



## PINOLE CITY COUNCIL AGENDA

**PLEASE NOTE  
CLOSED SESSION HAS BEEN MOVED TO END OF THE AGENDA**

**TUESDAY  
FEBRUARY 21, 2017**

**6:00 P.M.**

**2131 Pear Street, Pinole, California**

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**Debbie Long, Mayor  
Tim Banuelos, Mayor Pro Tem  
Peter Murray, Council Member  
Maureen Toms, Council Member  
Roy Swearingen, 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 2016-100. 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 4.

**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 [racosta@ci.pinole.ca.us](mailto:racosta@ci.pinole.ca.us)

COUNCIL MEETINGS ARE TELEVISED LIVE ON CHANNEL 26. They are re-telecast 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 meetings are video-streamed live on the City's website, and remain archived on the site for six months.

***Ralph M. Brown Act. Gov. Code § 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**

**A. PINOLE BOY SCOUTS TROOP 86 PRESENT THE FLAG**

**B. PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS  
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. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

A. Proclamations

B. Presentations / Recognitions

a. Contra Costa Fire Protection District – Chief Carman

**4. 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.*

**5. 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 Meeting of February 7, 2017

B. Receive the February 4 - 17, 2017 List of Warrants and the February 10, 2017 Payroll in the Amount of \$318,774.40

C. Receive the General Plan Housing Element Annual Progress Report  
[Action: Approve Resolution Per Staff Recommendation (W. Rhodes)]

D. Receive and Accept the FY 2016/17 Second Quarter Investment Report  
[Action: Receive Report (A. Miller)]

**6. PUBLIC HEARINGS**

A. Approving a Determination of Public Convenience or Necessity for Type 21 Alcohol Onsite Sale of Beer and Wine at Famiglia Restaurant located at 812 San Pablo Avenue, Suite 1, Pinole, CA 94564, APN: 402-230-012  
[Action: Approve Resolution Per Staff Recommendation (W. Rhodes)]

**7. OLD BUSINESS**

A. Receive and Review Mid-Year Report of the FY 2016-17 Budget and Adopt Resolution Approving Budget Adjustments

**[Action: Review & Accept Report Per Staff Recommendation (A. Miller)]**

**8. NEW BUSINESS**

- A. [Introduce Ordinance and Conduct First Reading to Amend Municipal Code Section 2.04.160 to Increase the City Manager's Signing Authority for Purchases and Contracts to \\$45,000](#)

**[Action: Adopt Ordinance Per Staff Recommendation (M. Fitzer)]**

**9. REPORTS & COMMUNICATIONS**

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

**10. CONVENE TO A CLOSED SESSION**

***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 LABOR NEGOTIATOR - Pursuant to Gov. Code §54597.6  
City Labor Negotiators: Hector De La Rosa, Assistant City Manager and Labor Negotiator Bruce Heid, IEDA  
Employee Organizations: Fire Local 1230  
Pinole Police Employees Association (PPEA)

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

- 12. ADJOURNMENT** to the Regular City Council Meeting of March 7, 2017 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 date set forth on this agenda.

**POSTED: February 16, 2017 at 4:00 P.M.**

**Rosa G. Acosta, City Clerk**