



**JOINT PINOLE CITY COUNCIL &  
SPECIAL MEETING OF SUCCESSOR  
AGENCY TO THE FORMER CITY OF  
PINOLE REDEVELOPMENT AGENCY  
AGENDA**

**TUESDAY  
SEPTEMBER 1, 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 2012-127. 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.***

**NOTICE OF TELECONFERENCE MEETING**

**NOTICE IS PROVIDED THAT COUNCIL MEMBER GREEN WILL TELECONFERENCE INTO THIS MEETING FROM A REMOTE LOCATION.**

**THE LOCATION WILL BE POSTED A MINIMUM OF 72 HOURS IN ADVANCE OF THE MEETING, PURSUANT TO THE BROWN ACT AND WILL BE ACCESSIBLE TO MEMBERS OF THE PUBLIC, WITH EXCEPTION OF THE CLOSED SESSION (54953(b)).**

**REMOTE LOCATION: 2732 HENRY AVENUE, PINOLE CA 94564**

**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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to GC §54957  
City Manager

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

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

- A. Proclamations
1. Childhood Cancer Awareness Week – September 20 – 26, 2015
  2. Commendation to Pastor James Birdsong, Jr.
- B. Presentations / Recognitions
1. Introduction of WCCUSD Board Trustees Liz Block and Valerie Cuevas
  2. Pinole Valley High 2015-16 Update by Principal Kibby Kleiman and Members of the Spartan Varsity Football Team

**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 August 18, 2015
- B. Receive the August 15 - 28, 2015 List of Warrants and the August 28, 2015 Payroll in the Amount of \$333,243.28.
- C. Adopt the 2015-2020 Capital Improvement Program [**Council Report No. 2015-81; Action: Adopt Resolution Per Staff Recommendation (Allison)**]
- D. Authorization To Submit Application For Funding, Dedication Of Revenue Source For Repayment Of State Revolving Loan, And Reimbursement Of Expenditures Prior To Funding Approval By The State [**Council Report No. 2015-82; Action: Adopt 3 Resolutions Per Staff Recommendation (De La Rosa)**]
- E. Approve a Project Labor Agreement for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project [**Council Report No. 2015-83; Action: Adopt Resolution Per Staff Recommendation (Espinosa)**]
- F. Authorize the City Manager to Reject All Bids For The Interior Improvements To The Pinole Community Playhouse [**Council Report No. 2015-84; Action: Adopt Resolution Per Staff Recommendation (Allison)**]
- G. Authorize The Finance Director To Enter Into Agreement With The State Board of Equalization For Implementation Of The Local Prepaid Mobile Telephony Services Collection Act [**Council Report No. 2015-85; Action: Adopt Resolution Per Staff Recommendation (Miller)**]
- H. Increase The Budget For Geotechnical Services Contract with Cornerstone Earth Group from \$11,000 to \$21,000 For The Pinole Skate Park Project [**Council Report No. 2015-86; Action: Adopt Resolution Per Staff Recommendation (Allison)**]
- I. Authorize the City Manager to Execute an Agreement with Avery & Associates for Recruitment Services [**Council Report No. 2015-87; Action: Receive Report (Espinosa)**]

## 8. PUBLIC HEARINGS

- A. Conduct Public Hearing and Introduce An Ordinance Adding Pinole Municipal Code Section 10.65 Related to the Pinole Skate Park [**Council Report No. 2015-88; Action: Conduct Public Hearing & Introduce Ordinance By Title Only (Reyes)**]

## 9. OLD BUSINESS

- A. Skate Park Construction Project Update [**Verbal Report; Action: Receive Report (Allison)**]
- B. Water Pollution Control Plant Project Update [**Verbal Report; Action: Receive Report (Allison)**]

**10. NEW BUSINESS**

SUCCESSOR AGENCY ITEM

- A. Conceptual Presentation of the Proposed Gateway East Surgical Eye Center, By Agape, LLC [**Verbal Report By Developer; Action: Receive and Provide Comments**]
- B. Authorize the City Manager To Execute A General Services Contract With Fremouw Environmental Services In An Amount Not To Exceed \$ 60,000 For Services Related To The Cleaning And Disposal Of Material From Digesters One And Three [**Council Report No. 2015-90; Action: Adopt Resolution Per Staff Recommendation (Allison)**]

**11. REPORTS & COMMUNICATIONS**

- A. Mayor Report
  - 1. Announcements
- B. Mayoral & Council Appointments
  - 1. Reappointment of Community Service Commissioners Martin and Kopp [**Council Report No. 2015-89; Action: Council Discretion (Athenour)**]
- C. City Council Committee Reports
- D. Council Requests For Future Agenda Items
- E. City Manager Report / Department Staff
- F. City Attorney Report

**12. ADJOURNMENT** to the Special Meeting of September 8, 2015 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 set forth on this agenda, and at 2732 Henry Avenue, Pinole CA 94564.

**POSTED: August 27, 2015 at 4:00 P.M.**

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