



## JOINT PINOLE CITY COUNCIL & REDEVELOPMENT AGENCY AGENDA

TUESDAY,  
February 2, 2010  
5:30 P.M.

2131 Pear Street, Pinole, California

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**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 gold card that is 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 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/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](http://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**

**FLAG SALUTE LED BY BOY SCOUT TROOP #81**

**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 CLOSED SESSION (5:30-7 PM)**

*Closed Sessions are held in the Council Caucus/Community Meeting Room located at 2131 Pear Street, 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 – Pursuant to GC §54597.6  
City Labor Negotiator: Michelle Fitzer and Bruce Heid, IEDA  
Employee Organizations: LOCAL ONE, AFSCME, PPEA & FIRE LOCAL 1230
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to GC §54597  
Public Employee Performance Evaluation: City Manager
- C. CONFERENCE WITH LEGAL COUNSEL-- ANTICIPATED LITIGATION--  
Pursuant to GC Section 54956.9(b) - "One Matter"  
Legal Counsel: City Attorney Benjamin Reyes

Redevelopment Agency Board of Directors

- D. 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

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

**5. RECOGNITIONS / PRESENTATIONS**

- A. Proclamations
- B. Presentations
  - 1. Pinole Library Valentine Campaign by Librarian Heidi Dolamore

**6. CITIZENS TO BE HEARD (Public Comments)**

*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.*

## 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 Board/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.*

### Redevelopment Agency Items

- A. Receive the Quarterly Loan Delinquency Report, for quarter ending December 31, 2009 [**Agency Report No. 2010-06; Action: Receive Report (Lucken)**]
- B. Adopt A Resolution Approving Jenny Craig As A Proposed Tenant At 2830-B Pinole Valley Road In The Pinole Valley Shopping Center [**Agency Report No. 2010-07; Action: Adopt Resolution (Drazba)**]
- C. Authorize The Executive Director To Execute A Contract Amendment With The Conley Consulting Group For Economic Advisory Assistance Relating To The Pinole Valley Shopping Center In An Amount Not To Exceed \$50,000 [**Agency Report No. 2010-08; Action: Adopt Resolution (Drazba)**]
- D. Authorize Executive Director To Write Off A First Time Homebuyer's Loan In the Amount Of \$15,000 On A Property Located At 2920 Estates Avenue, #5 [**Agency Report No. 2010-09; Action: Adopt Resolution (Carbahal)**]

### Joint Agency Board / City Council Items

- E. Receive the Treasurer's First Quarter Report [**Joint Agency / Council Report No. 2010-07Jt; Action: Receive Report (Lee)**]
- F. Affirm the Intent of the City and Agency to Develop Housing for Moderate or Lower Income at 600 Tennent Avenue [**Joint Agency / Council Report 2010-08Jt Action: Adopt Agency Resolution Per Staff Recommendation (Kuykendall)**]

### City Council Items

- G. Approve the Minutes of the January 12, 2010 Joint General Plan Workshop Meeting and the January 19, 2010 Regular Council / Agency Board meeting
- H. Receive the January 16-22 and January 23-29, 2010 Lists of Warrants and Receive the January 22, 2010 Payroll in the Amount of \$441,612.

## 8. PUBLIC HEARINGS

## 9. OLD BUSINESS

### Redevelopment Agency

- A. Authorize the Executive Director to Execute a Contract with Woldemar & Associates for Professional Services for 2300 San Pablo Avenue In An Amount Not To Exceed \$23,800 [**Agency Report 2010-10; Action: Adopt Agency Resolution Per Staff Recommendation (Kuykendall)**]

- B. Presentation Of The East Bluff Apartments 2010 Budget And Status Report Regarding The Transfer Of The Managing General Partner From Citizens Housing Corporation To Eden Housing [Agency Report No. 2010-11; Action: Adopt Resolution Accepting the Budget & Receive Status Report (Kuykendall)]

Joint Agency Board / City Council

- C Pinole Creek Demonstration Project: Authorize the City Manager / Executive Director To Advertise For Construction Bids & Direct Staff to Contact the State To Discuss The Timing of the Grant Reimbursements and The Potential For Extending the Grant Deadline [Joint Agency/Council Report No. 2010-09Jt; Action: Adopt Joint Resolution (Allison)]

**10. NEW BUSINESS**

Joint Agency Board / City Council

- A. Presentation of the City 2008/09 Audited Statements for the City and the Pinole Redevelopment Agency and Consider a Contract Amendment For Audit Services With Mann, Urrutia, Nelson CPA [Joint Agency/Council Report No. 2010-10Jt; Action: Receive Reports and Adopt Joint Resolution Per Staff Recommendation (Loomis)]

**11. REPORTS & COMMUNICATIONS**

- A. Mayor / Chair Report  
1. Announcements
- B. Mayoral / Council Appointments
- C. City Council / Agency Board Committee Reports
- D. Council Requests For Future Agenda Items
- E. City Manager / Executive Director Report / Department Staff
- F. City Attorney Report

- 12. ADJOURNMENT** to the Regular Redevelopment Agency/City Council Meeting of February 16, 2010 and in memory of the fallen US Armed Service members and Pinole citizens Amber Swartz, Monty Lee Ellis, Marilyn Janice Young Crowther, Rosaline A. Luna, Dorothy Anne Wooster and Karen Kosich Shepherd.

**POSTED: January 29, 2010 at 10:00 A.M.**

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

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