

CITY COUNCIL MEETING

MINUTES

April 6, 2021

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 Martínez-Rubin called the Regular Meeting of the City Council to order at 6:02 p.m. and led the Pledge of Allegiance.

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

A. COUNCILMEMBERS PRESENT

Norma Martínez-Rubin, Mayor
Vincent Salimi, Mayor Pro Tem
Anthony Tave, Council Member
Devin Murphy, Council Member
Maureen Toms, Council Member

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
David Hanham, Planning Manager
Chris Wynkoop, Fire Chief
Markisha Guillory, Finance Director

Assistant City Manager De La Rosa announced that the agenda was posted on April 6, 2021 at 6:00 p.m. and subsequently amended to include item 6B1. All legally required notice was provided.

Following an inquiry to the Council, the Council reported that 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 Pursuant to Gov. Code § 54957 Title: City Manager

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Gov. Code § 54957.6
Agency designated representatives: City Attorney Casher
Unrepresented Employee: City Clerk

At 6:06 p.m., Mayor Martinez-Rubin convened the meeting to a Closed Session.

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

At 7:00 p.m., Mayor Martinez-Rubin reconvened the meeting to open session.

City Attorney Casher stated that there was no reportable action for item 3A. For item 3B, the City Council directed staff to provide a 5% merit-based salary increase to be approved as a contract amendment.

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. Individuals may not share or offer time to another speaker. 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: **Debbie Long, George Pursley, Negeen Sedeghi-Movahed, Rafel Menis, Roy Swearingen**

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations/Recognitions

1. Certificate of Recognition for Jermaine Gitana, PVHS Student, Awarded As 2021 Contra Costa County "Poetry Out Loud" Champion

Mayor Martinez-Rubin presented a certificate of recognition to Jermaine Gitana. Mr. Gitana recited a poem. City Council members thanked Mr. Gitana and made comments in recognition of his achievement.

2. Presentation by County Animal Services

Presentation given by the County Animal Services department with information on current service levels. The City Council asked questions. The County representatives responded to Council questions.

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

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 Toms and Mayor Martinez-Rubin asked questions of staff regarding Item 7D. Staff responded to questions. Assistant City Manager De La Rosa made note of a revision to the agreement included in item 7D.

Mayor Martinez-Rubin recommended revisions to Item 7A which were noted by the City Clerk.

- A. Approve the Minutes of the Meeting of January 19, 2021
- B. Receive the March 13, 2020 – April 2, 2021 List of Warrants in the Amount of \$590,293.41, the March 19, 2021 Payroll in the Amount of \$389,306.18 and the April 2, 2021 Payroll in the Amount of \$413,610.53
- C. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Approve a Contract with the Pinole Seals to Operate the Pinole Swim Center for the 2021 Season **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- E. Approve a Facility Use Agreement with the Pinole Seals Club for Use of the Swimming Pool from April 6 – October 31, 2021 and Authorizing the City Manager to Execute the Agreement **[Action: Adopt Resolution per Staff Recommendation]**
- F. Approve an Amendment to City Clerk Heather Iopu's Employment Agreement to Ratify a Merit Increase Salary Adjustment **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- G. Approve an Amendment to the Contract and Issue a Task Order for CSG for Staff Augmentation for an Amount Not to Exceed \$100,000 **[Action: Adopt Resolution per Staff Recommendation (Miller)]**

ACTION: Motion by Councilmembers Toms/Salimi to Approve Consent Calendar Items A-G, with noted amendments to item 7A and 7D.

Vote:	Passed	5-0
	Ayes:	Martinez-Rubin, Salimi, Tave, Murphy, Toms
	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.

- A Conduct Public Hearing and Adopt a Resolution Confirming the Assessments and Ordering the Levy for The Pinole Valley Road Landscape and Lighting Assessment District for Fiscal Year 2021/2022 **[Action: Conduct Public Hearing and Adopt Resolution per Staff Recommendation (Miller)]**

Director Miller introduced Senior Project Manager Misha Kaur. Ms. Kaur presented a staff report.

At 8:27 p.m. Mayor Martinez-Rubin opened and closed the public hearing. There were no public speakers.

ACTION: Motion by Councilmembers Toms/Murphy to Adopt a Resolution Confirming the Assessments and Ordering the Levy for The Pinole Valley Road Landscape and Lighting Assessment District for Fiscal Year 2021/2022

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

9. OLD BUSINESS

- A. City Staff's Assessment of the Fire Study and Recommendations Regarding Steps to Fortify the City's Fire Service **[Action: Receive Report and Consider Approval of Staff Recommendation (Wynkoop)]**

Fire Chief Wynkoop presented a report with recommendations to the City Council on ways to fortify the City's Fire Service. He highlighted the details of the staff recommendations as well as provided a summary assessment of the Fire Study report from ESCI.

