- Recycling revenues from JPA area - \$2,900,000 (except no El Cerrito ownership)
- Performance Evaluation Revenue Adj. Mechanism Fund - \$2,600,000 (No El Cerrito ownership)

Regarding the disposition of revenues, Richmond and El Cerrito wish to distribute most revenues now. Staff representatives from Pinole, Hercules, San Pablo and the County recommend leaving significant monies with the Authority.

Mr. Allison summarized the rationale for distributing and rationale for leave funds in place included in the presentation materials. He also discussed how voting to provide the County membership helps the position of the smaller cities and the different organizational models.

City Manager Espinosa said the TAC group (comprised of staff members) was concerned with the impact on our rate payers if Richmond and El Cerrito withdrew.

A lengthy Council discussion followed.



Council Member Green asked the City Attorney to confirm that he had no conflict of interest if he participated in the discussion. Assistant City Attorney Downs confirmed that his reported financial relationship with Richmond Sanitary Services does not preclude a discussion on the Joint Powers Authority.

Council Member Green said in the 1980's all member agencies had one vote, including the West County Sewer District and Contra Costa County. He confirmed that Mr. Allison reported that the Authority must reach a 75% cumulative reduction throughout the state and recognize that some agencies cannot reach that, others have to do better. He was not sure if there were penalties.

Mr. Allison said that was not how he understood it.

Mayor Murray said that was partially correct. He explained it stating that when the law requires 75% reduction, and if we are at 30% some other agencies may have to achieve 100% to reach 75% statewide. Pinole is part of a regional organization and when we move to 75%, we still have to participate, so someone would have to do more to achieve the goal, but collectively all agencies should be around the same numbers.

Council Member Green says we do some things locally that can be done at the regional level and suggested streamlining the processes. He supported the County having a vote. Further work by the JPA is necessary to bring Richmond along, as they produce a lot more garbage and less recyclables. He suggested streamlining

Mayor Murray said he has directly forwarded the issue regarding contaminated recyclables to the membership and it is not recognized.

Council Member Green said as far as El Cerrito having a voting share, it was to pay for the IRRF and once it is paid for, the JPA in his opinion the JPA has outlived its need.

Mr. Allison spoke to the merits of the JPA, and said some activities are better done on a regional basis. Many programs need a critical mass, which would be unachievable by a city of our size. The Authority has negotiated better rates by being part of a larger regional body.

Mayor Murray reported that, as he understands the process now, a member city does not receive any money when they leave; the monies remain in the JPA as the rate payers' money. The scenario that has transpired with Richmond and El Cerrito wishing to leave and believe they are entitled to a portion of the reserves. If the County gets to vote, the tables turn and the balance would be a 4-4 vote on changing the process.

Discussion ensued regarding the recycling numbers. In response to a question by Council Member Green, Mayor Murray said that El Cerrito brings good recycling numbers to the group. If they leave, the Authority's numbers would go down. Council Member Green asked if it would be easier for Pinole to reach 75% if Richmond left, due to their low recycling numbers, which drag the group down. Mayor Murray said due to economies of scale, it would become more expensive for the smaller cities. He recommends determining the budget needed for ten years, set the money aside and distribute the rest.

Mayor Pro Tem Swearingen said that Richmond wants 30% of the disbursement to balance their budget and they have three votes on the Board. He requested to see a copy of the Authority bylaws; if the bylaws are silent on the disbursement of reserves, they cannot be distributed. He wanted to make sure Pinole receives their fair share.

Mr. Allison responded that he believes the issue of the bylaws and the legal opinion will be provided and the issues resolved at the next Authority meeting

Ms. Espinosa commented that the only formula contained in the JPA documents speaks to the disbursement of funds only if the JPA dissolves, and is silent on any other disbursements.

In closing, Mayor Murray said his recommendation, as the delegate, was to support the County in seeking a voting position and support retaining adequate reserves to operate the JPA for the next ten years so the ratepayers are not impacted in future years. He said his position at the table was to ask for support for the County's vote.

The following speakers addressed the Council:

**Jack Meehan**, Pinole citizen, said the unincorporated area is in two supervisorial districts and suggested also contacting Supervisor Glover.

Mayor Pro Tem Swearingen responded that said due to Supervisor Glover's physical condition, Supervisor Gioia was taking care of his area during his recovery.

The following direction was provided to Delegate Murray:

Council Member Long recommended that the Council pass a hammer, not a mallet to Mayor Murray and encouraged him to be firm and not let Richmond take advantage of the JPA. Mayor Pro Tem Swearingen echoed her statement.

