

**CITY COUNCIL MEETING
MINUTES
January 18, 2022**

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 Salimi called the Regular Meeting of the City Council to order at 5:01 p.m. and led the Pledge of Allegiance.

2. LAND ACKNOWLEDGEMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

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

An official who has a conflict must, prior to consideration of the decision; (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself/herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov. Code § 87105.

A. COUNCILMEMBERS PRESENT

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

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Lilly Whalen, Community Development Director
Sanjay Mishra, Public Works Director
Misha Kaur, Senior Project Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Thursday, January 13, 2022 at 4:00 p.m. with all legally required written notices. No written comments had been received in advance of the meeting.

Following an inquiry, the Council reported there were no conflicts with any items on the agenda.

4. 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 LABOR NEGOTIATORS
Pursuant to Gov. Code § 54957.6
Agency designated representatives: City Attorney Eric Casher
Unrepresented Employee: City Manager Andrew Murray

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, suggested the City Manager had done a wonderful job for the City of Pinole. He was impressed by his résumé and he asked that the City Council take into consideration all of the wonderful things the City Manager had done while discussing the Closed Session item.

PUBLIC COMMENTS CLOSED

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

At 6:02 p.m., Mayor Salimi reconvened the meeting into open session and announced there was no reportable action from the Closed Session other than to correct the meeting agenda to reflect the Closed Session item which was not a Performance Evaluation of the City Manager, as shown on the agenda, but a Conference with Labor Negotiators.

6. 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.

Roy Swearingen, Pinole, expressed concern with potential impacts from a proposed housing development to be located on the former Kmart property at the Fitzgerald Drive/Pinole Vista Shopping Center. He suggested the impacts from this proposed development would exceed City services since he understood the development would consist of five stories whereas the City had only one fire truck and lacked a ladder long enough to reach a five-story building. If multiple calls for service were needed the Fire Department would be unable to respond in an adequate period of time. The City of Pinole also lacked an emergency hospital with the closest facility located in the City of Richmond, which was already overburdened. He suggested the project should be held in abeyance until such time that the City could handle potential impacts. Also, traffic on the I-80/Appian Way corridor had a Level of Service (LOS) F and any emergency response to the shopping center would not include a realistic time period. Additionally, another housing project was already underway on Appian Way further impacting traffic with no mitigations in place to address the problems created by this project. He asked the City Council to take the concerns into consideration which impact the community.

Cordell Hindler, Richmond, requested the following future agenda items: Invite the Northern California Promise Coalition to make a presentation to the City Council on their program; revisit the budget; and consider a second public comment section on the meeting agenda.

Rafael Menis, Pinole, read into the record words from a speech offered by Dr. Martin Luther King, Jr. in Selma, Alabama in 1965, particularly related to critical race theory.

Jeff Rubin, Pinole, President of the Pinole History Museum and the Pinole Historical Society, reported both Boards and its members hoped the City Council would consider and approve the renovation of the Faria House when reviewing the Capital Improvement Plan (CIP) this year, and approve the lease agreement the City Council had negotiated with the Pinole Museum's Board of Directors in 2020. A lease agreement would benefit both the City and the museum but had not been approved for political reasons. He pointed out the societal and financial benefits of a City museum had been presented to the City Council and the public and had been detailed again in the Pinole Historical Society Winter 2022 Newsletter, which was being delivered this week and available on the Pinole Historical Society website.

Mr. Rubin stated that the community had overwhelmingly supported a museum in the Faria House, the City had the funds to renovate the Faria House now, and to be successful a Pinole History Museum must be self-sustaining which was the objective of the Pinole Historical Society. He reported that fundraising efforts had been halted due to the pandemic but with unemployment low, businesses open again, the economy improving and the City in an upswing, the Pinole History Museum was preparing to mail its first donor appeal in more than two years, and would continue to raise funds for a Pinole History Museum whether or not it was located in the Faria House.

Ivette Ricco, Pinole, Chair of Pinole for Fair Government, took the opportunity to congratulate the new Mayor and Mayor Pro Tem. She reported that Pinole for Fair Government comprised ordinary citizens working for inclusion, communication, and a better Pinole, encouraging public participation in local government to help build a stronger and more resilient city. She stated that community leaders should argue for their priorities based on their merits and engaging in personal insults was never acceptable and created unnecessary division in the community. While Pinole for Fair Government respected the work of the Pinole Historical Society to preserve the City's history, both the Pinole History Museum and Pinole Historical Society President had chosen to use both platforms to spread inaccurate and damaging personal attacks on Pinole for Fair Government, its members and leaders. She clarified for the record that Pinole for Fair Government had never taken an official position of opposition to the history museum but rather questioned the use of public funds to support a project that may not be able to sustain itself without the continued and ongoing use of future public funds.

