

**CITY COUNCIL MEETING
MINUTES
October 15, 2024**

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 Toms 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

Maureen Toms, Mayor
Cameron Sasai, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Devin Murphy, Council Member*
Anthony Tave, Council Member
*Arrived after Roll Call

B. STAFF PRESENT

Kelcey Young, City Manager
Heather Bell, City Clerk
Eric Casher, City Attorney
Sanjay Mishra, Public Works Director
Lilly Whalen, Community Development Director
David Hanham Planning Manager
Andrea Dwyer, Community Services Director
Sarrah Patton, Code Enforcement Officer I
Kapil Amin, Sustainability Fellow
Roxane Stone, Deputy City Clerk

City Clerk Heather Bell announced the agenda had been posted on October 11, 2024, at 3:15 p.m. with all legally required written notices. No comments had been received in advance of the meeting.

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

4. CONVENE TO A CLOSED SESSION:

Citizens may address the Council regarding a Closed Session item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.

A. CONFERENCE WITH LABOR NEGOTIATORS

Gov. Code §54957.6

Agency designated representatives: City Manager Kelcey Young, City Attorney Eric Casher, Human Resources Director Stacy Shell and Finance Director Markisha Guillory

Employee organization: AFSCME Local 1, AFSCME Local 512 and the 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 6:09 p.m., Mayor Toms reconvened the meeting into open session and reported 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.

Mary Horton, former Mayor of the City of Pinole, thanked the Public Works Department for maintaining roads and parks and restriping the streets making the City safer and improving its appearance. She reminded everyone of the upcoming holiday season and urged everyone to Shop Pinole to fortify the community and she highlighted one of the local businesses she patronized, Staples. She suggested there was no need to shop elsewhere since Pinole had it all, and there was a need to support City services and the passage of Measure I. She also urged everyone to get out and vote.

William Horton suggested there was an apparent error in the argument against Measure I in the ballot book, which issue he had raised in May 2024 with the City Attorney. He stated he had already voted and supported Measure I since it would fund police, fire and streets.

Mr. Horton explained that funds from Measure I would go to the City of Pinole and not the state or federal government. While he acknowledged some large ticket items may cost more, groceries and prescriptions would not be taxed, although that was not clear in the ballot measure arguments. With the passage of Measure I, shoppers visiting Pinole would contribute sales taxes for the wear and tear on roads, and supporting Measure I would help to support the daily quality of life in Pinole. Voters were able to vote by mail and submit their ballots at a drop box location at City Hall. He urged voters to support Measure I.

Rafael Menis, speaking in his private capacity, echoed the comments of the prior speaker in praise of Measure I since the City needed the funds the measure would generate to fill ongoing expenses and since sales taxes were the most broadly accepted tax at the present time. He suggested the City should fund what the City needed through paying for it, not necessarily through bond measures or letting things decay and defer maintenance, but through a willingness to tax themselves as a community to pay for things everyone all collectively agreed they desired, such as police, fire and roads and things the City would be less able to do if the measure failed. He urged everyone registered to vote in the City of Pinole to support Measure I.

Mr. Menis also highlighted the positivity data for COVID-19, which rate had decreased slightly for the state overall, but COVID-19 was still out there and he encouraged everyone to get their booster shots if vaccinated or get vaccinated if not already. He also requested the support of the community in his seeking the office of City Treasurer and suggested the office would benefit the City more if they were to create better transparency with the City's finances accessible to the public and help the community to hold the City accountable. He highlighted his personal experience and background that qualified him for the position and reported he had received support from the Contra Costa and California Democratic Parties and the International Association of Firefighters. Registration to vote was open now through October 21, 2024 with provisional ballots able to be cast after that. He urged everyone to cast their vote in November and appreciated a vote for City Treasurer.

7. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements:

Mayor Toms reported she had participated in the Coastal Clean-Up and recognized all volunteers and staff who participated in the event; presented a key to the City of Pinole to the band Green Day on September 22, 2024; attended the East Bay Wildfire Coalition meeting and briefed the City Council on the discussions and a presentation from the East Bay Regional Park District (EBRPD); attended a League of California Cities East Bay Division meeting where an update on legislation and propositions was provided; and attended National Night Out. She thanked staff for preparing for the event that had been well attended and with the community thankful for this annual event. She added that she had attended the Mayors' Conference and briefed the City Council on the discussions with the EBRPD about its fire reduction practices, and thanked law enforcement for hosting Bike the Bridges with one of the routes through the City of Pinole, with the event a traditional law enforcement support of Special Olympics. She had also participated in the ride and raised some money.

Mayor Toms had also participated in Coffee with a Cop in Old Town Pinole and attended a WestCAT meeting with discussion of Measure R funds to be deployed for equipment in the area. In addition, she attended the dedication ceremony for Bob Ramos and Rich Voisey at Fire Station 74 and thanked staff for their hard work on putting the event together.

B. Mayoral & Council Appointments

1. Appointment of a Representative and Alternate to serve on the Green Empowerment Zone Board of Directors

Mayor Toms summarized the October 15, 2024 staff report and volunteered to serve as the Representative to the Green Empowerment Zone Board of Directors since she had served in similar positions as part of her day job. She had experience with all of the northern waterfront area and some of the Green Empowerment Zone businesses that would benefit from the Green Empowerment Zone and the appointment would not conflict with her day job. She asked whether any other Council member was interested in serving as the Representative or Alternate.

Council member Murphy expressed the willingness to serve on the Green Zone Empowerment Zone Board of Directors. He had participated in some early meetings on the topic, at which time there had been a push to include some of the smaller cities including the City of Pinole. He hoped to also officially approve the City's role in the Green Empowerment Zone.

Mayor Pro Tem Sasai advised he would be unable to participate given he was unable to attend the scheduled meeting dates for Board of Directors meetings.

ACTION: Motion by Mayor Toms/Council member Martinez-Rubin to appoint Mayor Toms as the Representative and Council member Murphy as the Alternate to serve on the Green Empowerment Zone Board of Directors.

Vote:	Failed	2-3
	Ayes:	Toms, Martinez-Rubin
	Noes:	Sasai, Murphy, Tave
	Abstain:	None
	Absent:	None

ACTION: Motion by Council member Murphy/Mayor Pro Tem Sasai to appoint Council member Murphy as the Representative and Mayor Toms as the Alternate to serve on the Green Empowerment Zone Board of Directors.

