

**PINOLE CITY COUNCIL  
MINUTES  
JANUARY 29, 2013**

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

The Special Pinole City Council meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Long called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

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

Phil Green, Council Member Peter  
Murray, Council Member Roy  
Swearingen, Council Member  
Tim Banuelos, Mayor Pro Tern  
Debbie Long, Mayor

**WCCUSD BOARD MEMBERS PRESENT**

Randall Enos, Board Member  
Groves, Todd, Board Member  
Merriweather, Elaine, Board Member  
Ramsey, Charles, Clerk  
Kronenberg, Madeline, President

**B. STAFF PRESENT**

Belinda Espinosa, City Manager  
Stephanie Downs, Assistant City Attorney  
Hector De La Rosa, Interim Assistant City Manager  
Charles Hanley, Fire Chief  
Pete Janke  
John Hardester, Police Chief  
Patricia Athenour, City Clerk

City Clerk Athenour announced that the Agenda was posted on January 24, 2013 at 4:00 p.m. All legally required notice was provided. Following an inquiry by the City Clerk, no conflicts were reported on any items on the Agenda. She advised the Council of presentation materials for Items 6A on the dais and at the rear of the Chamber for the public.

**3. CITIZENS TO BE HEARD (Public Comments)**

The following speakers addressed the City Council: No speakers addressed the City Council.

Ivette Ricco, Pinole citizen, discussed false statements about her opposition to several development proposals in the Old Town, which were made at a prior Council meeting and in a newspaper article in the West County Times. She said in the ten years as the Chamber Executive Director and as the Chamber President she never spoke in opposition to the Hirahara

projects or businesses and restaurants downtown. She spoke of a letter she wrote in opposition to a project at Pinole Shores and also cited discussions she had with recent prospective tenant at the Bank of Pinole building. Ms. Ricco said she made no policy decisions on behalf of the Chamber.

Mayor Long convened the Joint session with the West Contra Costa School Board.

#### **4. JOINT WCCUSD / COUNCIL DISCUSSION MATTERS**

##### **A. Campus Safety**

##### **1. SRO Program**

**John Hardester**, Chief presented a PowerPoint exhibits in overview of the School Resource Officer (SRO) program and addressed school safety. Pinole Valley High has two SROs, four site supervisors and one probation officer. Pinole Middle has one SRO and three site supervisors. Incidents, crimes and reports have dropped at Pinole Valley High and are up slightly at Pinole Middle School. He attributed some of the drop in incidents to the seventeen surveillance cameras on campus. He reported on a recent incident involving a semi-automatic gun in a car window in proximity of the school. The Police found the car school, performed a search and found three air soft guns, which had been used by the youth to shoot at turkeys. He reported of another incident at Pinole Middle, where a youth with an air soft gun was seen just beyond the school property.

The Police performed a school security assessment at all Pinole schools this month. Each school will receive a written report with recommendations and the Department will work with the school district. Hardester provided general recommendations in his presentation.

Chief Hardester said he would keep the Board apprised on truancy statistics, following a request by Board Member Ramsey. Board Member Ramsey said he would be asking the school architects to contact the Chief for suggestions on necessary safety measures.

Board President Kronenberg reported on improved classroom identification program, and asked the Police Department to work with their school safety committee to compare notes.

Board Member Groves asked the reason for the dramatic drop in incidents; to which Chief Hardester said it was likely attributable to the security cameras, the resource officers and school staff.

At 6:29p.m., the record reflected the arrival of Board Member Merriweather.

Discussion and questions ensued regarding school safety, carrying firearm (even air soft) on school campus, and statistics on students on probation, and camera operation.

Mayor Long thanked Chief Hardester for taking the initiative on the assessments and asked that he share the information with the schools.

##### **2. Cameras at Pinole Valley High School**

**Bill Fay**, WCCUSD, entered exhibit materials into the record and provided more information on the cameras. He said there were thirty-five cameras on Pinole Valley High now and the new campus contain more cameras.

**Cindy Trego**, Pinole citizen, thanked the Council and the District for the cameras. She requested the development of written guidelines on reporting procedures, and asked who was responsible for reporting incidents to the parents the mode of reporting and the lack of tracking. She suggested this topic needs attention at the State level.

Mayor Long suggested Ms. Trego agendize this on the WCCUSD School Safety agenda.

Board Member Ramsey asked Mr. Fay to address the preservation of the bell at Collins elementary and also communicate with Mr. Rubin.

Mr. Fay expressed Mr. Rubin's reported concern that the weather was eating away at the bell. The District responded by moving the bell inside at the operation yard and was conducting ways to restore the bill.