Debbie Long, Pinole, commented she had been made aware of the proposal for a 233-unit apartment complex to consist of five stories on the former Kmart property, although due to limited information from the City few people were aware of the project. She understood the Planning Commission would consider the application at its February meeting but historically once a project made its way to the Planning Commission it was difficult to stop. She hoped staff would have advised the Council the project was under review to allow input. She suggested the project was not feasible or appropriate for the site regardless of the zoning. She expressed concern with new staff, Planning Commissioners and the use of outside staff over the past few years, and the lack of input from stakeholders including residents.

Ms. Long suggested the City was depending on the shopping center and its tax revenues to get through lean years and pointed out that during their election campaigns, both Mayor Salimi and Council member Tave strongly supported bringing economic development into the City of Pinole. If the project was not stopped, she suggested it would eliminate economic development as it related to the Pinole Vista Shopping Center. She suggested the project should not be approved since it would take away future sales tax revenues, there were numerous unsafe traffic conditions that currently existed for pedestrians and bicyclists, the road had never been designed for residential use and had been poorly designed in general, ingress and egress to the site would be chaotic, the buildings would be 60 to 70 feet in height towering above existing development, and there was a high degree of crime at the location, among other reasons. While housing was needed, a large complex was not good planning inside the shopping center. She urged the City Council to keep the sale tax base strong and give direction to staff why the project would not work or benefit the City of Pinole.

Irma Ruport, Pinole, spoke to the history, achievements and influences of Dr. Martin Luther King Jr. She reported that Contra Costa County Supervisor Federal Glover had sent out a newsletter on January 18, 2022 and read an excerpt from that newsletter. She described her personal history having been born and raised in the State of Texas in the 1950s through 1970s, and asked that the City Council meeting adjourn in memory and in honor of Dr. Martin Luther King, Jr. She also read into the record the last speech Dr. King had recorded just prior to his death.

City Manager Andrew Murray clarified the Planning Division section of the City's website included information on all development applications proposed throughout the City. He confirmed a developer had submitted an application to develop a residential project on the former Kmart property, the application would be reviewed and considered pursuant to the City's processes for review, with the next step for the project to be presented to the Planning Commission at a meeting in February. He acknowledged feedback had been received about this project and concerns had been expressed by members of the community, which would be reviewed and analyzed as part of the regular application review process. Interested members of the public were encouraged to reach out to Planning Department staff and the Community Development Director to raise any concerns and participate during the Planning Commission meeting.

City Manager Murray added that City staff would be making a recommendation to the City Council at its next meeting on how to proceed on the potential renovation of the Faria House. The City Council had previously directed staff to prepare a Feasibility Study of the costs and revenues of various uses for the Faria House, and staff would be recommending a public engagement process on future uses for the Faria House and the community corner (the vacant lot at San Pablo Avenue and Tennant Avenue). Interested members of the community were encouraged to visit and sign up for notifications for future City Council meeting agendas to learn of the next steps for the two properties.

Mayor Salimi confirmed with the City Manager the City Council would consider making changes to the City Council Procedures at its next meeting, at which time there would be consideration of a second public comment section on City Council agendas.

Mayor Salimi also clarified that comments were to be directed through the Mayor and not a third party, and that everyone would be given a fair opportunity to speak.

7. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Honoring the City of Pinole Police Officer of the Year

The City Council read into the record a proclamation recognizing Pinole Police Officer Jason Dean as Pinole Police Officer of the Year for 2021.

Officer Dean was not present, was on duty, but was thanked for his service to the City of Pinole.

2. Honoring the City of Pinole Firefighter of the Year

The City Council read into the record a proclamation recognizing Captain Steven Michael Dorsey as City of Pinole Firefighter of the Year for 2021.

Council member Toms congratulated both Officer Dean and Captain Dorsey for their achievements and recognition of their work as emergency services staff.

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, found the honors to be extraordinary, was disappointed both men had been unable to attend the meeting to be thanked for their service in person, but hoped at some point there would be an opportunity for each to appear virtually.

Ivette Ricco, Pinole, congratulated Officer Dean and Captain Dorsey for their services to the City of Pinole. She respected, honored and applauded local heroes and their efforts to keep everyone safe.

