

# CITY COUNCIL MEETING

MINUTES  
July 2, 2019

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

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Regular Meeting of the City Council to order at 6:02 p.m. and led the Pledge of Allegiance.

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

### A. COUNCILMEMBERS PRESENT

Peter Murray, Mayor  
Roy Swearingen, Mayor Pro Tem  
Norma Martinez-Rubin, Councilmember  
Vincent Salimi, Councilmember  
Anthony Tave, Councilmember

### B. STAFF PRESENT

Michelle Fitzer, City Manager  
Hector De La Rosa, Assistant City Manager  
Heather Iopu, City Clerk  
Eric Casher, City Attorney  
Neil Gang, Police Chief  
Scott Kouns, Fire Chief  
Tamara Miller, Development Services Director/City Engineer  
Joseph Bingaman, Public Works Manager

City Clerk Iopu announced the agenda was posted on June 27th, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional items pertaining to Agenda 6B1, 6B3, 7D, 8A, and 11B2 on the agenda were provided at the dais for the Council and copies were placed at the rear of the Chamber for the public,

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

## 3. CONVENE TO A CLOSED SESSION

The City Council convened into closed session at 6:03.

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

At 6:53 p.m. Mayor Murray reconvened the meeting into open session and announced that there was no reportable action.

## 5. CITIZENS TO BE HEARD (Public Comments)

At 6:53 pm, the Mayor inquired if there were any Public Comments. The following speakers addressed the City Council:

**Rafael Menis**, resident of Pinole, announced the extended hours celebration on July 6<sup>th</sup> at the Pinole Library at 10:00 am and encouraged public to attend. Spoke regarding Inspector General's Homeland Security report detailing the conditions at detention centers at the US Southern border. Encouraged the City Council to write letter of opposition of these detainment practices to the Federal government.

**Susan Carlyle**, resident of Pinole, stated that she has lived on Pinole Valley Road for 35 years. Expressed concern regarding the increase in traffic and high-speed dangerous driving. Suggested that the City Council form a committee to gather information and implement safety measures including speed bumps.

**Raju Mann**, resident of Pinole, spoke regarding grand opening of her new store Menchie's Yogurt at 1358 Fitzgerald on July 13<sup>th</sup> at 11:00 am. Encouraged everyone to attend.

## 6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

### A. Proclamations

#### 1. Recognizing Earl Combs for Local Photography

A slideshow was presented of Earl Comb's photography. Mayor Murray presented a proclamation to Earl Combs recognizing his contributions to the community.

The following speaker addressed the City Council:

**Jeff Rubin**, resident of Pinole, spoke regarding Mr. Combs work and presented him with the "Friend of History" Award on behalf of the Pinole Historical Society.

### B. Presentations / Recognitions

#### 1. Sewer Update by Tamara Miller

Joe Bingaman presented an informational update on the Sewer division.

Councilmembers asked questions regarding details of the report. Staff addressed questions.

The following speaker addressed the City Council:

**Rafael Menis**, resident of Pinole, asked what SSO stands for. Made comment that staff should address this during strategic plan process.

Staff responded to public comment.

#### 2. Pinole/Hercules Water Pollution Control Plant Upgrade Project Update by Mike Warriner

Mike Warriner made presentation regarding the status of the Water Pollution Control Plant Upgrade Project.

Councilmembers asked questions.

Mr. Warriner and City Manager Fitzer responded to questions.

3. PG&E regarding Power Shut-off Program by Treva Reid & Les Putnam

Treva Reid and Les Putnam, representatives of PG&E, presented information on Community Wildfire Safety Program for the City of Pinole. Outlined the plan for power outages and highlighted steps that the public can take to receive timely updates regarding potential outages.

Councilmembers asked questions of PG&E representatives. Discussion regarding safety concerns for community. Questions addressed by PG&E representatives; outlined notification procedures, programs for customers who are reliant on energy for medical equipment, and announced the ways that the public can prepare for extended outages

Information provided by City Manager Fitzer, Development Services Director/City Engineer Miller, Police Chief Gang, and Fire Chief Kouns regarding plans for City preparedness in the event of long-term power outages.

Councilmembers asked questions. Questions addressed by staff.

The following speaker addressed the City Council:

**Rafael Menis**, resident of Pinole, asked the PG&E representatives regarding solar power battery back-ups, and the differences between targeting vs. undergrounding systems.

Public question addressed by staff.

**7. CONSENT CALENDAR**

- A. Approve the Minutes of the Meeting of June 4, 2019.
- B. Receive the June 15, 2019 – June 28, 2019 List of Warrants in the Amount of \$267,414.85 and the June 28, 2019 Payroll in the Amount of \$385,344.22
- C. Authorizing The City Manager To Enter Into A Contract With Tri Commercial In The Amount Not To Exceed 6% Of The Sales Price To Provide Commercial Real estate Broker Services For The Sale Of Several Former Redevelopment And Housing Assets [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

**ACTION: Motion by Councilmembers Swearingen/Tave to approve Consent Calendar Items A, B, C**

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

The following items were pulled for further discussion:

- D. Consider A Letter Of Support For ACA 1, Local Government Financing: Affordable Housing And Public Infrastructure [Action: Authorize Mayor to Sign Letter (Fitzer)]
- E. Consider A Letter Of Opposition For SB 330 Housing Crisis Act Of 2019 [Action: Authorize Mayor to Sign Letter (Fitzer)]

The following speaker addressed the City Council on Item 7 D & 7E:

**Rafael Menis**, resident of Pinole, stated that legislative letters should not be listed on the consent calendar.

**ACTION: Motion by Councilmembers Martinez-Rubin/Swearingen to approve Consent Calendar Items D and E**

**Vote:            Passed            5-0**  
**Ayes:                Murray, Swearingen, Tave, Martinez-Rubin, Salimi**  
**Noes:                 None**  
**Abstain:            None**  
**Absent:             None**

**8. PUBLIC HEARING**

- A. Introduction And First Reading Of An Ordinance Of The City Of Pinole Adding Chapter 15.60 To The Municipal Code For Management Of PCBs During Building Demolition Projects [Action: Conduct Public Hearing & Introduce on First Reading (Casher)]

City Attorney Casher presented a report introducing the ordinance and outlining the action.