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

C. City Council Committee Reports & Communications

Mayor Pro Tem Sasai wished everyone a Happy Filipino History Month, the time when the Filipino-American contributions in the United States were recognized. He noted the City would acknowledge Filipino History Month for the second time in its history at this meeting. He recognized those who had contributed to the City and made history including former City Attorney Benjamin Reyes and current City Attorney Eric Casher. He was proud to be part of that strong legacy.

Mayor Pro Tem Sasai added he had been invited by the White House to attend the Filipino History Month event in Washington D.C. and was thrilled to represent the City of Pinole at the event. He also reported he had attended the WestCAT Board of Directors meeting and briefed the City Council on the items on the meeting agenda, and the Contra Costa County Fire Protection District (CCCFPD) Blood Drive event and dedication ceremony for Captains Ramos and Voisey, thanking the CCCFPD for the coordination of the event and the City Council and staff for making the event happen.

Mayor Pro Tem Sasai also reported October 17, 2024 was the date when the City's new Safe Storage of Firearms Ordinance would go into effect. He thanked the City Manager's Office for its role in getting information out to the public. He referenced a mass shooting that had occurred in the State of Georgia on September 5, 2024. He noted the State of Georgia had very lax firearms regulations with no safe firearms mandates. The student who was the shooter had gained access to his father's firearm, which had sparked a national dialogue of safe storage of firearms. He was proud of the City Council for its unanimous support for the City's ordinance and he was proud to be part of a city that was proactive and not waiting for the next tragedy to happen before action was taken. He otherwise urged everyone to exercise their right and register to vote.

Council member Martinez-Rubin reported she had attended the League of California Cities East Bay Division meeting and briefed the City Council on the discussions; encouraged registered voters to vote in the November election and be an informed voter and become familiar with all candidates to the extent possible by visiting candidate websites and view their voting records. She had attended a webinar presented and co-sponsored by the League of California Cities East Bay Division and the staff of the Bay Conservation and Development Commission (BCDC) with an informational update on BCDC's creation of guidelines for cities to use in preparation of a Regional Shoreline Adaptation Plan, which she highlighted. She had also attended a local event at Fernandez Park sponsored and organized with assistance from the Community Services Department for the Peach'd Pink Project, an educational and informational advocacy project spearheaded by local resident Keisha Stephney, a survivor of triple-negative breast cancer. Additionally, she had attended the dedication of Fire Station 74 for Captains Ramos and Voisey, and the Blood Drive and collection of blood marrow donors on the same date. She thanked everyone who participated in the event and looked forward to continued participation by residents of Pinole.

Council member Murphy honored LGBTQ+ History Month and commented on the number of celebrations and proclamations during the month of October. He recognized former Council member Steve Tilton, the first LGBTQ+ elected Council member for the City of Pinole. He also referenced Senate Bill (SB) 272 related to sea level rise: planning and adaptation and detailed the requirements of the legislation and how the community could participate and remain engaged, with the public able to provide comments on any piece of the BCDC plan by October 18, 2024.

Council member Murphy reported he had been able to travel to Washington D.C. and represent Marin Clean Energy (MCE) at the National Community Choice Aggregation (CCA) Conference, and briefed the City Council on the discussions and efforts to seek grant opportunities through MCE that supported Pinole residents and the work of the National Coalition and other groups across different states to enhance transmission and distribution grid resilience, deploy new technologies at scale and develop local renewable resources. He emphasized the importance of working in partnership with industry leaders to make this possible. He thanked the staff at MCE for ensuring this was a priority and for its continued work to think outside the box and provide better customer service. He was honored to have represented the City of Pinole and MCE at the conference.

Council member Murphy also took the opportunity to recognize October 14, 2024 as Indigenous Peoples Day, highlighted its history and the land acknowledgment on the City Council meeting agenda and emphasized as a Council member he was committed to advocating for the rights of indigenous people to access health care, education and protecting sacred lands.

D. Council Requests for Future Agenda Items

Mayor Pro Tem Sasai offered a motion, seconded by Council member Murphy to consider a resolution drafted by staff expressing strong support and interest in Tesla Electric Vehicle Supercharging Stations in the City of Pinole, with the letter to the appropriate staff at Tesla Motors with a copy of the resolution.

In response to the Mayor, Mayor Pro Tem Sasai clarified he wanted staff to draft a resolution and bring it back to the City Council for consideration with no certain time requirement on his end, to be up to the Mayor and City Manager to determine. He had general interest in having the equipment in the City of Pinole with a copy of the resolution to be sent to the appropriate staff members at Tesla Motors.

Council member Martinez-Rubin understood there could be other manufacturers and she would like to see a discussion of different options, rather than identify a specific manufacturer.

Mayor Pro Tem Sasai suggested that could be discussed when the item returned.

City Manager Kelcey Young understood the direction was for staff to draft a resolution and then draft a letter reaching out to Tesla Motors. She suggested staff draft a resolution that could be utilized for any other company that may have superchargers that could be discussed when the item came back, at which time the City Council could consider any other company the City Council may be interested.

Mayor Pro Tem Sasai explained the intent was for the draft resolution to be Tesla Motors only at this time, but when the item returned to the City Council, he would be happy to entertain that option as well. He noted there were other vehicles in the state that could use the Tesla Superchargers.

Council member Martinez-Rubin recognized that was so, but by creating the resolution the City would be furthering that avenue when there could be other options the City Council may be able to pursue.

Mayor Pro Tem Sasai was again open to other options when the item returned for discussion. At this time, Council member Tave was recognized as the second to the motion.

ACTION: Motion by Mayor Pro Tem Sasai/Council member Tave to consider a resolution drafted by staff expressing strong support and interest in Tesla Electric Vehicle Supercharging Stations in the City of Pinole, with the letter to the appropriate staff at Tesla Motors and with a copy of the resolution.

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

Mayor Toms explained why she had voted no on the request. Staff was currently going through implementation of the Climate Action Plan (CAP) and the request would divert focus from the plan.

E. City Manager Report / Department Staff

City Manager Young reported the Coastal Clean-Up event had been a great event and she managed to personally bring in over 60 pounds of trash and had purchased \$93 worth of coffee. She thanked the community for its representation during the event. She also provided an update on the Police Chief Recruitment process and reported on October 18, 2024 all applications were required to be submitted to allow review of the applicants and start the interview process. Interviews for the semi-finalists had been scheduled for October 25, 2024, which involved multiple panels and once that process was complete bios of the candidates would be published with the finalists invited to a Meet and Greet scheduled for November 7, 2024, at which time a community panel would be present. The following date she would interview the finalists so a final decision could be made. More information would be available on social media. She also clarified a Facebook post that had been posted this date had implied there were two finalists with outdated verbiage. This post had been updated but anyone with questions were asked to contact her.