Rafael Menis, Pinole, also applauded Officer Dean and Captain Dorsey for their recognition. In particular, he thanked Officer Dean for his actions in 2021 regarding a case where he had disarmed and neutralized a suspect involved in a shooting without causing any further loss of life. He found that action worthy of particular note and recognition. He also congratulated Captain Dorsey on his promotion and service to the City of Pinole over the years.

PUBLIC COMMENTS CLOSED

B. Presentations / Recognitions

1. City of Pinole Employee Recognition

City Manager Murray provided a PowerPoint presentation which identified new hires in the Police, Human Resources and Public Works Departments along with a retirement in the City Manager's Office.

The City Council welcomed the new staff to the City of Pinole.

PUBLIC COMMENTS OPENED

Cordell Hindler, Richmond, recognized the new Department Heads in the Human Resources and Public Works Departments. He had ideas to offer to fill the Assistant City Manager's position he hoped to provide in writing.

Mayor Salimi advised that the City Council would be recognizing the work of former Assistant City Manager Hector La Da Rosa very soon.

PUBLIC COMMENTS CLOSED

2. East Bay Economic Development Alliance

Community Development Director Lilly Whalen introduced Steven Baiter, Executive Director of the East Bay Economic Development Alliance (East Bay EDA). She detailed the background of East Bay EDA and one of the goals of the City's Strategic Plan to develop a comprehensive economic development strategy. The City had contracted with a consultant to develop the strategy and the work was currently underway.

Steven Baiter, Executive Director of the East Bay Economic Development Alliance (East Bay EDA) provided a PowerPoint presentation on East Bay EDA whose mission was to establish the East Bay Region consisting of Alameda and Contra Costa Counties, as a world recognized location to grow business, attract capital and create quality jobs. East Bay EDA accomplished this mission by augmenting and supporting existing city, county and private economic development efforts and implementing area-wide programs and services. He highlighted the numerous opportunities in the Bay Area region; the East Bay EDA Team; the region at-a-glance in terms of population, jobs, unemployment, educational attainment and venture capital investment; events and networking, strategic leadership and research along with reports that East Bay EDA provided; priorities; 2022 opportunities and challenges; the East Bay EDA network, members and leadership; member benefits structure; and events. He encouraged everyone to visit the East Bay EDA website to learn more, get engaged and work with East Bay EDA in different ways.

Responding to the Council, Mr. Baiter provided clarification on State policies and priorities with more momentum to provide incentives for housing recognizing brick and motor retail continued to suffer due to the pandemic with other revenue sources sought for municipalities, a trend that would likely continue. He suggested the moment was right to bring people together to discuss sharing challenges and opportunities with different stakeholders and the community with the goal of the City of Pinole for strong public safety, prosperous economy, good quality of life for residents, workers, and businesses particularly while considering attracting certain types of industries and businesses that may create more jobs or higher priority needs.

Mr. Baiter clarified the East Bay EDA website had identified the cost of membership and the criteria for membership was outlined. East Bay EDA had been in existence for around 20 years, and while membership in the past had been Alameda County-centric, the East Bay EDA outreach and footprint had been expanded into Contra Costa County. He again clarified the East Bay EDA data infrastructure and reporting, with twice a year information provided to each city on data points available to public and proprietary data sources to each of the member cities. Requests for specific analysis could be done depending on time, scope and depth of what was required. He also confirmed that East Bay EDA had taken a look at broadband on a number of levels, with each city at a different level of priority for that process, and to the extent that was a priority for the City of Pinole East Bay EDA could provide assistance in connecting to some of the networks where they may not already be connected and consider other opportunities in that space.

Council member Toms requested that consideration of membership in the East Bay EDA be added to the list of items to be discussed as part of the upcoming budget considerations.

Mayor Salimi agreed that staff should consider the City's membership in East Bay EDA.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, commented the map in the PowerPoint presentation had shown the City of Pinole above the City of Hercules, which should be corrected in future presentations. He understood that East Bay EDA was a cross-sectional organization working to improve economic development while encouraging six guiding principles, as had been outlined in the PowerPoint. While he found those set of principles a great point to start from, he questioned the primary goal of the organization. He also found that East Bay EDA's priorities had been focused on economic recovery but without care some areas of focus may undermine those priorities based on a number of reasons.

PUBLIC COMMENTS CLOSED

Mayor Salimi thanked Mr. Baiter for the presentation with possible membership in the East Bay EDA to be considered during the budget review.

