



**JOINT PINOLE CITY COUNCIL &
SUCCESSOR AGENCY
AGENDA**

**TUESDAY
OCTOBER 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. You may also contact the City Clerk via e-mail at 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. 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

Gov. Code § 54956.9(d)(2)

Number of Potential Cases: 1 Matter

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

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations / Recognitions

1. Northern CA Cruisers Check Presentation to Service Organizations

2. Introduction of Ann Tarabini – Pinole Representative on the WCCUSD Prioritization Committee

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 October 6, 2015

B. Receive the October 3 - 16, 2015 List of Warrants and the October 9, 2015 Payroll in the Amount of \$369,866.92

C. Approve the 2015 Holiday Closure Schedule and the 2016 City Council Meeting Schedule [**Council Report No. 2015-101; Action: Approve by Minute Order (Espinosa / Athenour)**]

D. Approve Placement of Waste Collection Liens Considered at an Administrative Hearing Held on October 8, 2015 For Delinquent Accounts Assessed Between May and August 2015 [**Council Report No. 2015-102; Action: Adopt Resolution Per Staff Recommendation (Athenour)**]

- E. Authorize the City Manager to Execute a Consulting Services Contract with Greg Kennedy In the Amount of \$24,000 for Emergency Medical Quality Assurance Services **[Council Report No. 2015-103; Action: Adopt Resolution Per Staff Recommendation (Piper)]**
- F. Authorize the City Manager to Execute a One-Year Contract with Contra Costa County to Provide Emergency Medical Services and Receive Payment in the Amount of \$49,427 **[Council Report No. 2015-104; Action: Adopt Resolution Per Staff Recommendation (Piper)]**
- G. Authorize the City Manager to Execute A Purchase Agreement with Folsom Lake Ford for the Purchase of a Police Vehicle In the Amount of \$30,732.06 **[Council Report No. 2015-105; Action: Adopt Resolution Per Staff Recommendation (Gang/Avery)]**
- H. Approve Delegation of Authority for Check Signing and Wire Transfers **[Council Report No. 2015-106; Action: Adopt 2 Resolutions Per Staff Recommendation (Miller)]**
- I. Approve Resolution Setting the Designated Window Period From October 21, 2015 to April 16, 2016 for Two Years Additional Service Credit With CalPERS in Accordance with Section 20903 for Two Members of the Management Employment Group **[Council Report No. 2015-107; Action: Consider First Reading of Resolution (De La Rosa)]**
- J. Approve Amendment to City Manager Belinda Espinosa's Employment Contract and Authorize Mayor Peter Murray To Execute Amendment In A Form Approved By The City Attorney **[Council Report No. 2015-108; Action: Adopt Resolution Per Staff Recommendation (Reyes)]**
- K. Appoint Michelle Fitzer as City Manager and Authorize Mayor Peter Murray to Execute Employment Contract in a form approved by the City Attorney **[Council Report No. 2015-109; Action: Adopt Resolution Per Staff Recommendation (Reyes)]**
- L. Approve Amendment to the Existing Contract with Avery & Associates To Increase the Scope of Services to Add Recruitment for the Fire Chief In the Amount of \$41,400 **[Council Report No. 2015-110; Action: Adopt Resolution Per Staff Recommendation (De La Rosa)]**

8. PUBLIC HEARINGS

9. OLD BUSINESS

10. NEW BUSINESS

- A. Authorize the City Manager to Execute a Construction Contract with Joseph Murphy Construction In an Amount of \$299,445 for the Senior Center Roof Repair **[Council Report No. 2015-111; Action: Adopt Resolution Per Staff Recommendation (Petrie)]**
- B. Consider West Contra Costa Unified School District Request For An Encroachment Permit for Installation of Overhead and Underground Fiberoptics To Interconnect School Facilities **[Council Report No. 2015-112; Action: Council Discretion - Provide Direction To Staff (Petrie)]**

- C. Discuss Increasing the Funding Allocation for Pinole Community Television (PCTV) For Additional Staffing Resources [**Oral Report; Action: Provide Direction to Staff (Snell)**]

JOINT CITY COUNCIL / SUCCESSOR AGENCY MATTER

- D. Transfer Of A Loan To Eden Housing From The “Successor Agency To The Redevelopment Agency Of The City Of Pinole” To The “City Of Pinole” Pursuant To Health And Safety Code Sections 34176(A) And 34181(C), Acknowledging That Contra Costa County Will Assist In The Financing Of East Bluff Apartments, And Approving The Assignment Of The Eden Loan To The New EBLP Entity And Approving Certain Modifications To The Eden Loan [**Council Report No. 2015-113; Action: Adopt 3 Resolutions Per Staff Recommendation (De La Rosa / Downs)**]

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
- 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 Regular City Council Meeting of November 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: October 15, 2015 at 4:00 P.M.

Patricia Athenour, MMC
City Clerk