City Manager Young also reported that Public Works Director Sanjay Mishra had accepted another position, this was his final City Council meeting and she thanked him for his service to the City of Pinole. The recruitment process for the position of Public Works Director had already started with more information to be provided in the coming week. Anyone with questions was asked to reach out to her or the Human Resources Department.

F. City Attorney Report: None

PUBLIC COMMENTS OPENED (Items 7D through 7F)

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

PUBLIC COMMENTS CLOSED

8. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Indigenous Peoples Day

The City Council read into the record a proclamation recognizing October 14, 2024 as Indigenous Peoples Day and presented the proclamation to Sophia Lopez, representing the Native American Student Union (NASU) and Secretary for Friends Speech and Debate at Pinole Valley High School, who thanked the City Council for the proclamation, a tradition she hoped would be upheld. She was thankful she had been able to advocate along with her teacher Michele Lamons-Raiford for this recognition. She explained that both groups were happy with the opportunities to celebrate the history, culture and continued contributions of the indigenous communities in Pinole. She also thanked the student members who played a role in advocating for their recognition but who were unable to attend the meeting due to prior commitments. She again thanked the City Council for sharing the proclamation with Pinole Valley High School and for believing, seeing and hearing students' stories.

2. Rosh Hashanah

The City Council read into the record a proclamation recognizing October 2-4, 2024 as Rosh Hashanah.

3. Breast Cancer Awareness Month

The City Council read into the record a proclamation recognizing the month of October 2024 as Breast Cancer Awareness Month with the proclamation presented to Debbie Pitchford, a former City employee who was honored to accept the proclamation on behalf of the Pinole Police Department. As a two-time breast cancer survivor, she emphasized the importance of awareness, early detection, intervention, mammograms and self-examinations. She was proud of the Pinole Police Department's participation in the Pink Patch Program community outreach, and added that the Pinole Police Department sold pink patches for \$10 during the month of October to promote breast cancer awareness, with 100 percent of the proceeds going back to the program to help support cancer research and education.

Mayor Toms reported more information on the Pink Patch Program was available on the City website and social media.

4. LGBTQ+ History Month

The City Council read into the record a proclamation recognizing the month of October as LGBTQ+ History Month, which was presented to Council member Murphy.

5. Filipino History Month

The City Council read into the record a proclamation recognizing the month of October as Filipino History Month, which was presented to City Attorney Eric Casher.

6. Code Enforcement Officer Week

The City Council read into the record a proclamation recognizing October 7-11, 2024 as Code Enforcement Officer Week, which was presented to Sarrah Patton, Code Enforcement Officer I.

PUBLIC COMMENTS OPENED (Item 8A)

Mary Horton commented that when she was a City Council member in the 1990s, the City of Pinole and the Hupa Indian Tribe had become Sister Tribal Nations in 1992, an effort that had been spearheaded by former Mayor Ann Williams. A relationship with some Native Americans in Northern California had already been developed and should not be forgotten. She commented at one time the Hupa Tribe had a seal on the Welcome to Pinole sign, which should not be forgotten and should be explored and developed for future Indigenous Peoples Day recognitions.

Anthony Vossbrink echoed the comments from the previous speaker. He also echoed the positive comments from the City Council regarding the Indigenous Peoples Day proclamation and stated he had previously requested that credence be given the Ohlone and Indigenous Peoples beyond the land acknowledgement statement that was read into the record at each City Council meeting. He asked what the City of Pinole had done to promote the history of American Indians, specifically the indigenous culture of the Ohlone people. He noted the City of Berkeley recently dedicated a park in recognition of the Ohlone and other cities in Contra Costa County and in the Bay Area had designated parks, trails and schools in recognition of the Ohlone, whereas the City of Pinole had done nothing. He suggested it was time for the City of Pinole to do more than preach empty words and dedicate a City park or trail to the Ohlone people, particularly with the buildout of the trail behind the caretaker's home, which project he would like to have detailed. He asked that that trail be renamed in recognition of the Ohlone people. He also understood a City Council Ad-Hoc Committee was working on updates and he asked for more information in that regard.

Mayor Pro Tem Sasai clarified in response to the public comment that he and Council member Martinez-Rubin served on the Ad-Hoc Memorials Committee, were working with high school student leaders, and been in communication with the leadership of the Ohlone Tribe to seek locations to rename a facility or park in the City of Pinole, which required a specific process.

Council member Martinez-Rubin confirmed the Ad-Hoc Memorials Committee recognized there was some interest in having some of the representatives from the indigenous groups present their interest in having locations named in honor of the Ohlone Tribe, and as the Mayor Pro Tem mentioned they were going through the process required to determine an acceptable site.

PUBLIC COMMENTS CLOSED

B. Presentations

1. Community Development Department Update

Community Development Director Lilly Whalen provided an extensive PowerPoint presentation on the Community Development Department activities over the past fiscal year, which highlighted the staff in the Department (some of whom were introduced as being present in the audience or via Zoom) and the use of various contracts for plan check services, inspections, code enforcement and economic development services as needed. She also highlighted the new Modern Online Permit Tracking Project, which was a team effort with the Finance and Public Works Departments.

Community Development Director Whalen highlighted the Building Department trends for the Building Division, Fiscal Year (FY) 2023/24 top five most popular permit types, total permits issued, total project valuation and fees collected, and development projects under construction including updates provided on Vista Woods Apartments, Valor Village Apartments and Appian Village Condos, projects completed in FY 2023/24 and upcoming projects in FY 2024/25. The variety of permits issued by the Planning Division and FY 2023/24 projects and upcoming FY 2024/25 projects for the Planning Division included Housing Element Implementation amongst other projects. An update was provided on the status of entitled projects including Pinole Vista Apartments, BCRE Mixed Use and Pinole Shores II along with an overview of key achievements in sustainability, grants and community engagement and FY 2024/25 upcoming sustainability projects.

An overview of the Code Enforcement Division was presented along with details on closed enforcement code cases by type for FY 2023/24. The status of the 2024 weed abatement season enforcement activities along with an update on Code Enforcement Division Projects for FY 2023/24 and upcoming for FY 2024/25 was also provided.

Further, an overview of the Affordable Housing Division was provided with the housing stock by the numbers including existing, planned, and total anticipated in the City of Pinole by 2030. Annual affordable housing monitoring and FY 2023/24 projects and FY 2024/25 upcoming projects for the division were also identified. And an overview was provided on the Economic Development Division, including the implementation of the Five-Year Economic Development Strategy which began in July 2023 and FY 2023/24 achievements and upcoming FY 2024/25 projects.

