

CITY COUNCIL MEETING

MINUTES

April 20, 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 5:06 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, (6:09 p.m.)
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 15, 2021 at 4:00 p.m. All legally required notice was provided.

Following an inquiry to the Council, the Council reported the following conflicts:

Council member Tave reported a conflict on Item 8A.

City Attorney Casher reported that Council member Salimi, who was still connecting to the meeting due to a computer delay, had a reportable conflict for Items 3A and 8A.

At 5:09 p.m. Mayor Martinez convened the meeting to a Closed Session.

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
Gov. Code § 54956.8
Property: 401-142-011 (612 Tennent)
Agency negotiator: City Manager Andrew Murray, Assistant City Manager De La Rosa
Negotiating parties: Ebony Smith
Under negotiation: Price and terms
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Gov. Code § 54956.8
Property: 401-162-001 (2301 San Pablo Ave)
Agency negotiator: City Manager Andrew Murray, Assistant City Manager De La Rosa
Negotiating parties: Raquel Contreras
Under negotiation: Price and terms
- C. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Gov. Code § 54957.6
Agency designated representatives: City Manager Murray, Assistant City Manager De La Rosa, City Attorney Casher, Gregory Ramirez (IEDA)
Employee organizations: AFSCME, Local 1, IAFF

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

At 7:33 p.m. Mayor Martinez-Rubin reconvened the meeting to open session. There was no reportable action.

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, Joel Gannotti, Rafael Menis, Roy Swearingen**

At 8:03 Mayor Martinez-Rubin exited the meeting. Mayor Pro Tem Salimi took over as chair of the meeting.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

- A. Proclamations
 - 1. Recognizing Earth Day

The City Council read the Proclamation aloud. Council members made comments in support and recognition of Earth Day.

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

2. Honoring the Pinole-Richmond Lions Club in their 100th Year of Service

The City Council read the Proclamation aloud. Club officers John Pinckney, Franke Martinez and Audrey Newman spoke about the work of the club. Council members made comments in recognition of the work of the Pinole-Richmond Lions Club.

3. In Support of the Asian American And Pacific Islander Communities

The City Council read the Proclamation aloud. Mayor Pro Tem made comments in support of this proclamation.

B. Presentations / Recognitions

1. Presentation by Marin Clean Energy (MCE) on Programs for Pinole Residents and Businesses

Marin Clean Energy representative Mariela Herrick and Justin Marquez presented an update on MCE programs. Council members asked questions and made comments.

2. Presentation by Contra Costa Health Services on Recommended Changes to Response to Mental Health Crises

Contra Costa County Health Services Director Anna Roth presented an overview of the work the County is doing on a collaborative effort regarding the topic of Behavioral Health Community Crisis Response. Council members asked questions of Ms. Roth and held discussion regarding the approach and information presented.

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

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.

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

A. Approve the Minutes of the Meeting of February 2, 2021

B. Receive the April 3, 2021 – April 16, 2021 List of Warrants in the Amount of \$608,094.83 and the April 16, 2021 Payroll in the Amount of \$436,649.25

- C. Resolution Confirming Continued Existence of Local Emergency [Action: Adopt Resolution per Staff Recommendation (Casher)]
- D. Adopt a Resolution Amending the Lease Agreement Between the City of Pinole and the Pinole Community Players for Use Of 601 Tennent Avenue and Authorizing the Waiver of 50% of the 2020 Calendar Year Rent and Monthly Utility Fee in an Amount Not to Exceed \$3,725 [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

ACTION: Motion by Councilmembers Toms/Tave to Approve Consent Calendar Items A-D

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

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. Continuance of Public Hearing for Ordinance Adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code and Resolution Readopting Old Town Design Guidelines [Action: Approve Staff Recommendation to Continue Item (Casher)]

This item was taken out of order immediately following Citizens to Be Heard. Mayor Martinez-Rubin announced that she would leave the meeting early at 8:00 p.m. and that given that two Council members have reported conflict of interest on the item (Salimi/Tave) there would not be a quorum to hear the item.

The following speakers submitted written comments that were read aloud and will be filed with the agenda packet for this meeting: **David Rupert, Ivette Ricco**

City Attorney Casher responded to public questions.

