

**CITY COUNCIL MEETING
MINUTES
February 7, 2023**

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

The City Council Meeting was held in a hybrid format (in-person and via Zoom videoconference and broadcast) from the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murphy called the Regular Meeting of the City Council to order at 5:06 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

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

B. STAFF PRESENT

Andrew Murray, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Fiona Epps, Assistant to the City Manager
Lilly Whalen, Community Development Director
Sanjay Mishra, Public Works Director
Misha Kaur, Capital Improvement and Environmental Program Manager
Jeremy Rogers, Community Services Director
Maria Picazo, Recreation Manager
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Friday, February 2, 2023 at 4:00 p.m. with all legally required written notices. Written comments had been received in advance of the meeting, posted to the City website, and distributed to staff and the City Council.

Following an inquiry, Mayor Pro Tem Toms reported she had a conflict of interest with Consent Calendar Item 9D, as she currently headed the Policy Planning Division of Contra Costa County related to policy issues for the County's General Plan and just transition. As such, she abstained from the discussion of the item.

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.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Gov. Code § 54956.8

Property: 811 San Pablo Ave.

Agency Negotiator: City Manager Andrew Murray, City Attorney Eric Casher, Community Development Director Lilly Whalen, Suzy Kim (RSG)

Negotiating Party: Satellite Affordable Housing Associates (SAHA)

Under Negotiation: Price and terms

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gov. Code § 54956.9 (d)(1)

Name of Case: Californians for Homeownership

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referenced Item 4(2) and commented on his understanding the City of Pinole, as most municipalities in the State of California, was under the effect of the "Builder's Remedy" as of February 2, 2023. He asked the City Attorney to provide clarification.

City Attorney Eric Casher reported a writ petition had been filed against the City of Pinole, Case No. N230177, which called into question the City Council's January 17, 2023 adoption of the Housing Element and whether or not the action was in compliance with the State Department of Housing and Community Development (HCD) guidelines, which subject the City Council would discuss in Closed Session. A copy of the writ petition was available on the Contra Costa County Superior Court website for public review.

PUBLIC COMMENTS CLOSED

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

At 6:14 p.m., Mayor Murphy reconvened the meeting into open session and announced there was no reportable action from the Closed Session.

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.

Rafael Menis, Pinole, updated the City Council on the current COVID-19 case rate for the City of Pinole and continued to encourage everyone to wear masks indoors and outdoors, particularly in crowded spaces. He also provided the case rate statistics for some other cities in Contra Costa County which had similar case rates to the City of Pinole.

Ivette Rico, Pinole, President-Elect, Pinole Rotary Club, expressed her appreciation to the City Council and City staff regarding the Rotary Club's effort to bring back the Recognition Dinner and Crab Feed after a two-year pause due to the pandemic. She thanked Mayor Murphy, Mayor Pro Tem Toms, Council members Sasai and Tave for their attendance and their generosity of spirit. She particularly expressed her appreciation to City Manager Andrew Murray and his leadership team, Community Services Director Jeremy Rogers and his team and Oliva Roja for her assistance in getting tickets to the City Council and leadership team. As spring bloomed, she hoped new ideas and partnerships would be fostered and everyone would be inspired to do the right thing for everyone via service above self.

Ms. Rico also invited everyone to the Pinole Creek Community Clean-Up to be hosted by the Rotary Club in collaboration with Friends of Pinole Creek Watershed on Saturday, February 25, 2023, from 10:00 a.m. to 12:00 p.m. Everyone was asked to meet at the tennis courts near the library.

Stacy Poe, Pinole, reported on a PG&E power failure that had occurred on June 19, 2022, resulting in a diesel power generator having been placed at the corner of Sunnyview Drive and Bay View Farm Road, which had been operating 24/7 since that time. The unit involved regular maintenance inspections and smoke and noise from the generator had impacted the neighborhood. While she had filed a complaint with the Bay Area Air Quality Management District (BAAQMD) on November 21, 2022, she had been informed after inspection that the unit's emissions were within legal limits. She questioned that assessment given the unit had been operating 24/7 since June 19, 2022. She had also been made aware there was an issue between Comcast and AT&T as to the responsible party for repairs, which was why the generator was being allowed to operate 24/7. A smaller generator had recently been installed which had smoked for several days impacting the neighborhood resulting in another complaint filed with the BAAQMD. After that complaint, the BAAQMD had informed her the unit had been allowed since it was considered an emergency. She questioned why that emergency was being allowed to continue for months while the neighborhood continued to inhale diesel fuel. She had also been informed the City had issued a dig permit this date but no work had commenced. She urged the City to address the issue.

Mayor Murphy modified the meeting agenda and moved Item 7 for consideration after Item 8.

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Black History Month

The City Council read into the record a proclamation recognizing the month of February as Black History Month.

PUBLIC COMMENTS OPENED

Michele Lamons-Raiford, Advisor, Pinole Valley High School African American Student Union, thanked the City Council for the recognition, congratulated Football Coach Troy McConico, the first Black coach for Pinole Valley High School and thanked the City Council for seeing, honoring and promoting the epitome of equity, inclusion, diversity, belonging and accessibility. She also recognized Pinole Valley High School Principal Kibby Kleiman, who was present in the audience, and appreciated that Principal Kleiman always showed up for his students.

Jamela Smith-Folds, West Contra Costa Unified School District (WCCUSD) Ward/Area 1, Trustee, also thanked the City Council for the proclamation and emphasized the importance of being seen, heard and recognized. She was pleased that Pinole recognized and appreciated the contributions of Black Americans in this country.

Troy McConico, was honored to be part of Pinole Valley High School Class of 2013, and now as a teacher at Pinole Valley High School he was proud of the students and how far they had come. He thanked Ms. Lamons-Raiford, Ms. Smith-Folds and Principal Kleiman for all their work and emphasized that the City of Pinole had come a long way.

Rafael Menis, Pinole, remembered David Patrick Underwood, a resident of Pinole, who died protecting residents' freedoms as a federal law enforcement officer, and whose memory should be remembered as part of African-American history in the City. He also remembered Tyre Nichols, read into the record a few of his words, and shared some photographs from Mr. Nichols' website, which he asked also be considered as part of African-American History Month.

Anya Childs, a member of the Pinole Valley High School African American Student Union, thanked Ms. Lamons-Raiford for her work to allow students to express their voices, have a safe space, and learn about African-American history and for being a loving teacher.

Sheila McKinney, member of the Pinole Valley High School African American Student Union, also thanked Ms. Lamons-Raiford, and was proud to have a space to celebrate the diverse culture of African-American accomplishments and excellence.

Vanessa McGee, Pinole Valley High School alumni and current President of the African American Student Union, was honored to have worked with Ms. Lamons-Raiford, and commended her for her work over the years and encouraged the WCCUSD to hire more teachers of the same excellence.

