

**CITY COUNCIL MEETING
MINUTES
September 19, 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 5:00 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
Eric Casher, City Attorney
Heather Bell, City Clerk
Alex Mog, Assistant City Attorney
Neil Gang, Chief of Police
Lilly Whalen, Community Development Director
Sanjay Mishra, Public Works Director
Jeremy Rogers, Community Services Director
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on Thursday, September 14, 2023 at 5:00 p.m. with all legally required written notices. Written comments had been received in advance of the meeting, distributed to the City Council, posted on the City website and made available to the public in the Council Chambers.

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

Gov. Code § 54957.6

Agency designated representatives: Greg Ramirez, IEDA

Employee organization: Management Compensation Plan (MCP)

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

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

At 6:06 p.m., Mayor Murphy reconvened the meeting into open session and announced there was no report 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.

Ann Moriarty, Pinole, Friends of Pinole Creek Watershed, thanked the City's Management Analyst Leticia Andreas, the Community Services Commission, members of City staff and those who had participated in Coastal Cleanup Day, which event had been very successful. She also expressed her appreciation for the good signage placed throughout the City prior to the event and reminded the community that monthly Community Creek Cleanup Days would be held the third Saturday of each month with the next event scheduled for Saturday, October 21, 2023 at 10:00 a.m. on the creek trail behind Sprouts. More information was available on the Friends of Pinole Creek Watershed website.

Ms. Moriarty further thanked Mayor Pro Tem Toms, Council member Tave and members of City staff who were pursuing an ordinance that would eliminate Plastic Foodware ahead of state requirements. She looked forward to continuing that work with the City.

Rafael Menis, Pinole, echoed the comments in praise of Coastal Cleanup Day in which he had participated. He otherwise commented on the tax extension granted to Contra Costa County residents and various other counties due to the winter storms, with taxes now due on October 15, 2023. He also referenced the recent wildfire smoke that had risen to unhealthy levels where standard N95 masks would not capture all particulate matter from the smoke and advised that specialized breathers would be needed.

Irma Ruport, Pinole, referenced and read into the record portions of a recent newspaper article dated September 16, 2023, regarding the City of Oakland's missed state deadline to receive a grant for crime aid. She was an advocate for grants and had participated in the March and April 2023 Finance Subcommittee meetings at which time she had advocated for the budget to include a grant writer in Pinole. She understood no cities in Contra Costa County had received funds from the state grant and commented on her past experience with the Department of Justice and grant programs for law enforcement. She recognized the City Council had recently approved funding for a grant writer and she urged the City Council to aggressively seek all grants and secure an experienced grant writer.

Mayor Murphy moved onto Item 8, Recognitions / Presentations / Community Events at this time

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Blood Cancer Awareness Month

The City Council read into the record a proclamation recognizing September 2023 as Blood Cancer Awareness Month and announced the City would host a Staff and Community Blood Drive on Thursday, September 21, 2023. The proclamation had been presented to the City Clerk who thanked the City Council for the opportunity to highlight the Second Annual Staff and Community Blood Drive to be held on September 21 at the Pinole Youth Center from 9:00 a.m. to 3:00 p.m.

2. Centenarian – Bob Burmester

The City Council read into the record a proclamation recognizing Bob Burmester on reaching Centenarian (100 years) status.

Bob Burmester, Pinole, thanked the City Council for the honor, commenting that he had spent most of his life and career in the City of Richmond until 1974 when he had relocated to a fantastic neighborhood in the City of Pinole.

3. Centenarian – Sam Campbell

The City Council read into the record a proclamation recognizing Sam Campbell on reaching Centenarian (100 years) status.

Sam Campbell, Pinole, thanked the City Council for the recognition.

4. Centenarian – Jean Clark Ulversoy

The City Council read into the record a proclamation recognizing Jean Clark Ulversoy on reaching Centenarian (100 years) status.

Mayor Pro Tem Toms extended her best wishes to Jean and Jim Ulversoy, and noted that Jean Ulversoy was a long-time resident of Old Town Pinole and the Ulversoy Family had a long history in the City of Pinole.

5. National Senior Center Month

The City Council read into the record a proclamation recognizing the month of September as National Senior Center Month. The proclamation was presented to Senior Center staff present in the audience.

Ginny Moon, a member of the Senior Center Board of Directors, commented on the programs offered by the Senior Center, which programs ensured people felt they belonged and were important, all of which was helped by the City's assistance, which she appreciated.

Mayor Murphy encouraged everyone to continue to support the work of the Senior Center, reported on the City's investment in the facility and the approval of a modernization project, and expressed his appreciation to all staff at the Senior Center.

6. Recognizing Police Commander Matt Avery – Special Olympics

The City Council read into the record a proclamation recognizing Pinole Police Department Commander Matt Avery for his dedication to the Special Olympics.

Commander Matt Avery thanked the City Council for the proclamation and stated he was humbled by the recognition and had been honored to be recognized as the Law Enforcement Volunteer of the Year for the Northern California Special Olympics, a world-wide movement, and the single largest grassroots fundraiser. He had been fortunate to be the point person for the Pinole Police Department and expressed his appreciation to the Chief of Police, Pinole Police Explorers, dispatch staff and his fellow Police Officers. He also recognized the support of City staff and the community for the Special Olympics. He announced the Bike to Bridges Bike Ride would be held on October 7, 2023 with two routes through the City of Pinole, with the event starting and ending in the City of Benicia. More information on the event was available @thebridgeride.com.

PUBLIC COMMENTS OPENED (Item 8A, 1-6)

Katie Ostrom, Assistant Vice President, Development & Law Enforcement Torch Run, Special Olympics Northern California, stated she had the honor of working with Commander Avery. She described in depth the many events that Commander Avery and the Pinole Police Department had participated to raise funds and awareness for the Special Olympics and other community events, and also detailed his many responsibilities and community involvement that was paramount to the success of those events. She thanked Commander Avery for his years of service in support of the Special Olympics and asked the City Council to join her in recognizing and congratulating Commander Avery as the Law Enforcement Volunteer of the Year for the Special Olympics of Northern California.