ACTION: Motion by Councilmembers Martinez-Rubin/Toms to Continue the Public Hearing for Ordinance Adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code and Resolution Readopting Old Town Design Guidelines to the May 4, 2021 City Council Meeting

Vote: **Passed** **3-2**
 Ayes: **Martinez-Rubin, Murphy, Toms**
 Noes: **None**
 Abstain: **Salimi, Tave**
 Absent: **None**

9. OLD BUSINESS

- A. Consideration of Revised City Council Norms of Behavior **[Action: Review Reports and Adopt Resolution per Staff Recommendation (Murray)]**

City Manager Murray presented a report to Council highlighting the details of the staff recommendation. City Council members suggested changes to the proposed Council Norms document; Replace "Common Good" with "Public Good" and changing "Public Questions" to "Public Questions/Comments".

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

ACTION: Motion by Councilmembers Tave/Murphy to Approve Revised City Council Norms of Behavior, as amended

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

- B. Consideration of Proposed Revisions to City Council Meeting Procedures **[Action: Review Reports and Adopt Resolution per Staff Recommendation (Murray)]**

City Manager Murray provided an overview of the item. Council members made comments and held discussion regarding the proposed revisions.

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

ACTION: Motion by Councilmembers Tave/Murphy to extend the meeting beyond 11:00 p.m.

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

Council members discussed additional revisions for incorporation into the Meeting Procedures.

ACTION: Motion by Councilmembers Murphy/Tave to revise Item #5 to read "any council member may request" to "any council member may make a motion"

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

ACTION: Motion by Councilmembers Toms/Salimi to add language to section Section 3A, under Reports, that “the City Manager shall include a report on agenda items at the next meeting.”

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

ACTION: Motion by Councilmembers Toms/Salimi to add language “in coordination with the Mayor” to Section 6, Agenda Preparation

Vote: Passed 3-1-1
Ayes: Salimi, Murphy, Toms
Noes: Tave
Abstain: None
Absent: Martinez-Rubin

10. NEW BUSINESS

- A. Updated Park Rules and Park Bathroom Hours Policy **[Action: Adopt Resolution per Staff Recommendation (Miller)]**

Community Development Director/City Engineer Miller presented a report with background information. City Council members asked questions and made comments. Staff responded.

ACTION: Motion by Councilmembers Toms/Tave to adopt Resolution Approving Updated Park Rules and Park Bathroom Hours Policy, effective June 1st

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

The following speakers submitted written comments that will be filed with the agenda packet for this meeting: **Jim Neighbors and Friends, Kathryn Cleberg**

- B. Adopt a Resolution Approving the Adoption of a Complete Streets Policy **[Action: Adopt Resolution per Staff Recommendation (Miller)]**

City Manager Murray presented a brief overview of the item.

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

ACTION: Motion by Councilmembers Murphy/Toms to Adopt a Resolution Approving the Adoption of a Complete Streets Policy

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

11. REPORTS & COMMUNICATIONS

A. Mayor Report
1. Announcements

Mayor Pro Tem announced that Contra Costa County is doing walk-in appointments for COVID-19 vaccines.

B. Mayoral & Council Appointments

None.

C. City Council Committee Reports & Communications

Council member Murphy encouraged the public to get vaccinated.

Council member Toms announced attendance at League of CA Cities, Housing Community and Economic Development Policy Committee meeting; pending legislation was reviewed.

D. Council Requests for Future Agenda Items

Council member Tave requested a future agenda item for a letter of support for AB 988. Consensus given.

Council member Tave requested a memo from staff for an assessment on potential rehabilitation of the Senior Center. Consensus given.

Council member Tave requested a memo from staff on creating maintenance districts for fire prevention and their potential use in Pinole. Consensus given.

Council member Murphy requested a future agenda item for a letter of support for SB 612, Ratepayer Equity Bill. Consensus given.

Council member Murphy requested a future agenda item related to PCTV. City Manager Murray advised that the City will present more information on PCTV services during the upcoming budget process.

City Manager Murphy requested a future agenda item for a staff proposal to create a Communications and Technology Committee. Consensus given.

E. City Manager Report / Department Staff

City Manager Murray reported that City staff is working towards reopening facilities and returning to in-person Council meetings with the recommendations of the Governor and local health authorities.

F. City Attorney Report

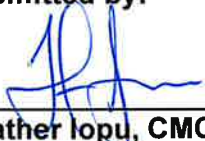
No report.

12. ADJOURNMENT to the Regular City Council Meeting of May 4, 2021 in Remembrance of Amber Swartz.

Council member Toms announced the passing of Lorraine Regier a community member and long-time member of the Assisted Living Committee member who contributed greatly in helping the City with her work.

At 12:25 p.m. Mayor Pro Tem Salimi adjourned the meeting to the Regular City Council Meeting of May 4, 2021 in Remembrance of Amber Swartz and Lorraine Regier.

Submitted by:



Heather Iopu, CMC
City Clerk

Approved by City Council: June 15, 2021

