PINOLE CITY COUNCIL
SPECIAL MEETING
AGENDA

TUESDAY
FEBRUARY 9, 2016

6:00 P.M.

2131 Pear Street, Pinole, California

Roy Swearingen, Mayor
Debbie Long, Mayor Pro Tem
Tim Banuelos, Council Member
Peter Murray, Council Member
Maureen Toms, 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 2015-109. 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, at a Regular Meeting of the Council.

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 (6-7 PM)

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: One Matter

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

5. PUBLIC HEARINGS

A. Consideration Of An Appeal of the November 16, 2015 Planning Commission Denial of Design Review (DR 14-26) and Conditional Use Permit (CUP14-13), Filed by Verizon Wireless (Applicant) for a Wireless Communications Facility Located On Property Located At 2518 Pfeiffer Lane, APN: 360-131-036

Consideration Of A Conditional Use Permit And Design Review Request To Construct A New Wireless Communications Facility. The Application Considered By The Planning Commission Included The Installation Of Nine Panel Antennas Mounted Within A 34-Foot Tall Faux Water Tank On A Concrete Pad Foundation And An Approximately 653 Square Foot Fenced Equipment Area. The Applicant Has Submitted A Modified Design For Consideration At The Appeal Hearing, Which Includes The Antennas Mounted On The Existing Detached Garage, Fully Screened Within A Faux Chimney, With A Maximum Height Of 25 Feet. The Ground Equipment Will Be Adjacent To The Garage And Enclosed Behind A Wood Fence With Lattice With Accompanying Landscaping For Partial Screening Purposes **[Council Report No. 2016-19; Action: Council Discretion To Adopt A Resolution Regarding The Appeal of the Decision of the Planning Decision (Rhodes)]**

Staff Report & Attachments Are Located at:
http://www.ci.pinole.ca.us/planning/verizon.html

6. ADJOURNMENT to the Regular City Council Meeting of February 16, 2016 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: February 4, 2016 at 4:00 P.M.

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Patricia Athenour, MMC, City Clerk