

CITY COUNCIL MEETING
MINUTES
October 20, 2020

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

The City Council Meeting was held via Zoom videoconference and broadcast from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Swearingen called the Regular Meeting of the City Council to order 6:05 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Andrew Murray, 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 October 15, 2020 at 5:00 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

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.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code § 54957

Title: City Manager

At 6:04 p.m. Mayor Swearingen convened the meeting to a closed session.

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

At 6:45 p.m. Mayor Swearingen reconvened the meeting to open session and announced that there was no reportable action from the closed session.

Mayor Swearingen gave a report highlighting the current health guidance from Contra Costa

County as it relates to the COVID-19 pandemic. Provided updates regarding City services and upcoming activities. Announced location of the permanently installed ballot box and encouraged residents to use it to vote the general municipal election.

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: **Alma Yee, Bob Kopp, Carlos Kohan, David Rupert, Debbie Long, George Pursley, Irma Rupert, Ivette Ricco, John Woolley, Kristen Pursley, Lisa Belvey, Mike Ricco, Patti Athenour, Sarah Flashman, Rafael Menis, Francis Adebola-Wilson**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Recognizing Thomas Brooks for His Service to the City of Pinole As Planning Commissioner

Mayor Swearingen read the proclamation honoring Thomas Brooks. City Council members made comments thanking Mr. Brooks for his service and recognizing his efforts.

B. Presentations / Recognitions

1. Presentation by Supervisor Federal Glover, Supervisor John Gioia and LifeLong Medical Regarding Primary Care and Urgent Care Medical Services in Pinole

Supervisors Gioia and Glover along with representatives from LifeLong Medical presented information regarding the Lifelong Medical immediate walk-in care clinic that will be operating in Pinole. Council members asked questions. LifeLong Medical responded to questions.

Council held discussion with Lifelong Medical representatives regarding the level of service that will be provided and the adjustments to current service based on COVID-19 impacts and precautions.

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.

Council member Tave asked for an update from the City Manager regarding Item 7E. City Manager Murray provided information regarding the recruitment efforts for the Finance Director position and the amendment to the contract for the interim finance consultant that is being amended with item 7E.

- A. Approve the Minutes of the Meeting of August 18, 2020

- B. Receive the October 3, 2020 – October 16, 2020 List of Warrants in the Amount of \$616,634.17 and the October 16, 2020 Payroll in the Amount of \$467,265.51
- C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Placement of Liens For Delinquent Unpaid Waste Collection Charges Falling Delinquent Between May and July 2020, Considered at an Administrative Hearing on October 1, 2020 **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**
- E. Approve an Amendment to the Contract With MV Cheng & Associates, Inc for Finance Services to Extend the Term and Add \$70,200 For A Total Contract Amount of \$115,200 **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

ACTION: Motion by Council members Martínez-Rubin/Tave to Approve Consent Calendar Items 7A-7E.

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

NONE

9. OLD BUSINESS

NONE

10. NEW BUSINESS

- A. Revised City of Pinole Procurement Policy **[Action: Adopt Resolution per Staff Recommendation (Casher)]**

City Attorney Casher presented a report with an overview of the updates to the Procurement policy.

City Council members made comments and asked questions regarding different areas of the policy. Staff responded to questions.

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

ACTION: Motion by Council members Tave/Martínez-Rubin to Adopt the Resolution Approving the Procurement Policy and providing direction to staff to review the following procurement areas and report back to Council at a future meeting: Request for Proposals listed on the City website, Scoring Sheets in Contract Selection Process, Cumulative Thresholds for Contract Approval by the City Council, Social Policy, and Local Preference.

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

11. REPORTS & COMMUNICATIONS

A. Mayor Report **1. Announcements**

Mayor reported the ribbon cutting ceremony for the Pinole/Hercules Wastewater Treatment Plant that recently took place to commemorate the completion of the project.

C. Mayoral & Council Appointments **1. Planning Commission [Action: Consider Subcommittee Recommendations and Approval of Appointments (Iopu)]**

City Clerk Iopu provided a brief report providing background regarding the recruitment process.

The Planning Commission Interview Subcommittee Mayor Pro Tem Martínez-Rubin and Council member Tave made comments recognizing the applicant, Adam Benzuly.

ACTION: Motion by Council members Martínez-Rubin/Tave to Appoint Adam Benzuly to the Planning Commission for a Four-Year Term Commencing

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

Mayor Pro Tem Martínez-Rubin thanked Sarah Flashman for her continued interest in serving on the Planning Commission. Council members made comments recognizing Ms. Flashman's continued service.

ACTION: Motion by Council members Tave- Salimi to Appoint Sarah Flashman to the Planning Commission for a (4) Four-Year Term

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

2. Library Commission **[Action: Consider Approval of Appointment (Iopu)]**

City Clerk Iopu introduced the item and provided background information.

George Pursley provided a brief update to the Council and public regarding the library services modifications due to the COVID-19 pandemic. Council members made comments and thanked Mr. Pursley for his service and report.

ACTION: Motion by Council members Tave- Salimi to Appoint George Pursley to the Contra Costa County Library Commission for a term expiring on June 30, 2023.

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

D. City Council Committee Reports & Communications

Mayor Pro-Tem thanked Pinole residents who completed the Census 2020 survey. Gave report regarding CA League of Cities Annual Conference; due to lack of voting delegates present, no vote taken on resolution presented that aimed to address social media platform liability for their role in promotion of demonstrations/gathering of people in cities that leads to incurred costs by cities.

Reported that the WestCAT Board met on October 8th and the agency is in good standing based on its audit report. Board adopted resolution to adopt discounted Clipper card program. Made comments regarding local election and asked that candidates and their representatives act ethically and responsibly. Reminded candidates not to place materials in home mailboxes.

Council member Tave announced that Bus washing station is underway. Announced upcoming meeting of the Faria House Ad Hoc Committee.

Council member Murray reported that at the recent WCCIMA meeting the 2021 Household Hazardous Waste Budget was adopted. Provided details of the program and its importance and recent successes.

D. Council Requests For Future Agenda Items

Council member Tave requested a future agenda item discussing what options are available for local small business support through the CARES act funding. Consensus given.

Mayor Pro Tem Martínez-Rubin requested a future agenda item to discuss potential community engagement sessions in the upcoming year. Consensus given.

Mayor Pro Tem Martínez-Rubin requested a future agenda item for a status report on the Fire Services Study. Consensus given.

Council member Salimi requested a future agenda item to discuss City observance of Indigenous Peoples Day. Consensus given.

E. City Manager Report / Department Staff

City Manager Murray announced updates on City sponsored events food distribution and holiday events.

F. City Attorney Report

No report.

12. ADJOURNMENT to the Regular City Council Meeting of November 3, 2020 In Remembrance of Amber Swartz.

At p.m. Mayor Swearingen adjourned the meeting in honor of those serving in the military and Amber Swartz.



Heather Iepu, CMC
City Clerk

Approved by City Council: February 2, 2021

