



PINOLE CITY COUNCIL AGENDA

**TUESDAY
APRIL 5, 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.

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

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

There are no Closed Sessions Matters

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations / Recognitions

1. Pinole Valley High School Project Update

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 member of the public requesting to remove an item from the Consent Calendar must first have discussed the item with a Council Member or a City staff member who has knowledge on the subject material, prior to filing a speaker card with the City Clerk at the meeting.

A. Approve the Minutes of the Meetings of March 1, 14, 15, and 29, 2016

B. Receive the March 12, 2016 – April 1, 2016 List of Warrants and the March 25, 2016 Payroll in the Amount of \$329,043.01.

C. Authorize the City Manager To Execute An Agreement with the YMCA To Operate the Pinole Swim Center for the 2016 Season
[Council Report No. 2016-40; Action: Adopt Resolution Per Staff Recommendation (De La Rosa)]

D. Approve and Declare Information Systems Equipment As Surplus Property
[Council Report No. 2016-41; Action: Adopt Resolution Per Staff Recommendation (Janke)]

- E. Approve FY 2016/17 Storm Water Utility Assessments For Drainage Maintenance For The National Pollutant Discharge Elimination System (NPDES) Program **[Council Report No. 2016-42; Action: Adopt Resolution Per Staff Recommendation (T. Miller)].**

8. PUBLIC HEARINGS

9. OLD BUSINESS

- A. Receive Report on Procedures for Maintenance of the Murals Located on Private Property **[Council Report No. 2016-43; Action: Receive Report and Provide Direction (De La Rosa)]**
- B. Rescind Resolution 2016-23, And Authorize City Manager To Award A Construction Contract For The Pinole-Hercules Water Pollution Control Plant Upgrade Project To Kiewit Infrastructure West Co. In An Amount Not To Exceed \$43,143,000 And Authorizing A 7% Contingency In The Amount Of \$3,020,010 **[Council Report No. 2016-44; Action: Adopt Resolution Per Staff Recommendation (Fitzer / T. Miller)]**

10. NEW BUSINESS

- A. Authorize the Execution Of Multiple Contracts For The Refunding Of The 2006 Wastewater Revenue Bonds Series 2006
 - 1. Authorize the City Manager to Enter Into A Contract with Stifel, Nicolaus & Company Inc. to Serve as Underwriter for the Refunding of the 2006 Wastewater Revenue Bonds Series 2006.”
 - 2. Authorize The City Manager And Executive Director To Enter Into A Contract With NHA Advisors To Serve As Financial Advisors For The Refunding Of The 2006 Wastewater Revenue Bonds Series
[Council Report No. 2016-45; Action: Adopt 2 Resolutions Per Staff Recommendation (De La Rosa)]
- B. Direct Staff To Initiate The Process Of Issuing Wastewater Revenue Refunding Bonds In The Aggregate Principal Amount Of Approximately \$8,500,000 **[Council Report No. 2016-46; Action: Adopt Resolution Per Staff Recommendation (De La Rosa)]**

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
 - 1. Process For Interviews For The Planning Commission and Contra Costa County Advisory Council on Aging Candidates
[Council Report No. 2016-47; Action: Provide Direction (Athenour)]

- C. City Council Committee Reports & Communications
- 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 April 19, 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 72 hours prior to the meeting set forth on this agenda.

POSTED: March 31, 2016 at 4:00 P.M.

Patricia Athenour, MMC
City Clerk