



**SPECIAL MEETING / WORKSHOP
PINOLE CITY COUNCIL / PINOLE REDEVELOPMENT AGENCY
AGENDA**

**THURSDAY
FEBRUARY 24, 2011
6:00 PM**

**2131 Pear Street, Pinole, California
Council Chambers**

**Roy Swearingen, Mayor / Chair
Peter Murray, Mayor Pro Tem / Vice Chair
Tim Banuelos, Council Member / Board Member
Phil Green, Council Member/ Board Member
Debbie Long, Council Member/ Board Member**

Public Comment: The public is encouraged to address the City Council or Agency Board on any matter listed on the agenda or on any other matter within its jurisdiction subject to the rules of decorum described in Council Resolution 2009-124. If you wish to address the City Council or Agency Board, please complete the gold card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk/Secretary. City Council or Agency Board will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council or Agency Board will hear public comment on matters **not** listed on the agenda during Citizens to be Heard, Agenda Items 3.

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. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device.

Note: Staff reports are available for inspection at the Office of the City Clerk, City Hall, 2131 Pear Street during regular business hours, 8:00 a.m. to 4:30 pm Monday – Thursday, and on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at pathenour@ci.pinole.ca.us

COUNCIL/REDEVELOPMENT AGENCY MEETINGS ARE TELEVISED 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. City Council/Redevelopment Agency meetings are video-streamed live on the City's website, and remain archived on the site for six months.

Ralph M. Brown Act. G.C. §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

2. ROLL CALL, CITY CLERK/SECRETARY'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 § 87200.

3. CONVENE TO CLOSED SESSION – CITY COUNCIL & AGENCY BOARD (5:30-6 pm)

Closed Sessions are held in the Council Caucus/Community Meeting Room located at 2131 Pear Street, Pinole, California. Topics at Closed Session may include, but are not limited to License Permit Determinations, Conference with Real Property Negotiators, Conference With Legal Counsel (Existing & Anticipated Litigation), Liability Claims, Threat to Public Service/Facilities, Labor Negotiation, Public Employee Appointment, Evaluation or Discipline or Release, and Case Review/Planning, Report Involving Trade Secret, Hearings, and Charge Involving Information Protected By Federal Law. Citizens may address the Council / Agency Board regarding a Closed Session item prior to the Board adjourning into the Closed Session

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GC §54956.8
Property Location: 2850 Estates Avenue, Pinole Assisted Living Community
Agency Negotiator: Michelle Fitzer, Assistant City Manager
Negotiating Parties: Pinole Assisted Living Community
Under Negotiation: Lease Terms

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

5. CITIZENS TO BE HEARD

Citizens may speak under any item not listed on the Agenda. The time limit is 2 minutes for Agency Board items and 3 minutes for City Council items, and is subject to modification by the Mayor/ Chair. 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 or Agency Board may direct staff to investigate and/or schedule certain matters for consideration at a future Agency meeting.

6. PUBLIC HEARING

Items 6A & 6B will be conducted under one Joint Public Hearing

- A. Conduct A Joint Public Hearing To Consider Transfer Of Fee Simple Interest In And Pursuant To Disposition Agreements By And Between The Agency And The City for the following parcels
1. Property commonly known as Pinole Vista Crossings Shopping Center
 2. Property commonly known as Pinole Valley Shopping Center
 3. Property commonly known as Gateway West
 4. Property commonly known as Gateway East, restaurant pad
 5. Property commonly known as Gateway East medical pad
 6. 651 Pinole Shores Drive
 7. Properties commonly known as Pinole Shores Business Park
 8. 2361 San Pablo Avenue, commonly known as Historic Bank of Pinole
 9. 2401 San Pablo Avenue
 10. 635 Tennent Avenue, commonly known as the Pinole Youth Center & Memorial Hall;
 11. Property commonly known as Fernandez Park Patio
 12. Parking lot across from the Pinole Youth Center

13. Public parking behind Pear Street
14. 813 Fernandez Avenue, public parking adjacent to King Valley
15. 2180 Prune Street, public parking adjacent to St. Joseph School; and
16. Land holding the "Entrance to the City of Pinole" sign near John Street

To Approve a Form of Assignment Agreement By and Between The Agency and The City Transferring Agency Rights For Certain Parcels Listed Above

- B. Conduct A Joint Public Hearing To Consider Transfer Of Fee Simple Interest In and Pursuant To Disposition Agreements By And Between The Agency And The City the Following Housing Parcels:

1. 815 San Pablo Avenue; APN 402-166-024-8
2. 811 San Pablo Avenue; APN 402-166-030
3. 2301 San Pablo Avenue; APN 401-162-001-2
4. 612 Tennent Avenue; APN 401-142-011
5. 600 Tennent Avenue, 401-142-010-8
6. 2100 San Pablo Avenue; APN 401-120-029-4
7. 2071 Buena Vista Drive; APN 401-120-032
8. 2061 Buena Vista Drive, APN 401-120-033
9. 2051 Buena Vista Drive, APN 401-120-034
10. 2850 Estates Avenue, APN 360-010-017-0; and
11. Samuel Street, 401-186-031-1;

To Approve a Form of Assignment Agreement By and Between The Agency and The City Transferring Agency Rights For Certain Parcels Listed Above **[Joint City /Agency Report No. 2011-23Jt; Action: Adopt Resolutions Per Staff Recommendation (Downs)]**

7. **ADJOURNMENT** to the Regular Meeting of March 1, 2011 and in memory of the US. Armed Forces, Amber Swartz and Peg Kovar.

POSTED: February 23, 2011 at 1 P.M.

Patricia Athenour, MMC
City Clerk

THIS MEETING WILL NOT BE TELEVISED OR RE-BROADCAST.

Any writings or documents provided to a majority of the City Council after distribution of the packet, regarding any item on this agenda will be made available for public inspection at the Administration Counter at City Hall located at 2131 Pear Street in a binder located outside the Council Chambers at 2131 Pear Street, available during normal business hours. (Pursuant to SB 343-effective July 1, 2008)