Mr. Baiter looked forward to working with the City of Pinole.

8. 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 December 21, 2021 Meeting.
- B. Receive the December 18, 2021 – January 14, 2022 List of Warrants in the Amount of \$1,250,218.49, the December 24, 2021 Payroll in the Amount of \$465,747.57; and the January 7, 2022 Payroll in the Amount of \$610,963.29.
- C. Resolution Confirming the Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- E. Resolution Accepting Tobacco Education Grant **[Action: Adopt Resolution per Staff Recommendation (Picazo)]**

SUCCESSOR AGENCY ITEM (Item 8F only)

- F. Adopt a Resolution Approving the Recognized Obligation Payment Schedule for July 1, 2022 – June 30, 2023 (ROPS 22-23) for the Successor Agency in the Amount of \$6,296.775 **[Action: Adopt Resolution per Staff Recommendation (Guillory)]**

PUBLIC COMMENTS OPENED

Deputy City Clerk Roxanne Stone advised there were no comments from the public.

PUBLIC COMMENTS CLOSED

Council member Toms requested the following amendment to Item 8F: Pages 75 and 76, column E of the Pinole Recognized Obligation Payment Schedule (ROPS 22-23) – ROPS Detail July 1, 2022 through June 30, 2023, Lines 20, 27, 31 and 33, to update the termination dates to be consistent with the term of the ROPS, which revision she had communicated with the Finance Director and City Manager prior to the meeting.

ACTION: Motion by Council member Martinez-Rubin/Toms to Approve Consent Calendar Items 8A through 8F, subject to modification of Item 8F, as requested by Council member Toms.

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

9. 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

10. OLD BUSINESS

None

11. NEW BUSINESS

- A. Discussion of Options to Expand Electric Vehicles Charging Stations **[Action: Discuss and Provide Direction to Staff (Mishra, Whalen, Kaur)]**

Community Development Director Lilly Whalen and Senior Project Manager Misha Kaur provided a PowerPoint presentation on the Options to Expand Electric Vehicle (EV) Charging Stations as outlined in the January 18, 2022 staff report. The City Council was asked to receive the information on the options and provide direction to City staff.

Responding to the Council, Ms. Kaur explained that once the Public Safety Building project was completed this fiscal year there would be an opportunity for more public EV charging stations. She also clarified the rebate opportunities for the City and opportunities for Requests for Proposal (RFPs) as outlined in the staff report. She clarified the City of Pinole had not applied for the charge program through the Bay Area Air Quality Management District (BAAQMD), with public agencies and multi-family applications that were seeking grant funds required to make application

for a minimum of \$10,000, whereas other nonprofits or businesses must have an application for \$1 million. Unlike the charging program offered by Marin Clean Energy (MCE), the BAAQMD program has been based on usage of the EV charging station and on a reimbursement basis. The MCE program involved the installation of the infrastructure and money for the infrastructure itself or the cost of the installation in the form of a check, and the MCE program was not tied to usage.

As to the status of the Appian 80 project and the inclusion of EV charging stations, Ms. Whalen advised she would have to research the details of the approved project and the level of EV charging stations.

Ms. Kaur explained that benefit of a Feasibility Study was that many of the grants did not fund the installation costs and depending on the age of the building or electrical capacity, sometimes significant electrical upgrades were necessary. A Feasibility Study would narrow down the City's buildings which had the electrical capacity to support the EV charging station structure, which was key to expanding that infrastructure in the City.

Council member Toms wanted to see more outreach to single-family home EV charging station users. She commented in terms of the downtown and commercial areas that people that traveled long distances used an app to locate EV charging stations. The decisions on where to charge electric vehicles related to possible economic benefits to local businesses and she urged the combination of those uses and the installation of EV charging stations in Old Town

Ms. Kaur stated that while a survey could be considered to glean information on the challenges of driving electric vehicles, types of electric vehicles being driven, the demand for EV charging stations and other topics, the Feasibility Study would be more focused on the technical aspects of a site's capacity in terms of City-owned facilities.

Mayor Pro Tem Murphy sought more information on those topics in terms of the data points as part of the next steps.

Public Works Director Sanjay Mishra clarified that properties privately owned may have a liability issue and the City may not be able to install EV charging stations but may provide grant application assistance. Many private companies provided information to Google for Google Maps to identify the location of EV charging stations in a community including the type of charging station, cost, and the like. That information would be more readily available once the network expanded.

