

**CITY COUNCIL MEETING  
MINUTES  
September 17, 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 Pro Tem Swearingen called the Regular Meeting of the City Council to order 6:05 p.m. and led the Pledge of Allegiance.

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

**A. COUNCILMEMBERS PRESENT**

Roy Swearingen, Mayor Pro Tem  
Norma Martinez-Rubin, Councilmember  
Vincent Salimi, Councilmember

**B. STAFF PRESENT**

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

City Clerk Iopu announced the agenda was posted on September 12, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional materials pertaining to Items 6B2, 6B3, 7A, 7A1 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 6:04 p.m.

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

At 7:15 p.m. Mayor Pro Tem reconvened the meeting and announced that there was no reportable action.

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

At 7:16 pm, the Mayor inquired if there were any Public Comments. The following speakers addressed the City Council:

**Jeff Rubin**, President of the Pinole Historical Society, spoke regarding Stella Faria a Pinole resident who passed away and honored the contributions that she made to Pinole through her writing on local community issues and places.

**Terri Nuss**, spoke regarding opioid crisis and the effects of drug overdose on her family. Encouraged the City Council to take action to address this issue.

**Chris Wimmer**, resident of Pinole, spoke regarding the effect that the marijuana use of his neighbors has on his property. Encouraged the City Council to pursue a public nuisance ordinance to address the issue.

**Ivette Ricco**, Pinole 4 Fair Government, spoke regarding the Town Hall that was hosted by her organization on September 14<sup>th</sup>. Thanked the participants and attendees.

**Marjorie Casimere**, resident of Pinole, spoke regarding trash and debris along roadways in Pinole and encouraged the City Council to take action to keep Pinole clean.

**Donald Casimere**, resident of Pinole, made comments regarding trash along the roads and highway. Stated the importance of cleaning the on and off ramps to the free way to improve the image of Pinole.

**Bob Kopp**, resident of Pinole, announced the Coastal Clean Up Day on September 21<sup>st</sup> and Dumpster Day on October 5<sup>th</sup>. Encouraged the public to participate.

**Rafael Menis**, resident of Pinole, spoke regarding the importance of the flu vaccine. Encouraged public to attend the Coastal Clean Up Day.

**Marie Bowles**, spoke regarding the trash along the highway. Recognized the high school students for helping to clean up the community and asked the Council to also take action to resolve the issue.

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

- A. Proclamations
  - 1. California Firefighters Memorial Day

Mayor Pro Tem Swearingen read the Proclamation and presented it to Fire Chief Kouns. Encouraged the City to honor the commitment of all Firefighters.

- B. Presentations / Recognitions
  - 1. Recognition of Pinole Valley High School Art Students for Mural in PD Building

Police Chief Gang introduced the project and gave an overview of the collaboration with Pinole Valley High School staff and students.

Student project leader Alejandra Simon gave a report on the project and explained the inspiration and work that went into it. Spoke regarding the connection it created with the Police Department.

Police Chief Gang presented a video of the mural, recognized the people who contributed, and spoke regarding the importance of relationship-building with the community.

Police Officer Witschi & Community Safety Specialist Valdepena presented certificates of participation to each of the students.

## 2. Police Department Update by Chief Gang

Chief Gang gave an update of the Police Department. Provided statistics for crime in Pinole. Provided update on 2019 Goals and highlighted achievements of the department.

Council members made comment.

**Ivette Ricco**, resident of Pinole, spoke regarding the statistics provided by Chief Gang.

Council members recognized Chief Gang and the work of the Department as a whole.

## 3. Republic Services Annual Report by Bielle Moore

Republic Services representatives Bielle Moore and Terri Singleton gave report on the high level of recycling contamination. Highlighted proper and improper ways to dispose of materials in provided trash and recycle bins.

Council members made comments and asked questions. Republic Services staff responded to questions.

**Rafael Menis**, resident of Pinole, asked if there was a specific point at which the increased cost of recycling would cause Republic Services to landfill the material rather than recycle it.

Council members asked questions. Republic Services staff responded to questions.

**Ivette Ricco**, resident of Pinole, suggested signs on the top of bins to help customers know what items are acceptable in the different types of bins.

## 7. CONSENT CALENDAR

The following speakers addressed the City Council:

**Rafael Menis**, resident of Pinole, spoke regarding Consent Calendar Item 7E, asked for clarification regarding the cost of the contractor in comparison to cost for a regular staff person.

**Ivette Ricco**, resident of Pinole, spoke regarding Consent Calendar Item 7G, spoke regarding the increase in the amount of the Faria House contract. Asked what the process is and stated that this should have been approved by Council before the work was done.

City Manager Fitzer made comments in response to the public comments.

- A. Approve the Minutes of the Meetings of August 20, and August 27, 2019
- B. Receive the August 31, 2019 – September 13, 2019 List of Warrants in the Amount of \$542,513.53 and the September 6, 2019 Payroll in the Amount of \$392,469.12
- C. Receive The Development Impact Fee Report For The Fiscal Year Ended June 30, 2019 [Action: Receive Report and Adopt Resolution per Staff Recommendation (A. Miller)]
- D. Authorize Council Member Salimi To Vote Yes On The League Of California Cities Annual Conference Resolutions [Action: Provide Authorization per Staff Recommendation (Fitzer)]
- E. Approve An Amendment To The Contract And Issue A Task Order For CSG For Staff Augmentation For An Interim Planning Manager And Building Inspector In An Amount Not To Exceed \$151,000 [Action: Adopt Resolution per Staff Recommendation (T. Miller)]
- F. Ordinance Amending Chapters 9.28 & 9.30 Of The Pinole Municipal Code Regarding The Regulation Of Tobacco Products And Tobacco Retailers [Action: Conduct Second Reading and Adopt Ordinance, per staff Recommendation (Mog)]
- G. Approve An Amendment To The Contract With Interactive Resources For Preparation Of Design And Specifications For The Faria House In An Additional Amount Of \$6,017 For A Total Contract Amount Not To Exceed \$91,397, And Amend The Budget Appropriation [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

