



## PINOLE CITY COUNCIL AGENDA

**TUESDAY  
JANUARY 20, 2015**

**6:00 P.M.**

**2131 Pear Street, Pinole, California**

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

**Public Comment:** The public is encouraged to address the City Council 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 2014-67. If you wish to address the City Council, please complete the gold card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council will hear public comment on matters **not** listed on the agenda during Citizens to be Heard, Agenda Items 6.

**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 p.m. Monday – Thursday, and 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 [pathenour@ci.pinole.ca.us](mailto:pathenour@ci.pinole.ca.us)

COUNCIL 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](http://www.ci.pinole.ca.us). City Council 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 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.**

*Closed Sessions are held in the Council Caucus/Community Meeting Room located at 2131 Pear Street, Pinole, California.*

- A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Pursuant to GC Section 54956.9(d)(4) (One Matter)

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

**5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

- A. Proclamations
- B. Presentations / Recognitions
- C. Community Announcements

**6. 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.*

**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 discuss a consent item, it will be removed from the Consent Calendar and taken up in order after the last item on the Consent Calendar.*

- A. Approve the Minutes of the Meeting of December 2 and December 16, 2014
- B. Receive the December 6, 2014 – January 16, 2015 Lists of Warrants & Payrolls Dated:
  - 1. December 19, 2014 Payroll in the Amount of \$336,460.67
  - 2. January 2, 2015 Payroll in the Amount of \$334,989.79
  - 3. January 16, 2015 Payroll in the Amount of \$358,668.37
- C. Financial Update Resulting From the Installation of Solar Panels on the Youth Center and Swim Center [**Council Report No. 2015-01; Action: Receive Report (Allison)**]

**8. PUBLIC HEARINGS**

**9. OLD BUSINESS**

- A. Status Update on the Pinole - Hercules Water Pollution Control Plant Upgrade **[Oral Report; Action: Receive Report (Allison)]**
- B. Review and Provide Direction on the Draft Fiscal Agreement With the City of Hercules for the Planned Expenditures on the Pinole-Hercules Water Pollution Control Plant Upgrade Project **[Council Report No. 2015-02; Action: Receive Report and Provide Comments to City Manager (Espinosa)]**

**10. NEW BUSINESS**

**11. REPORTS & COMMUNICATIONS**

- A. Mayor Report
  - 1. Announcements
- B. Mayoral & Council Appointments
  - 1. Reappointment of TAPS Committee Members Doug Taylor and Faith Dunham-Sims **[Council Report No. 2015- 03; Action: Council Discretion for Reappointment (Athenour)]**
- C. City Council Committee Reports
- D. Council Requests For Future Agenda Items
- E. City Manager Report / Department Staff
  - 1. Review Report on the Condition of the Roof at the Pinole Senior Center **[Oral Report; Action: Receive Report (De La Rosa)]**
  - 2. Discuss Process for Measure S 2014 Prioritization & Schedule Future Special Meeting Date **[Oral Report; Action: Receive Report (Espinosa)]**
- F. City Attorney Report

**12. ADJOURNMENT** to the Regular City Council Meeting of February 3, 2015.

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 24 hours prior to the meeting set forth on this agenda.

**POSTED: January 15, 2015 at 4:00 P.M.**

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**Patricia Athenour, MMC**  
**City Clerk**