

**SPECIAL CITY COUNCIL MEETING  
MINUTES  
JANUARY 22, 2019**

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

The Special 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 5:00 p.m. and led the Pledge of Allegiance.

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

**A. COUNCIL MEMBERS PRESENT**

Peter Murray, Mayor  
Roy Swearingen, Mayor Pro Tem  
Vincent Salimi, Council Member  
Anthony Tave, Council Member

Norma Martinez-Rubin, Council Member - ABSENT

**B. STAFF PRESENT**

Michelle Fitzer, City Manager  
Hector De La Rosa, Assistant City Manager  
Eric Casher, City Attorney  
Neil Gang, Police Chief  
Scott Kouns, Fire Chief

Deputy City Clerk De La Rosa announced the agenda was posted on January 17, 2019 at 4:00 p.m. All legally required notice was provided.

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**

At 5:05 p.m., Mayor Murray convened to a Noticed Closed Session to discuss the following items:

**A. PUBLIC EMPLOYMENT**

Gov. Code § 54957  
Title: City Clerk

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Gov. Code § 54956.9  
Henner Tank Lines

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

At 6:02 p.m., Mayor Murray reconvened the meeting in open session. City Attorney Casher reported that the City Council would be interviewing five (5) candidates for the City Clerk position, with interviews set on February 9<sup>th</sup>. The City Attorney was also directed to draft a settlement agreement with Henner Tank Lines to be presented to the Council for approval at a future meeting.

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

At 6:05 pm, the Mayor inquired if there were any Public Comments. The following speakers addressed the City Council:

**Rafael Menis**, resident of Pinole, informed the public of the recent actions to abolish late fee and benefits of the library to the Community.

**George Pursley**, Pinole Library Commissioner, spoke to the libraries action to abolish fines and issue replacement cards for free.

**Dimitri Magganas**, business owner, spoke to a pending recession in the near futures and encouraged public/private partnerships.

**Irma Ruport**, resident of Pinole, congratulated Firefighter of the Year Dorsey and the new Council.

## **6. WORKSHOP ITEM**

### **A. Fire Service Delivery Model - Receive Report [Action: Presentation - Provide Direction (M. Fitzer)]**

City Manager Fitzer presented an overview of the various options for Fire Service which included maintaining our own Fire Department, contracting out with Contra Costa County and/or contracting/consolidating with Rodeo Hercules Fire District. City Manager Fitzer stated that this is the first step with many more meeting to come on discussion of Fire Services once a consultant completes an analysis of the options and provide a cost for each service. Additionally, City Manager Fitzer stated that a new revenue source would be required for any of the service options.

Mayor and Councilmembers discussed the following: the benefits and downsides of the various options, if a new funding source is required assure that an inflation factor is included, evaluate a reserve Firefighter program, who would maintain equipment, evaluate easement on Galbriath and Rancho Road, whether the City could op-out or reduce the fire service level of a contract during a recession, whether to retain ownership of any of the fire assets if contracting out, and assuring that there are provisions/language in contracts, if the contracting option is selected, to cancel the agreement.

The following speaker addressed the City Council:

**Rafael Menis**, resident of Pinole, stated that it appears the other agencies have higher compensation costs, wanted to hear of the upsides to contracting out, and there is a need to discuss funding and impacts to the community.

**Bob Kopp**, resident of Pinole, stated that if Station 74 is opened, there will be a need to raise taxes and get voter approval. He also stated he would like the City to keep its Fire Department.

**Mary Horton**, resident of Pinole, inquired as to the funding source to open the Station, asked if the City was looking at a parcel tax, sell the Post office, and supports keeping control of our Fire Department.

**Matt Ludwig**, Pinole Firefighter, expressed concern that the Council should get more people on an engine rather than looking at other option.

**Steven Dorsey**, member of Local 1230, would like to see fire services improved while looking at all options presented.

**Allen Dorsey**, resident of Pinole, commented that during a structure fire, the City depends 100% of the time on Battalion 7 due to lack of resources and staffing.

**David Rupert**, resident of Pinole, suggested the City look at the existing model, asked if the existing model is adequate and do we need to change it.

**Irma Rupert**, resident of Pinole, stated that Station 74 is needed and is disheartened about hearing about lack of funding.

**Ivette Rico**, resident of Pinole, suggested that the City survey and/or poll the community if they are interested in a parcel tax and stated that more signage should have been posted about this meeting.

**Tammy Campbell**, resident of Pinole, supports Station 74 opening, asked what is the ideal Fire Department for the City, how many engines/people for the City of Pinole. What is the cost.

**William Horton**, resident of Pinole, supported opening Station 74 but mentioned that polling is need as to what would be affordable to the public.

**Dan Comerford**, resident of Pinole, expressed support and willingness to pay to open Station 74. Inquired as to the benefits of contracting out, what would be the level of services, then look at the funding sources. Also, stated that there is a need to engage the community.

At 7:47 p.m., Mayor Murray requested responses to some of the questions raised by the City Manager followed by direction from the City Council on the Agenda Item.

City Manager read into record a written statement from Councilmember Martinez-Rubin who was not present at the meeting.

**ACTION: Motion by Councilmembers Murray/Tave to hire a consultant to perform a study on the Fire Services options outlined in the Request for Proposal.**

<b>Vote:</b>	<b>Passed</b>	<b>4-0</b>
	<b>Ayes:</b>	<b>Murray, Swearingen, Tave, Salimi</b>
	<b>Noes:</b>	<b>None</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>Martinez-Rubin,</b>

City Manager inquired and the Mayor and the City Council discussed the timing of placing a ballot measure in 2019 or 2020 for a new funding source to enhance Fire Services.

**ACTION: The Council provided the City Manager direction to place a tax measure on the ballot in 2020.**

<b>Vote:</b>	<b>Passed</b>	<b>3-1</b>
	<b>Ayes:</b>	<b>Murray, Swearingen, Salimi</b>
	<b>Noes:</b>	<b>Tave</b>
	<b>Abstain:</b>	<b>None</b>
	<b>Absent:</b>	<b>Martinez-Rubin</b>

7. **ADJOURNMENT** to the Regular Council Meeting of February 5, 2019 and in Remembrance of the Amber Swartz.

At 8:40 p.m., Mayor Murray adjourned to the Regular City Council meeting of February 5, 2018, in Remembrance of Amber Swartz and Kurt Dagenbach.

**Submitted by:**



**Hector De La Rosa, Deputy City Clerk**

**Approved by City Council: February 5, 2019**