Jeff Jerge reported Commander Avery had also worked with the Pinole-Hercules Little League in addition to many other things not mentioned.

Mayor Pro Tem Toms asked that the bi-weekly Pulse Newsletter include the links for volunteers and riders for the Bike to Bridges Bike Ride event.

PUBLIC COMMENTS CLOSED

The City Council recessed at 6:56 p.m. for a brief reception in recognition of all proclamation recipients. The City Council meeting reconvened at 7:24 p.m. with all Council members present.

B. Presentations: None

The City Council returned to agenda Item 7, Reports & Communications.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Murphy reported he had attended the Mayors' Conference in the City of Clayton with a presentation on the work the City of Clayton was doing to ensure its buildings were net zero and with a discussion on energy assessment opportunities. He advised he would be inviting representatives from the City of Clayton and their partners to provide a presentation to the City Council at a future meeting. He also commented that he would continue to provide his monthly Mayoral Update, the Beat of Pinole, and again thanked City staff for its work on the video. He asked that Pinole residents share the monthly video with friends and family. He had also participated along with other elected officials in the Fallen Firefighter Memorial in the City of Clayton on September 11, 2023, which event had been sponsored and hosted by the Contra Costa County Fire Protection District (CCCYPD). In addition, he planned to attend the Annual League of California Cities Conference in the City of Sacramento this week.

B. Mayoral & Council Appointments:

1. Contra Costa County – Advisory Council on Aging [Action: Approve Lori Magistrado as Pinole Representative by Minute Order (Bell)]

City Clerk Bell presented an oral report on the Contra Costa County Advisory Council on Aging and recommended the City Council approve Lori Magistrado as the Pinole Representative by Minute Order to the Contra Costa County Advisory Council on Aging for a term of two years.

PUBLIC COMMENTS OPENED

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

PUBLIC COMMENTS CLOSED

ACTION: Motion by Mayor Pro Tem Toms/Council member Tave to approve the appointment of Lori Magistrado as the Pinole Representative to the Contra Costa County Advisory Council on Aging.

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

Absent: None

C. City Council Committee Reports & Communications

Mayor Pro Tem Toms reported she had attended the Mayors' Conference in the City of Clayton and that the presentation on energy efficiency had been very impressive. She was pleased the Mayor would be extending an invitation to the City of Clayton for a presentation to be made to the Pinole City Council. She had also attended the Coastal Cleanup and commended the amount of participation from local schools and all volunteers who helped organize the event. Additionally, she had attended the WestCAT Board of Directors meeting, at which time the Board had approved the purchase of six 35-foot-long heavy-duty transit buses to be delivered in the next 14-months, and announced that BART had changed its timing of train intervals and WestCAT would also make changes to be consistent with the changes BART had made. She further reported that National Night Out would be held on October 3, 2023 and would include an electric vehicle (EV) demonstration.

Council member Martinez-Rubin reported on her attendance at the Ad Hoc City Seal Subcommittee meeting and the Coastal Cleanup. She too thanked City staff and all volunteers and participants involved in the event and looked forward to seeing the visual data from the event post-cleanup. She also planned to attend the Annual League of California Cities Conference in the City of Sacramento.

Council member Sasai reported he had attended the Mayors' Conference; Ad Hoc City Seal Subcommittee and WestCAT Board of Directors meetings and had the opportunity to tour the GoMentum Station located in the City of Concord. He thanked the Contra Costa Transportation Authority (CCTA) Executive Director for taking the time to arrange the tour. He also had the opportunity to ride an autonomous personal rapid-transit vehicle developed by Glydways, with more information on this technology @glydways.com. Additionally, he had attended a Bay Front Chamber of Commerce Board meeting and briefed the Council on the discussions.

PUBLIC COMMENTS OPENED

Irma Ruport, Pinole, announced that September 15 through October 15, 2023 was National Hispanic Heritage Month, and she identified a large number of organizations in support of National Hispanic Heritage Month.

PUBLIC COMMENTS CLOSED

D. Council Requests for Future Agenda Items

ACTION: Motion by Council member Martinez-Rubin/Mayor Pro Tem Toms for the City Council to come back to the discussion on what was needed to decide the outdoor seating for eateries, with a date certain at the beginning of November 2023.

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

Mayor Pro Tem Toms asked staff to return with a report on what a Utility User's Tax (UUT) on fresh water from the East Bay Municipal Utility District (EBMUD) would look like, the revenue that could be generated and whether the measure could be on the March or November 2024 ballot. She suggested the report could be in the form of a memorandum or be incorporated into a future report on different choices for increasing revenue.

City Manager Murray explained that the report on various tax measures would include options and recommendations, such as expansions to the UUT already mentioned, although drinking water would be an addition.

Mayor Pro Tem Toms suggested if her recommendation could be included in the report on various tax measures that would be great.

ACTION: Motion by Mayor Murphy/Mayor Pro Tem Toms to invite the City of Clayton and its partner Climate Tech to make a presentation at a future City Council meeting.

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

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 this was his last City Council meeting as City Manager. He stated it had been a great honor to serve as the City Manager over the past four years and he referred to the many achievements and investments implemented during his tenure to improve City government. He added it had also been a pleasure to work with the prior and current City Councils, City staff and Pinole residents and he enjoyed having worked in the City of Pinole and he thanked the City Council for the opportunity.

Public Works Director Sanjay Mishra provided a status report on street lights in the City, with about 1,425 street lights in service in the City, 523 being the responsibility of the City of Pinole and 902 maintained by PG&E. Public Works Department staff scheduled two annual inspections to review street lights in need of repair or replacement in early April and October each year. The next regular inspection was scheduled to occur the first week of October during the early hours or at night. Collectors and arterials would be serviced by the Public Works Department with the exception of residential streets. He added the City depended on residents reporting any issues.

