

**PINOLE SPECIAL CITY COUNCIL MEETING  
MINUTES  
September 28, 2016**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

The Special Pinole City Council Meeting was held in the City Council Chambers at City Hall, 2131 Pear Street, Pinole, California. Mayor Swearingen called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

**2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT**

**A. COUNCIL MEMBERS PRESENT**

Mayor Roy Swearingen  
Mayor Pro Tem Debbie Long  
Council Member Peter Murray (**Arrived at 6:15 pm**)  
Council Member Maureen Toms  
Council Member Tim Banuelos

**B. STAFF PRESENT**

Michelle Fitzer, City Manager  
Hector De La Rosa, Assistant City Manager  
Stephanie Downs, Assistant City Attorney

Assistant City Manager De La Rosa announced that all legally required notice were provided. Mayor Swearingen stated there were no conflicts on any item on the Agenda.

At 6:02 pm, Mayor Swearingen allowed the following speaker to address the City Council:

**Scott Lee**, provided the City Council with four reasons why he would complete the project and requested that the City Council provide some flexibility to allow him to complete his project.

**3. CLOSED SESSION**

At 6:07 p.m., Mayor Swearingen convened the Noticed Closed Session to discuss the following items.

**A. PUBLIC EMPLOYMENT**

Gov. Code § 54957  
Title: City Clerk

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Gov. Code §54956.8**

Property Locations: 1289 Pinole Valley Road/401-211-033  
City Negotiator: Michelle Fitzer, City Manager & Hector De La Rosa,  
Assistant City Manager  
Negotiating Parties: Scott Lee (Agape Assets LLC)  
Under Negotiation: Price & Terms

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

Mayor Swearingen announced that there was NO REPORTABLE ACTION

**5. ADJOURNMENT** to the Regular City Council Meeting of October 4, 2016.

At 9:42 p.m., Mayor Swearingen adjourned the Special Meeting of September 28, 2016.

**Submitted by:**

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**Hector De La Rosa**  
**Assistant City Manager/Deputy City Clerk**

**Approved by City Council:**