Responding to questions from the City Council, Community Development Director Whalen, Planning Manager David Hanham and Code Enforcement Officer I Sarrah Patton, clarified:

- The appreciation for the creation of the City marketing brochure that highlighted the City of Pinole. (Mayor Pro Tem Sasai)
- Staff had touched base with the new property owners of the Tara Hills Safeway about the potential redevelopment of the property prior to the lapse of entitlements in June 2023, with staff touching base with the property owners at least once a month. There were plans to meet and go over current plans and the property owner had expressed a desire to retain a grocery store at the site. (Mayor Pro Tem Sasai)
- The work to create the City marketing brochure in advance of staff's attendance at the International Council of Shopping Centers (ICSC) Conference. Staff also scheduled meetings with many different businesses that may be a good fit for the City of Pinole or know about Pinole. In the next quarterly report, a summary of those interactions could be provided to identify who staff had reached out to. (Mayor Pro Tem Sasai)
- The Pinole Police Department had an additional body camera with the Code Enforcement Division paying an annual fee (a little over \$1,000) for the equipment. The original genesis for obtaining the equipment for the Code Enforcement Division had been staff safety in the field. There was a suggestion that staff wear a body camera which had been successful for staff and the community and provided transparency and accountability.

- The body camera would be turned on once the Code Enforcement Officer exited the vehicle. Once the Code Enforcement Officer reentered the vehicle and left the site, the body camera would be disengaged. The footage/video for the body camera would be preserved in the cloud for a period of time, possibly forever, with the Code Enforcement Division piggy-backing off of Police Department policies and with the actual time to preserve the footage to be clarified by the Pinole Police Department. (Mayor Pro Tem Sasai)
- Acknowledged praise for the Community Development Director's leadership and making the culture of the Department change and evolve, and when residents walked into City Hall the Community Development Department was one of the first introductions to City Hall and most staff made residents feel comfortable. It was also pointed out that the new permit tracking system had resulted in City Hall providing high service delivery. (Murphy)
- Staff was working to implement the Housing Element that had been divided into three different phases of Zoning Ordinance modifications that were not necessarily related to additional growth in the City but involved objective design standards, as an example. Presently, staff had not scheduled a comprehensive look at the Zoning Ordinance, which may be needed in the next few years, including an update to the General Plan. Along with the implementation of the Housing Element, staff was also working on updates to the Safety Element and creating an Environmental Justice Element. (Murphy)
- Acknowledged the City of Pinole may not be getting all it was due in terms of rental units in the City given the City's current requirement for any property owner renting out a unit in Pinole to obtain an annual business license, have the unit inspected by the Building Division every three years and obtain a Certificate of Compliance for the inspection. The City currently did not have a good system for tracking rental units and staff was trying to use the technology as part of the new permitting system to see if that would work as a rental registry. Staff was exploring different options for rental registry tracking from different companies and had quotes on costs. (Murphy)
- Staff hoped to work with Partnership for the Bay's Future (a collaborative effort to produce and preserve affordable homes and protect tenants, and ensure that the Bay Area remains a diverse place where everyone thrives) and be able to consider a rental registry and implement software that would help the City get a handle on its rental stock, track local eviction and identify what rental units were being rented, which the current permitting software was unable to do. There could be possible changes in the future on how people registered their rental units and how the public could verify that information. (Murphy)
- Identified the rate of code enforcement cases closed for commercial and residential properties for FY 2023/24, with most of the complaints for residential versus commercial properties as shown in the PowerPoint presentation. Clarified any code enforcement complaints from the public could be submitted online anonymously via the portal on the City website. Staff did not actively seek code enforcement cases and all cases were complaint driven. (Murphy)

- Staff hosted an Economic Development Summit for the first time this year and the next step in the process would follow the Economic Development Strategy with no date for the next step yet identified. (Murphy)
- The developer for the Appian Village Condos was not yet ready to announce information when applications for the units would be accepted since the developer was still finalizing the affordability plan and receiving approvals from the state. Information would be provided when available. Acknowledged a recommendation for information to be provided to the public on the affordability terms of the units, with staff noting the affordability changed annually in conjunction with the Area Median Income (AMI). Explained the affordability categories were Moderate Incomes and depending on the household size, earn 80 to 20 percent of the AMI in Contra Costa County for this current year. Low Income was 80 percent and under, Very-Low Income 50 percent and under, Extremely-Low Income 30 percent and under and Above Income over 120 percent. There was a section on the City's new website for affordable housing and staff would check to ensure it included the tables that were updated annually, which would be a good resource for members of the community. (Martinez-Rubin)
- The City had an Inclusionary Housing Ordinance that required rental properties to dedicate 15 percent of the units to Low and Very-Low Incomes, with a breakdown in that calculation. For ownership properties, the affordability must be at the Moderate-Income level which was why the Appian Village Condos were special since the City had been able to negotiate with the developer who would provide eight Low Income ownership units. There were also some additional affordability for senior housing. (Martinez-Rubin)
- Handouts/flyer samples that had been provided on the Building Division permit requirements were not yet available on-line but should be, and acknowledged while the flyers had not yet been translated into different languages, they should be. (Martinez-Rubin)
- As to how many code enforcement cases involved repeat cases, acknowledged the City had some repeat code enforcement offenders from prior years and in some instances some progress had been made and then there had been a lapse or there had been neighborhoods where neighbors were very aware of each other's activities with a little bit of warring going on in some cases where there were repeat complaints; however that was not reflective of the majority of the caseload for the Code Enforcement Officer. Education and information were the most powerful tool to be provided to the community in that regard, and in some cases the Code Enforcement Officer had offered a community event to provide an opportunity for residents to learn about the Pinole Municipal Code (PMC). (Tave)
- Some of the repeat cases involved weed abatement. Pursuant to the PMC, if there was a new complaint for the same violation within the same calendar year, the code enforcement action would pick up where it left off. If it had been more than a calendar year the process would start over again. Staff liked to give the benefit of the doubt whenever possible if not an egregious reoccurrence and in that case, staff would start with a courtesy notice. (Tave)