Public Works Director Mishra also provided an overview of the twenty service requests for the period January 2023 to date, with all service requests having been completed with the exception of three locations; 1905 Corte Cruz and two locations at Hutchinson Court.

Residents desirous to learn which lights were the responsibility of the City or PG&E could contact the Public Works Department or send an email to the Public Works Department.

Public Works Director Mishra acknowledged there were some lighting issues within the Lighting Assessment District along Pinole Valley Road where some of the lights had some technical issues but bulbs had been changed, as needed, when reported to the City.

PUBLIC COMMENTS OPENED

Mary Horton, Pinole, expressed her appreciation to City Manager Murray for his care and attention to the City. City parks had been well-manicured with attention given to the dog park and attention and response to things such as installation of speed humps, which made the City look better. She found the City Manager had done a great job, was sad to see him go, but recognized he was moving on.

Rafael Menis, Pinole, also expressed his appreciation to the City Manager. He recognized the challenges he had faced due to the sheer shift caused by COVID-19 and the need for employees to work from home, along with the reorganization of the City government. He recognized and praised the City Manager's skill in dealing with all of the challenges COVID-19 had brought and his personal outreach to community groups and organizations and responding to concerns, which was something he hoped the next City Manager would continue. He found the City Manager had done a great job managing the City due to the challenges faced, again commended his work with the community, his character and actions taken and the fact he had been readily accessible to the City Council, staff and the community. He wished him well in the future.

Anthony Vossbrink, Pinole, was disappointed the City would have to look for another City Manager. He would have preferred the current City Manager had completed many of the projects that had been started. While the Public Works Director had provided an update on street lights, he commented the situation with the street lights on the main throughfare in the City had been ongoing for some time, with lights out up and down Pinole Valley Road, San Pablo Avenue, Adobe Road and at the barbeque grove where a park light was out, which should all be addressed by the City and not passed onto PG&E and which issues had repeatedly been reported to the City. In addition, the street light between Kaiser and Sprouts had been out for some time and there should not be more excuses to address those issues. He also expressed concern with how speed bump arrows had been placed and painted, which did not allow the public adequate notice.

Peter Murray, Pinole, thanked the City Manager for stepping in as the City's City Manager. He had been a member of the City Council when the City Manager had been hired and suggested he had served the City well. He asked whether the City Manager's accomplishments would be recognized formally to allow the community to express its appreciation.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms echoed the comments in appreciation of the City Manager and commented on the number of plans that had been adopted at the direction of the City Council, which had brought the City up to speed. She thanked the City Manager for that work.

Council member Tave also detailed City Manager Murray's achievements during his tenure and thanked him for keeping the City in a positive trajectory. He wished the City Manager well.

Council member Martinez-Rubin also thanked the City Manager for laying the foundation for work that was being implemented today as well as setting the City in a good direction for years to come. She too recognized the challenges the City Manager had faced during the pandemic and the need to ensure that essential City services continued. She characterized the City Manager as talented, fair, and super-organized and she wished him good health and well in his future endeavors as well as joyful and collegial relationships in the workplace.

Council member Sasai also expressed his appreciation to the City Manager who had done a great job onboarding new Council members and he wished him well on his future endeavors.

Mayor Murphy further expressed appreciation to the City Manager for all of the work he had done and for being a partner, particularly regarding the reopening of Pinole fire stations. He thanked the City Manager for his years of service to the City of Pinole.

City Manager Murray thanked the City Council for the kind words.

Mayor Murphy asked the Public Works Director to place his street light report on the City website and in the Pulse Newsletter. He also clarified with the Public Works Director that staff was working on a Geographic Information System (GIS) Map of street lights in-house and it would be available to the public in the future.

F. City Attorney Report

City Attorney Eric Casher expressed his appreciation and he too thanked the City Manager for his service on behalf of the City of Pinole, and wished him the best on future endeavors.

PUBLIC COMMENTS OPENED (Items 7E through 7F)

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

PUBLIC COMMENTS CLOSED

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 Regular City Council Meeting on September 5, 2023.
- B. Receive the September 2, 2023 – September 15, 2023 – List of Warrants in the Amount of \$432,753.14, and the September 1, 2023 Payroll in the Amount of \$501,049.23.
- C. Adopt a Resolution to Accept the Electric Vehicle Charging Stations Project (CIP Project #FA2002) as Complete and Approve Filing of Notice of Completion
[Action: Adopt Resolution per Staff Recommendation (Dhillon)]

- D. Fiscal Year (FY) 2022/23 Fourth Quarter Report on Status of Capital Improvement Plan (CIP) Projects **[Action: Receive Report (Mishra)]**
- E. Receive the Quarterly Report on Implementation of The Strategic Plan for Fiscal Year (FY) 2022/23 Fourth Quarter **[Action: Receive Report (Murray)]**
- F. Appointment of Pinole Police Chief Neil Gang as Interim City Manager **[Action: Adopt Resolution per Staff Recommendation (Casher/Bell)]**
- G. Adopt a Resolution to Accept the Playground Rubberized Surface Improvements project (CIP Project #PA2203) as Complete and Approve Filing of Notice of Completion **[Action: Adopt Resolution per Staff Recommendation (Dhillon)]**
- H. Receive the Quarterly Report on Implementation of the Greenhouse Gas Inventory and Climate Action and Adaptation Plan for Fiscal Year (FY) 2022/23 Fourth Quarter **[Action: Receive Report (Whalen)]**
- I. Receive the Fiscal Year (FY) 2022/23 Fourth Quarter Financial Report **[Action: Receive Report (Guillory)]**
- J. Receive the Quarterly Investment Report for the Fourth Quarter (Ending June 30, 2023) **[Action: Receive Report (Guillory)]**
- K. Resolution Authorizing the City Manager to Execute the Fifth Amendment to the Agreement with Client First Technology Consulting to Provide Professional Support Services During the Upgrade and Migration of the Permit Tracking and Online Application System and Appropriate Funding **[Action: Adopt Resolution per Staff Recommendation (Whalen)]**
- L. Adopt a Resolution Correcting the Appropriations Limit for Fiscal Year (FY) 2022/23 and FY 2023/24 **[Action: Adopt Resolution per Staff Recommendation (Guillory)]**
- M. Resolution Declaring 2100 San Pablo Avenue (The Faria House) Surplus Land **[Action: Adopt Resolution per Staff Recommendation (Mishra)]**

Council member Martinez-Rubin requested that Item 9M be removed from the Consent Calendar, for discussion.

