

**CITY COUNCIL MEETING
MINUTES
June 16, 2020**

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

The City Council Meeting was held via Zoom teleconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the Regular Meeting of the City Council to order **6:03** p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Andrew Murray, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Tamara Miller, Development Services Director/City Engineer
Neil Gang, Police Chief
Chris Wynkoop, Fire Chief

City Clerk Iopu announced the agenda was posted on June 11, 2020 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.

Mayor Swearingen gave a report highlighting current local information relating to the COVID-19 pandemic and civil unrest in the Bay Area.

3. 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.

NO CLOSED SESSION

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

5. 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. 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.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **David Ruport, Irma Ruport, Ivette Ricco, Tim Banuelos, Sarah Flashman, Rafael Menis, Jim Neighbors & Friends**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

- A. Proclamations
- B. Presentations / Recognitions

7. 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 Meeting of April 14, 2020
- B. Receive the May 30, 2020 – June 17, 2020 List of Warrants in the Amount of \$427,675.73 and the June 12, 2020 Payroll in the Amount of \$524,356.65
- C. Resolution Confirming Continued Existence Of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Call Election For Council And City Treasurer Candidates, Request Consolidation Of The Pinole Municipal Election On November 3, 2020 With Contra Costa County, And Set Specifications Of The Election Order **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**
- E. Local Early Acton Planning Grants Program (LEAP) **[Action: Adopt Resolution per Staff Recommendation (Hanham)]**
- F. Adopt A Resolution Authorizing The City Manager To Execute Contract Change Order No. 147 For The Pinole-Hercules Water Pollution Control Plant (WPCP) Upgrade Project **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**
- H. Adopt A Resolution Establishing The FY 2020-21 Appropriations Limit **[Action: Adopt Resolution Per Staff Recommendation (A. Miller)]**

ACTION: Motion by Councilmembers Martinez-Rubin/Murray to Approve Consent Calendar Items A-F and H.

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

Abstain: None
Absent: None

The following Consent Calendar Item 7G was pulled for further discussion:

- G. Authorize The City Manager To Execute Agreements To Provide Television Production And Broadcasting Services To Various Other Public Agencies [**Action: Adopt Resolution per Staff Recommendation (De La Rosa)**]

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport & Rafael Menis**

ACTION: Motion by Councilmembers Tave/Swearingen to approve item 7G

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

Council member Salimi asked for the Council to reconsider Item 7F to record his abstention.

ACTION: Motion by Councilmembers Swearingen/Murray to reconsider Item 7F

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

ACTION: Motion by Councilmembers Swearingen/Murray to approve item 7F

Vote: Passed 4-1
Ayes: Swearingen, Murray, Martinez-Rubin, Tave
Noes: None
Abstain: Salimi
Absent: None

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

- A. FY 2019-20 Annual Review Of Utility Users Tax, And Adoption Of A Resolution Modifying Household Income Eligibility Thresholds For Utility Users Tax Exemptions For FY 2020-21 [**Action: Conduct Public Hearing and Adopt Resolution Per Staff Recommendation (A. Miller)**]

Finance Director Miller presented a report and overview of the item.

At 6:42 p.m. Mayor Swearingen opened and closed the public hearing. There were no public speakers.

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

ACTION: Motion by Councilmembers Martinez-Rubin/Salimi to Adopt Resolution Modifying Household Income Eligibility Thresholds For Utility Users Tax Exemptions For FY 2020-21

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

- B. Approve The Redevelopment Of Pinole Square (Aka Appian 80) Shopping Center [Action: Conduct Public Hearing and Adopt Resolutions Per Staff Recommendation (T. Miller)]

Planning Manager Hanham presented a report and highlighted details of the redevelopment plan. Development Services Director/City Engineer Miller made additional comments and introduced the project proponents. Todd Green of Hillsboro Properties and Eric Price of Lowney Architecture presented a powerpoint with details and visual representations of the project plan.

At 7:21 p.m. Mayor Swearingen opened the public hearing.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Ann Moriarty, Daniel Allen, David Kurrent, Maureen Toms, Sarah Flashman, Jim Neighbors & Friends**

At 7:40 p.m. Mayor Swearingen closed the public hearing.

Staff and project applicants responded to the public questions.

Council members asked questions of staff and project applicants. City staff and project proponents answered questions.

ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to Approve Resolutions Approving The Redevelopment Of Pinole Square (Aka Appian 80) Shopping Center

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

9. OLD BUSINESS

- A. Adopt The City Of Pinole Proposed FY 2020-21 Operating Budget [Action: Adopt Resolution Per Staff Recommendation (A. Miller)]

Finance Director Miller introduced the item and presented an overview of the Budget. City Manager made additional comments to provide context to the presentation of the budget document.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport, Rafael Menis, Sal Spataro**

Staff responded to the public questions.

Council members made comments and asked questions of staff regarding the Budget. Staff answered Council's questions.

ACTION: Motion by Councilmembers Swearingen/Martinez-Rubin to Adopt The City Of Pinole Proposed FY 2020-21 Operating Budget

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

10. NEW BUSINESS

None.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
1. Announcements
- B. Mayoral & Council Appointments
1. Resolution Forming The Faria House Ad Hoc Committee To Provide Guidance To City Staff On The Renovation Of The Faria House For Use As A Local History Museum [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

The Mayor introduced the item.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **Irma Ruport, Ivette Ricco, Jeff Rubin, Maria Alegria, Sal Spataro**

Council members made comments and held discussion regarding the history of the use of the the Faria House.

ACTION: Motion by Councilmembers Swearingen/Salimi Approving the Resolution Forming The Faria House Ad Hoc Committee To Provide Guidance To City Staff On The Renovation Of The Faria House For Use As A Local History Museum, Appointing Councilmembers Tave and Murray as Members and Directing Committee to Bring Back a Report to the Council at November 17th, 2020 Council Meeting

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

B. City Council Committee Reports & Communications

Mayor Pro Tem reported attending June 11th ABAG meeting and announced an increase in membership dues and highlighted items of discussion. Encouraged the public to stay healthy through the COVID-19 health crisis. Reported out most recent Census data for Pinole.

Council member Murray reported that he will be attending June WCCIMA meeting.

C. Council Requests For Future Agenda Items

Council member Tave requested a future agenda item for the School Board to bring back a presentation with an update on School Resource Officers. Consensus given.

Council member Tave requested a future agenda item for a presentation from the County regarding Animal Control Services. Consensus given.

E. City Manager Report / Department Staff


City Manager Murray announced the reopening of the public safety building and that City Hall will be reopening in the next week with safety protocols in place.

F. City Attorney Report

12. ADJOURNMENT to the Regular City Council Meeting of July 7, 2020 In Remembrance of Amber Swartz.

At 10:59 p.m. Mayor Swearingen adjourned to the Regular City Council Meeting of July 7, 2020 In Remembrance of Amber Swartz.

Submitted by:


Heather Iopu, CMC
City Clerk

Approved by City Council: September 1, 2020