Mayor Pro Tem Murphy wanted more information on the best method for expansion which was different from the feasibility and where people utilized their own electric vehicle. Given Pinole had limited EV charging stations, he was curious where people went outside of the City to charge their electric vehicles and the challenges and any barriers to electric vehicle usage. He also wanted more information on the vehicle to building model and the cost estimates if the City were to realize savings in that way. He was aware of other cities having reduced their energy costs based on installing electrical vehicle infrastructure.

Mr. Mishra was unaware of such details at this time, although PG&E had data on time of day usage in terms of power needs. He could provide additional information at a later date.

Ms. Kaur clarified, when asked, that the City had not engaged with any car sharing companies at this time.

Mayor Pro Tem Murphy asked the City to consider a vendor-managed model for car sharing companies and consider an incentive program to benefit the City in the long term. He asked that staff provide more information on the benchmarks and wanted to see that identified in the Climate Action Plan (CAP) and Feasibility Study. He emphasized that advertising was also important at EV charging stations. He would encourage the use of the EV charging stations as a form of advertising and community engagement based on a not-for-profit model but would also be interested in a for-profit model as well. He looked forward to more information when moving forward.

Mayor Salimi understood that car ownership would dramatically change in the future. Given there were several highways in and out of the City, EV electric charging stations would be very important. He recommended future planning for areas that could be automatically dedicated for electric vehicles to charge themselves when traveling from point A to point B.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, thanked staff for the thorough and informative presentation. He referenced the opportunities that had been outlined in the staff report and questioned the use of the term “substantial remodel” which was a term of art many may not be aware but had been defined in the Pinole Municipal Code (PMC). He found there was a balancing act and while there should be regulations for new construction to allow building and improved infrastructure as rapidly as possible at the same time if the City imposed new regulations prior to improving public infrastructure there may be pushback requiring private entities to do things the City was not yet able or willing to do. He suggested if the City were to move forward with new regulations, it should also move forward simultaneously with a Feasibility Study.

PUBLIC COMMENTS CLOSED

Council member Martinez-Rubin spoke to the future planning options and, recognizing there were plans to be made, she would like to see where the City was with regard to the potential for EV charging stations either on public or private properties calling for the preparation of the Feasibility Study, which she supported. She also supported the assessment items staff had identified. She emphasized the importance for the Feasibility Study to distinguish what was feasible in working with private projects in contrast to public projects. She also sought a better sense of that for further understanding and eventual discussion on what was needed for the City to facilitate either the development or installation of EV charging station infrastructure, or a combination of the two, and create incentives for private parties and inform the public as to what was available for both public and private. She agreed another study was needed to figure that out.

As to those who currently had electric vehicles, Council member Martinez-Rubin understood that future State law may mandate all new vehicles be electric and she wanted more information on transportation planning in the future. She also wanted to see what the City could do in the next five years, as an example, to prepare for the following five years, taking into account the City’s resources and available federal funding and to what extent those funds were available to local jurisdictions. She supported a Feasibility Study to evaluate opportunities for installation of EV charging stations at City-owned facilities and concurrently consider what may be feasible to

facilitate EV charging stations for publicly-funded projects, and for the City to facilitate EV charging stations for private parties.

Council member Tave recognized the difficulty balancing the future with current issues. He pointed out the increase in costs for gas, PG&E and the contributions to Marin Clean Energy (MCE) with a lot of environmental factors to be taken into consideration. He was pleased the City was considering EV charging stations and starting that process, but the issue was the City's resources. The City Council had committed \$100,000 to start the process for EV charging stations in the community. He supported the staff recommendations as outlined in the PowerPoint presentation and agreed planning must start for the five-year process. He added that providing information to citizens was a plus and it would be nice to see the EV charging stations appear in the community to demonstrate the value of electric vehicles, climate action and the City's commitment to the CAP.

Council member Toms commented there were a number of options to consider. She would like to choose all options but prioritize them. She suggested getting EV charging stations faster would be to consider the future planning options and a Feasibility Study and some of the other options could be considered at the same time. She found all options would be great and would happen at different times. She reported the Municipal Code Update Subcommittee would be meeting in the next week and possibly discuss Reach Codes. She would prioritize all of the options, with the first being the Feasibility Study.

