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CITY COUNCIL

Roy Swearingen, Mayor
Norma Martinez-Rubin, Mayor Pro Tem
Peter Murray, Council Member
Vincent Salimi, Council Member
Anthony Tave, Council Member

**PINOLE CITY COUNCIL
1st AMENDED MEETING AGENDA**

**TUESDAY
JULY 21, 2020**

VIA ZOOM TELECONFERENCE

5:00 P.M.

***Please note the early start time.**

DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING IS BEING HELD PURSUANT TO AUTHORIZATION FROM GOVERNOR NEWSOM'S EXECUTIVE ORDERS – CITY COUNCIL AND COMMISSION MEETINGS ARE NO LONGER OPEN TO IN-PERSON ATTENDANCE.

SUBMIT PUBLIC COMMENTS TO CITY CLERK BEFORE OR DURING THE MEETING VIA EMAIL
hiopu@ci.pinole.ca.us

Comments received before the close of the public comment period for that item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on. Any comments received after the close of the public comment period will be distributed to Council and relevant staff after the meeting and filed with the agenda packet.

WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. They are retelecast the following Thursday at 6:00 p.m. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.

If none of these options are available to you, or you need assistance with public comment, please contact the City Clerk, Heather Iopu at (510) 724-8928 or hiopu@ci.pinole.ca.us .

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8928. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinole.ca.us .

Ralph M. Brown Act. Gov. Code § 54950. *In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.*

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

2. 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't Code § 87105.

3. 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code § 54957

Title: City Clerk

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Gov. Code § 54957

Title: City Manager

OPEN SESSION WILL COMMENCE UPON CONCLUSION OF THE CLOSED SESSION WHICH MAY OCCUR BEFORE 6:00 P.M.

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

5. 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. 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.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Proclamation Recognizing Finance Director Andrea Miller for Her Service to the City of Pinole

B. Presentations / Recognitions

1. Bay Area Rapid Transit Presentation by Board President, Lateefah Simon
2. West Contra Costa County Unified School District Update on Reopening of Schools and District Budget by Associate Superintendent of Business Services Dr. Tony Wolde

7. 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 Meeting of May 19, 2020.
- B. Receive the July 4, 2020 – July 17, 2020 List of Warrants in the Amount of \$1,738,731.89 and the July 10, 2020 Payroll in the Amount of \$410,184.27
- C. Resolution Confirming Continued Existence Of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between January and April 2020, Considered at an Administrative Hearing on June 4, 2020 **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**
- E. Review and Approve the Master Fee Schedule **[Adopt Resolution per Staff Resolution (Miller)]**
- F. Receive the Quarterly Investment Report for the Quarter Ending June 30, 2020 **[Receive and File Report (A. Miller)]**
- G. Authorize Response to Grand Jury Report: “Police Department Staffing” (Report 2004) **[Action: Approve and Authorize Mayor to Sign Response Letter (Gang)]**
- H. Approve the Pinole Salary Schedule for all Represented and Unrepresented Employee Classifications in Conformance with California Code of Regulations, Title 2, Section 570.5 **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

- A. Amendment to Section 17.70 Accessory Dwelling Unit Ordinance of the Pinole Municipal Code **[Action: Conduct Public Hearing on First Reading (T. Miller)]**

9. OLD BUSINESS

- A. Update On City Staff Activities Related To Preparing For A Potential November 2020 Ballot Measure and Special Parcel Tax for Fire Service **[Action: Discuss and Provide Direction (Murray)]**
- B. Adopt a Resolution Accepting the Final Recommendations from the Fowler House Re-Use Committee **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**
- C. Approve The Memorial Policy, Previously Named The Plaques, Monument, And Memorial Dedication And Acceptance Of Donated Equipment Or Material Policy **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- D. Approve an Amendment to the Operating Agreement for Aquatic Program Coordination and Facility Use With the Pinole Seals for Use of the Swimming Pool From June 27 – July 31, 2020 and Authorize the City Manager to Execute

the Agreement [Action: Adopt Resolution per Staff Recommendation (De La Rosa)]

10. NEW BUSINESS

- A. Resolution Naming the Basketball Court at Fernandez Park After David Patrick Underwood and Authorizing City Staff to Collaborate with Community Partners to Repave and Repaint the Court [Action: Adopt Resolution per Staff Recommendation (Murray)]

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
- C. City Council Committee Reports & Communications
- D. Council Requests For Future Agenda Items
- E. City Manager Report / Department Staff
- F. City Attorney Report

12. ADJOURNMENT to the Regular City Council Meeting of August 18, 2020 In Remembrance of Amber Swartz.

Note: The Regular meeting of August 4, 2020 is canceled

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: July 16, 2020 at 4:00 P.M.

Heather Iopu, CMC
City Clerk