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

City Council members asked questions and made comments. Staff responded to Council.

ACTION: Motion by Councilmembers Tave/Toms to Receive Report and Approve Staff Recommendation

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

10. NEW BUSINESS

- A. Letter of Support for Senate Bill (SB) 18 Regarding Green Hydrogen [**Action: Consider Approval of Staff Recommendation (Murray)**]

City Manager Murray introduced the item and asked Council member Tave to provide background on this item as he requested it appear before the Council. Council member Tave provided information regarding the proposed Senate Bill 18 that is being considered.

ACTION: Motion by Councilmembers Toms/Tave to Approve Letter of Support for Senate Bill (SB) 18 Regarding Green Hydrogen

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

- B. Letter of Opposition to Senate Bill (SB) 9 Regarding Increased Density in Single-Family Zones [**Action: Discuss and Provide Directions (Murray)**]

Council member Toms provided background information regarding the proposed Senate Bill (SB) 9 that is being considered.

The City Council held discussion.

ACTION: Motion by Councilmembers Toms/Tave to Approve Letter to “Oppose Unless Amended”, Senate Bill (SB) 9 Regarding Increased Density in Single-Family Zones

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

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
1. Announcements

Mayor Martinez-Rubin announced attendance at the WCC Mayors and Supervisors meeting; highlighted WCCUSD presentation and discussion topics.

- B. Mayoral & Council Appointments
1. Bay Front Chamber of Commerce – Pinole Liaison [**Action: Discuss and Approve Appointment (Iopu/Murray)**]

City Clerk Iopu introduced the item and provided background information.

ACTION: Motion by Councilmembers Tave/Murphy to appoint Council member Toms as the Pinole Liaison to the Bay Front Chamber of Commerce through the end of the Calendar Year

Vote: **Passed** **5-0**
 Ayes: **Martinez-Rubin, Salimi, Tave, Murphy, Toms**
 Noes: **None**
 Abstain: **None**
 Absent: **None**

C. City Council Committee Reports & Communications

Mayor Pro Tem Salimi reported attendance at League of CA Cities East Bay Division meeting and highlighted discussion topics.

Council member Tave highlighted upcoming pending assembly bills that will be discussed at the League of CA Cities Policy Committee.

Council member Toms announced participation in CA League of Cities Housing & Economic Policy Committee; will be reviewing pending legislation.

Council member Murphy made statements regarding his decision to not recite the Pledge of Allegiance. Announced attendance at MCE and highlighted discussion topics. Announced upcoming Environmental Policy Committee of the CA League of Cities. Announced upcoming Coffee & Conversation event and Environment and Sustainability Taskforce meetings.

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to extend the meeting to 11:15 p.m.

Vote: **Passed** **5-0**
 Ayes: **Martinez-Rubin, Salimi, Tave, Murphy, Toms**
 Noes: **None**
 Abstain: **None**
 Absent: **None**

D. Council Requests for Future Agenda Items

Council member Tave requested a future agenda item to discuss a potential fireworks and possible collaboration with the City of Hercules.

Council member Murphy requested a future agenda item for a report on how CARES Act funding was expended. Consensus given.

Council member Murphy requested a future agenda item regarding SB 617. Consensus given.

Council Member Murphy requested a future agenda item for a presentation regarding ZEV 2030. Consensus given.

Council member Murphy requested a future agenda item to discuss the park restroom policy. Consensus given.

Mayor Pro Tem Salimi requested a future agenda item to denounce anti-Asian violence. Consensus given.

Mayor Martinez-Rubin requested a future agenda item for a report back on the City's plan to reopen, including in-person Council meetings. Consensus given.

ACTION: Motion by Councilmembers Toms/Salimi to extend the meeting to 11:30 p.m.

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

E. City Manager Report / Department Staff

Finance Director Guillory provided a report regarding additional expenditures and lost revenues that the City has experienced due to COVID, a summary of the Pinole Small Business Assistance Grant Program, and information on funding and eligible expenses related to the American Rescue Plan

F. City Attorney Report

No report.

12. ADJOURNMENT to the Regular City Council Meeting of April 20, 2021 in Remembrance of Amber Swartz.

At 11:33 p.m. Mayor Martinez Rubin adjourned to the Regular City Council Meeting of April 20, 2021 in Remembrance of Amber Swartz.

Submitted by:



Heather Lopez, CMC
City Clerk

Approved by City Council: June 1, 2021