B. Update on the Design & Construction Schedule for the New Pinole Valley High Campus

**WLC Team**, Pinole Valley High design architect team was present. **Kevin MacQuarrie**, Architect for the WLC Team introduced staff members, and presented a timeline and the plan for the campus construction from hillside stabilization to completion.

1. Coordination with County on the Pinole Library Driveway

**Keith Holtzlander**, Facilities Manager responded to questions. He reported that a letter was sent to the County (enumerated several staff members) nearly one year ago and no response was received.

Mayor Long asked Public Works Director Allison and Mr. Holtzlander to set a meeting with our two County supervisors, and asked Mr. Allison to copy all the Council.

2. Plans for Traffic Calming on Pinole Valley Drive During Construction

The District reported that they will begin to look at this in detail before the end of this year, and are considering a number of measures. Mayor Long asked for a report when the options have been analyzed so the Council and community can weigh in.

3. City Construction Hours and Penalties

The District staff reported having a copy of the Pinole Municipal Code sections in all contracting documents, and was aware of a recent problem at Ellerhorst. Mr. Holtzlander said City staff visited the site and could not hear any noise. The complainant refused to speak with school staff.

4. City Business License Requirements

The Board said their staff would work with the City on their requirements and the subcontractor lists would be made available to the City.

Council Member Murray asked about traffic calming on Pinole Valley Road and discussed the Pinole Library driveway issue, and said that it needed to be ironed out and suggested more diligence to get their attention.

Council Member Swearingen suggested a model would have been helpful to bring to the meeting, and suggested that the lighting may need enhancements and asked for the District to provide the project timeline.

District representatives said the project would be going with the detention basins this summer, and the temporary campus would be ready for occupancy in Summer 2014, hazmat and site abatement and campus construction would follow, with an estimated completion date in 2018.

**Kurt Pless**, Pinole resident, expressed concern about vehicle and equipment parking, as well as dust control during the construction phases. He also noted, on behalf of Pinole TV, that the construction teams need to be mindful of the equipment and cables and to keep an area clear for the TV truck during football season.

The School Board directed Mr. Terry to work with PCTV Coordinator Dave Snell on these issues. Mayor Long asked Mr. Snell to provide a diagram to the school officials.

Mr. Holtslander said that they have already been in contact with the adjacent church regarding parking issues and dust control is called out in the specifications.

Mayor Long said if parking in the front of the school was slated for permanency, it would require a submittal and review by the Planning Department / Commission. Board Member Ramsey suggested a community meeting in April to address those issues. Mayor Long suggested that Council Member Swearingen set a meeting with the Chamber to advise the businesses of the construction also.

At 7:03p.m., the record reflected the arrival of Mayor ProTem Banuelos.

**Julie Maier**, Pinole citizen, asked if the transition to the new campus would be phased.

Mr. Holtslander responded that the entire campus will be completed before the students are moved back in the new campus.

**Ivette Ricco**, Pinole citizen, member of Citizen's Bond Oversight Committee and website chair, advised that some of this information should be readily available and up to date on their website. Some of these exhibits can be linked on the website to keep a current construction timeline available as well as other information to the community . .

**Bill Fay** addressed the website issues, stating that improvements have been made to the website, but sometimes the information is not available quickly enough. The financials are online and they are moving to a more graphic rich environment. The trigger will be the upload of a new software system, Primavera, in a few months, allowing viewers to access any project and open exploded views.

Board Member Ramsey commented that the Facilities Subcommittee has put an additional Sixty Million Dollars in the budget to insure that the Pinole Valley High reconstruction is completed.

C. Pinole Middle School  
1. Update on Schedule for Completion

Mr. Holtslander addressed the questions. Pinole Middle School was in the last phase of completion. The new field construction was slated for the fall 2013, with completion in spring 2014. Artificial turf, costing Six Million dollars is noted in the budget, and the District asked for confirmation of the City's \$500,000 contribution.

## 2. Confirmation on City of Pinole Soccer Field Contribution

City Manager Espinosa confirmed that the City was committed to the \$500,000 contribution originally promised from the Redevelopment Agency, which will be funded from the approved ROPS.

## 3. Plans and Schedule for Pinole Elementary Schools

Mr. Holtslander discussed smaller capital projects; the new fire alarm system at Collins was completed and plans are moving forward for a new alarm system at Shannon. Plans are underway for a needs assessment at Shannon and a recommendation will follow for retention of an architectural firm. Roof work is being completed at Ellerhorst, where there have been delays due to weather. Upgrades at Stewart are complete and a marquee sign should be installed in summer. The total cost allocated or spent in Pinole schools is just over \$281 million.

