

**CORONAVIRUS ADVISORY
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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
MEETING AGENDA**

**TUESDAY
OCTOBER 6, 2020**

VIA ZOOM TELECONFERENCE

6:00 P.M.

**The public portion of the agenda will be heard immediately following
the conclusion of the Closed Session items.**

**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 Manager

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. Recognizing October 4 - 10, 2020 as Fire Prevention Week

B. Presentations / Recognitions

1. [November 3, 2020 General Election Information by Scott Konopasek, Contra Costa County Assistant Registrar of Voters](#)

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 July 21, 2020](#)

B. [Receive the September 12, 2020 – October 2, 2020 List of Warrants in the Amount of \\$761,589.82 and the October 2, 2020 Payroll in the Amount of \\$425,363.10](#)

C. [Resolution Confirming Continued Local Emergency \[Action: Adopt Resolution per Staff Recommendation \(Casher\)\]](#)

D. [Adopt A Resolution Approving Fiscal Year \(FY\) 2019-20 Budget Adjustments \[Action: Adopt Resolution per Staff Recommendation \(Murray\)\]](#)

- E. Approving The Transfer of \$684,252 from the Pension Section 115 Trust Fund for Fiscal Year (FY) 2019/20 **[Action: Adopt Resolution per Staff Recommendation (Murray)]**
- F. Adopt A Resolution Approving A Third Amendment To The Exclusive Negotiating Agreement Between The City Of Pinole And General Realty CE, LLC For The Sale And Purchase Of The Pinole Shores II Properties **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- G. Amendment To Chapter 15.54 Water Efficient Landscape Ordinance (WELO) Of The Pinole Municipal Code **[Action: Adopt Ordinance on Second Reading (Hanham)]**
- H. Adopt A Resolution Approving The Submittal Of Application(s) For The State Of California Department Of Parks And Recreation Per Capita Grant Funds **[Action: Adopt Resolution per Staff Recommendation (Miller)]**
- I. Approving 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)]**
- J. Receive The 2019 Annual General Plan Housing Element Progress Report As Required By The State Of California **[Action: Receive and file report (Hanham)]**
- K. Adopt A Resolution Approving Side Letter Agreements To The Memorandums Of Understanding (MOUs) Between The City And Local 1, And The City And AFSCME Local 512 To Amend Article II – Recognition Of Each Agreement **[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.

9. OLD BUSINESS

- A. Updated Financial and Investment Policies **[Action: Adopt Resolution per Staff Recommendation (Murray)]**

10. NEW BUSINESS

- A. Receive The Five-Year Forecast For The General Fund And Measure S Funds Fiscal Year (FY) 2020/21 Through FY 2024/25 **[Action: Receive and File Report (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 October 20, 2020 In Remembrance of Amber Swartz.

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: October 1, 2020 at 4:00 P.M.

Heather Iopu, CMC
City Clerk