PUBLIC COMMENTS CLOSED

2. Pinole Valley High School Football Team

The City Council read into the record a proclamation recognizing the Pinole Valley High School Football team for its accomplishments.

PUBLIC COMMENTS OPENED

Kibby Kleiman, Principal, Pinole Valley High School, thanked the City and City Council for the recognition, the recent parade honoring the athletes and congratulated the athletes for their accomplishments over this season. Those athletes were now a part of history as State Champions. He was pleased and honored the City had been part of this achievement.

Troy McConico, Pinole Valley High School Football Coach, also spoke to the efforts of his athletes who had overcome a lot of diversity but were now a part of history. He congratulated all athletes on the State Championship.

Gage Eda, a member of the Pinole Valley High School Football Team, also commented on the challenges the team had faced this season including challenges related to the pandemic. He thanked the City Council for the recognition.

Kenny Valdepena, a member of the Pinole Valley High School Football Team, echoed the comments of the previous speaker.

James Gordon, also a member of the Pinole Valley High School Football Team, thanked the City of Pinole, those who supported the football team, and also commented on the challenges and diversities the team had faced. He thanked everyone for recognizing the team's achievements in winning the State Championship.

PUBLIC COMMENTS CLOSED

The City Council again congratulated the Pinole Valley High School Football Team on its achievement, recognizing the hard work and looked forward to future achievements.

A. Presentations

1. Contra Costa College

Community Development Director Lilly Whalen introduced and provided the background of Dr. Kimberly Rogers, current Acting President and Evan Decker, Dean of Workforce and Economic Development, for Contra Costa College.

Dr. Kimberly Rogers, Acting President, Contra Costa College, highlighted for the benefit of the students who remained in the Council Chambers, Contra Costa College's Young Black Leaders program, Black Student Union and learning communities which focused on the African-American experience. She provided a PowerPoint presentation on Contra Costa College, which included an overview of the programs provided including ACCJC updates, transfer and equity success, increased enrollment, strong K-12 and adult partnerships and sports programs.

Evan Decker, Dean, Workforce and Economic Development, provided an overview of student enrollment statistics and stated that 75 percent of the students were part-time, 65 percent were degree or transfer seeking, and the college had an 89 percent retention rate. The college had also enjoyed a 74 percent course success rate with more than 350 students who transferred annually and more than 500 high school students who received college credit annually. He also highlighted Measures A and E, which funded and supported construction of four new buildings and a refurbished athletics facility and numerous programs that had been provided to the community and to all students including the Veteran's Resource Center, childcare, food pantry and free produce truck, student success workshops, comet wellness, safe zone and LGBTQAI support/Dreamers Alliance and mental health wellness services. A number of the academic and career pathways and health and wellness programs provided on-campus were also highlighted.

Mr. Decker announced that a Career and Internship Fair had been scheduled for March 9, 2023 from 10:00 a.m. to 1:00 p.m. at Fireside Hall. He welcomed all interested participants.

Council member Tave expressed a desire that the City find a way to connect its businesses with Contra Costa College and be a conduit for that effort. He understood that most city colleges were facing enrollment challenges and asked what steps were being taken to address a 2026 recovery from the pandemic deadline.

Dr. Rogers reported that Contra Costa College was working on that recovery now and since summer 2022, the college had positive growth from the previous year and was on track for an increase in the spring of 2023 of between six and nine percent over spring 2022. This was being achieved based on student needs including scheduling of online hybrid classes and scheduling of evening and weekend classes. Contra Costa College was trying to be very strategic in how it would meet students' basic needs and other needs that she detailed at this time.

Council member Sasai, a former student of Contra Costa College, was pleased with the new additions to facilities and the initiatives offered. He asked for clarification of the transfer rates over the past five years into University of California (UC) campuses.

Dr. Rogers stated she would have to get back with the figures for the past five years but emphasized that transfers were part of Contra Costa College's equity plan for 2022-2025, and reported the disproportion for Black students had been eliminated but more work was needed for the Latinx ethnic group.

Council member Martinez-Rubin asked why some students were not continuing beyond the two year retention rate, and sought more details on work with the Latinx group.

Dr. Rogers suggested the reasons could be financial, competing priorities such as children and needing to work and a misalignment between what was required and having the time for extra tutoring or having time for exams. She also highlighted Senate Bill (SB) 705 and Assembly Bill (AB) 1705 legislation.

Council member Martinez-Rubin was pleased some equity gaps had narrowed. To the extent those not in the educational system could continue to inspire students to attend junior college and continue their education, and in that formal setting and even with the certificate programs, having community college representation at City events such as National Night Out was important and should be encouraged.

Dr. Rogers confirmed that Contra Costa College had participated in National Night Out events and would be more than happy to table at City events when invited. She stated the college was committed to serving the community.

Council member Martinez-Rubin commented on the efforts in the past for the community to have a physical building that appeared to be a mini-university, and she suggested the environment made a difference in creating a learning situation that inspired. She commented that Pinole Valley High School was similar to a mini-college campus. She also spoke to the partnership of Contra Costa College and the Contra Costa Health Services Department during the pandemic, and stated the multiuse of the buildings had proven to be a nice resource for the public.

Council member Martinez-Rubin also expressed her appreciation for the adult programs that had been offered and clarified with Dr. Rogers the adult-focused programs that included ESL classes, all programs were open to people of all ages and the programs were credit and non-credit classes.

Dr. Rogers invited the City Council to visit the new Science Center with planetarium at the Contra Costa College campus.

Mayor Pro Tem Toms thanked Contra Costa College for its presentation and partnership with Pinole Valley High School and the use of its swimming pool for high school students. She had attended Contra Costa College and had transferred to the Cal State system, which at that time had been a way to get a college education with little to no debt and was something parents and students should consider as an affordable alternative to the costs of higher education. She congratulated the college and taxpayers for the incredible investment in the beautiful campus.

Mayor Murphy commended Dr. Rogers for her leadership and Mr. Decker for his work, as well as the partnership between Contra Costa College and the City. As a current student at the College, he looked forward to learning, being part of the college community and visiting the planetarium.

PUBLIC COMMENTS OPENED

Deputy City Clerk Roxane Stone reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

The City Council returned to Item 7.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Murphy reported he had attended the West County Mandarin School Lunar celebration with a video to be provided at a future City Council meeting. At this time a video titled The Beat of Pinole, February 2023 was displayed and included the Mayor providing updates on City and community events, activities and upcoming agenda items for the City Council and City Boards/Commissions/Committees. The video would be provided monthly with more information on the City website as part of the Communication and Engagement Plan. He identified and thanked all those who had helped to make the video.