- There was an appeal process for any Code Enforcement case. Staff had also developed relationships with the Pinole Rotary Club and local churches, as examples, to allow reaching out to persons directly on a case-by-case basis, if the vulnerable population was unable to conduct required weed abatement, as an example. (Tave)
- Staff was researching Rental Registry software that may help to identify abandoned or vacant homes. Staff had noticed the number of vacant or abandoned properties in Pinole over the past few years, which had become an attractive nuisance and was a condition that may invite property crime or other crimes. A Policy Fellow as part of Partnership for the Bay's Future would work with community-based organizations to buy up those properties, rehab them with modern efficiencies such as energy efficiencies, and sell them to first-time homebuyers. The first step was to have additional tools to gather the data where homes were not being utilized in the City. (Tave)
- The 7-Eleven development on Appian Way was at the end of the development process and the project had been seriously delayed due to issues with PG&E. The property had a final inspection this date with the Community Development Department and was due for a final inspection from the Public Works Department in the next couple of weeks and should open by the end of the month. (Mayor Toms)
- Acknowledged there had been complaints about weed abatement for the same properties and a request that those properties be processed quicker, with clarification again that if the complaint occurred in the same calendar year, code enforcement would start where it had left off, which would accelerate the compliance period. Staff was also working with the City Attorney's Office to identify other options that could be used in the future to address weed abatement. In the next year, staff may consider a list of properties that could be presented to the City Council to authorize abatement through a public hearing process and other required actions to require abatement when there had been no response from the property owner. (Mayor Toms)
- Acknowledged there was also a process for weed abatement code enforcement through the CCCFPD. (Mayor Toms)

PUBLIC COMMENTS OPENED

Anthony Vossbrink noted that former Mayor Vincent Salimi had recommended the Community Development Department consider a Business Development staff person to seek out and/or encourage more retail businesses to locate in Pinole. He asked whether that had ever been discussed in more detail. As an example, there were different opportunities the City had missed including the loss of American Tire Company to the City of Hercules. He suggested the City could have entertained interest in vacant properties along San Pablo Avenue or other sites. He also suggested Pinole lost potential businesses to other neighboring communities that should be investigated in more detail. He asked whether the City worked with Caltrans on weed abatement and trash removal on Caltrans property given that one side of the freeway had been addressed from time to time, whereas the other side was rarely cleaned. He asked whether or not staff had a point person to follow-up with Caltrans for maintenance issues and he provided more examples for needed maintenance, trash removal and light outages along the freeway and freeway on-ramps.

PUBLIC COMMENTS CLOSED

In response to the public comment, Community Development Director Whalen advised a Business Concierge staff member would be assigned to help with business retention, expansion and attraction as part of the Economic Development Strategy, but that person had not been hired to-date.

Mayor Toms added the Caltrans website included a complaint portal. She had used the portal in the past and shared it with a number of people. The public may use the portal to issue complaints about litter and weeds. She often copied Assemblymember Buffy Wicks' Office about complaints or requests since she had also requested that Caltrans install K-rails, not just where the freeway went over Pinole Valley Road but extended to where the on- and off-ramps were located to prevent trash from collecting within the right-of-way (ROW) and allow Caltrans to mechanically clean preventing the trash from blowing over and onto the slopes.

Mayor Toms reported that Caltrans had committed to trash capture fencing over the creek since the trash went into the creek, but that was where Caltrans had limited it and the agency would not consider the on- and off-ramps. If the public wanted to pursue that she would encourage them to contact Assemblymember Wicks Office.

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 17, 2024.
- B. Receive the September 14, 2024 – October 11, 2024 List of Warrants in the Amount of \$992,386.91 and the October 11, 2024 Payroll in the Amount of \$529,375.78.
- C. CalPERS Fixed Medical Premium Rates. **Action: Adopt Resolution per Staff Recommendation (Stacy Shell, Charlene Davis)**
- D. Adopt a Resolution to Authorize the City to Join PRISM. **Action: Adopt Resolution per Staff Recommendation (Stacy Shell)**
- E. Second Reading and Adoption of Ordinance Amending Chapter 2.08.010 "Councilmembers' Salaries" of the Pinole Municipal Code. **Action: Conduct Second Reading and Adopt an Ordinance Amending Chapter 2.08.010 "Councilmembers' Salaries" of the Pinole Municipal Code (Eric Casher)**
- F. Adopt a Resolution Authorizing the City of Pinole to Participate in the Green Empowerment Zone for the Northern Waterfront Area of Contra Costa County. **Action: Adopt Resolution per Staff Recommendation (Lilly Whalen)**

- G. Resolution of the City Council of Pinole, Placing Liens on Properties Situated in the City of Pinole, County of Contra Costa, State of California, More Particularly Described as Unpaid Waste Collection Charges from an Administrative Hearing Conducted October 3, 2024. **Action: Adopt a Resolution per Staff Recommendation (Roxane Stone)**
- H. Approve the Purchase of Equipment (Brush Chipper) for Public Works. **Action: Adopt Resolution per Staff Recommendation. (Joseph Bingaman, Sanjay Mishra)**
- I. Authorize the City Manager to Execute the Purchase of Staff Vehicles for Community Development and Community Services Department. **Action: Adopt Resolution per Staff Recommendation (Joseph Bingaman, Sanjay Mishra)**
- J. Approve Amended Procurement Policy to Authorize City Manager to Accept Donations and Grants up to \$45,000. **Action: Adopt Resolution per Staff Recommendation (Kelcey Young)**

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

Mayor Pro Tem Sasai requested that Item 9J be removed from the Consent Calendar for discussion.

PUBLIC COMMENTS OPENED

Rafael Menis referenced Item 9B, and noted a member of the community had seen people drawing water from the Senior Center and were curious whether that had impacted the City's cost from the East Bay Municipal Utility District (EBMUD). Having reviewed the information and cross comparing the warrants from September 16, 2023, which had two separate entries for the Senior Center (as reflected on Page 37 of 272 of that meeting packet, which had added up to about \$1,650) compared to the most recent cost in one instance for the Senior Center which totaled \$2,123.74 (as reflected on Page 41 of 221 of the October 15, 2024 meeting packet), he asked why the Senior Center had gone from two separate line items on earlier warrants to one line item for EBMUD in the current warrants, and whether unauthorized withdrawals of water from the Senior Center could account for the 32 percent increase in the cost of water over a year, assuming costs were directly comparable. He also referenced Item 9E and continued to suggest the approval of Item 9E was an incorrect course of action to take given the City was asking for sales tax measure approval and given the fiscal challenges the City would be facing in the near and immediate future. He suggested an iterated approach of increasing the Council member salaries would be more palatable to the public than simply increasing it to the maximum amount permitted by law.

Irma Ruport referenced Item 9J, and understood that while the amendment to the Procurement Policy would alleviate some tedious work for staff and reduce City Council review, as a long-time member of the community there were reasons why donations or grants should come before the City Council for approval since some Council members were taking them and it had not been monitored by former City Managers.