Mr. Holtslander responded to questions from Council regarding details on several of the project, including a status on renovations at Collins and Shannon. He said that renovations were starting on Shannon now and Collins would be master planned by the end of 2013 or the beginning of 2014.

## 4. Academic Performance Standards and Expectations

**Katy Von Husen**, Coordinator of Educational Services addressed the academic successes in Pinole schools. She explained the API / Academic Performance Indicators, stating that the average growth since 2009 was over 30 points. All elementary schools scored over 700 and two of the four elementary are over 800, with Collins at 799. The college and career academies are the crowning achievement at Pinole Valley High. The report included statistical information on academic achievements in all schools.

Mayor Long said years ago Pinole was the school everyone wanted to attend, based on test scores, and throughout the years the scores have plummeted. She asked what was done at De Anza to raise the scores while Pinole's declined. She asked that the data be tracked so that quick responses and adjustments could be made.

Dr. Harter responded to Mayor Long's comments.

**Al Kirkman**, Pinole citizen, addressed the Boards, stating that security was the number one priority, and cited the need for more volunteers and staff on the campus. He raised a question about Hercules High having only one SRO. He said taxpayers had been very generous with the parcel tax and the EMRAD funds were not used properly, and all monies should be directed to the students. He suggested all students receiving a one week camp and expressed the need for an additional officer at each school for security.

**Marcia Kalapus**, Pinole citizen, commented on the annual report cards for each school, and asked that the District completed the entire form to provide information on teacher credentials and educational background. She said if teachers were qualified, students test scores would rise.

Closing comments were made by the School Board. President Kronenberg thanked the Council for the meeting and invited the Council to meet at their facility in a follow up meeting in the future.

Board Member Ramsey said he was proud of the work that was accomplished and also thanked Cindy Trego and CCOP for working on the cameras. He agreed that the Board must continue monitoring the schools, and provided his promise and pledge to continue to represent Pinole. He closed stating a second SRO at Hercules was scheduled for consideration at the next Board meeting.

The remainder of the Board Members thanked the community for their invitation and participation and agreed there is more work to do and to bring any issues to their attention.

5. RECESS to a Special City Council Study Session.

At 7:55p.m., Mayor Long called a brief recess. She reconvened the meeting at 8:06PM.

6 COUNCIL STUDY SESSION

A. Fire Service Options

Belinda Espinosa, City Manager provided a brief overview of the two items below and said staff was seeking direction regarding possibly reopening Station 74 with the two-year grant, and to consider long-term fire service options. The two items were presented and discussed jointly. She directed Council's attention to the revised Page 7 for Staff Report 2013-08, as well as an exhibit on Fire Department 4-Year Operating Budget History.

1. Overview of the SAFER Grant [Council Report 2013-07; Action Receive Report (Espinosa /Hanley)]
2. Fire Service Alternatives [Council Report 2013-08; Action Receive Report & Provide Direction (Espinosa)]

Ms. Espinosa presented Council Report 2013-07 into the record and summarized the federal SAFER grant, totaling \$1.239 Million. The grant only applies to Pinole Fire Department, and is provided to hire four firefighter positions for a two-year period. She said there were no City match, and were not required to maintain the positions after the funding period ends, and there was no cap on salary/benefits. The recruiting and pre-employment costs are not covered and are estimated at \$72,400. She said there was a possibility of an extension of the funding period if the money was not all drawn, and the grant is transferable, if the City elects to contract for services. She said there was a three to four month period in which the City could decline the grant.

The reports included:

1. Overview of current operation
2. 10-Year history of department overtime
3. Calls for Service from 2008/09 through 2011/12
4. Reviewed two proposals for Fire Services (Consolidated Fire & Rodeo-Hercules)
5. Comparisons of the Proposals between Con Fire & Rodeo Hercules
6. Comparison of Rodeo-Hercules and Pinole (current)
7. Look at new model for medical response only at Fire Station 74 and limited peak periods.

Charles Hanley, Fire Chief, entered a power point presentation in the record which included the Rodeo Hercules proposal for fire services. He explained the current arrangement, where

Pinole contracts for fire administrative services through the end of this FY 2012/13. The Rodeo-Hercules proposals outlined in the exhibit materials included, but were not limited to:

1. Provide fire protection services to the City
2. Assuming responsibility for 2 fire stations
3. First responder life support
4. Fire prevention services
5. Maintenance and replacement of apparatus and equipment
6. Provide maintenance training to meet minimum acceptable mandates
7. Hire City firefighters (all ranks)
8. Provide maintenance and training to meet minimum acceptable mandates
9. Maintenance and replacement of apparatus and equipment
10. Fire prevention services
11. Chief and Administrative Services

The contract cost was proposed at \$3.1 Million, for the first two years, and a four percent annual adjustment hereafter. The proposal called out a ten-year term, extended automatically in successive five-year terms.