Council Member Green supported the County having a vote and also thinks if El Cerrito wants to leave, he feels they are advanced and does not see a need for them to remain in the JPA. He confirmed that the six million dollars does not refurbish itself, to which Mayor Murray explained was correct. He asked if the Authority staffing would remain with two to three employees. He supported the continuance of the JPA if that was the opinion of the group.

Mayor Murray said the division of the monies and staffing would be discussed at the next meeting at would be discussed in September.

Council Member Banuelos concurred, but said to tread slowly and seek a legal opinion.

## **11. REPORTS & COMMUNICATIONS**

### **A. Mayor Report**

#### **1. Announcements**

- a. August 8 - 9<sup>th</sup> – American Cancer Society Relay for Life
- b. August 4<sup>th</sup> - National Night Out – council discussed chief putting together a list of the sites.
- c. Waste Water Subcommittee is August 6<sup>th</sup> in Hercules.

### **B. Mayoral & Council Appointments**

### **C. City Council Committee Reports**

Council Member Green had no report.

Mayor Pro Tem Swearingen said there is a homeless encampment in the creek near the Senior Center and asked the Police to investigate it. City Manager Espinosa said the Police were aware. He provided a WCCTAC meeting report and said they were looking for community projects and Pinole provided a list of street improvements. He gave it to Supervisor Gioia and that he would be pushing for the funding.

Council Member Banuelos reported receiving complaints that staff was usurping their position related to enforcement of the conditions of approval. Mayor Murray asked Council Member Banuelos to speak to City Manager Espinosa.

Council Member Long reported that the WCCUSD would be discussing the Pinole Valley High project at a meeting on July 14<sup>th</sup> at 4 PM on 1400 Marina Way, Richmond and the Board may be discussing bidding the project and while she understood their concern regarding the forensic audit, she said this project should not be stopped because of problems in the past and if they are holding it up for 12-18 months, delays could cause a far excessive increase in the cost. She said she and City Manager Espinosa would be attending. She asked to have the meeting advertised on the PCTV scroll.

D. Council Requests For Future Agenda Items

1. Discuss drafting an emergency ordinance on July 21 regarding prohibiting off-road motorcycles due to extreme fire condition (Long)

E. City Manager Report / Department Staff

1. Report on the Oversize Load Traversing the City on June 8, 2015 & City Permitting Procedures **[Oral Report; Action: Receive Report (Allison)]**

Public Works Director Allison said there were two recent oversize deliveries to two separate refineries, one in Richmond and one in Rodeo. He provided the route taken to the Rodeo refinery, explained the State's permitting process, with the City verifying the permit and checking vertical clearance. The City charged a deposit of \$3,000 to proceed in front of the load to raise the wires and signals. The deposit included replacing or trimming any trees damaged during due to the load. The City provided authority, but did not issue a permit on the Richmond delivery.

Council Member Long asked whether Pinole staff was present and shouldn't a permit have been issued to cover their time. Public Works Director Allison said the City did not have personnel attending the Richmond delivery and did not issue a permit.

Council Member Green said in the future, he asked that the Council receive advance notice in the form of an email.

2. Review of the Stop Sign Located on Moraga Drive, Approved by the City Council on December 16, 2014 **[Oral Report; Action Provide Direction to Staff (Allison)]**

**Dean Allison**, Public Works Director responded to a Council request to discuss the sign approved and erected on Moraga Drive and Simas late last year. Staff received a call from a resident at the corner of Moraga and Simas, now concerned about the noise created from vehicles stopping and resuming. Mr. Allison advised Council that prior to the approved installation, there was a traffic engineering report validating the need for the stop sign.

Council Member Long said that according to the report, the stop sign was necessary. Mr. Allison said negating a traffic engineering report would require another report and was not sure the recommendation would be different. He said it is better with the sign and also said the process was followed correctly.

Council Member Green agrees the process was extensive and the decision was to install the stop signs and recommended leaving them in place. There was a brief discussion and no further action was taken.

Mr. Allison will follow up with the resident who filed the inquiry to advise that the topic was discussed and no change was warranted.

F. City Attorney Report

There was no report.

## **12. ADJOURNMENT**

At 10:02 p.m., Mayor Murray adjourned the Regular City Council Meeting of July 21, 2015, in remembrance of Amber Swartz.

**Submitted by:**

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**Patricia Athenour, MMC**  
**City Clerk**

***Approved by City Council: August 18, 2015***