PUBLIC COMMENTS OPENED

Rafael Menis, Pinole, referenced Item 9D and CIP Project #SS2002, Water Pollution Control Plant Lab Remodel and asked why the lab replacement had been delayed indefinitely. For Item 9F, he asked whether Chief Gang would continue in his role as Police Chief, and while also serving as the Interim City Manager whether there would be any budget impacts for his serving both roles. For Item 9H, he asked whether the Greenhouse Gas (GHG) Inventory had been completed and for Item 9I, he noticed that revenues had been above expectations, sometimes significantly, and asked whether that was due to conservative estimation practices or other reasons.

Peter Murray, Pinole, referenced Item 9F and thanked Chief Gang for stepping up to serve as the Interim City Manager as the City proceeded with a recruitment process. He again asked that there be an opportunity for the public to be allowed to express its appreciation to City Manager Murray in recognition of his service to the City. He also asked about the potential recruitment costs for the City Manager position and whether the severance package to the City Manager was the overall cost of doing business.

PUBLIC COMMENTS CLOSED

City Manager Murray clarified, when asked by the Mayor, that staff had received questions from Mr. Menis late in the morning and that staff had responded to some but not all of the questions raised.

Mayor Murphy asked that staff respond to the questions raised by Mr. Menis and Mr. Murray.

ACTION: Motion by Mayor Pro Tem Toms/Council member Sasai to approve Items 9A through 9L, as shown.

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

Council member Martinez-Rubin explained that she had pulled Item 9M for discussion, specifically with respect to the resolution contained in Attachment A to the September 19, 2023 staff report. She clarified the language contained in the fifth whereas clause and asked for examples of “other entities”. Regarding the language in the sixth whereas clause, she asked whether the reference to “certain requirements” were legal requirements and were consistent with the City Council’s vision of what the property would become or to be determined or whether there were any examples staff could provide.

Assistant City Attorney Alex Mog provided clarification with respect to the law relative to other qualified entities. He stated the law specified a few types of entities that must be notified, such as housing providers that registered with the State Development of Housing and Community Development (HCD) and specified other entities such as park districts or property that could be used as a park, and school districts for property that may be suitable for future use by a school, and all of those entities would be notified.

As to the disposal of the land and other legal requirements, the purpose of the law was to further housing development and affordable housing development, and while the act did not require the property be used for housing, when the resolution referenced “other requirements” the law mandated that if one of the qualified entities responded during the initial period and developed the property for housing, 25 percent of the units must be constructed as affordable units. If the property was purchased by someone after being made available to the general public and used for housing development, 15 percent of the units on the site must be affordable housing, which would be consistent with the City’s Inclusionary Housing Ordinance.

Assistant City Attorney Mog stated the City Council would ultimately decide who to sell the property, and the City Council may take into consideration the proposed use of the property, with no requirement for the City Council to change the zoning or General Plan Land Use designation. The act did not mandate the property be sold to an affordable housing developer or specific uses, but providing those developers the first opportunity to make an offer to the City. The City Council may meet in Closed Session to discuss the terms of any sale but if discussing a more general vision for the site, that may be something that may happen in an open meeting, all depending on the scope of the conversation.

Mayor Murphy acknowledged some residents had raised concerns with some of the language in the resolution and he understood the Assistant City Attorney had responded to some of the comments. He asked for clarification.

Assistant City Attorney Mog confirmed there had been some questions from the public about whether the City had acquired the Faria House property and paid \$2.1 million for the property. He reported that in 1996, the former Redevelopment Agency had paid \$2.1 million for the Kaiser parcel where the Faria House had previously been located. Based on City records and speaking with staff over the years, the understanding was that the \$2.1 million was the value of the underlying real property and the Faria House had been included at no cost with nominal market value. There had also been a question about who owned the Faria House now and what had been paid for the property. The staff report noted the Faria House and underlying land had originally been paid for by the Redevelopment Agency and had been transferred to the Housing Successor Agency as a housing asset. In 2016, the City had purchased the Faria House itself, not the land, for a fair market value of \$30,000, and had transferred it from the Housing Asset Fund to the General Fund. The underlying land remained in the Housing Asset Fund. This information had been provided to those who had raised the questions via email.

Assistant City Attorney Mog added when asked by the Mayor that the City Council may as part of its motion revise the first whereas clause as follows:

WHEREAS, the former Redevelopment Agency acquired the Faria House and it was relocated at the expense of the former Redevelopment Agency to its current location at 2100 San Pablo Avenue; and

Or the recital could be removed completely.

Council member Martinez-Rubin suggested if pulling the deed for the Faria House, the name on the deed would indicate the home belonged to the City of Pinole, which the Assistant City Attorney confirmed. He again reiterated the history of the property as previously described.

ACTION: Motion by Council members Sasai/Tave to adopt a resolution declaring 2100 San Pablo Avenue (The Faria House) as Surplus Land, subject to the elimination of the first whereas clause.

Vote:	Passed	4-1
	Ayes:	Murphy, Toms, Sasai, Tave
	Noes:	Martinez-Rubin
	Abstain:	None
	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. Information on Establishing a Crime Prevention Through Environmental Design (CPTED) Grant/Rebate Program [Receive Report and Provide Direction (Whalen)]

Community Development Director Lilly Whalen provided a PowerPoint presentation on the establishment of a Crime Prevention through Environmental Design (CPTED) Grant/Rebate Program, a concept with a set of strategies proven to reduce criminal activity by addressing the physical environment, which took away criminal opportunities, showed would-be offenders a neighborhood was cared for and built relationships among neighbors to strengthen social and cultural norms against crime. Examples of CPTED strategies through natural access control, territorial reinforcement and natural surveillance and CPTED Rebate Programs were provided.