Chief Hanley addressed an alternate proposal to include Fire Station 74 staffed with grant sponsored employees and administering the grant, with changes in terms of the organizational chart.

#### Feasibility of Re-Opening Fire Station 74

City Manager Espinosa discussed and presented the materials into the record regarding the feasibility of re-opening Station 74, stating that at the end of the grant period, without an alternative revenue source, the City would revert back to the current status with a browned out station. She also clarified that the new Pinole firefighters would be dispatched anywhere within the District.

The report addressed staffing and financial impacts, with reference to the continuation of hard cap on overtime and noting that new employees would be hired in at the low end of the range. Reopening Station 74 would cost approximately \$21,700 per year in administrative/operational/non-personnel costs.

Constant staffing is an issue we need to deal with as well as the cost of the medical liability (OPEB) as it is a cost that is borne by the City of Pinole. Cost could be in the millions, have ordered an actuarial. Likely 2 -3 million dollars and it is a future cost that must be budgeted.

She noted with outsourcing fire service options to Rodeo-Hercules, there would be no overtime costs, workers compensation or equipment maintenance as they would be borne by Rodeo-Hercules.

Council questions and dialogue ensued about the grant and also regarding the fire services proposal, directed to both City Manager Espinosa and Fire Chief Hanley.

The Council questioned the four percent escalator since it was higher than the Con Fire proposal and the Bay Area CPI. Chief Hanley said it was based on the District costs which are average four percent per year.

Mayor Long raised questions on the provisions in the grant regarding hiring veterans.

Chief Hanley responded stating the Veteran hiring is a priority for the District, and they are looking at the Veterans Hiring model and applying for a grant to reopen a Rodeo-Hercules station also. They have requested assistance from Thompson's office and local businesses to contact their legislators to request consideration for the grant.

Mayor Long asked if the City assigned their grant, could it be conditioned upon Veteran's hiring.

Belinda said the City would be responsible; and R-H would be administering the grant, unless the City chose to contract for services, then the grant would be transferred to Rodeo-Hercules.

Mayor Long noted there were benefits to Rodeo-Hercules also, if Station 74 was reopened and asked the Chief if there were any discussions about sharing costs, such as recruitment.

Chief Hanley said they are very successful with their electronic recruitments, stating that the cost the City noted could be reduced.

Mayor Long also identified issues related to OPES costs and the Tara Hills agreement. She said a pre-requisite to contracting, would be for the City Finance Director to examine the District's books. Mayor Long asked whether the District had discussed annexation.

Chief Hanley said Rodeo-Hercules District was open to whatever the City preferred with respect to the Tara Hills contract with Con Fire. Chief Hanley said examination of the books had been discussed in generalities. The District had discussed the possibility of a Joint Powers Authority and then could look at discussions of annexation. He said LAFCO supports removing artificial boundaries.

The following speakers addressed the Council:

**Charles Hammack**, Pinole citizen, appreciated the Council's continuance to perform due diligence and advocated support for reopening Station 74 on a full time basis. He said the department works very efficiently and to dispel the rumor that it takes one million dollars to operate Station 74.

**Cindy Trego**, Pinole citizen, addressed Council to remind them that from June – November there were 1,142 calls of which 448 (31%) were not in Pinole. She said it was Important to continue to look at sustainability.

**Jeff Rubin**, Pinole citizen provided statistics on the Fire calls for service. He said that 96% of the calls are not fire related. He also recited statistics regarding the number of calls specific to the Valley area. He said he thought receiving the grant was positive and he hoped that the Fire Department remains Pinole, but he said that the SAFER grant delays the inevitable, which are more efficient method to deliver fire services.

**Irma Ruport**, Pinole citizen, said she was glad to hear about the grant. She said there should be more dialogue amongst the entire community, including polling. Ruport said she did not want to see these professional people go, and she like everything about them, the unions, and the personnel. Ruport said she would do everything possible to keep the station open and the firefighters here.

**Jim Parrott**, Pinole citizen, former Pinole Fire Chief, addressed Council. He said that Pinole Fire Department has never really been "stand alone," but rather part of a multi-agency, dependent on each other. The three agencies within Battalion 7 cannot provide services on their own and they cross over boundaries. He said it was misleading to look at the numbers

when the challenge is the standby time and who is available to provide service. He recommended looking at the risk/ benefit and determine what is deemed an unacceptable level of loss.