B. Mayoral & Council Appointments: None

C. City Council Committee Reports & Communications

Mayor Pro Tem Toms reported she had attended a virtual meeting of a League of California Cities Housing and Community and Economic Development Policy Committee; and had attended the East Bay Leadership Council series event featuring the Chief Executive Officer (CEO) of Moms Demand Action; the Mayors' Conference and the Pinole Rotary Club Recognition Dinner, and briefed the City Council on all discussions.

Council member Tave reported he had attended the RecycleMore and West Contra Costa Transportation Advisory Committee (WCCTAC) Board meetings and briefed the Council on the discussions. He had also attended the Pinole Rotary Club Recognition Dinner which had been held at the Senior Center, a space he hoped would be revitalized in the future.

Council member Martinez-Rubin reported she had joined the Friends of Pinole Creek Watershed and Ocean Conservation Club from Pinole Valley High School for a monthly Coastal Clean-Up on January 21, 2023, and she thanked City staff for the facilitation of cleanup efforts. She highlighted the Thriving Earth Exchange and stated more information was available on the Project website. She had also attended a League of California Cities Revenue and Taxation Policy Committee and briefed the Council on the discussions.

Council member Sasai reported he had the opportunity to meet with the offices of Assemblymember Buffy Wicks and State Senator Nancy Skinner to discuss community needs and legislative packages. He had also attended the WCCTAC Board meeting and Community Corner Workshop and briefed the City Council on the discussions.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

D. Council Requests for Future Agenda Items

Mayor Pro Tem Toms requested a resolution in opposition to the Delta Tunnels Project as a future agenda item. Consensus given.

Council member Sasai requested a resolution in support of State funding for Adult School and Community College Education Programs for seniors as a future agenda item. Consensus given.

Council member Sasai requested staff return with a recommendation for how to implement a ban on plastic in checkout and in pre-checkout bags regardless of thickness and an increase in the minimum amount retailers may charge for allowable checkout bags from 10 to 20 cents as a future agenda item.

Mayor Pro Tem Toms advised that discussion was currently ongoing as part of the Municipal Code Update Ad-Hoc Subcommittee.

City Attorney Casher advised that the current discussion involved a ban on single-use plastics, which could include the issues raised.

Mayor Murphy asked that the item be moved forward as soon as possible.

Council member Martinez-Rubin requested staff prepare a discussion on the Taxpayer Protection and Government Accountability Act, which may include an invite to an analyst from the League of California Cities who could provide an overview of what had been presented to the Revenue and Taxation Policy Committee. Consensus given.

Council member Tave requested that the East Bay Municipal Utility District (EBMUD) be invited to make a presentation and that time be allowed for the City Council to discuss with EBMUD the City's water infrastructure as a future agenda item.

City Manager Murray explained the City Council had previously approved two future agenda items related to EBMUD; one a presentation and discussion on partnership opportunities between the City and EBMUD, and the other the possibility of a Memorandum of Understanding (MOU) between the City and EBMUD to prioritize certain water system repairs in the City in the aftermath of an earthquake. EBMUD planned to make a presentation on its operating costs and the possibility of rate increases. He could speak with EBMUD representatives on the possibility of combining those topics into a single EBMUD presentation slated for a longer time frame.

The City Council supported whatever EBMUD could do whether to accommodate all of the topics into one presentation or have two separate presentations, with the Mayor to work with the City Manager on scheduling.

Council member Sasai reiterated his earlier request for staff to return with a recommendation for how to implement a ban on plastic checkout bags and raise the cost for checkout bags from 10 to 20 cents as a future agenda item.

City Attorney Casher reiterated the request was within the purview of the current discussions of the Municipal Code Update Ad-Hoc Subcommittee. He also identified the process where a Council member could request an item or ordinance to be reviewed by the Ad-Hoc Subcommittee as a future agenda item, and explained that the Ad-Hoc Subcommittee was comprised of only two members of the City Council pursuant to the requirements of the Brown Act for subcommittees. He added that Ad-Hoc Subcommittee members may report out on subcommittee meetings and an item could be agendaized for a Council meeting such as with the earlier stages of an ordinance to allow for input from the Council.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

E. City Manager Report / Department Staff

City Manager Murray reported a community workshop had been held to solicit input from the community on the vision for the Community Corner; the City had held a parade down Pinole Valley Road in recognition of the Pinole Valley High School Football Team's State Championship; the Pinole Rotary Club held a Recognition Dinner recognizing the Pinole Police Officer and Firefighter of the Year along with City of Hercules counterparts at the Senior Center; and he provided a preview of the tentative agenda items for the February 21, 2023 City Council meeting.

City Manager Murray provided an update on the status of the caretaker's home at Pinole Valley Park. In the recent past, the City had allowed a City employee to lease the home and had received some compensation to lease the property at a low market rate. In return, that individual was to provide some maintenance of the picnic grove area, the dog park, dog park restrooms, other Pinole Valley Park restrooms and informal after hours supervision of the dog park.

The most recent City employee to lease the caretaker's home had moved out in March 2021. Subsequently, the City had decided not to re-tenant the property under the same arrangement and the property was currently vacant while the City considered other options. The caretaker's home included some restrictions on its use and staff was considering other options with Public Works Department crews performing the maintenance items.

City Manager Murray stated the caretaker's home was not deteriorating while unoccupied and was secure. He was not concerned with the status of the property while the City decided what to do. There would be an agenda item on the next City Council agenda to consider funding to create a Facilities Master Plan, which would provide some guidance on the use of City facilities such as the caretaker's home.

In response to Council member Tave, City Manager Murray reported City staff had worked with the Traffic Safety Consultant to review options for improving mobility and safety at Tennant Avenue, Pear and Plum Streets with the project to come back as part of the mid-year budget process and Capital Improvement Program (CIP) update to obtain direction from the City Council on how to proceed, which would be discussed at the February 21, 2023 City Council meeting.

F. City Attorney Report

City Attorney Eric Casher reported the Municipal Code Ad-Hoc Subcommittee had recently met to discuss text amendments to the Campaign Sign Ordinance and updates to the Code Enforcement section of the Pinole Municipal Code (PMC), to be presented to the City Council at its March 7, 2023 meeting for a first reading of the ordinance. As previously discussed, consideration of a Single-Use Plastic Bag Ordinance could take into consideration the recommendations provided by Council member Sasai at this meeting. He noted the Ad-Hoc Subcommittee would meet monthly the last Monday of each month to work through those items.

City Attorney Casher added he also attended the Rotary Club Recognition Dinner and commended everyone involved in the event.

PUBLIC COMMENTS OPENED

Deputy Clerk Stone reported there were no comments from the public.

PUBLIC COMMENTS CLOSED

Mayor Murphy returned to Item 6, Citizens to be Heard at this time.

Joanie Lacey identified herself as a Master Intern Student at Cal State East Bay and stated her attendance at the City Council meeting had been one of her assignments. As an Intern, she sought internship as a Social Worker and urged the City Council to consider high school and college interns. She emphasized the importance of internship programs.