Ms. Ruport wanted assurance with a policy like the Procurement Policy that it would not consume significant staff time before the City Council, although she was aware there had to be accountability. She asked whether the Procurement Policy purchasing, which had internal controls, should be addressed since it may be applied to the donations and goods offered to the City. She found the internal controls could be a solution for not having to come to the City Council for approval but it would not provide transparency or accountability for residents/taxpayers. She also noted that Page 6 of the Procurement Policy gave the City Manager approval for donation and grant acceptance, to be recorded in the City's financial system of record. She recommended that a system be considered to provide transparency to make the public aware of where the donations or gifts were going.

Ms. Ruport also referenced Appendix A, as shown on Page 47 of the Procurement Policy, and commented she had concerns on the types of purchases, costs, approval, documentation and procurement method for \$45,000 or less, since the procurement method was informal solicitation and bidding, which could be almost anything and some of the cost and the procurement method could be more detailed and monitored to ensure that whoever was informally bidding was legitimate. She emphasized the need to be accountable and transparent to taxpayers and that the donations and gifts were for the taxpayers and not a certain few.

PUBLIC COMMENTS CLOSED

Mayor Pro Tem Sasai also spoke to Item 9J, and thanked the City Manager for bringing the item back including one of the amendments to the Procurement Policy, clarification that union printing would take over local preference, which had been the source of a lot of frustration on his part seeing the list of warrants each meeting and the inconsistencies in terms of a vendor that was not a union vendor and where some City Departments had different takes on the use of vendors. He stated the clarification ensured more consistency. He asked about the current process for receiving donations and grants.

City Manager Young stated currently the City did not receive donations and there had been a moratorium of sorts on that possibility. One of the pieces that staff was trying to address by approving this item was to invite the community in who might want to be more engaged with donations and then start an internal process that could hopefully shift to a larger community foundation or other options that could start taking Pinole to the next level when it came to accepting donations and sponsorships. She had communications from individuals, businesses and other agencies that would like to partner with the City and do various donations but presently there was no process in place to do that. She preferred a process where staff did not have to go back to the City Council to accept small donations in the range of \$200 or \$500, as examples, which created a barrier for many in the community to work with the City. She clarified these were gifts to the City and not gifts to individuals. It would not change the gift policy but the amended Procurement Policy would provide donations for the good of the community as a whole.

City Manager Young added that the City would have to be strategic with the type of gifts it was receiving and cautious and not receive gifts from political parties or anything that could be viewed as giving preferential treatment. She suggested the policy would be similar to the Procurement Policy but in reverse. She emphasized her background in procurement, which looked at overall financial partnerships with both the community and vendors, and in this case, she suggested this would allow the City the opportunity to start exploring those partnerships.

In addition, City Manager Young reported that some City Departments had received small grants with a short turnaround during which the funds must be spent and could go towards things like advertising, or a piece of equipment in the Public Works Department, as examples. If the entire City Council process was required, the City would lose those funds.

City Manager Young commented that the amended Procurement Policy would allow the City Manager through the City Manager's Office to accept donations and grants up to \$45,000, to be reported and tracked in the budget with quarterly updates in an effort to be transparent to the community given the importance of that transparency and to celebrate those partnerships.

Mayor Pro Tem Sasai asked for more detail on the assessment of the donation or gift through the City Manager's Office and asked whether that assessment had been outlined in the Procurement Policy.

City Manager Young described it as internal policy and administrative directive to be codified in an internal administrative policy. She further clarified the donation or grant request could be identified on the City Council Consent Calendar, each donation itself would not take necessarily that long to prepare a staff report (estimated about one hour of staff time) but it could be cumbersome if it involved multiple businesses that may be donating items, making it difficult to build partnerships and bringing the request to the City Council in a timely manner.

Mayor Pro Tem Sasai again clarified the internal policy and asked that the City Council be briefed about that policy.

City Manager Young confirmed the information could be shared with the City Council informally but it could also be formally presented to the City Council, although it was typically an internal operation piece as part of the role of the City Manager.

Mayor Pro Tem Sasai wanted the community to be involved in that process, although City Manager Young commented that while the community could be involved at some point, the City had to look at the benefits. While there could be community involvement and a process could be considered for that, it would likely delay the process moving forward and the City could lose the opportunities to build partnerships. She recommended acting in a way that would assume the best of the community and if there were exceptions, those exceptions could be evaluated as they came forward.

Council member Murphy supported the resolution before the City Council. He clarified with the City Manager the receipt and approval of funds would be presented in a quarterly report similar to the financial reports but could be modified as needed. He suggested the former City Manager's Report be included in the Pinole Pulse and he appreciated the City Manager's effort to create efficiencies in the process but also wanted to use guardrails, such as using Pinole Pulse and financial reports to educate the public.

Council member Tave suggested guardrails were good and suggested the potential incompatibilities would follow the guardrail, but urged caution to staff as to who and why someone would donate to the City. He wanted assurance there was a mechanism in the check-in phase prior to when the City Council could be informed to ensure there were no issues and the Pinole Pulse was a good way to help with that.

As an example, Council member Tave commented that there had been issues with donations for the Annual Tree Lighting Ceremony, where a tree had not been large enough and those issues could be bypassed without requiring a City Council discussion. He urged some dialogue prior to accepting a donation or grant.

Council member Martinez-Rubin referenced Page 3 of the Procurement Policy, the redline version, and the third paragraph under Section B. Conflict of Interest, which read: *City officers and employees shall report any potential or actual conflict of interest to their respective Department Head or to the City Attorney as soon as a conflict is suspected or discovered. If city officers or employees are uncertain about whether they have a conflict of interest regarding a particular contract, the individual shall consult the City Attorney's Office as soon as practicable.* She noted electeds were considered City Officers and asked if this clause applied to City Council members.

City Attorney Eric Casher clarified City Officers would include City Council members, appointed Commission/Committee members and there was the Code of Ethics and Code of Conduct, and a number of different regulatory ethics frameworks Council members must abide by. The clause was meant to parallel those regulations.

Council member Martinez-Rubin wanted it to be clear that City Officers referred to appointees and elected members so there was no misinterpretation or under-interpretation. On face value, currently this section appeared to read that the clause would apply to City staff. She asked that that change be made in the policy.

City Attorney Casher explained a definition for City Officers could be drafted, but the Procurement Policy referred to City Officers or employee and was meant to distinguish between staff and City Officials.

Council member Martinez-Rubin requested the change since the Code of Conduct had not always been followed by Council members, and there was no enforceable way to ensure those norms were followed. She wanted to be as explicit and clear as possible with the expectation that there may be opportunities to acquire donations and not to fall into the temptation the donation was so great it would be allowed to impede the integrity of City Council Officers and procedures in place at City Hall.

