



PINOLE CITY COUNCIL AGENDA

TUESDAY
OCTOBER 2, 2018

6:00 P.M.

2131 Pear Street, Pinole, California

Tim Banelos, Mayor
Peter Murray, Mayor Pro Tem
Debbie Long, Council Member
Roy Swearingen, 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 2017-72. 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 racosta@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. 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 & 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

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.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8

Property: 600 Tennent Avenue (APN: 401-142-010)

Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa

Negotiating Parties: Celia Lam

Under Negotiation: Terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8

Property: 612 Tennent Avenue (APN: 401-142-011)

Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa

Negotiating Parties: Celia Lam

Under Negotiation: Terms

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8

Property: 600 Tennent Avenue (APN: 401-142-010)

Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa

Negotiating Parties: Marc Grisham

Under Negotiation: Terms

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Gov. Code §54956.8

Property: 612 Tennent Avenue (APN: 401-142-011)

Negotiator: City Manager, Michelle Fitzer and Assistant City Manager, Hector De La Rosa

Negotiating Parties: Marc Grisham

Under Negotiation: Terms

OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED SESSION DISCUSSIONS, WHICH MAY OCCUR BEFORE 7:00 PM

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

5. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamation

- a. Fire Prevention Week (October 7 - 13) "Look, Listen, Learn"

- B. Presentations / Recognitions
 - a. [Water Pollution Control Plant \(WPCP\) Project Quarterly Update](#) by Mike Warriner
 - b. [Contra Costa County Animal Services](#) presentation by Steve Burdo
 - c. Fire Department Verbal Update by Chief Kouns
 - d. [Code Enforcement Process and 1st Quarter 18/19 Update](#) by Tamara Miller
 - e. [Utility Users Tax \(UUT\) Measure C Presentation](#) by City Manager Michelle Fitzer

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 comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

- A. Approve the [Minutes of the Meeting of September 18, 2018](#)
- B. Receive the [September 15, 2018 – September 28, 2018 List of Warrants](#) in the Amount of \$518,752.36 and September 21, 2018 Payroll in the Amount of \$413,634.96
- C. [Amended Resolutions – Annual Amendment to Health Insurance Cap for Management and Unrepresented/Confidential Employees](#)
[Action: Approve Resolution per Staff Recommendation (H. De La Rosa)]
- D. Approval of the [2018 City Hall Closure – December 24th through December 31, 2018](#) and the 2019 City Council Meeting Schedule
[Action: Approve by Minute Order (H. De La Rosa)]
- E. Approve a [Task Order with 4Leaf for Contract Fire Inspector Services](#) in an amount not to exceed \$55,000 and Approve a Budget Amendment of \$30,000
[Action: Approve Resolution per Staff Recommendation (S. Kouns)]
- F. Approve an [Amendment to the Professional Services Agreement with Carollo Engineers](#) for the Pinole Hercules Water Pollution Control Plant Upgrade Project in an Amount Not to Exceed \$504,980
[Action: Approve Resolution per Staff Recommendation (T. Miller)]
- G. Approve [Amendments to the On Call Contract](#) to Extend the Term and the Task Order for 4 Leaf for Contract Building Inspector/Code Enforcement Services in an Amount Not to Exceed \$130,000, and Authorize a Funding Appropriation of \$130,000
[Action: Approve Resolution per Staff Recommendation (T. Miller)]

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk.

- A. [Ordinance Amending Chapter 6.04 of the Pinole Municipal Code](#) Adopting Contra Costa County's Animal Control Ordinance and Related Penalties by Reference [Action: Conduct Public Hearing Introduce Ordinance and Waive First Reading (E. Casher)]

9. OLD BUSINESS

None

10. NEW BUSINESS

- A. [Discussion Regarding City Council November 2018 Meeting Schedule](#) [Action: Discuss and Possibly Take Action by Minute Order (M. Fitzer)]

11. REPORTS & COMMUNICATIONS

- A. Mayor Report
 - 1. Announcements
- B. Mayoral & Council Appointments
 - 1. Fowler House Re-Use Committee
- 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 October 16, 2018 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: September 27, 2018 at 4:00 P.M.



Rosa G. Acosta
City Clerk