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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  
NOVEMBER 17, 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.**

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**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](mailto: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](http://www.ci.pinole.ca.us).

**VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE,** [www.ci.pinole.ca.us](http://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](mailto: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](http://www.ci.pinole.ca.us). You may also contact the  
City Clerk via e-mail at [hiopu@ci.pinole.ca.us](mailto: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. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Gov. Code § 54956.9(d)(2) or (d)(3)

Number of Potential Cases: 1

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Gov. Code § 54956.8

Property: 401-120-035 for 2100 San Pablo Avenue, The Faria House

Agency negotiator: City Manager Andrew Murray and Assistant City Manager

Hector De La Rosa,

Negotiating parties: Pinole History Museum

Under negotiation: Terms

**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

B. Presentations / Recognitions

**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 September 15, 2020

B. Receive the October 31, 2020 – November 13, 2020 List of Warrants in the Amount of \$581,934.04 and the November 13, 2020 Payroll in the Amount of \$407,166.63

- C. Confirm Existence of Continued Local Emergency [**Action: Adopt Resolution per Staff Recommendation (Casher)**]
- D. Receive The Fiscal Year (FY) 2020-21 First Quarter Financial Report And Adopt A Resolution Approving Budget Adjustments [**Action: Receive Report and Adopt Resolution per Staff Recommendation (Murray)**]
- E. Receive The Quarterly Investment Report For The Quarter Ending September 30, 2020 [**Action: Receive and File Report (Murray)**]
- F. Adopt A Resolution Approving A Compensation And Benefits Plan For Management And Confidential Employees [**Action: Adopt Resolution per Staff Recommendation (Murray)**]
- G. Exclusive Negotiating Rights Agreement With Satellite Affordable Housing Associates To Develop Affordable Housing At 811 San Pablo Avenue [**Action: Adopt Resolution per Staff Recommendation (De La Rosa)**]
- H. Adopt A Resolution Authorizing Adoption of The California Department Of Transportation (Caltrans) "Local Assistance Procedures Manual (LAPM) Chapter 10 – Consultant Selection" And Amending The Procurement Policy To Incorporate This Requirement [**Action: Adopt Resolution per Staff Recommendation (Miller)**]

## **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. Hazel Street Subdivision, Design Review, And Development Agreement [**Action: Conduct Public Introduce Ordinance on First Reading, and Adopt Resolution per Staff Recommendation**]

## **9. OLD BUSINESS**

- A. Recommendations Of The Faria House Ad Hoc Committee And Consideration Of A Memorandum Of Understanding (MOU) Regarding The Renovation Of The Faria House And Lease To The Pinole History Museum [**Action: Receive Report and Consider Adoption of Resolution per Staff Recommendation (Murray)**]

## **10. NEW BUSINESS**

NONE

## **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 December 1, 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: November 12, 2020 at 6:00 P.M**

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**Heather Iopu, CMC**  
**City Clerk**