

**PINOLE CITY COUNCIL
MINUTES
August 21, 2018**

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

The Regular Pinole City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Pro Tem Murray called the Regular Meeting of the City Council to order at 6:00 p.m. and led the Pledge of Allegiance.

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

A. COUNCIL MEMBERS PRESENT

Mayor Banuelos (arrived at 6:16 p.m.)
Mayor Pro Tem Pete Murray
Council Member Debbie Long
Councilmember Roy Swearingen (arrived at 6:56 p.m.)
Council Member Maureen Toms

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Stephanie Downs, Assistant City Attorney
Tamara Miller, Community Development Director/City Engineer
Neil Gang, Police Chief
Andrea Miller, Finance Director

City Clerk Acosta announced that the agenda was posted on August 16, 2018 at 4:00 p.m. All legally required notices were provided.

Clerk Acosta announced the following documents submitted into the record:

- Consent Item 7F – Authorize Executive Director to Execute a Loan Modification for Residential Rehabilitation Loan at 761 Smith Avenue

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

3. CONVENE TO A CLOSED SESSION

No Closed Session Items

***OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED
SESSION DISCUSSIONS, WHICH MAY OCCUR BEFORE 7:00 PM***

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

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamation – NONE

B. Presentations / Recognitions

a. Police Department and Public Safety Memorial Update by Chief Neil Gang

Chief Gang invited the Pinole Police Department Explorers and introduced Bob Kopp who presented a check in the amount of \$400.65 to the Explorers program and thanked them for their community involvement and service. Chief Gang thanked Mr. Kopp for his donation.

Chief Gang provided Council with an overview of department staffing and community outreach efforts. He shared new programs that the department will implement to increase employee retention and morale. The following recognition programs will be implemented to incentives staff for a job well done and for going above and beyond their duties:

- Officer of the Quarter – A program developed to recognize officers that go above and beyond the scope of normal activities.
- Officer of the Year – Officers recognized as Officer of the Quarter will be eligible for this recognition.
- New Challenge Coin – A coin presented to employees to recognize non-official business to recognize excellence.

Chief Gang stated that the department will be implementing a new Community Outreach Unit, formerly the Crime Prevention Unit; it will consist of two Crime Prevention Officers and one Police Officer. Members of the unit are currently attending a nationally recognized training called Crime Prevention Through Environmental Design (CPTED) and will be certified at the completion of the program.

Chief Gang discussed the following new and ongoing Community Outreach Programs:

- Parenting Program – 10 week program that provides parents skills to deal with difficult situations and children. The program will begin September 5th.
- Mental Health Awareness workshop – A program presented by the National Alliance on Mental Illness to provide resources to family and friends about mental illness. The event will be held on August 22nd at 6:00 p.m.
- Pinole Posey – A program designed to train citizens on crime prevention strategies, similar to Cops on Dots, to recognize where crimes occur. The program will consist of six or seven volunteers and will be implemented November 2018 prior to Black Friday week.
- Student of the Month program – A program designed to recognize elementary school students for honor, integrity and respect. They will be nominated by their teachers and recognized by the Police Department every month with an end of the year luncheon to recognize all 12 students and their families.
- Mural Program – A contest designed for high school students to submit their artwork and if selected, they will paint the Police Department walls with their murals and leave a legacy of their work.
- Sympathy Card Program – A program designed to show that the Police Department is part of the community and they care. Officers will send sympathy card and resources to family members.
- Trading Cards – The Police Department partnered with local business to sponsor an officer. The cards have the company logo on the back of the card along with information about the officer and a Crime Prevention tip. The cards are used to advertise local businesses and for the community to recognize the officers that are serving the community.

- Police Clergy Coalition will be held on September 19, 2018
- Police Literacy Program – date will be scheduled in September.
- Tip a Cop event will be held on September 27, 2018

Chief Gang discussed technology upgrades that will be implemented throughout the department such as SMART guardian (web-based briefing), a program that will increase communication throughout the department. At this time, SMART is not functional pending data input. Star Chase Pursuit Management technology is a smart device used to avoid high pursuits.

Council complimented Chief Gang on his efforts to better serve the Community, asked questions and received responses.