Community Development Director Whalen also highlighted the CPTED Rebate Program Budgets for the cities of Riverside and San Rafael; façade improvement programs and examples of façade improvement programs for the cities of Alameda, Carson, Dublin, Long Beach, Oakland, Pismo Beach and Roseville and the associated budgets. In addition, examples of combined CPTED programs with façade improvements were provided for the cities of Campbell River (BC Canada), Escondido and Eureka and the associated program budgets were also provided, with all information detailed in the September 19, 2023 staff report.

Community Development Director Whalen further highlighted the program development components and considerations.

In terms of the next steps, the City Council would need to identify a set of goals and program area, direct staff to return with a draft program structure, work with the City's new grant writing consulting firm Townsend PA, to identify grant funding opportunities that could support, implement and administer a CPTED or Façade Improvement Program, and explore a combined CPTED/Façade Improvement Program during the implementation of the placemaking activities in the Economic Development Strategy.

Council member Sasai liked the comprehensive report and examples of CPTED and Façade Improvement Programs. He asked staff to explain how prevailing wages would apply to such programs and Community Development Director Whalen understood the City would provide funding in the form of a grant or rebate and work done would have to be paid at prevailing wages.

City Attorney Casher confirmed that prevailing wages would be required pursuant to Section 1720 of the Labor Code, with respect to all public works projects paid in whole or in part with public funds. The Department of Industrial Relations (DIR) had a range of different types of trades and the different prevailing wage rates as set by the DIR.

In response to Council member Sasai who had asked how the cities that had both the CPTED and Façade Improvement Programs that offered grants to small business and commercial property owners would distribute the grants, Community Development Director Whalen understood some communities had a set maximum amount per business and some acknowledged larger property owners where the amount of the rebate would be much higher. As to any advantages of implementing a CPTED and Façade Improvement Program in placemaking efforts, she commented that the effort in the Economic Development Strategy had been focused on the downtown and aligning such a program with that strategy was a good idea. If the goal was a reduction of crime in the commercial shopping areas, the focus would be on a CPTED Program and expanded geographic area.

Council member Sasai asked whether there would be any legal barriers to using race or any other demographics to determine how to prioritize different grant levels.

Community Development Director Whalen stated she would have to look into that issue.

City Attorney Casher clarified the funds would be public funds and Proposition 209 restricted, which placed limitations on the use of race as a category for the award and expenditure of funds, and which would have to be considered when developing a CPTED program.

Council member Sasai suggested possibly income levels of business owners could be used to determine the metric. He also asked who on staff would facilitate such a program.

Community Development Director Whalen advised that as envisioned in the Economic Development Strategy, the alignment of placemaking activities was to focus on the downtown but if the focus was outside of the downtown the Economic Development Strategy did not contemplate that now and they would have to shift some things around and consider outside help to administer such a program. She confirmed the City Council may amend the Economic Development Strategy, focus and goals over the next five years as well.

Mayor Pro Tem Toms referenced the Old Town Design Guidelines the City Council had decided not to update but which had included some CPTED items. The Specific Plan and Economic Development Strategy also had plans with implementation programs where such funds could be directed. She suggested three entities could be involved in facade rehab and placemaking, including the business owner, property owner who had control over improvements on their property and the City if placemaking improvements were done in the public right-of-way (ROW).

Council member Martinez-Rubin asked whether there was any information from the Police Department where CPTED evaluations had been requested over the past five years where a program to reduce crime may be most effective and to allow a comparison if any improvements were made, although Community Development Director Whalen understood such evaluations in Pinole were rarely requested and the City did not keep track of those locations.

Council member Martinez-Rubin asked how a small business owner would be defined for CPTED, to which Community Development Director Whalen advised a small business owner would consist of twenty or fewer employees, independently owned or operated, or a locally-owned small chain. She also detailed the criteria for the Pinole Perks Program that had been modeled after the Small Business Grant Program, with no limit on gross receipts or reference to income eligibility.

Council member Martinez-Rubin supported a CPTED grant and rebate program but stressed the need to identify the best geographic area rather than the downtown. She sought more information where those areas were located in the City with an in-depth evaluation by the City Council.

City Manager Murray suggested if the City Council directed staff to return with more information or a recommendation on how to target the program it had the crime information and staff could come up with a methodology and window shield survey of sites that could benefit from façade improvements, their number, and the magnitude to allow the City Council to focus.

PUBLIC COMMENTS OPENED

Kelly Akagi, owner of Comic Cards Etc., a local business owner, reported he had been both vandalized and robbed seven times this year and he provided details of a recent incident when someone had vandalized the property, which had been captured on video and with the suspect having been arrested by the police. He commented on the cost of window repair after each incident and added that people had been sleeping in front of his front door and in front of the health care facility when the Police Department had been called to respond. People had also been known to sleep in the back parking lot leaving waste behind. He added the private parking lot was not clearly visible to passing motorists. He wanted more police attention to the area, which could help. After the last vandal had targeted the property, a police vehicle had been posted nearby but a nearby liquor store had been hit on two occasions.

Irma Ruport, Pinole, liked the CPTED Program. She commented she had been appointed to the Public Safety Committee years ago when there had been a lot of crime in her neighborhood at which time, she had also been a member of a Neighborhood Watch. She urged the City Council to consider implementing the CPTED Program as soon as possible. She emphasized businesses were leaving the City and the City needed to be part of the partnership between the Police Department and the community. She urged consideration of reinstating the Public Safety Committee to improve partnerships with everyone and provide solutions in the community.