Mayor Pro Tem Murphy agreed the Feasibility Study was a priority but was uncertain what it would assess. He wanted additional information via the recommendations to consider a citywide survey distributed online or a community workshop open to residents, and he would like to see both happen. He asked about the barriers to the goal to having a zero emissions vehicle, wanted more information on the potential barriers facing current owners of electric vehicles and their experiences with current EV charging stations along with more data from Pinole residents, and wanted to see an effort to reach out to major shopping center property owners to learn of their experiences with EV charging stations, timing for parking lot improvements, and barriers to installation of EV charging stations. All of those topics were his highest priorities.

Mayor Pro Tem Murphy also wanted to see conversations with property owners be led with benchmarks the City Council and the City would like to create around electric vehicles in conjunction with the development of the CAP. He looked forward to additional information.

Mr. Mishra thanked the Council for the feedback with staff to pursue a Feasibility Study once the City Council had considered a request for funding.

Ms. Kaur clarified no funding source had been identified at this time.

12. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Salimi wished everyone a Happy New Year 2022. He reported on January 4, 2022 he and Council member Toms had met with Congressman John Garamendi who had visited the City of Pinole; reported that City staff had been impacted by COVID-19 which was why the meeting

agenda was so light; on December 23, 2021 he had attended the West County Mayors' and Supervisors' Association meeting with a presentation from the East Bay Municipal Utility District (EBMUD), and briefed the Council on the discussions. He had also attended the Contra Costa Mayors' Conference along with Council member Toms when there had been a presentation from the Rosie the Riveter Trust, and had received a number of telephone calls and e-mails regarding the status of the former Kmart property located at 1500 Fitzgerald Avenue, with more information to be provided to the City Council in the near future.

B. Mayoral & Council Appointments
1. TAPS Committee

City Clerk Bell presented the staff report. The City Council was asked to consider the Interview Subcommittee recommendation and the approval of the following four appointments for two-year terms to the Pinole Traffic and Pedestrian Safety (TAPS) Committee: Oliver Collins, Ben Doyle, Faith Dunham-Sims and Kent Moriarty.

Responding to Council member Martinez-Rubin, Council member Tave as a member of the Interview Subcommittee detailed the background of each candidate, with all information included in the January 18, 2022 staff report.

Council member Martinez-Rubin thanked returning candidates for their continued interest but was dismayed with the limited number of candidates. She looked forward to receiving future reports from the TAPS Committee.

Ms. Bell clarified in response to the Mayor that the TAPS Committee had held few meetings in 2021.

PUBLIC COMMENTS OPENED

Irma Ruport, Pinole, understood an existing member of the TAPS Committee had spoken during public comment at a past City Council meeting expressing concern with the lack of support for the TAPS Committee and limited meetings. She referenced the Local Road Safety Plan, and the fact the TAPS Committee had not met for some time. Based on her own experience, she suggested the limited number of applicants was due to a lack of support from the members of the Interview Subcommittee. The TAPS Committee was very important to solve and bring issues to the City Council and she encouraged the TAPS committee to be brought back to action and that volunteers not be turned away to allow all voices to be heard.

Anthony Vossbrink, Pinole, suggested that candidates had not been vetted well in the past and the TAPS Committee had not had the support of the Mayor and the City Council over the past few years. He had attended a prior TAPS Committee meeting and issues raised had not been addressed, with up to 80 percent of the TAPS Committee meetings having been canceled by the former Public Works Director. He agreed the TAPS Committee should be holding regular meetings, suggested the TAPS Committee protocols should be reviewed, and commented there were many reasons there had been a poor turnout with poor communication to the public on meeting dates and times. Also, the TAPS Committee met a week after the regular City Council meetings when the committee should be meeting prior to City Council meetings in order to allow the City Council to respond to any issues in a timely manner.

PUBLIC COMMENTS CLOSED

Mayor Salimi clarified there was no political discrimination against any applicant and all applicants in this case had been recommended for appointment. He apologized for any issues as a result of a prior City Council. He also clarified the meeting schedule held in the past for the TAPS Committee had no bearing on the City Council meeting schedule.

City Manager Murray explained that there had been a transition in staffing, the City Council had funded a new full-time Public Works Director position whereas in the past the Public Works Director had also served as the Community Development Services Director. The expectation was that with the new Public Works Director he would be able to provide better staff support for the TAPS Committee. He welcomed the City Council to contact him or Public Works Director Mishra with any additional questions about the TAPS Committee.

ACTION: Motion by Council members Toms/Tave to Appoint Oliver Collins, Ben Doyle, Faith Dunham-Sims and Kent Moriarty to the TAPS Committee for two-year terms.

