



## PINOLE CITY COUNCIL AGENDA

TUESDAY  
NOVEMBER 17, 2015

6:00 P.M.

2131 Pear Street, Pinole, California

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**Peter Murray, Mayor**  
**Roy Swearingen, Mayor Pro Tem**  
**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. CLOSED SESSION**

**4. RECONVENE IN OPEN REGULAR BUSINESS ITEMS**

**THERE ARE NO CLOSED SESSIONS MATTERS SCHEDULED**

The Council will move into Open Session items at 6 PM.

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

- A. Proclamations
- B. Presentations / Recognitions

**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 November 3, 2015
- B. Receive the October 31, 2015 – November 13, 2015 Lists of Warrants and the November 6, 2015 Payroll in the Amount of \$ 319,550.90
- C. Accept The California Office Of Traffic Safety (OTS) Grant In The Amount Of \$147,000, And Authorize The City Manager To Appropriate Funds For a Purchase Order With Universal Trailers In The Amount Of \$31,140 For The Purchase Of A DUI Enforcement Trailer [**Council Report No. 2015-121; Action: Adopt Resolution Per Staff Recommendation (Gang/Rogers)**]
- D. Approve The First Amendment To A Reciprocal Easement Agreement (REA) And Declaration Of Covenants, Conditions And Restrictions Running With The Land On The Pinole Gateway East Project, Located On Pinole Valley Road, Between Henry Avenue And I-80 [**Council Report No. 2015-122; Action: Adopt Resolution Per Staff Recommendation (Downs / De La Rosa)**]

**8. PUBLIC HEARINGS**

**9. OLD BUSINESS**

**10. NEW BUSINESS**

- A. Consider A Request From The Church Of Christ To Enter Into A Shared Parking Agreement With The City Of Pinole For Joint Use Of The Church Property Located At 692 Tennent Avenue [**Council Report No. 2015-123; Action: Provide Direction to Staff (De La Rosa)**]
- B. Consider The Process To Fill The Vacancy On The City Council Through An Appointment Or Special Election [**Council Report No. 2015-124; Action: Adopt Resolution to Fill Vacancy By Appointment (Reyes)**]

**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 December 1, 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 24 hours prior to the meeting set forth on this agenda.

**POSTED: November 12, 2015 at 4:00 P.M.**

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