Christy Lam-Julian, Pinole, commented that community character was a distinct identity of a place and collective impression of a neighborhood and the character of a community was measured by urban form, natural features and demographic makeup. Urban form identified whether a place was made for a few or for all residents, workers and visitors. Natural features communicated whether the community was designed for those to work, to play or live and the amount of time comfortably spent there. Demographic makeup intuitively told the community if it was welcoming to all people. She noted the City's Regional Housing Needs Allocation (RHNA) had identified 500 new units in the City over the next eight years and the Housing Element of the General Plan had been adopted by the City Council in April 2023, and had been approved by the state in July 2023. She encouraged the City Council to move forward with a combined CPTED/Façade Improvement Program and follow the next steps as staff had identified in the PowerPoint presentation. This investment would be a foundation to elevate safety, quality of life and economic sustainability for the City of Pinole.

Cordell Hindler, Richmond, agreed and suggested a CPTED program should be done quickly and to the point given that crime had increased in some areas of the City. He also agreed the City should reinstate the Public Safety Committee to bring partnerships between the police, community and business owners.

Rafael Menis, Pinole, suggested it was important when considering a CPTED to also consider the program's limits, which was not about staffing police but more about frequent patrols, funding grants to reshape the built-in environment of spaces to be less attractive to vandals and to be more separate with clear paths of ingress and egress. He recommended shielding by a wall narrowing an entrance down to one area making it more difficult to reach windows to vandalize them and grates on the windows or vegetation to make it more difficult to vandalize windows, which were often part of conditions of approval from the Police Department when projects were presented to the Planning Commission for consideration. He understood the program was primarily oriented towards the City obtaining grants from currently unknown income sources to fund private property owners to rebuild the space, and he offered design and architectural examples of how crime could be prevented. He suggested the City needed to be clear on what the program was and was not.

PUBLIC COMMENTS CLOSED

Chief of Police Neil Gang responded to questions from the Council and explained that he did not have specific data at hand on crime statistics. As part of the City's current planning design and review for new businesses, the City used CPTED philosophies for property and business owners to make properties more defensible, such as the use of Ring cameras and surveillance cameras. He would have to return to the City Council with more data to answer some of the questions about the number of CPTED evaluations, but he clarified there had not been an increase in robberies in Pinole but there had been burglaries and theft, which he defined and explained that the incidents at the comic store had been classified as criminal damage given the damage to the windows with no entry to the business. He agreed the parking lot for the business was dark and difficult to see from the street and motion lighting was very helpful to ensure visibility from the street. He acknowledged that the commercial areas and the areas along Fitzgerald Drive were more susceptible to crime.

Mayor Murphy asked whether there was any information from residents or business owners who had done CPTED evaluations, to which Chief Gang explained that Community Outreach Officers must be trained and certified in the CPTED evaluations and once a business or homeowner had a CPTED evaluation it was recorded and filed. He could return with more information but there had been only a handful of CPTED evaluations over the last few years.

Mayor Murphy sought more information as to why some business or property owners had decided not to follow the CPTED recommendations and if the City proceeded with a CPTED/Façade Improvement Program, he wanted to see that data as part of the next steps. He also wanted more information on the length of the CPTED evaluation process.

Chief Gang stated most of the process involved scheduling with the Police Department when a report would be complete within 24-hours of the CPTED evaluation. He also clarified that CPTED was a program, although the topic under discussion was more of a holistic approach for the entire City that could be brought to residents and members of the community.

Mayor Murphy asked whether the recommendations from the Police Department to the property owners included permit requirement information, and Chief Gang advised that was a more comprehensive approach with required interdepartmental collaboration that was not currently happening, and while there were opportunities for that to occur, the approach currently being taken by the Police Department was to make recommendations.

Community Development Director Whalen commented that the examples from other communities for the combined CPTED/Façade Improvement Program brought forward technical assistance from staff with the recommendations from the Police Department passed on to the Community Development or Economic Development Departments, which were then the lead to assist the property or business owner on the types of permits needed for improvements.

Mayor Murphy wanted more information on the matching grants versus the permitting and cost of permitting, and the types of financing that would be best for those who wanted to work quicker. He asked whether staff had any recommendations based on feedback from the Police Department as to why some property or business owners were not following the recommendations, which would help the conversation. If not, that conversation could continue at a future meeting.

Chief Gang agreed that a better job of follow-up could be done with the Police Department. He cited motion lighting as one of the biggest options for crime prevention but one of the challenges was between business and property owners where oftentimes there was a disconnect about who was responsible for such items.

Mayor Murphy asked whether staff had a list of current commercial property owners, and Community Development Director Whalen confirmed staff had that information and a list could be developed. She added some cities' programs had also waived the building permit fees as a component of the program and as an extra benefit to an applicant or awardee of the grant. In terms of determining the right amount for a grant that would support the business or property owner, it would depend on the goal of the City Council, the geographic area and the types of improvements desired to be made. Staff could have conversations with other staff using those programs and ask some of those questions.

Mayor Murphy also understood the CPTED Program evaluation had been budgeted in this current budget cycle but the grant and rebate program needed to create an additional allocation, which the Community Development Director confirmed and noted could be considered with a variety of different funding sources, as outlined in the staff report. The grant consultant could be asked to consider creative ideas for funding, to be brought back to the City Council for consideration.

Mayor Pro Tem Toms commented that when CPTED was incorporated into new construction and new designs that was one thing, but for a built community in an existing area, adding lighting or cameras may involve areas needing re-wiring. Ring cameras had minimal installation costs and there were also solar motion detection lights with no wiring. This technology was good and a fraction of the cost of an electrician installing lights or issues with any challenges between property owners and tenants.

Council member Martinez-Rubin understood the challenges working with some property owners, recognized the City needed to consider who it wanted most involved and discover the impediments for those property owners to proceed with CPTED options that would be beneficial to them. She cited some of the challenges for properties along Fitzgerald Drive as an example, sought more information as to why some of the CPTED improvements the Police Department had recommended were not being made, and requested an assessment of the conditions that supported creating and maintaining a CPTED program among property owners regardless of size and volume of sales, in an effort to make areas of Pinole safer where most feasible.