Council member Martinez-Rubin otherwise referenced Item 9E and asked that the City Council consider a separate vote on the item. She noted the resolution of approval had included mention of a \$700 monthly compensation to Council members, which did not match the language in the staff report that had identified a maximum of \$900. If the item was approved, she asked what exact amount would be approved.

City Attorney Casher clarified the amount to be approved would be \$950, the amount permitted under state law for a City the size of Pinole.

Council member Martinez-Rubin offered a motion to adopt Consent Calendar Items 9A, 9B, 9C, 9D, 9F, 9G, 9H, and 9I, as shown, and Item 9J, as modified to clarify City Officers.

On the motion, Council member Tave requested clarification as to why language was needed to be added to Item 9J when policies already applied to the City Council for conduct. Rather, he asked whether the Council Norms should be modified. He did not want to compound policies and add language that should be more appropriately made in the norms specific to donations.

Mayor Toms and Council member Martinez-Rubin stated the intent was to add clarity and the City did not have norms specific to donations.

On the discussion, City Attorney Casher clarified again for Item 9J that the Procurement Policy mentioned City Officers and employees and was meant to include City Council members and appointees (Commissioners/Committee Members).

Mayor Pro Tem Sasai asked for the specific language to be included in Item 9J. He was not comfortable approving the item absent specific language that could be reviewed at the dais. He suggested a redline version be brought back for review, otherwise he would only support the current version that had been presented to the City Council.

Mayor Toms suggested the references to City Officers in the Procurement Policy could be modified to read: *City Officers (include Council members and appointed members)*.

Council member Murphy offered a substitute motion, seconded by Mayor Pro Tem Sasai, to approve the Consent Calendar, as is.

There was no second to the first motion.

Council member Martinez-Rubin asked for a second to her original motion.

Mayor Toms seconded the original motion offered by Council member Martinez-Rubin.

ACTION: Motion by Council member Martinez-Rubin/Mayor Toms to adopt Consent Calendar Items 9A, 9B, 9C, 9D, 9F, 9G, 9H, 9I, as shown and Item 9J, subject to the language modification as discussed to clarify City Officers.

Vote:	Failed	2-3
	Ayes:	Toms, Martinez-Rubin
	Noes:	Sasai, Murphy, Tave
	Abstain:	None
	Absent:	None

Council member Murphy restated his substitute motion, which was now seconded by Council member Tave, to approve the Consent Calendar, as is.

ACTION: Motion by Council members Murphy/Council member Tave to adopt the Consent Calendar, as is.

Vote:	Passed	3-2
	Ayes:	Sasai, Murphy, Tave
	Noes:	Toms, Martinez-Rubin

Abstain: None
Absent: None

Mayor Toms explained that she had voted no on the motion specifically for Item 9E, but suggested it was also not too much to ask to provide a clarified policy related to Item 9J.

Council member Martinez-Rubin expressed concern with Council members interested in transparency but not interested in adding a few words to provide clarity.

10. PUBLIC HEARINGS: None

11. OLD BUSINESS: None

12. NEW BUSINESS

A. Pinole Valley Park Soccer Field Donation. Action: Adopt Resolution per Staff Recommendation (Andrea Dwyer)

Community Services Director Andrea Dwyer introduced the item and asked the City Council to enter into an agreement with the West Contra Costa Youth Soccer League (WCCYSL) to receive a donation for the rehabilitation of the Pinole Valley Park Soccer Field.

PUBLIC COMMENTS OPENED

Irma Ruport reported the same presentation had been made to the Community Services Commission, at which time she had spoken as a resident and not as a member of the Community Services Commission, and expressed concern that this was a rehabilitated park that had not been recently used. She stated she used to coach, manage and play soccer for years and was familiar with potential traffic and pedestrian conflicts. She suggested residents whose homes were near the park should be provided a courtesy notice that the field would be used in the future and on weekends there could be games and practices. She also expressed concern there had been no mention of maintenance costs for the field, and noted that the Public Works Department was responsible for other City parks and fields. She asked whether the Public Works Department would continue to maintain the fields. She also wanted assurance that safety would be provided to everyone in the neighborhood while the fields were in use.

Community Services Director Dwyer clarified she had met with the Public Works Director and noted the City would be celebrating this collaboration and partnership with the WCCYSL, and residents would be notified of the use through social media channels, polls, the Rec and Roll Newsletter and the Senior Newsletter. Pinole Valley Park was currently utilized by many uses and the City would notify residents of the upcoming use by the WCCYSL. She also clarified that during the drought the City had decided not to maintain Pinole Valley Park East, which allowed the Public Works Department maintenance team to tend to other projects. Those maintenance dollars had not been pulled away but had been re-assigned to other areas, with the dollars still committed to this location and in the budget. The only addition to be added would be a gopher maintenance contract, which would be expanded to cover Pinole Valley Park East.

Public Works Director Sanjay Mishra confirmed there had been discussions amongst staff that since the park was not usable during the drought maintenance had been minimized and the park had been mowed only once a week. That schedule would be similar with the new use but the park would be watched and inspected. Other than the cost for the gopher maintenance contract, there would be no significant additional cost for maintenance.

Rafael Menis also expressed concern with the park maintenance and potential impacts due to the increased use of the site. He asked whether the park would require the usual process when set up, with review through the Community Services and Planning Commissions, or dealt with at all and while he understood the funds allocated for maintenance for the site had been effectively reappropriated to other purposes and have returned to their original purpose, he asked what would happen to those things the funds were being used for and whether those uses would be impacted or would the City Council have to allocate additional funds for maintenance.

Public Works Director Mishra explained that the manpower time had been put to other tasks when the park had not been routinely maintained and he acknowledged Public Works staff operation and maintenance was tight due to budget constraints. When maintenance was slow for other work, the staff would be used for maintenance for this park with no additional funds to be diverted.

Anthony Vossbrink reported the Zoom feed for the meeting involved a 15 to 20 second delay between what was actually being said for those watching the meeting via Zoom. He was unable to follow the time clock as opposed to the live time clock, and he asked staff to resolve the issue. He also asked that everyone be allowed equal time to speak whether they were at the meeting in-person or participating via Zoom. He noted a member of the public present in the Council Chambers had been granted additional time to speak, a courtesy he would like extended to his own comments, as dictated by the Brown Act.