Mayor Murphy asked the speaker to provide her contact information to the City Clerk.

9. 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 January 17, 2023 meeting.
- B. Receive the January 14, 2023 – February 3, 2023 – List of Warrants in the Amount of \$1,072,186.58 and the January 20, 2023 Payroll in the Amount of \$547,826.41 and the February 3, 2023 Payroll in the Amount of \$533,193.50.
- C. Authorize the Removal of Surplus Supplies, Materials, and Equipment No Longer in Use by the Pinole Senior Center **[Action: Adopt Resolution per Staff Recommendation (Rogers)]**
- D. Consider Adopting Resolution Urging Contra Costa County to Enact Measures to Phase Out Oil and Gas Operations on County Lands and Prohibit any New Drilling **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**
- E. Resolution Accepting a \$40,000 Grant from the State of California Energy Commission for Implementation of Automated Solar Permitting Platform **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**
- F. Approve a Two-Year Contract Extension with Precision IT Consulting for Administration of the City's Information Technology System in the Amount Not to Exceed \$756,529.44 **[Action: Approve Resolution per Staff Recommendation (Epps)]**
- G. Council Meeting Schedule **[Action: Adopt Resolution per Staff Recommendation (Bell)]**
- H. Approve Annual City Council Proclamation List **[Action: Approve Annual Proclamation List per Staff Recommendation (Stone)]**
- I. Adopt a Resolution to Increase Minimum Pay Rates and Step Increments of Certain Unrepresented Temporary/Seasonal Classifications and Amend the Master Salary Schedule **[Action: Adopt Resolution per Staff Recommendation (Shell)]**

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referenced Item 9A and the comments attributed to him as shown on Page 20 of the January 17, 2023 City Council meeting minutes related to the discussion as to when it would be an appropriate time for him to send in questions, with responses to those questions to be sent back to him from staff at some point. To date, he had received no response from City staff.

Mr. Menis also referenced Item 9D and urged the City Council to adopt the resolution as shown. He read into the record some of the whereas clauses in that resolution and stated it was important for the community to be aware why this item was an issue for the City of Pinole given the significant issues related to climate change. As to Item 9I, he referred to a number of entries in the Master Salary Schedule that were paid minimum wage, and expressed surprise that some Fire Department Reserve Personnel were paid at an hourly rate of minimum wage. He asked why that was the case. He also asked to what extent interns were being paid at minimum wage and questioned how they were able to find housing and live in the City of Pinole on minimum wage salaries.

Ian Cohen, a resident of Brentwood, also spoke to Item 9D and reported on an oil and gas well that had sprung up adjacent to the Kaiser Permanente facility in the City of Antioch. In that case, Contra Costa County had rubberstamped a permit without public input and another oil well had sprung up in the City of Brentwood 900 feet from residences in 2020, which where the campaign to “enact measures to phase out oil and gas operations on County lands and prohibit any new drilling” had kicked off. He urged the City of Pinole to adopt the resolution, as shown, and that there also be consideration of a countywide ban. He hoped the resolution would be adopted to create a cleaner future for the County.

Soshana Wechsler, Sunflower Alliance, a resident of Kensington, thanked the City Council for considering the resolution contained in Item 9D, which provided strong solidarity with East Contra Costa County communities faced with the threat of oil extractions on County lands and the emissions that may threaten neighborhoods, and stated this was not only a County, but a State of California and global issue. She pointed out the City of Pinole had a plugged and abandoned gas well that had been drilled 50 years ago and which was close to a park and in the backyards of neighbors at the intersection of Silvercrest and Victor Streets and Woodside Court. In East County, a driller requested permission from the State and County to resurrect oil and gas drilling. The County had almost 300 plugged and abandoned oil wells that could be reactivated at any time given the current regulations with no protections to avoid those possibilities. She thanked the Mayor for his enlightened position on climate and environmental justice and ensure moving beyond the old industrial paradigm of benefits at the expense of community health.

Mayor Murphy advised the City Council would vote on Item 9D separately given that the Mayor Pro Tem would have to recuse herself.

Council member Martinez-Rubin referenced Item 9H and requested the following modifications to the Annual City Council Proclamation List: Month of April add National Pet Day; Month of May add Local and Community History Month; Month of September add National Suicide Prevention Week (September 5 through 9, 2023), World Suicide Prevention Day (September 10, 2023), and National Punctuation Day (September 24, 2023); Month of October add International Day of Older Persons (October 1, 2023) and for the month of November add Veterans Day (November 11, 2023).

City Clerk Bell stated there could be other additions to Item 9H and the item could be continued or approved, as amended.

Mayor Pro Tem Toms also referenced Item 9H and requested the following additions: Month of July add Independence Day (July 4, 2023); Month of March remove Disability Awareness Month from the month of July and move to the month of March 2023; and for the Month of September add Constitution Day (September 17, 2023).

Council member Sasai requested a further modification to Item 9H by adding the Anniversary of Executive Order 9066, Incarceration of Japanese Americans for the Month of February (February 19, 2023); the Month of June add Philippine Independence Day (June 12, 2023); and for the Month of October add Filipino-American History Month.

Mayor Murphy requested an additional modification to Item 9H by adding Rosh Hashanah to the month of November.

PUBLIC COMMENTS CLOSED

ACTION: Motion by Council member Martinez-Rubin/Mayor Murphy to approve Item 9H, with the additional proclamations identified to be added to the Annual City Council Proclamation List.

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

ACTION: Motion by Mayor Murphy/Mayor Pro Tem Toms to approve Item 9H, Annual City Council Proclamation List, as modified.

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

Mayor Pro Tem Toms referenced Item 9G and noted the City Council meeting schedule did not include the April 22, 2023 budget workshop, and City Clerk Bell clarified that the list did not include special meetings but was a list of regular City Council meetings. In response to the Mayor who had asked for an additional date to be added at the end of June for budget discussions, she advised a tentative budget schedule would be presented to the City Council.

ACTION: Motion by Mayor Pro Tem Toms/Council member Tave to approve Items 9A through 9C, and Items 9E, 9F, 9G and 9I, as shown

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

ACTION: Motion by Council member Sasai/Mayor Murphy to approve Item 9D, as shown.

Vote: **Passed** **4-0-1**
 Ayes: **Murphy, Martinez-Rubin, Sasai, Tave**
 Noes: **None**
 Abstain: **Toms**
 Absent: **None**

10. PUBLIC HEARINGS: None

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.