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

C. City Council Committee Reports & Communications

Mayor Pro Tem Murphy wished everyone a Happy New Year. He also hoped that everyone had spent Dr. Martin Luther King, Jr. Day as a day of service or activism for voting rights or whatever suited anyone, or a day of rest. He reported there would be no meetings of the MCE Board this month, with the next regularly scheduled meeting to be held in February. An MCE Executive Committee meeting had been scheduled for January 21, 2022, at 12:15 p.m. All meetings were open to the public with more information on the MCE website.

Mayor Pro Tem Murphy also reported he had attended the League of California Cities Policy Committee orientation and would be serving on two different policy committees for 2022, with meetings scheduled for February 10 and 11, 2022. He briefed the Council on planned discussions. He had also met with some nurses from the California Nurses Association, commending their efforts during the pandemic, and briefed the Council on the details of Assembly Bill (AB) 1400, the California Guaranteed Health Care for All Act. As part of the requests for future agenda items, he would be requesting the City Council approve a Letter of Support for AB 1400.

Council member Tave wished everyone a Happy New Year and Dr. Martin Luther King, Jr. Day, emphasizing the importance of reflection on civil rights and voting; attended a meeting of the West Contra Costa Integrated Waste Management Authority (WCCIWMA) with AB 1383 to go into effect this year; the first Technology and Communications subcommittee Meeting with the Mayor Pro Tem, and briefed the Council on all discussions. He encouraged everyone to remain safe, get vaccinated and receive their booster shots to stay protected.

Council member Toms reported she had attended the second meeting of the Joint East Bay Wildfire Joint Powers Authority (JPA) with meetings anticipated through June; and a Western Contra Costa County Transit (WestCAT) Board meeting, briefing the Council on all discussions.

Council member Martinez-Rubin reported that WestCAT continued to have a lottery for anyone who subscribed to text alerts for any of the WestCAT lines, with more information on the WestCAT website. She had also participated with peers statewide to Chair the League of California Cities Revenue and Taxation Policy Committee with a meeting scheduled for February 10, 2022, and with more information on the League website; and she had spent time during the Dr. Martin Luther King, Jr. holiday as part of a leadership team on the Pinole Community Science Project. She added that information on free COVID-19 tests was available at www.usps.com/covidtests.

Mayor Salimi requested the information for free COVID-19 tests be posted on the City's website.

D. Council Requests for Future Agenda Items

Council member Martinez-Rubin requested a future agenda item to have the trustee and members of the West Contra Costa Unified School District (WCCUSD) provide a presentation on activities the WCCUSD may conduct in the next six months in the City of Pinole, which had implications as to how the City's operations may be affected, citing as an example the WCCUSD's distribution of COVID-19 tests which had resulted in a traffic backup. She also requested a future agenda item for RecycleMore to provide an update on what RecycleMore and the City needed to do to make composting bins accessible to the community. An additional future agenda item would be for staff to provide an update on the Preservation Ordinance and set aside a meeting date in April or May for the Pinole Community Science Project group to provide an update. Consensus given.

Council member Toms requested the Naming Committee meet to consider a request for a plaque for a tree in memory of former Public Works Director Dean Allison. She noted her understanding that if an elected official, such as representatives from the WCCUSD or EBMUD, desired an agenda item for City Council consideration they did not have to make a formal request for a future agenda item. She asked staff to clarify

City Manager Murray commented that process was not the way staff had interpreted the City Council procedures regardless of how it had been done in the past, particularly given the full City Council agendas. Future agenda items were to be approved by consensus from the majority of the City Council which was intended to manage limited resources. The City Council procedures would be reviewed at the next City Council meeting and could be amended at that time, if desired.

Council member Tave requested a future agenda item to reevaluate the City Committees, potentially add a stipend for each committee, and consider the level of authority for each committee.

Mayor Salimi commented he had requested reconsideration of the City Council salaries in the past, which was on a list of items for future action.

City Manager Murray reported the salary for City elected officials and stipends for Commissioners had been tentatively scheduled for the February 15, 2022 City Council meeting.

City Attorney Eric Casher reported there were a few Commissions that had been created and set forth in the PMC and the City Council may consider an ordinance to adjust authority and possibly make changes to the functions and responsibilities of those Commissions. It made sense for the City Council to have a discussion on what Commission or Committee authority should be amended and implement any directives from that point.