**ACTION: Motion by Councilmembers Martinez-Rubin/Salimi to approve Consent Calendar Items A-G.**

**Vote: Passed 3-0**  
**Ayes: Swearingen, Martinez-Rubin, Salimi**  
**Noes: None**  
**Abstain: Non**  
**Absent: Murray, Tave**

**8. PUBLIC HEARING**

NONE

**9. OLD BUSINESS**

NONE

**10. NEW BUSINESS**

- A. Approve The City Of Pinole Fiscal Year (FY) 2019-20 through 2023-24 Five-Year Capital Improvement Plan And Adopt the FY 2019-20 Capital Budget [Action: Approve CIP Plan and Adopt Budget per Staff Recommendation (A. Miller)]

Finance Director Miller introduced the item and presented staff report.

Council members asked questions regarding the details of the report. Staff responded to questions clarifying the report.

The following speakers addressed the City Council:

**Rafael Menis**, resident of Pinole, recognized staff for their work and asked question regarding SB1 funds that are referenced in the staff report. Asked for clarification regarding the use of fund balance.

Staff responded to questions.

**Maureen Toms**, resident of Pinole, suggested EV charging stations in public lots be considered in the Capital Improvement Plan. Also stated that the Development Services division needs to be better-staffed in order to help bring these projects to completion.

**ACTION: Motion by Councilmembers Martinez-Rubin/Tave to approve the The City Of Pinole Fiscal Year (FY) 2019-20 through 2023-24 Five-Year Capital Improvement Plan And Adopt the FY 2019-20 Capital Budget**

<b>Vote:</b>	<b>Passed</b>	<b>3-0</b>
	<b>Ayes:</b>	<b>Swearingen, Martinez-Rubin, Salimi</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>Murray, Tave</b>

## **11. REPORTS & COMMUNICATIONS**

- A. Mayor Report
  - 1. Announcements

Mayor Pro Tem announced on behalf of Mayor Murray the Coastal Clean Up on September 21 from 9:00 a.m to Noon.

- B. Mayoral & Council Appointments

None.

- C. City Council Committee Reports & Communications

Councilmember Salimi announced that the HdL report was published on the City website for review. Also announced the community Town Hall that took place on September 14<sup>th</sup> and stated that about 50 questions were introduced and will be shared with the Council and staff.

Martinez-Rubin reported on the WestCat meeting in September that she attended with Council member Tave. There will be five replacement buses that were recently approved and will be on the roads soon. Announced that new software was acquired to receive client feedback on their experience with bus service.

Reported that the CA Arts Council has a grant program that opens up this month to support arts in the community. Encouraged members of the public to apply.

Announced that Project Second Chance, an Adult Literacy Program is available through the library for any adults that want to improve reading and writing skills.

Announced St. Joseph School will host its Octoberfest on October 5th and 6th and Pasta Dinner and Dance on September 28th.

Announced Bay Front Chamber of Commerce will host a Chili Cook-Off and Car Show on September 22nd.

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

Council member Salimi requested an update on from the library programs. City Manager Fitzner stated that we have the library representatives already scheduled to return to Council with an update report.

Council member Martinez-Rubin asked for a discussion item on collaborative projects on recycling effort and City beautification projects. Suggested by Mayor Pro Swearingen to form Ad Hoc Committee to address these issues. Council gave consensus to create an Ad Hoc Committee and City Manager Fitzner stated that it will be put on the October 1st agenda.

Mayor Pro Tem Swearingen requested an agenda item to discuss addition of police officers. Consensus given by Council.

Mayor Pro Tem Swearingen requested a future agenda item to discuss drug addiction. Suggested a committee to work with high school on options for afterschool programs. Consensus not given by Council.

**Maureen Toms**, resident of Pinole, spoke regarding the issue that was raised regarding opioid addiction. Explained that the City can assist with outreach and education.

**Ivette Ricco**, resident of Pinole, asked Council member Salimi to submit the questions that were raised at the recent community Town Hall to the City Council.

Council member Salimi stated that he will provide the information to Council and staff.

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

At the October 15th Council meeting the City will bring forward a resolution regarding the Census 2020 appointing Council member Martinez-Rubin and City Clerk Iopu as the agency representatives.

Announced that a mailer was sent to residents regarding the Strategic Planning meetings. The public is encouraged to participate in the Strategic Planning process by attending any of the following meetings.

**Meeting Dates:**

September 25	9:00 a.m.	Pinole Library
September 25	6:00 p.m.	East Bluff Apartments, Clubhouse
October 7	12:00 p.m.	Pinole Youth Center
October 7	7:00 p.m.	Pinole Middle School

Announced the Special Meeting of the City Council on October 8<sup>th</sup> at 6:00 p.m. which will be a workshop meeting to review the Draft Fire Study Report.

**F. City Attorney Report**

No report.

**12. ADJOURNMENT to the Regular City Council Meeting of October 1, 2019 In Remembrance of Amber Swartz.**

At 10:53. p.m., Mayor Murray adjourned to the City Council Meeting of October 1, 2019 In Remembrance of Amber Swartz.

**Submitted by:**



---

**Heather Iopu, CMC  
City Clerk**

**Approved by City Council: October 1, 2019**