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Capital Projects Prioritization Methodology [Action: Receive Report and Provide Direction (Kaur)]

Capital Improvement and Environmental Program Manager Misha Kaur provided a PowerPoint presentation on the Capital Projects Prioritization Methodology, which included an overview of the Capital Improvement Program (CIP), a five-year plan for the maintenance and expansion of the City's public facilities and infrastructure. She also highlighted the CIP categories and capital assets and the CIP project selection criteria and identified the deferred and delayed CIP projects due to a number of reasons including dependency on completion precursor projects/master plans in progress, dependency on other projects for coordinated efficient implementation, pending grant award results and obligations to complete grant funded projects, and coordination with private developers and utilities on associated projects or limited staff resources.

The capital project prioritization matrix, the prioritization categories and capital projects scoring were all highlighted with all information shown in the February 7, 2023 staff report. The purpose of the matrix tool was to be flexible to re-prioritize projects based on changing conditions with some projects to remain fixed in prioritization if already underway or if funding commitments were in place.

Ms. Kaur asked the City Council to review and approve the Capital Projects Prioritization Matrix. Staff was to rank the projects and create a proposed CIP based on the ranking and resources. The CIP would be presented to the Finance Subcommittee and to the Planning Commission to ensure consistency with the General Plan and thereafter to the City Council for final adoption. Staff would then reevaluate the prioritization of projects at mid-year and communicate any changes to the City Council.

Council member Sasai was pleased with the matrix and the way to prioritize CIP projects as much as possible. He asked whether or not it would be possible to divide the CIP projects into subgroups of three to five and have the City Council then reprioritize the subgroups, which could be a way to prevent reprioritization of the projects that could be ranked all the way to the bottom or all the way to the top of the matrix.

Public Works Director Sanjay Mishra explained that the CIP projects had been categorized as a group based on types such as facilities and roads. Staff had not ranked the CIP projects into subgroups but that could be considered.

Council member Sasai asked the number of projects in each category and was informed by Public Works Director Mishra there were seven to eight projects in each category, and Ms. Kaur clarified that most projects were in the road category with the least in the parks category.

Council member Tave thanked staff for the framework which helped with the prioritization but in reviewing the projects he asked whether there was a way to identify a funding score, identify the funding likelihood or a way to add another column to show the required funding as it progressed.

Public Works Director Mishra explained the City did not have a lot of grant funded projects, with the largest project currently the San Pablo Avenue Bridge project which depended on grant funding. While there was a good chance the City would receive the funding, there was the possibility the City may actually receive clumps of funding in one or more years. He commented that all of the CIP projects were of high value but where the City did not have the identified funds there was no other way than to wait and apply for funding. For those projects with smaller grants, the City made application on more than one round or if the City Council was willing to wait for City funds that could be considered as well.

City Manager Murray explained the funding component was an additional dimension to the CIP projects. The purpose of the matrix was as a decision support tool to provide an initial prioritization of CIP projects. After staff had that ranking, the City Council through the CIP budget process would allocate limited resources to specific projects. He suggested that staff could address the grant attractiveness as part of the prioritization matrix, which had also been incorporated as part of the final approval of the CIP.

Council member Tave liked the scoring system that had been highlighted in the PowerPoint presentation but he wanted to see the transition from the City staff recommendation versus prioritization and then translating that to the budget discussion without the City Council over- or under-spending. He suggested the matrix would be helpful to guide the initial step but the Council had to ensure funds were allocated appropriately to the projects the community needed.

Council member Martinez-Rubin further clarified the project ranking process but asked where there would be flexibility or whether decisions would be prolonged in a way that resulted in a deferral of a decision, possibly running the risk of a project not coming to fruition due to the process, which also involved input from the Finance Subcommittee and the Planning Commission.

City Manager Murray again described how the matrix would be used to help staff come up with the initial Draft CIP. After that, the CIP adoption process would be the same as in the past, with presentation to the Finance Subcommittee and the Planning Commission for input and thereafter to the City Council for final adoption. The matrix was intended as grounding and as a rationale for prioritization of CIP projects but the City Council would adopt the CIP which could be amended and modified as the City Council saw fit. He suggested it was worthwhile to go through the CIP development process for this upcoming year using the matrix tool to see how it goes and learn about the process incorporating this tool and learning whether or not additional limitations should be applied.

Council member Martinez-Rubin suggested the matrix be kept in mind for the existing CIP and possible new projects, and asked staff to consider how multiple benefits for any particular project could be weighed with the matrix as it had been created.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, commented that it appeared that political considerations were not being included as an extra matrix item and had not been accounted for in the matrix but treated where the City Council may change its mind and decide what projects to prioritize or not. He suggested it would be worthwhile to include some sort of variable for political influence or City Council interest within the matrix itself, which may help the prioritization process. He also argued that if the matrix was adopted, sustainability and conservation should have a higher category weight than one and should have the same weight as quality of life and have a category weight of two or three. Additionally, in response to the City Council's comments related to funding versus prioritization of projects, he suggested the operating budget impact may account for that already, but if not it was accounted for within the system. In response to Council member Martinez-Rubin's comments, a separate category for "intersectionality" could address overlap and synergies separate from project appendices bundling.

PUBLIC COMMENTS CLOSED

Council member Tave again clarified with staff the scoring process and categorization, with Ms. Kaur reiterating that each project would be rated on every aspect and every category, and if there was a project that had a double component, appeared in a long-term planning document, and improved quality of life, as an example, it may score higher but if there was no grant funding it would have a score of zero in that category, and then those categories would be multiplied and summed to make 100 points. If the desire was to change the category weight for any of the categories, as identified in the Power Point presentation, the weight category would have to shift to ensure a total of 100 points.

Public Works Director Mishra reiterated that each project would have all of the categories evaluated as staff had described to reach the weighted score.

Council member Tave suggested the matrix should not be modified as this time but provide a baseline to allow discussion of the CIP projects before decisions were made.

Mayor Pro Tem Toms suggested the matrix was a beneficial tool but she would like to see some guidelines as to how staff would score and ensure it was not totally subjective and there was some in-house criteria that would be used for the scoring system to ensure an even playing field. In response to the recommendation that sustainability and conservation have an equal weight as quality of life, she suggested those two categories should have a total score of three possible points but be separated and broken down. Similarly, budgeting impacts and grants could also be separated. She supported flexibility throughout the year given the infrastructure grant opportunities and did not want to lose grant opportunities if a project was given a lower priority ranking.

Council member Martinez-Rubin commented she had been part of the CIP and budget discussions in the past and it had not been a positive experience overall with conversations oftentimes late at night making it difficult to provide input on projects absent any rationale.

With the matrix, Council member Martinez-Rubin suggested there would be some rationale and she appreciated the utility of this tool with something comparable used by the Beautification Committee. She suggested the tool would be a benefit, would be overt while making decisions, but found the City Council could be holding on too tightly because there had already been discussions and ranking amongst the advisory groups. She wanted to see how the process worked for this go around and recognized staff had worked hard to articulate to the public how projects had been proposed and ended up in the CIP.