City Manager Murray understood the request for a future agenda item was to review existing Commissions' founding documents (including by-laws) and authority with the City Council to provide direction on any modifications. Consensus given.

Mayor Pro Tem Murphy requested a future agenda item to take action on a Letter of Support for AB 1400, with an open discussion on AB 1400 for the first meeting in February. Consensus given.

PUBLIC COMMENTS OPENED

Irma Ruport, Pinole, requested a future agenda item for a report on reasons for the closure of the Pinole Animal Shelter and the status of the building, such as whether the City owned the building. As a former member of the Economic Development and Affordable Housing Committee, which had been useful and productive, she asked that there be a City Council discussion to reinstate the committee.

Anthony Vossbrink, Pinole, agreed with the comments from the previous speaker and asked the City Council to honor the requests. He requested a future agenda item for review and installation of license plate cameras as soon as possible in the major corridors of the City.

Mayor Salimi requested a future agenda item for a presentation on the status of the Pinole Animal Shelter, the fees the City was paying for animal control, why there had been a delay in response times for Contra Costa County to service the City and why fees had increased. Consensus given.

In response to the Mayor, City Manager Murray advised that the City currently did not have an affordable housing committee. He was uncertain of the function of the committee referenced by the public.

Mayor Salimi asked staff to provide a status update on the duties of the Committee referenced by Ms. Ruport, which could be provided in the form of a memorandum. Consensus given.

Mayor Salimi requested a future agenda item to consider the creation of a Youth Committee.

Council member Toms suggested Parks and Recreation Department staff could provide an update during their quarterly report.

City Manager Murray recalled there had been a past practice for City Departments to provide updates to the City Council on a semi-annual basis, which practice had stopped as a result of other agenda items. He explained that if so directed by the City Council as a future agenda item, the Community Services Department could provide a discussion about potential tasks and activities for a Youth Commission, with information in a memorandum format, after which the City Council could consider whether to agendaize consideration of a Youth Committee for a future discussion. Staff could also clarify any age requirements for those serving on City Commissions/Committees. Consensus given.

Mayor Salimi reported the City Council had approved license plate readers in 2018 in sections of the City and cameras had been active since that time.

City Manager Murray stated staff could return with more information on possible expansion of the existing license plate reader program if so directed by the City Council. Consensus given.

Mayor Salimi requested a future agenda item for the City Council to consider a proclamation in the month of March in recognition of Nowruz, the Persian New Year. Consensus given.

Mayor Pro Tem Murphy understood the City had received a letter from the new President of Contra Costa College. He asked staff the status of a presentation from Contra Costa College and was informed by City Manager Murray no presentation had been agendized at this time unless so directed by the City Council.

Mayor Pro Tem Murphy requested a future agenda item for a presentation from Contra Costa College. Consensus given.

E. City Manager Report / Department Staff

City Manager Murray reported there would be a number of substantial agendas for the next few City Council meetings. He described the tentative items to be agendized for the February 1, 2022 City Council meeting and reported that staff had also provided information to the City Council in the form of a memorandum on the City's activities and successes related to pursuing grants. He wished everyone a Happy New Year.

F. City Attorney Report

City Attorney Casher also wished everyone a Happy New Year. He reported the Municipal Code Update Subcommittee would next meet on January 31, 2022, with a number of ordinances to be discussed for prioritization including an update to the Code Enforcement Lien Process, Fireworks Ordinance, encroachment permit requirements for rights-of-way, updates to the Code of Ethics, Electric Building Standards and updates to the Polystyrene Ordinance, with all ordinances to be brought before the City Council for first and second readings.

Deputy City Clerk Stone advised there was a public comment at this time.

PUBLIC COMMENTS OPENED


Anthony Vossbrink, Pinole, recalled the City Council had voted to approve a modification to the meeting agenda to provide a second Citizens to be Heard comment section towards the end of each agenda. He asked that public commenters be better appreciated by the City Council when participating in meetings.

Mayor Salimi reported that item would be on the City Council agenda for February 1, 2022. Once action was taken the City Council meeting agendas would be modified thereafter. At this time, the City Council was still operating under the old procedures.

13. ADJOURNMENT to the Regular City Council Meeting of February 1, 2022 in Remembrance of Amber Swartz and Dr. Martin Luther King, Jr.

At 9:56 p.m., Mayor Salimi adjourned the meeting to the Regular City Council Meeting of February 1, 2022 in Remembrance of Amber Swartz and Dr. Martin Luther King, Jr.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: February 1, 2022