Chief Gang provided an update on the Public Safety Memorial and stated that he has partnered with the Rotary Club to create a community project that involves Community input. He also informed Council of possible funding sources and stated that he will apply for a grant in May and proceeds from this year's Crab Feed event will be used to fund the mural project.

b. Update on PVHS progress presented by Luis Freese, West Contra Costa Unified School District

Luis Freese of the West Contra Costa Unified School District and Marsha Perry Taras, Construction Manager with Roebbelen Contracting presented the report and provided Council with an update on the progress of Pinole Valley High School. New signals and streetlights will be operational summer of 2019. The campus project completion date has been extended to April 8, 2019. The District continues to send out community outreach notices including newsletters with updates on construction projects to members. 2.5% on change orders with a 5% contingency.

Council asked questions and received responses from Mr. Freese and Ms. Tara. Council thanked them for the update and will look forward to the next update.

Principal Kibby Kleiman provided an update to Council on the first three days of school and stated that the school has resurrected journalism that is currently online as "Spartan Ink", wrestling and AP courses. He stated that local channels have recognized the art at display at schools and invites Council and the public to visit the sites. Councilmember Toms inquired about the District's agreement with the College District regarding swimming and water polo courses. Principal Kleiman stated that the issue has been resolved.

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, addressed the Council and inquired about MEP, an acronym used in the presentation, it is an acronym for Mechanical, Electric and Plumbing (MEP).

c. Bob Kopp donation to Joanna Lennon of Civic Assets

Mr. Kopp informed Council that Ms. Lennon was unable to make the presentation due to an unexpected event and has requested to be placed on September 4, 2018 agenda.

6. CITIZENS TO BE HEARD (Public Comments)

The following speakers addressed the City Council:

John Irminger, Pinole Middle School teacher, addressed the Council and complimented the relationship that the Safety Resource Officer has with students. He expressed his concern about Voices Charter School that will be opening on September 3, 2018 at Pinole Middle School. He stated that the WCCUSD Board of Trustees has not appointed a representative of the District to the Board of Directors.

Rafael Menis, resident of Pinole, addressed the Council and stated that he received informal advice from the FPPC pertaining to cash contributions limits.

Irma Ruport, resident of Pinole, addressed the Council and thanked Community Members that attended the National Night Out in her neighborhood. She requested that the Council meeting be adjourned in honor of firefighter and first responders and thanked them for their courage and service to the community. She expressed her condolences to the families that have lost their loved ones during our recent fires.

David Ruport, member of the Pinole 4 Fair Government, addressed the Council and provided an update on the committee's efforts and encouraged the community to visit their website at pinole4fairgovernment.org and stated that the Committee has endorsed two candidates for the fall election.

Lee Martin, resident of Pinole, addressed the Council and inquired about the closure of Fire Station 74 and requested an update on future plans for this site and stated the importance of public safety to keep the Community and Citizens safe. She received a response from Mayor Banuelos.

Mayor Banuelos inquired about FPPC campaign cash contributions. City Clerk Acosta will review FPPC Manual 2 and will provide a response to candidates clarifying the \$99.00 cash contribution limitations.

7. CONSENT CALENDAR

- A. Approve the Minutes of the Meeting of July 17, 2018
- B. Receive the July 14, 2018 – August 17, 2018 List of Warrants in the Amount of \$1,936,790.84; and July 27, 2018 and August 10, 2018 Payrolls in the Amounts of \$393,159.99 and \$393,720.33, respectively
- C. Review and Approve Updated Fiscal Policies
[Action: Adopt Resolution Per Staff Recommendation (A. Miller)]
- D. Approve the Acceptance of Grant Funds from California Fire Foundation for Weed Abatement, and Approve a Budget Amendment in the General Fund
[Action: Adopt Resolution Per Staff Recommendation (S. Kouns)]
- E. Approving a Side Letter of Agreement to the Memorandum of Understanding (MOU) between the City of Pinole and AFSCME Local 512 to Provide Longevity Pay effective July 1, 2018.
[Action: Adopt Resolution Per Staff Recommendation (H. De La Rosa)]
- F. Authorize Executive Director to Execute a Loan Modification for Residential Rehabilitation Loan at 761 Smith Avenue
[Action: Adopt Resolution Per Staff Recommendation (H. De La Rosa)]