Mayor Murphy commended the Public Works Department team for the presentation. He agreed the information had not been presented in a transparent form in the past and he thanked staff for working with him to have this item agendaized for discussion. He found this was an important model for City staff and the public to understand how decisions were made, how capital projects were scored and in what categories, and as Council members they also brought the public interest into the discussion. He emphasized the public had the opportunity to address any Council member to identify what projects the public wanted prioritized.

Mayor Murphy also emphasized the need for the City to be on-point given available State and federal funding and he detailed some of the funding opportunities that were currently available to the City. He supported participatory budgeting on the City Council and would continue to champion that effort.

Mayor Murphy wanted to see The Balancing Act Tool prioritizing module be integrated into this process moving forward for the City's CIP process, which was a way to make data informed decisions on what the public wanted as part of the CIP process. He would like to see a plan on grant applications given the onset of State and federal grant opportunities, and commented that the prior City Council had allocated additional resources around Public Works consulting and he wanted to know what could be done to have the staffing needed to execute plans and to meet the resiliency project mandates. As examples, he referred to plans for recycled water feasibility and Senior Center Modernization, and how the City was not doing itself justice by not being prepared to have conversations on what staff needed to accomplish those projects. He sought from staff a developed plan on next steps to make sure the City got what it needed to allow the City Council to make that decision.

Mayor Pro Tem Toms offered a motion, seconded by Council member Martinez-Rubin to direct staff to use the Capital Projects Prioritization Methodology Matrix, as proposed, for the development of the CIP.

On the motion, Council member Tave suggested as is the matrix was great but he would like further direction given to staff on next steps, to include The Balancing Act Tool or a financial component as part of the matrix to further inform the next discussion.

City Manager Murray clarified The Balancing Act Tool would be used for the CIP, would provide a lot of input and could be integrated into the staff evaluation of some of the funding. In terms of the grant funding, there was a Strategic Plan strategy as a more organized grant seeking function of the City. As to the service model and resources needed for grant application activities, the budget process was an appropriate time for that discussion. In addition, the City Council had previously appropriated resources for capital project delivery but the constraint was getting the staffing in place.

ACTION: Motion by Mayor Pro Tem Toms/Council member Martinez-Rubin to direct staff to use the Capital Projects Prioritization Methodology Matrix, as proposed, for the development of the CIP.

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

B. Discussion on Monthly Food Distribution [Action: Discuss and Provide Direction (Picazo)]

Recreation Manager Maria Picazo provided a PowerPoint presentation that offered an overview of the February 7, 2023, staff report, and asked the City Council to discuss the food program options available through the Food Bank of Contra Costa and Solano County as outlined in the staff report and provide direction to staff.

Council member Martinez-Rubin asked about the age distribution of those participants in the distribution program over the past year and a half, to which Recreation Manager Picazo advised the majority of participants were seniors but there had been some young families. The Senior Food Program, as proposed by the Contra Costa and Solano County Food Bank (Food Bank), would be offered from 10:30 a.m. to 11:30 a.m. in the Senior Center food pantry. The program required a minimum of 50 participants at each distribution. Individuals may apply in advance at the Senior Center or apply the day of the distribution. Individuals must bring proof of age such as an identification or Driver's License and proof of home address, which could be a PG&E bill, water bill or statement listing the name and residence of the individual. The program would be supported by City Staff, volunteers, and staff from the Food Bank.

City Manager Murray clarified in the past the City of Pinole had participated in two food programs with the Food Bank. Staff was recommending participation in two food programs; one a main line monthly fresh produce distribution, the other which had sunset was the distribution of non-perishable items that could be provided to any member of the community but which the Food Bank was no longer offering. The program the Food Bank was now offering would be restricted to low income Pinole residents who were seniors. He described the qualification criteria as outlined in the staff report. He added that as the City determined what food recovery would look like as part of SB 1383, this landscape would change quickly when food recovery organizations were in place. He recommended the City move forward with the two programs as outlined in the staff report and wait and see what the food recovery system looked like.

Community Services Director Jeremy Rogers also clarified that the new program the Food Bank was offering was a federal program that included more restrictions. Staff and volunteers would have to do more documentation and paperwork as part of this more rigid program.

In response to Council member Sasai, City Manager Murray clarified the food pantry program that had been in place pre-pandemic no longer existed. That program had relied upon donations of soon-to-perish goods from three grocery store partners. He acknowledged City staff had not approached those grocery outlets to determine whether they were interested in continuing that program nor did the City have the resources to continue the program.

The Food Bank may be able to be a partner with the City to reestablish a food pantry, and the City could look to those grocery stores to determine whether or not they wanted to reestablish the prior program, although that would require a greater staff involvement than in the past. Also, the grocery providers' perspectives may have changed because of the criteria in SB 1383 as it related to perishable goods.

City Manager Murray emphasized that City staff did not have the capacity to institute a food program or mechanisms to procure food stuffs. The program required supervision by a staff person and could not be operated by volunteers. It would be a significant effort to reconstitute that program and he suggested it would be prudent and responsible for the City to conduct a gap analysis, to identify the gap in food security in the community, and determine whether a food pantry at the Senior Center was the effective way to meet that gap.

Council member Tave stated he had requested a future agenda item in the past for the Pinole Garden Club, which conducted an annual sale and which had a large volume of volunteers to flush out an idea for greenhouses and a place for growing food/seeds for Pinole residents. He understood other communities had similar programs and suggested the caretaker's property could start the process of growing food for residents. With food insecurity an issue in Pinole, he suggested the City would galvanize around this issue, local restaurants and food stores could be approached, and a staff person could flush this idea out. He suggested there were other groups and grant opportunities that could be considered as possible resources.

City Manager Murray confirmed that consideration of the establishment of a community garden had been rolled into the Parks Master Plan. There had been no conversation about the City playing a first-hand role growing produce to address food insecurity given that other organizations more appropriately did that work. There was nothing to stop the Pinole Garden Club or the City advocating the Garden Club to consider the donation of its produce. The scope of the subject item was a discussion of the food program that existed pre-pandemic, as outlined in the staff report, with the City Council to provide direction as to the level of partnership with the Food Bank or possibly to consider a different approach. The next step would be to continue to engage with the Food Bank and if the City Council wanted to do more in the future that would require more vetting and a broader discussion of food insecurity as part of the budget process.

Mayor Murphy asked whether or not an active volunteer list was available. He was informed by Community Services Director Rogers that the Senior Center had an active volunteer list for various tasks including food distribution, and Ms. Picazo understood the list of volunteers was comprised of 20 to 30 participants. The Police Department also had a list of volunteers that Department used and teenagers from Pinole Valley High School were used as volunteers for various community events.

