

**CITY COUNCIL MEETING
MINUTES
November 3, 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 **6:04** 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
Anthony Tave, Councilmember
Vincent Salimi, 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 October 29, 2020 at 5:00 p.m. All legally required notice was provided. A revised version of staff report for item 7A was provided to the City Council after Agenda was posted to the website.

Following an inquiry to the Council, Mayor Pro Tem Martinez-Rubin and Council member Salimi reported a potential conflict of interest and announced that they will not participate in the Closed Session Item 3A.

The Council reported there were no conflicts with any other items on the agenda.

The following speakers submitted written comments regarding item 3A that were read aloud and will be filed with the agenda packet for this meeting: **Angela Schneider, David Rupert, Jr., Irma Rupert, Michael LeFebvre, Scott Tufnell**

Staff responded to public questions and comments.

Mayor Swearingen convened to a Closed Session at 6:22 p.m.

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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code § 54956.8

Property: 401-120-035 for 2100 San Pablo Avenue, The Faria House

Agency negotiator: City Manager Andrew Murray and Assistant City Manager Hector De La Rosa,

Negotiating parties: Pinole History Museum

Under negotiation: Terms

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

Mayor Swearingen reconvened the open session at 8:28 p.m. and announced that the Council directed staff to bring an initial report regarding the Pinole History Museum item to a future open session Council meeting for discussion.

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: **Jeff Rubin, Rafael Menis**

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 September 1, 2020

B. Receive the October 17, 2020 – October 30, 2020 List of Warrants in the Amount of \$426,319.32 and the October 30, 2020 Payroll in the Amount of \$406,863.04

C. Fixing the Employer's Contribution at An Equal Amount For Employees And Annuitants Under The Public Employees' Medical And Hospital Care Act With Respect To AFSCME, Elected Officials, Management And Unrepresented/ Confidential Employees [Action: Adopt Resolutions per Staff Recommendation (De La Rosa)]

D. Adopt A Resolution Authorizing the City Manager to Execute Department of Transportation (Caltrans) Local Assistance Documents Associated with State

and Federal Grant Funded Projects [**Action: Adopt Resolution per Staff Recommendation (Miller)**]

- E. Amend the Budget to Appropriate Funding Of \$965,000 For the Purchase of Equipment for Public Works [**Action: Adopt Resolution per Staff Recommendation (Miller)**]
- F. Authorize the City Manager to Execute the Purchase of Two Dump Trucks in An Amount Of \$428,198.76 And Appropriate Funding [**Action: Adopt Resolution per Staff Recommendation (Miller)**]
- G. Resolution Confirming Continued Existence of Local Emergency [**Action: Adopt Resolution per Staff Recommendation (Casher)**]

ACTION: Motion by Council members Murray/Martinez-Rubin to Approve Consent Calendar Items 7A-7G.

Vote:	Passed	5-0
	Ayes:	Swearingen, Murray, Martinez-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. Recommendations from The Beautification Ad Hoc Committee [**Action: Discuss and Provide Direction (Miller)**]

Mayor Pro Tem Martinez-Rubin provided an introduction describing the scope and actions of the ad hoc committee.

Misha Kaur, Senior Planning Project Manager, gave a presentation highlighting the recommendations of the Beautification Ad Hoc Committee. She reviewed the Work Plan, Evaluation Criteria and the top ranked projects including Clean Up, Education and Awareness Campaign, Art Program and Tree Planting.

City Council members made comments and asked questions. Staff provided additional information to provide clarification to the steps involved with implementation of the workplan.

- B. Receive A Report On City Of Pinole Expenses That Can Be Reimbursed By The Cares Act Funding Allocated To The City [**Action: Receive and File Report (Rocha)**]

Finance Consultant Genie Rocha and City Manager Murray provided a report to the City Council regarding Reimbursable Cares Act Funding and how it is being allocated to the City's COVID-19 response.

City Council members asked questions. City staff provided additional information to the City Council for clarification.

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
- C. City Council Committee Reports & Communications

Mayor Pro-Tem Martinez-Rubin thanked the community for adhering to safety measures in place to prevent the spread of the COVID-19 virus.

- D. Council Requests for Future Agenda Items

Council member Salimi requested a future agenda item to discuss the City's project labor agreement policy. Consensus given.

Council member Murray requested a future agenda item for the County to provide a report they are formulating on neighborhood mental health crisis response approaches. Consensus given.

Mayor Pro Tem Martinez-Rubin requested a future agenda item to discuss any plan or action that the City is taking to address Climate change. Consensus given.

- E. City Manager Report / Department Staff
- F. City Attorney Report

12. ADJOURNMENT to the Regular City Council Meeting of November 17, 2020 In Remembrance of Amber Swartz.

At 9:18 p.m. Mayor Swearingen adjourned the meeting to the Regular City Council Meeting of November 17, 2020 In Remembrance of Amber Swartz.

Submitted by:



Heather Jopu, CMC
City Clerk

Approved by City Council: March 2, 2021