Council member Martinez-Rubin added the information provided from other cities with a CPTED or combined CPTED/Façade Improvement Program involved a range in size and budget for those communities along with a range in subsidy and support for a private property owner. She wanted to understand that variability and how it would be addressed.

Council member Sasai provided the background of how this item had come about from conversations he had with small business owners along Appian Way and Fitzgerald Drive, issues with break-in attempts, broken windows, and the fact that small businesses were still recovering from the pandemic, while also facing costly repairs from vandalism. That discussion had led to conversations he had with the Police Chief on CPTED. He suggested that CPTED would save small business owners and the City some money in operational costs or having the Public Works Department pay for dumping costs. He suggested the CPTED/Façade Improvement Program would address all of those goals.

Council member Sasai offered a motion, seconded by Mayor Pro Tem Toms to direct staff to return with a draft program structure for a CPTED/Façade Improvement Program, work with the City's new grant writing consulting firm Townsend PA to identify grant funding opportunities for said program, and also include applicable property crime data in the report.

On the motion, Council member Martinez-Rubin asked about the goals of the CPTED program, and while she recognized the goals would be defined later, she wanted more information from Council member Sasai on the intent of the CPTED. She asked for a baseline that would indicate why the CPTED Program would make a difference in three to four years and asked staff to return with that information.

Council member Sasai stated the goals of the CPTED Program would be crime prevention and beautification of the City, which could produce great outcomes across the board.

Mayor Pro Tem Toms pointed out the PowerPoint presentation had included before and after photographs to highlight the differences when eliminating hiding places for windows and doors and closing the gap in areas susceptible to criminal activity.

ACTION: Motion by Council member Sasai/Mayor Pro Tem Toms to direct staff to return with a draft program structure for a CPTED/Façade Improvement Program, work with the City's new grant writing consulting firm Townsend PA to identify grant funding opportunities for said program and to also include applicable property crime data in the report.

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

B. Overview of City Boards and Commissions (Action: Receive Report and Provide Direction (Bell))

City Clerk Bell provided a PowerPoint presentation that included an overview of the City Boards and Commissions as part of a future agenda item request.

That request was to review the scope and authority of each and whether to provide a stipend to volunteer members. The three active Boards and Commissions included the Community Services and Planning Commissions and the Traffic and Pedestrian Safety Committee (TAPS). The list of inactive Boards and Commissions included the Cable Television Access Commission, Commission on Aging, Design Review Board (DRB), Economic Development and Advisory Housing Committee (EDHAC), Human Relations Committee and Youth Commission. The scope and authority for each Board and Commission was also highlighted.

City Clerk Bell asked whether the City Council wanted to consider providing stipends to members of one or more of the active Commissions. After a poll of other cities in Contra Costa County, she had learned that around 50 percent of the cities provided no stipend and 50 percent did provide a stipend ranging from \$30 to \$250 per month, with Planning Commissions often receiving a greater stipend than other bodies.

City Clerk Bell also clarified that both the Community Services and Planning Commissions had been codified in the Pinole Municipal Code (PMC) and if a stipend were recommended an amendment to the PMC would be required with a referral to the Municipal Code Ad Hoc Subcommittee. She asked whether the City Council wanted to refer the inactive bodies to the Municipal Code Ad Hoc Subcommittee for discussion of removal, including the Commission on Aging and the Human Relations Commission.

Council member Sasai liked the detail provided for why the inactive Commissions had been sunset or dissolved but he asked why the Cable Television Access and Human Relations Commissions had been inactive.

City Clerk Bell explained that she had not received definitive information why the Commissions were inactive, although the Cable Television Access Commission may have involved budgeting issues. As to whether anything had been codified in the PMC for an attendance policy, she explained that each Board and Commission had its own bylaws. There was no uniform rule across those bodies but any concerns could be raised with the City Council.

Mayor Murphy referenced the Commission on Aging, which had been codified in the PMC and which had sunset in 1998. He asked whether that had been done by resolution and the City Clerk understood that was the last time the Commission had been active. She noted that some of the duties of that Commission had been taken on by the Board of Directors for the Senior Center, although she was not familiar with the duties of that Board since it was not a City body.

Community Services Director Jeremy Rogers reported the Senior Center Board of Directors was voted on by the membership and consisted of twelve members with two-year memberships.

Mayor Murphy referenced the inactive Boards and Commissions and understood there was no staff recommendation to reactivate those Boards and Commissions.

City Clerk Bell clarified she was not requesting any direction from the City Council on that issue at this time. While the City Council always had the ability to direct staff to look at that, with an incoming new City Manager she suggested that direction should be held off at this time. As to the potential impacts from the Boards and Commissions that were inactive and also codified in the PMC, there was no true impact other than the need to be as accurate as possible in the PMC.

City Attorney Casher clarified the fact that Commissions had been codified in the PMC meant there was a framework in place to appoint members and to activate those Commissions, which would have to be done by way of an ordinance.

Mayor Murphy referenced the City Council's direction for the Community Services Commission to provide input on a Sister City Program. He asked whether adding functions to a Commission would require an update to the PMC, which the City Clerk confirmed would be the case.

PUBLIC COMMENTS OPENED

Irma Ruport, Pinole, spoke to the inactive Boards and Commissions and her opinion the Cable Television Access Commission and EDHAC should be reinstituted and with the Youth Commission referred to the Community Services Commission since each Commissioner represented a school. She wanted to see the formation of an Oversight Committee to include everything happening in the City, to be comprised of people in the community given the City Council had limited time and resources. She also commented that for those Boards and Commissions where there were vacancies, they should be allowed to appoint a volunteer for six months to a year until the position had been filled. As a recently appointed Community Services Commission member, she was excited to bring youth back to government.