Mayor Murphy suggested a Master Volunteer List kept by the Community Services Department to identify who volunteered for what City activity was important since capacity needs changed at different points of the year. He clarified with the City Manager and the Community Services Director that the Food Bank had a warehouse of food items that was offered to food insecurity organizations and not to private individuals. He recognized the City of Pinole may not want to be a full service City related to food insecurity but there was an opportunity to connect with the Food Bank as a public/private model. He confirmed with staff that consideration of working with the Pinole Garden Club and exploration of public/private partnerships would be part of the Parks Master Plan.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, commented on the potential use of old/vacant City property to ensure food security and suggested there be consideration of the highest and best use of such property, with the City to work with volunteers to provide more food resources to the City as a whole. In the event there was a complete breakdown in the food supply chain at local grocery stores, he questioned whether or not the City could provide food as a last result. He was uncertain that could be provided as part of a community garden given the potential need in the community.

Mr. Menis suggested it was a larger scale situation than the food distribution project and that gap in the community that needed to be filled was a different quantitative thing if other sources of food failed completely. If that was to be considered as a future agenda item, he was uncertain that was within the scale of things the City could do. He suggested consideration of a gap analysis was a good idea for the future regardless of the action the City Council may take on the subject, which data would be beneficial for the City to have as part of the discussions.

PUBLIC COMMENTS CLOSED

Mayor Murphy highlighted the statistical data staff had provided on monthly food distribution and volunteers for the events in Pinole. He understood demographic information had not been collected from the food distribution participants, which created a challenge, and if City resources were to be used the population involved should be identified. He noted the only food distribution partner thus far was the Contra Costa and Solano Food Bank but there were other partners. He served on the Mayors Alliance to End Childhood Hunger and advised that one in eight young people in the County were dealing with food insecurity.

Mayor Murphy understood the current focus was on seniors but he did not want to miss the gap in this discussion of food security. He recognized that many people looked forward to the Food Bank programs and while the focus was primarily on seniors, he understood that more families and children were impacted during the summer months when school lunches were not provided. He also spoke to the fact that the Black Panther Party had started giving out free lunches, that free lunch school programs had been started by a small group of citizens, and there were other efforts to ensure access to free food. He wanted everyone to think locally and think big.

Mayor Pro Tem Toms clarified with staff that the Senior Food Program to be offered twice a month was federally funded and as such she questioned how it could be restricted to Pinole residents, and Community Services Director Rogers explained that the program was also offered in other communities.

Mayor Pro Tem Toms liked the possibility of a community garden. She had worked with Urban Tilth in the past which had garden sites at other schools, community gardens and which had food giveaways and offered training on urban farming. Urban Tilth could be a good program for the Pinole Garden Club or other volunteers to replicate. She could provide some of those ideas to staff that could be incorporated into the Parks Master Plan. She also referenced the Buy Nothing Facebook page, which included posts on produce giveaways and which could be considered as part of a senior food pantry and another possible resource for the community. She supported direction to staff to proceed on the twice monthly program funded through the Food Bank.

Council member Tave agreed there were other food pantry organizations available in Contra Costa County and he emphasized the importance of keeping the program moving while considering other ways to improve conditions over time and not allow it to get worse.

Council member Martinez-Rubin supported the staff recommendation. As part of future discussions on a community garden, she looked forward to flushing out the idea more, involving the Pinole Garden Club and identifying the level of need.

Council member Sasai agreed with the Mayor that staff create and keep up a Master List of Volunteers and that the City make an effort to reinvigorate volunteers either through social media or other forms of community outreach.

Mayor Murphy emphasized the importance of connecting with the City's local grocery stores and other stores that could be helpful for other health purposes and suggested a universal basic income program for people to purchase food at the grocery store as a way of food distribution. He asked whether or not a food voucher program had been considered by the Community Services Department.

Community Services Director Rogers confirmed that a food voucher program had been discussed but had not been included in the staff report for this agenda item.

Mayor Murphy wanted more discussion on how to reach those in need with a food voucher or universal basic income program for food and an opportunity to ask the residents in need to come to the City. A gap analysis would also provide more information on who was applying for the programs and how to target those in need with more information, which had been done with small businesses as part of the Small Business Assistance Program. He suggested in that same way, the City could create a program by giving specific funds to families to buy groceries. While that had not been discussed, it provided the same intent as giving out food. He asked staff to opine whether such a program was possible to be established in the next two months.

Community Services Director Rogers stated that was something he would have to research and work with the City Manager.

City Manager Murray explained that the Small Business Assistance Program required a significant amount of staff work and if using that as a model doing something comparable with income support would be staff intensive. There were other organizations in the normal system of government and human and social services that provided income support services, and there would be an opportunity to work with another agency on a program like that as opposed to having the City implement such a program. He suggested the appropriate time to discuss such an option would be during the preliminary proposed budget process.

Mayor Murphy emphasized there was a need and there was a need for more data to continue to inform the understanding to scale the needs of the public and the needs of staff to implement such an idea. He found the two programs outlined in the staff report to be insufficient with more than seniors participating in past food distribution programs and with an age gap, and he would like to see what was needed to develop a food voucher program. He wanted to know the number of staff that needed to be involved to establish such a program.

City Manager Murray again detailed the staff time involved in the establishment of the Small Business Assistance Program which involved more than one staff person, and commented that irrespective of the resource question, if the City had the resources and identified the gap, which was not well defined, the question was whether the City was the best provider for this service since there were other organizations better equipped to do it. He asked the City Council not to leap to the conclusion it made sense for the City to act in this space even if it had the resources to solve this problem. He again suggested this was a topic better suited for the budget discussion.

Mayor Murphy wanted to know what was possible within the next two City Council meetings for staff to return with a list of potential partners to meet this level of service and the data to inform how to address food insecurity issues.

City Manager Murray suggested it was possible to have exploratory conversations with various organizations that may be able to provide food at below market rates if the City wanted to distribute it to Pinole residents, but he was uncertain how quickly staff could schedule conversations with local grocery stores and emphasized that staff was working on many other things in the same time frame. He reiterated the budget discussion was the appropriate time to discuss this option.

Mayor Murphy asked whether staff could reach out to local grocery stores with the intent to meet with them about these types of programs, and City Manager Murray stated he would have to figure out whether it made sense to bundle all topics with the local grocery stores in a single topic of discussion. He did not know the timeline for engagement for single use plastics, as an example, but suggested by the end of the month, he could reach out to all the grocery stores and see what could be possible with both a voucher program and donations of food items.

Mayor Murphy asked what could be done within the next month for staff to understand the gaps in food security in the City, to which City Manager Murray explained that typically a technical gap analysis would be done but he was uncertain what that would entail at this time. There could be non-profit organizations or other entities that had information about the needs of Pinole residents, but it would not answer whether a free food distribution program would get the food into the hands of those in need. He suggested within a month the data that was available could be identified.

Mayor Pro Tem Toms commented that this discussion was a bit beyond what City services were all about, and was more of a local and regional social services issue and they were almost stepping into expanding what the City provided. She was concerned providing basic income for residents out of the General Fund when the City was already financially constrained, particularly given that there were other governmental agencies that addressed those types of services.