Councilmembers asked questions. Staff responded.

At 10:38 p.m. Mayor Murray opened the public hearing.

There were no public comments.

At 10:38 p.m. Mayor Murray closed the public hearing.

**ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to approve the ordinance.**

**Vote:            Passed            5-0**  
**Ayes:                Murray, Swearingen, Tave, Martinez-Rubin, Salimi**  
**Noes:                 None**  
**Abstain:            None**  
**Absent:             None**

**9. OLD BUSINESS**

None.

**10. NEW BUSINESS**

None.

**11. REPORTS & COMMUNICATIONS**

A. Mayor Report

1. Announcements

Mayor Murray announced an event in Napa on August 4<sup>th</sup>, 2019 being hosted by the office of Congressman Mike Thompson.

PG&E is hosting public Open House events to provide information about Community Wildfire Program on July 8<sup>th</sup> in Oakland and on July 11<sup>th</sup> in Walnut Creek.

B. Mayoral & Council Appointments

1. Appoint Councilmember Salimi as Pinole's Voting Delegate for League of CA Cities

Mayor Murray and City Manager Fitzer provided information regarding the appointment.

**ACTION: Motion by Councilmembers Tave/Swearingen to appoint Councilmember Salimi as Pinole's Voting Delegate for League of CA Cities**

**Vote:            Passed            5-0**  
**Ayes:            Murray, Swearingen, Tave, Martinez-Rubin, Salimi**  
**Noes:            None**  
**Abstain:        None**  
**Absent:         None**

2. Community Services Commission Appointments

Mayor Murray introduced the item. The interview subcommittee Mayor Murray and Councilmember Martinez-Rubin recommended the following people to be appointed to the Community Service Commission:

Darin Clarke, Robert Kopp, Emily Ricketts, Rafael Menis and Nickolas Teller

**ACTION: Motion by Councilmembers Tave/Salimi to approve the recommendation for appointments to the Community Services Commission**

**Vote:            Passed            5-0**  
**Ayes:            Murray, Swearingen, Tave, Martinez-Rubin, Salimi**  
**Noes:            None**  
**Abstain:        None**  
**Absent:         None**

C. City Council Committee Reports & Communications

Councilmember Salimi announced he attended the Metropolitan Transportation Commission (MTC) meeting where the PG&E planned power outages were discussed and the West Contra Costa Transportation Authority (WCCTAC) meeting and announced potential tax measures coming forward in 2020.

Councilmember Martinez-Rubin presented highlights of the Mayor's and Councilmember's Executive Forum conference she attended in Newport. Outlined the financial topics that were reviewed by the League of CA Cities and made comments about the importance of each in relation to Pinole.

Mayor Pro Tem Swearingen thanked Bob Kopp and Sequoia Real Estate for their involvement in planning the Pinole Car Show event. Also recognized the Public Works department, Police Department and the Pinole "Explorers" group.

Recognized the Garden Club for their work in the community to maintain City areas.

Commented on WCCTAC and the CCTA sales tax update.

Councilmember Tave announced successful teambuilding event and highlighted some key concepts that were discussed. Thanked staff for efforts in organizing the event.

Mayor Murray also recognized the benefit of the Council teambuilding event, announced having a productive meeting with East Bay Regional Park Executive Director and outlined current and potential projects.

At 11:03 p.m. Councilmember Swearingen/Martinez Rubin moved to extend the meeting for fifteen minutes.

**ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to extend the meeting fifteen minutes.**

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

D. Council Requests For Future Agenda Items

Councilmember Salimi requested a discussion item for a program for local hiring on projects. Discussion of history of this type of program in Pinole.

City Attorney Casher addressed questions raised by Council. Consensus by Council.

Councilmember Martinez-Rubin asked for report on Census activities. Consensus by Council.

Councilmember Tave requested letter of opposition to detention camps at Southern US border.

E. City Manager Report / Department Staff

City Manager Fitzer announced her retirement in December 29, 2019 and thanked the Council for the opportunity to serve Pinole.

Mayor Murray thanked City Manager Fitzer for her service. Councilmembers made comments recognizing City Manager Fitzer for her hard work and thanking her for her service to Pinole.

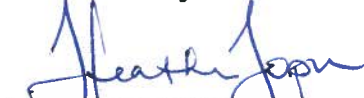
F. City Attorney Report

None.

12. **ADJOURNMENT** to the Regular City Council Meeting of July 16, 2019 In Remembrance of Amber Swartz.

At 11:24 p.m., Mayor Murray adjourned to the Regular City Council Meeting of July 16, 2019 In Remembrance of Amber Swartz.

Submitted by:



---

Heather Iopu, CMC  
City Clerk

Approved by City Council: August 20, 2019