Mr. Vossbrink otherwise understood maintenance for the park was currently being done by an outside contractor and he asked whether additional funding would be required for that to continue. He asked who on staff would monitor the gopher maintenance contract and whether the City had a track record, testimonials or references from the contractor who would provide those services. He also asked about the status of the adjoining park and whether there would be dual soccer tournaments at both parks. He noted both parks required maintenance, there were numerous gopher holes in the adjoining park, which were not being addressed or identified as a priority, the dog park also required maintenance, additional restrooms were needed, particularly if the park was used by the WCCYSL in the future and there was inadequate seating in the area that would accommodate the future use by the WCCYSL. All of those issues should be addressed along with additional noticing to the community.

Mayor Toms stated she had provided Mr. Vossbrink additional time to provide his public comments as she had during previous meetings and as provided for other speakers.

PUBLIC COMMENTS CLOSED

Council member Murphy commented this was the first quarter where a Community Services mailer had not been provided to residents and he asked whether it was possible to include information in that mailer about the use by the WCCYSL.

Community Services Director Dwyer explained the use by the WCCYSL was not an expansion or change to the use of Pinole Valley Park East. She also clarified there were restrooms located in the middle of the park and it was hoped the capacity of soccer players would be similar to practices and games that had been held in the past. While there would be more soccer use, the use would be spread out throughout the day and there would be an opportunity for tournaments. The parking would not change, no parking would be removed as part of the use and no additional parking would be added. The WCCYSL had informed staff they would bring their own chairs and pop-ups and they had their own system for seating. No additional seating had been included in the plan but that did not mean it could not be revisited in the future, if needed.

As to the mailer, the Community Services Department was working on a Recreation Guide, which would include a collection of the Department's programs. The mailer had been done in the past to offset those programs, with dollars allocated to include something at the right time to kick-start that process through the current staffing shortages. The Pinole Pulse and the Rec and Roll Newsletter had been used to educate the public and could be used to inform the public of the expanded use. A news story could also be posted on the City website, and staff could consider a mailer specific to and focused on the Pinole Valley location and there could be a plaque memorializing the partnership with the WCCYSL.

Council member Murphy suggested the City should communicate to residents while recognizing the need to minimize costs, but the use of the Rec and Roll Newsletter and Pinole Pulse were good communication opportunities. A Recreation Guide was also a great avenue to educate the public. He was excited about the project and thanked the Community Services Department Team and the City's partners for making this opportunity possible.

Council member Tave offered a motion, seconded by Council member Martinez-Rubin to approve the item.

On the question, Mayor Pro Tem Sasai identified a typographical error in the title of the resolution and asked that the spelling of West Contra Costa Youth Soccer League be corrected.

ACTION: Motion by Council members Tave/Martinez-Rubin to adopt a Resolution Authorizing the City Manager to Enter into an Agreement with West Contra Costa Youth Soccer League to Receive a Donation for the Rehabilitation of the Pinole Valley Park Soccer Field.

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

City Clerk Bell asked the City Council to return to the Consent Calendar. She clarified if a Council member pulled an item they had to vote on that item separately. She understood the City Council was to vote on Item 9E separately, which would impact the rest of the vote on the Consent Calendar. As a result, she asked that the motions for the Consent Calendar be revisited. The Council was asked to revote on Consent Calendar Items 9A through 9D and Items 9F through 9J.

Council member Murphy referred to the statement under the Consent Calendar and on the meeting agenda which read: *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.* He asked for clarification from the City Clerk.

City Clerk Bell noted the statement included the clause which read: *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.* She commented that each action had a resolution that was tied to it and there had to be assurance that each Council member's vote was recorded in those supporting documents for each item, and there had to be an accurate vote for each item.

ACTION: Motion by Council member Murphy/Mayor Pro Tem Sasai to adopt Consent Calendar Items 9A through 9D and Items 9F through 9J, as is.

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

ACTION: Motion by Council member Murphy/Mayor Pro Tem Sasai to adopt Consent Calendar Item 9E, as is.

Vote:	Passed	3-2
	Ayes:	Sasai, Murphy, Tave
	Noes:	Toms, Martinez-Rubin
	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.*

Irma Ruport reminded everyone to vote on November 5, 2024. She highlighted the candidates running for the offices of City Treasurer and two Council seats and strongly encouraged support and a vote for Rafael Menis as City Treasurer. She highlighted his background and experience and the fact he currently served as the Chair of the Planning Commission.

Ms. Ruport also asked for support and votes for Christy Lam-Julian and the re-election of incumbent Devin Murphy, to the City Council and also highlighted each of those candidates.

Anthony Vossbrink disagreed with the Mayor, he had not been provided equal time to provide his comments in that he had been cut off in the middle of his sentences and train of thought, and had been unable to ask for additional time to complete comments. He suggested the Mayor or City Clerk was flipping the switch on Zoom callers who were treated differently from speakers present in the Council Chambers. He suggested the Contra Costa County Board of Supervisors or District Attorney's Office should investigate the terms of the Brown Act and his being treated unfairly from those speakers appearing live in-person.

Mr. Vossbrink echoed the comments from the prior speaker regarding Mr. Menis who was running for City Treasurer, and whose attributes he highlighted. He too supported Christy Lam-Julian who was running for City Council and also detailed her attributes. On another matter, he asked about the status of the number of inoperable street lights up and down Pinole Valley Road and San Pablo Avenue and the I-80 overpass, and the new refurbished restrooms that had plastic toilet seats at the dog park and the baseball/soccer field at Pinole Valley Park.

City Manager Young reported that team member Robert Walker had passed away on October 13, 2024. Mr. Walker had been a City employee for 45-years and was the first African-American to be hired by the City of Pinole. Mr. Walker was one of the first people she had interacted with in an extremely positive way and he had been an institution for the City of Pinole and was family for most team members. She advised a proclamation would be considered in honor of Mr. Walker at a future City Council meeting. She expressed her gratitude to Police, Fire and the Public Works Departments who had responded to Mr. Walker, who had been involved in a public medically-induced accident. Due to the quick response from emergency personnel on-site, his family had been able to be with him prior to his passing.

Council member Murphy also reported Pinole resident Kenneth (Kenny) Allen Francis had recently passed. He was oftentimes at the Senior Center and had great knowledge about the community. He provided an overview of his life and background including as a former firefighter for the City of Pinole, and he asked that the meeting adjourn in Mr. Francis' memory.

14. ADJOURNMENT to the Regular Meeting of November 19, 2024 in Remembrance of Amber Swartz, Kenneth Allen Francis and Robert Walker.

At 9:38 p.m., Mayor Toms adjourned the meeting to the Regular City Council Meeting of November 19, 2024 in Remembrance of Amber Swartz, Kenneth Allen Francis and Robert Walker.

Submitted by:



Heather Bell, CMC
City Clerk

Approved by City Council: November 19, 2024