Mayor Murphy explained that was why he was asking for more information from City staff to determine what partnerships were possible.

Council member Martinez-Rubin stated it was tempting and charitable to want to delve into social services and have the City provide those services but they had to consider the strategies in the City's plans, accomplish those, and do well and determine where the City could collaborate with other organizations that had built relationships and infrastructure to do the job that merited sustainability.

Council member Martinez-Rubin suggested the discussion was beyond the item agenda'd and in the interest of wanting to provide thoughtful discussions for the next go around, the City Council should pinpoint the approach it wanted to take and whether food insecurity was an issue in the City.

ACTION: Motion by Mayor Pro Tem Toms/Mayor Murphy to direct staff to proceed with the Senior Food Program, twice a month and to start having conversations with local grocery stores in Pinole regarding the reestablishment of the Food Pantry.

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

After the vote was taken, Council member Martinez-Rubin asked the City Attorney for guidance in that she wished to change her vote.

City Attorney Casher stated for the record and for the meeting minutes that Council member Martinez-Rubin may change her vote to an "aye" vote, if she wished.

Council member Martinez-Rubin requested for the record that she would like her vote for the following motion to reflect an "aye" vote.

ACTION: Motion by Mayor Pro Tem Toms/Mayor Murphy to direct staff to proceed with the Senior Food Program, twice a month and to start having conversations with local grocery stores in Pinole regarding the reestablishment of the Food Pantry.

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

ACTION: Motion by Council member Tave/Mayor Pro Tem Toms to direct staff to review the Contra Costa COVID-19 Food Distribution Map and its projections for the 2020 Food Insecurity Survey, as staff was developing a program and the enhancements suggested at this time.

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

- C. Discussion of the City's Participation in Earth Day 2023 (Saturday, April 22, 2023) and Possible Direction to Staff [**Action: Discuss and Provide Direction (Epps)**]

Assistant to the City Manager Fiona Epps provided a PowerPoint presentation for Earth Day 2023, scheduled for Saturday, April 22, 2023, which would include a number of activities throughout the month of April. City staff was to expand its community outreach efforts by partnering with local organizations with a series of events to take place at different times and places in the City of Pinole during the month of April. The main event would be Pinole Earth Walk scheduled for April 22, a festive community walking event for all residents to participate in a walking pledge for the planet, with the proposed path for the 3.1 mile route to follow the Bay Trail starting at Lone Tree Point in the City of Rodeo and ending at Fernandez Park. Participants would be offered eco-friendly refreshments as part of a community gathering. Other walking path alternatives were also being considered. Additional Earth Day activities throughout the month of April included City-wide community clean ups, student art display at City Hall, Earth Day video montage, website page, story reading at the Pinole Library, green waste and/or recycling demonstrations, plastic reduction workshop and fight climate change and a diet change cooking class.

Community groups that desired to be part of the Earth Day festivities would be contacted and the City would leverage established relationships on the workshops identified. Earth Day festivities would also include the participation of a number of City Departments.

ACTION: Motion by Council member Tave/Mayor Murphy to Extend the City Council meeting to 11:30 p.m.

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

Ms. Epps also clarified the fiscal impacts and estimated costs for the events/activities, as outlined in the February 7, 2023 staff report and asked the City Council to discuss ways in which the City could participate in Earth Day 2023 and provide direction to staff via minute order.

In response to Council member Martinez-Rubin, Ms. Epps reported the Principal of Pinole Valley High School had provided contact information for three art teachers regarding the student art display at City Hall, and she was scheduling a meeting to visit the school to determine what could be done with the students.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, liked the idea of Earth Month but noted that many of the activities had been centered around Earth Day with some events to be held multiple times during the month of April with the exception of the workshop(s) and cooking class. He asked whether or not those activities would be held one time or multiple times throughout the month of April, and Ms. Epps explained that the intent was to have one workshop but there would be an opportunity to record the activity and post it on the City website or have handouts available. Staff was planning to have one event each week for the month of April, which could be in the form of a workshop or other activity.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms suggested the art display at City Hall be open to elementary school age students. She added that the community had a run in the past that had started and ended at Fernandez Park using the creek trail and part of the Bay Trail, and she would provide staff with additional information on that route. She recommended the main event Earth Walk start and end at different routes with different distances. She added there was a walking group in Pinole and she could provide contact information to staff to an individual who had knowledge of the walking distances. She also commented that the Farmers Market would be held on April 22 and there could be an opportunity to obtain input on the Climate Action Plan (CAP) at that time. She noted that many students at St. Joseph and Pinole Valley High School needed to get community service hours and the community cleanups could be a good opportunity for the students to collect those hours. She looked forward to the scheduled events.

Council member Martinez-Rubin appreciated the creative list of Earth Day ideas and explained that including Pinole Valley High School photography students as part of the art display at City Hall was that they would not ordinarily be involved in stewardship. She noted that years ago the Beautification Committee had discussed the need to identify what was or was not beautiful about Pinole in regards to litter, and there had been a discussion with the Principal of Pinole Valley High School about exhibiting artwork and photography. She explained that the Principal had supported that idea but had asked for support for some quality displays or frames of the artwork to be exhibited. In terms of the budget, she asked that the estimate for exhibiting the artwork be increased to \$500.

Mayor Murphy agreed the Pacific Coast Farmers Market could be a good partner for the Earth Day events. He also noticed that small businesses in the community were still vying for green decision making and the California Green Business Network, Contra Costa College, Marin Clean Energy and the Contra Costa Consolidated Fire Protection District (CCCYPD) would be good partners for the effort.

Council member Tave offered a motion, seconded by Council member Sasai to approve the City's Participation in Earth Day 2023, as proposed by staff, and to modify the budget for the events by increasing the budget from \$100 to \$500 for frames for the hanging and mounting materials for art displays.

ACTION: Motion by Council members Tave/Sasai to approve by Minute Order, the City's Participation in Earth Day 2023, as proposed by staff, and to increase the budget from \$100 to \$500 for frames for the hanging and mounting materials for art displays.

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

13. CITIZENS TO BE HEARD (Continued from Item 6) (Public Comments)

Only open to members of the public who did not speak under the first Citizens to be Heard, Agenda Item 6.

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.

City Clerk Bell reported there were no comments from the public.

14. **ADJOURNMENT** to the Regular City Council Meeting of February 21, 2023 in Memory of former City of El Cerrito Council member Janet Abelson and in Remembrance of Amber Swartz.

At 11:17 p.m., Mayor Murphy adjourned the meeting to the Regular City Council Meeting of February 21, 2023 in Memory of former City of El Cerrito Council member Janet Abelson and in Remembrance of Amber Swartz.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: February 21, 2023

