



**JOINT SPECIAL PINOLE CITY
COUNCIL &
REDEVELOPMENT AGENCY
AGENDA**

**Wednesday
December 9, 2009
5:00 P.M.**

Alex Clark Room, 880 Tennent Avenue, Pinole, California

**Debbie Long, Mayor/Chair
Roy Swearingen, Mayor Pro Tem / Vice Chair
Tim Banuelos, Council Member / Board Member
Virginia Fujita, Council Member/ Board Member
Peter Murray, Council Member / Board Member**

Public Comment: The public is encouraged to address the City Council or Agency Board 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 2009-124. If you wish to address the City Council or Agency Board, please complete the card provided at the rear entrance to the Council Chambers and hand the card to the City Clerk/Secretary. City Council or Agency Board will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council or Agency Board will hear public comment on matters **not** listed on the agenda during Citizens to be Heard, Agenda Item 5.

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. You may also contact the City Clerk via e-mail at pathenour@ci.pinole.ca.us

REGULAR COUNCIL/REDEVELOPMENT AGENCY 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/Redevelopment Agency 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/SECRETARY'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 § 87200.

3. CONVENE TO A CLOSED SESSION – ALEX CLARK ROOM

Closed Session will be held in the Alex Clark Room, 880 Tennent Avenue, Pinole, California. Topics at Closed Session may include, but are not limited to License Permit Determinations, Conference with Real Property Negotiators, Conference With Legal Counsel (Existing & Anticipated Litigation), Liability Claims, Threat to Public Service/Facilities, Labor Negotiation, Public Employee Appointment, Evaluation or Discipline or Release, and Case Review/Planning, Report Involving Trade Secret, Hearings, and Charge Involving Information Protected By Federal Law. Citizens may address the Council / Agency Board regarding a Closed Session item prior to the Board adjourning into the Closed Session

City Council

- A. CONFERENCE WITH LABOR NEGOTIATOR - GC §54597.6,
City Labor Negotiator: Michelle Fitzer & Bruce Heid
Employee Organizations: LOCAL ONE, AFSCME, PPEA & FIRE LOCAL 1230

Redevelopment Agency Board

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GC §54956.8
Property Location: Pinole Vista Shopping Center, 1350 Fitzgerald
Agency Negotiator: Mary Drazba, Economic Development Manager
Negotiating Parties: None At This time
Under Negotiation: Price and Terms / Strategy Formation

4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION IN ALEX CLARK ROOM

5. CITIZENS TO BE HEARD (Public Comments – Agency Board and City Council)

Citizens may speak under any item not listed on the Agenda. The time limit is 2 minutes for Agency Board items and 3 minutes for City Council items, and is subject to modification by the Mayor/ Chair. 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 or Agency Board may direct staff to investigate and/or schedule certain matters for consideration at a future Agency meeting.

6. STUDY SESSION REPORTS

No formal action is scheduled at a Study Session. This venue is designed for Council discussion and to provide direction to staff on topics that will be agendaized for action at a future time. Citizen input is limited to brief comment at the end of the section.

- A. Status Update on the Pinole-Hercules Water Pollution Control Plant (WPCP) Permitting Process [**Verbal Presentation (Allison)**]
- B. Status Report on Review and Update of Business License Procedures / Review of Current Ordinance [**Verbal Presentation (Fitzer)**]

6. **ADJOURNMENT** to the Regular Redevelopment Agency/City Council Meeting of December 15, 2009 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz.

POSTED: December 4, 2009 at 10:00 A.M.

Patricia Athenour, MMC
City Clerk

This Meeting Will Not Be Televised Or Rebroadcast

Any writings or documents provided to a majority of the City Council after distribution of the packet, regarding any item on this agenda will be made available for public inspection at the Administration Counter at City Hall located at 2131 Pear Street in a binder located outside the Council Chambers at 2131 Pear Street, available during normal business hours. (Pursuant to SB 343-effective July 1, 2008)