**Ken Deseve**, Pinole firefighter and representative of Pinole firefighters, discussed the Battalion concept. He supported the SAFER grant as a good first step to reopening Station 74 and said it made sense to consolidate the two smaller agencies and gain the ability to participate with our neighbors better. He asked the Council to seriously consider that option.

**Marcia Kalapus**, Pinole citizen, reported calling for fire department five times over the past five years for medical assistance. She said she received attention from the paramedic, not the fire fighters, and the statistics speak for themselves. She supported maintaining Pinole Fire as part of the City and cited her fear of regionalism, and the next step would be merging with Con Fire. She said that medical calls needed to be addressed differently.

**Charles Hammack**, Pinole citizen, addressed Council again, and said that fire service is not a statistical service. It is the ability to respond and the readiness when you need it; if you do not receive calls, it is a good day. He reported on a situation where his daughter was bitten by a rattlesnake and utilized department services, stating he has since always had a strong relationship with Station 74. He urged the Council to take the grant money and find a way to keep Station 74 open continuously.

In closing Ms. Espinosa spoke in support of maintaining Battalion 7 to insure Pinole is covered, and said that due to financial constraints each agency will begin charging for services when they respond outside of their boundary. She agreed with former Chief Parrott that if we have one station, we must retain Battalion 7 and that maintaining an independent department did not mean to infer Pinole to be separate or act as an island.

#### Council comments:

Council Member Green discussed the imposition of the concessions and did not believe that the employee should pay the employer's share of the pension cost. He said there was a better opportunity to reopen Station 74, starting with the SAFER grant, and the City should look toward contracting with Rodeo-Hercules and maintaining Battalion 7. He supported reopening Station 74, even if it is only two years in the beginning.

Council Member Murray said he had hoped to continue the process, look into the factual costs and hear more alternative methodologies. He questioned whether there were organizations performing services more efficiently. His interest is the best interest for the community; the financial situation and the ability to serve, and doesn't want to go through the process of closing Station 74 again in a few years. He said he was concerned with a spending cushion at the end of the year. He said wanted to hear all the nuances about contracting and still did not feel he had enough information.

Mayor Pro Tern Banuelos said it appeared that everyone wants the medical service. He also was concerned about reopening and closing Station 74 again. He said he was interested in proportioning the service we have, suggesting that perhaps the station should evolve into a medical emergency based service. One fire station, one medical station, and Battalion 7 cross over may be a more efficient method to service the public, and spread the grant over a longer period of time and he supported seeing that developed further.

Council Member Swearingen noted the number of interesting conclusions in the Santa Clara report, and suggested that LAFCO could also work on a methodology beyond what they have

said so far. He said he was very interested in contracting, but had spoken to many citizens who oppose it. He thanked Chief Hanley for the work on the grant application and also Congressman Miller and Thompson for their support. Council Member Swearingen supported reopening Station 74.

Mayor Long does not believe the SAFER grant can be used for emergency services only. Chief Hanley concurred, stating it was to provide a baseline protection; it could not be used for medical only.

Mayor Long continued. She said there was a need to take action and they have ninety days to begin the hiring process under the SAFER grant, and must determine if the new employees will be hired as Pinole or under a contract with Rodeo-Hercules. She suggested agendaizing discussion on February 19th, whether we want to take a vote to pursue the contractual relationship. The Council cannot continue to discuss the pros and cons; it is time for action to make a definitive decision very soon. Within the next 30 days, she told the Council, they must move in a direction to make a decision. She supported considering a short term contract (2-3 year) and based on current revenues, the City cannot afford to keep Station 74 open, but at next election cycle, could place a parcel tax measure on the ballot, and continue discussions how to use that station as an emergency service model. She urged the Council to agree to agendaize this topic on either February 5 or 19 for a vote that will decide the future of Pinole fire services as either stand alone or contracting out and an alternative model down the line.

Ms. Espinosa summarized all the studies and options staff had forwarded in concept in the past. There is only one option remaining for contracting services and that is with Rodeo-Hercules. She advised Council it was the time to move forward. She said she would develop a one page report with the elements and also recommended establishing a Council Subcommittee to work with on the plan.

There was Council concurrence to bring the item forward on February 5<sup>th</sup>.

At 9:53 p.m., Mayor Long adjourned the Special Meeting to the Regular Meeting of February 5, 2013.

Submitted by:

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Patricia Athenour, MMC  
City Clerk

APPROVED BY CITY COUNCIL:

<p style="text-align: center;"><b>CTR</b> Approved 3/20/13</p>
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