- G. Authorize Execution of Amendment to Regulatory Agreement and Declaration of Restrictive Covenants Regarding Bayside Apartments to Clarify the Term of Agreement
[Action: Adopt Resolution Per Staff Recommendation (M. Fitzer)]
- H. Approve an Amendment to the Staffing Allocation in the Police Department to Reinstitute a Lead Dispatcher Position
[Action: Adopt Resolution Per Staff Recommendation (M. Fitzer)]
- I. Authorize the Mayor to Vote Yes on the League of California Cities Annual Conference Resolutions
[Action: Authorize by Minute Order Per Staff Recommendation (M. Fitzer)]

The following speaker addressed the City Council:

Rafael Menis, resident of Pinole, addressed the Council and inquired about Item 7H and 7I of the Consent Agenda. Mr. Menis stated his support of Item 7H, Police Department restructuring and the Police Department and Police Department Union for their willingness to accept a reduction in pay in return for regularity of structure. City Manager Fitzer provided a response and clarified the department restructuring and salary savings. Mr. Menis stated his concern with Item 7I and the proposed resolutions, authorizing the Mayor to vote at the conference. He requested that the item be brought back for further discussion. City Manager Fitzer provided a response and clarified the voting process.

ACTION: Motion by Councilmembers Swearingen/Toms to approve Consent Calendar Items 7A – 7I.

Vote:	Passed	5-0
	Ayes:	Banuelos, Long, Murray, Swearingen, Toms
	Noes:	None
	Abstain:	None
	Absent:	None

8. PUBLIC HEARINGS

None

9. OLD BUSINESS

- A. Approval of the City of Pinole Fiscal Year (FY) 2018-19 Through 2022-23 Five-Year Capital Improvement Plan and Adopt the FY 2018-19 Capital Budget
[Action: Adopt Resolution per Staff Recommendation (A. Miller/T. Miller)]

Finance Director Miller presented the FY 2018-19 – 2022-23 Capital Improvement Projects(CIP) and provided an overview of projects and funding. Council asked questions and received responses from Finance Director Miller, City Manager Fitzer and Development Services Director/City Engineer Miller. Mayor Pro Tem Murray requested a correction to Page I-16 Description from *Outfall Value* to **Outfall Valve**. Mayor Banuelos stated that he has received multiple emails from community members pertaining to the public dog park, use of the soccer fields and the area around the caretaker's house with debris and trail access blocked due to debris. Councilmember Long stated her opposition the proposed CIP plan and projects not listed and unfunded.

ACTION: Motion by Councilmembers Swearingen/Toms, to approve the Fiscal Year (FY) 2018-19 through 2022-23 Five-Year Capital Improvement Plan and Adopt the FY 2018-19 Capital budget.

Vote: Passed 4-1-0
Ayes: Banuelos, Murray, Swearingen, Toms
Noes: Long
Abstain: None
Absent: None

- B. Review, Discuss And Approve The PCTV Subcommittee's Recommendation On PCTV's New Model Of How To Assess Services Delivery For City Departments
[Action: Authorize by Minute Order per Staff Recommendation (H. De La Rosa)]

Assistant City Manager De La Rosa presented the report and provided an update on PCTV's new model such as services for internal departments at no charge for staffing and equipment, so long as there are sufficient hours allocated within the Department and no impact on other services including overtime costs. The model of services will be refined as needed throughout the process. External customer model will be brought back for Council discussion at the September 4, 2018 meeting. Council asked questions and received responses. They provided clarification on the definition of PCTV, PCTV stands for Pinole Community Television not Pinole Cable Television.

The following speakers addressed the City Council:

Kurt Pless, resident of Pinole, addressed the Council and stated that Pinole Community Television offers many services to the Community including Council's ability to teleconference. PCTV doesn't offer coverage for Community activities such as: National Night Out, Football, softball, and movie night. He informed the Council that his son was an intern that worked with Dave Snell and gained valuable knowledge. He has graduated from college and is now working with Walt Disney Corporation. He encourages Council to reinstate the Student Intern Program.