Rafael Menis, Pinole, identified himself as a current member of the Pinole Planning Commission and as such he would not offer comments on a recommendation for a stipend. As to the inactive Boards and Commissions, he was uncertain why the Human Relations Commission had dissolved since it was a worthwhile idea to have a Commission where its scope of work, as detailed in the September 19, 2023 staff report, would tie into the City's United Against Hate Campaign (UAH) that was worth maintaining. He understood the Commission on Aging had been largely superseded by the Senior Center Board of Directors and suggested it would be worthwhile to revise the PMC to make that clear. While the Youth Commission had not been codified in the PMC, he suggested it may be de facto replaced by the High School Intern Program the City was trying to implement. He added the DRB had been incorporated into the Planning Commission.

Cordell Hindler, Richmond, agreed that the Youth Commission should be incorporated back into local government. Having reviewed other nearby cities, he noted the City of Richmond had active Boards and Commissions that met monthly, were very active, and that he had participated in those Boards and Commissions. He also suggested stipends to volunteer members was important and suggested the Commissions should be provided a stipend for attendance.

Christy Lam-Julian, Pinole, a current member of the Pinole Planning Commission and a former member of the Community Services Commission, commented that during her community engagement activities, the consensus regarding specific engagement barriers had been time, misunderstandings and financial strain. For people to exercise their civic power and voice equitably, she suggested they must change the way they thought about civic engagement and make transformative changes. She encouraged the City Council to do what it could to remove the barriers, encourage civic engagement to build the community's social capital and realize its growth potential by keeping active the Human Relations and Youth Commissions.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Toms referenced the Cable Television Access Commission and noted that much of the role of that Commission had been folded into the Community Services Commission as well as some of the scope of the Human Relations Commission. She wanted to see this matter be forwarded to the Municipal Code Ad Hoc Subcommittee for further discussion and recommendations on how to deal with the inactive Boards and Commissions. She added the Community Services Commission did not always have a quorum and opening two seats for students may be helpful to achieve quorums.

Council member Tave offered a motion to refer the following to the Municipal Code Ad Hoc Subcommittee for recommendations to the City Council: Provide a stipend recommendation for all active volunteer Brown Act Committees, attendance recommendations for those Committees and a Youth Commission framework to establish a new Commission.

Mayor Murphy asked that the motion be amended with the stipend conversation to also include the Senior Center Board of Directors.

Council member Tave amended his motion to include a discussion of the framework of the Commission on Aging in comparison to the current framework of the Senior Center Board of Directors.

Council member Sasai seconded the motion.

Council member Martinez-Rubin requested another amendment to the motion to include a review of the conduct expected of Commissions and volunteer members when representing the City.

Council member Tave commented that the City Council had previously discussed a Code of Conduct for the City Council but he was uncertain that discussion had also applied to City Boards and Commissions.

City Clerk Bell clarified the most recent amendment to the PMC had included those appointed by the City Council.

ACTION: Motion by Council members Tave/Sasai to refer the following to the Municipal Code Ad Hoc Subcommittee for recommendations back to the City Council:

- **Provide a stipend recommendation for all active volunteer Brown Act Committees;**
- **Attendance recommendations for those Committees;**
- **Youth Commission framework to establish a new Commission; and**
- **A discussion of the framework of the Commission on Aging in comparison to the current framework of the Senior Center Board of Directors.**

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

Council member Martinez-Rubin offered a motion, seconded by Council member Tave for the Municipal Code Ad Hoc Subcommittee to take a look at the code of ethics and or conduct applicable to all Boards and Commissions, and discuss how that would relate to the Boards and Commissions for continued representation of the City on those Boards and Commissions.

Council member Tave commented on the motion and stated the City Council had already discussed conduct and code of ethics and had expanded that to the City's Committees. He referenced several sections of the PMC as it related to decorum and the conduct of meetings that could be discussed with the Municipal Code Ad Hoc Subcommittee to offer clear procedures if someone was out of order.

City Clerk Bell reported there was a project underway that had been identified earlier in the year, a guidebook for Commission members that would have all resources including Code of Conduct. She recognized other resources, such as onboarding and training that could be considered as well. Staff could look at the existing guidelines more closely and compile that into a guide and tool for Commissioners, which may help with some of the questions around applicability.

Council member Martinez-Rubin recalled the prior discussion about the code of ethics amongst the City Council. She had not been concerned about the City Council's conduct at the dais at that time but with the conduct of some members of the public, and she understood the intent of what Council member Tave was saying about decorum and the Code of Conduct of members on City Commissions and Committees.

ACTION: Motion by Council members Martinez-Rubin/Tave for the Municipal Code Ad Hoc Subcommittee to take a look at the code of ethics and or conduct applicable to all Boards and Commissions and discuss how in practice that would relate to the Boards and Commissions for continued representation of the City on those Boards and Commissions.

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.*

Cordell Hindler, Richmond, expressed concern when Anthony Vossbrink called in to make public comment that he be allowed to complete his comments. He had reviewed other cities in West County and the Mayors of those cities allowed the public to complete their comments. He suggested there were too many proclamations on one agenda and should be prioritized between City Council meetings each Tuesday.

Mr. Hindler expressed support for Chief Gang as the Interim City Manager; however, having reviewed the reorganization chart from March 2021 as shown in the Strategic Plan, he hoped the new City Manager would figure out what the reorganization of the City would look like. He suggested if the public was limited to three minutes to speak the City Council should consider doing the same.

Mayor Pro Tem Toms acknowledged the recent passing of local resident Paul Joseph Mariotti and read into the record details about his life and background. She asked that the meeting adjourn in his memory.

- 14. ADJOURNMENT** to the Regular City Council Meeting of October 17, 2023 in Remembrance of Amber Swartz and Paul Joseph Mariotti.

At 10:20 p.m., Mayor Murphy adjourned the meeting to the Regular City Council Meeting of October 17, 2023 in Remembrance of Amber Swartz and Paul Joseph Mariotti.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: October 17, 2023