Bob Kopp, resident of Pinole, addressed the Council and stated his support for PCTV. He inquired about an hourly rate for PCTV services in order to recover costs and the loss of the City Hercules as partners. City Manager Fitzer and Assistant City Manager De La Rosa provided a response to Mr. Kopp's questions.

ACTION: Motion by Councilmembers Swearingen/Toms, to approve PCTV Subcommittee new model for PCTV internal departments.

Vote: Passed 5-0
Ayes: Banuelos, Long, Murray, Swearingen, Toms
Noes: None
Abstain: None
Absent: None

10. NEW BUSINESS

- A. Consider Authorizing the Mayor to sign and Submit a Letter of Opposition to the Bureau of Cannabis Control Proposed Regulations issued in July 2018
[Action: Discuss and Provide Direction to Staff (M. Fitzer)]

City Manager Fitzer presented the report and stated that the Letter of Opposition addresses the proposed regulations and provided background information as to the consideration of the letter. Council stated their concerns and asked questions, receiving responses from City Manager Fitzer.

ACTION: Motion by Councilmembers Toms/Swearingen, authorized the Mayor to sign and submit a Letter of Opposition to the Bureau of Cannabis Control Proposed Regulations issued in July 2018.

Vote: Passed 5-0
Ayes: Banuelos, Long, Murray, Swearingen, Toms
Noes: None
Abstain: None
Absent: None

11. REPORTS & COMMUNICATIONS

A. Mayor Report **1. Announcements**

Mayor Banuelos attended a Recycle More meeting, the Mayors Conference and provided an update. He spoke at the West County Board of Realtors and provided an update. He praised staff for their efforts at the National Night Out event.

B. Mayoral & Council Appointments

- 1. Appoint Councilmembers Toms and Swearingen as representatives to the Fowler House Re-Use Committee**
[Action: Approve by Minute Order (H. De La Rosa)]

City Manager Fitzer presented the report and stated that this is a formal action to appoint Councilmember Toms and Swearingen as Council representatives to the Fowler House Re-Use Committee.

ACTION: Motion by Councilmembers Long/Murray, to appoint Councilmember Toms/Swearingen to the Fowler House Re-Use Committee. (5-0)

- 2. Community Service Commission Appointment**
[Action: Council Discretion (Interview Subcommittee)]

Mayor Pro Tem Murray forwarded a recommendation from the Interview Subcommittee to re-appoint Debbie Ojeda to the Community Services Commission for a two year term.

ACTION: Motion by Councilmember Murray/Long, to appoint Debbie Ojeda to the Community Services Commissioner. (5-0)

C. City Council Committee Reports & Communications

Mayor Pro Tem Murray informed the community that the Coastal Cleanup event is scheduled for Saturday, September 15, 2018 at 8:30 a.m. at the Bayfront Park.

Councilmember Long stated that Measure C is a repeal of the sunset clause and asked that the Community be well informed of the measure. She met with the Recreation Subcommittee and Members of the library and provided an update to Council.

Councilmember Toms attended with the Recreation Subcommittee and met with County Librarian, Deputy Librarian and Regional Librarian to discuss expanding hours for the use of the public library and provided an update to Council. She met with the Municipal Code Subcommittee and provided an update.

Councilmember Swearingen provided an update about metering lights and his advocacy to make corrections to Pinole Valley Road. He attended the Bay Front Chamber of Commerce and provided an update.

D. Council Requests For Future Agenda Items

Presentation by Bay Front Chamber of Commerce (5-0)

E. City Manager Report / Department Staff

None


F. City Attorney Report

None

12. ADJOURNMENT to the Regular City Council Meeting of September 4, 2018 In Remembrance of Amber Swartz.

At 9:32 p.m., Mayor Banuelos adjourned the Regular City Council Meeting of August 21, 2018, in Remembrance of Natalie Morrison former graduate of Pinole Valley High School, Arthur Banducci former Pinole Police Officer; firefighters and first responders who have lost their lives on the line of duty, Amber Swartz and our Military personnel all around the world and in Honor of the birth of Councilmember Toms' grandson, Orin McKale.

Submitted by:


Rosa G. Acosta
City Clerk



Approved by City Council September 4, 2018