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CITY COUNCIL

Norma Martínez-Rubin, Mayor
Vincent Salimi, Mayor Pro Tem
Devin Murphy, Council Member
Anthony Tave, Council Member
Maureen Toms, Council Member

**PINOLE CITY COUNCIL
MEETING AGENDA**

**TUESDAY
SEPTEMBER 21, 2021
VIA ZOOM TELECONFERENCE**

5:00 P.M.

Please note the early start time

DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING IS BEING HELD PURSUANT TO
AUTHORIZATION FROM GOVERNOR NEWSOM'S EXECUTIVE ORDERS – CITY COUNCIL AND COMMISSION MEETINGS
ARE NO LONGER OPEN TO IN-PERSON ATTENDANCE.

How to Submit Public Comments:

Written Comments: All comments received **before 3:00 pm the day of the meeting** will be posted on the City's website on the agenda page ([Agenda Page Link](#)) and provided to the City Council prior to the meeting. **Written comments will not be read aloud during the meeting.**

Email comments to comment@ci.pinole.ca.us

Please indicate which item on the agenda you are commenting on in the subject line of your email.

To Participate in Public Comment During the Meeting:

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/89335000272>

Webinar ID: 893 3500 0272

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak.
- Speakers will be muted until their opportunity to provide public comment.

When the Mayor opens the comment period for the item you wish to speak on, please use the "raise hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide.

WAYS TO WATCH THE MEETING

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.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.

If none of these options are available to you, or you need assistance with public comment, please contact the City Clerk, Heather Iopu at (510) 724-8928 or hiopu@ci.pinole.ca.us .

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.

Note: Staff reports are available for inspection on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinole.ca.us .

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. LAND ACKNOWLEDGMENT

Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present, and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

3. 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.

4. 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

Gov. Code § 54956.8

Property: 401-162-001 (2301 San Pablo Ave)

Agency negotiators: City Manager Murray, Assistant City Manager De La Rosa and City Attorney Casher

Negotiating parties: Alex Balakrishnan and Claude Zamanian

Under negotiation: Price and terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Gov. Code § 54956.8

Property: 401-162-002 (2337 San Pablo Ave)

Agency negotiators: City Manager Murray, Assistant City Manager De La Rosa and City Attorney Casher

Negotiating parties: Raquel Contreras

Under negotiation: Price and terms

C. CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Gov. Code § 54956.9)(d)(1)

Name of Case: In re PG&E and Pacific Gas & Electric Company v. Debtors.

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

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. Individuals may not share or offer time to another speaker. 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. **PLEASE SEE THE COVERSHEET OF THE AGENDA FOR INSTRUCTIONS ON HOW TO SUBMIT PUBLIC COMMENTS***

7. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. California Firefighter Memorial Day

B. Presentations / Recognitions

None.

8. 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 July 20, 2021
- B. Receive the September 4, 2021 – September 17, 2021 List of Warrants in the Amount of \$760,020.73 and the September 17, 2021 Payroll in the Amount of \$433,953.20
- C. Resolution Confirming Continued Existence Of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- D. Adopt A Resolution Approving A Memorandum Of Understanding Between The City Of Pinole And International Association Of Fire Fighters (IAFF) For The Period Of July 1, 2021 – June 30, 2023 **Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- E. Adopt A Resolution Approving A Memorandum Of Understanding Between The City Of Pinole And American Federation Of State, County, And Municipal Employees (AFSCME) Local 512 For The Period Of July 1, 2021 – June 30, 2023 **Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- F. Adopt A Resolution Approving A Memorandum Of Understanding Between The City Of Pinole And Public Employees' Union (PEU) Local One For The Period Of July 1, 2021 – June 30, 2023 **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- G. Approve An Amendment To City Manager Andrew Murray's And City Clerk Heather Iopu's Employment Agreement To Reflect A 3% Cost Of Living Adjustment (COLA) Effective July 5, 2021 **[Action: Adopt Resolutions per Staff Recommendation (De La Rosa)]**
- H. Adopt Revised Plans and Specifications For The San Pablo Avenue Rehabilitation Project (CIP Project # RO1801) **[Action: Adopt Resolutions per Staff Recommendation (Kaur)]**
- I. Receive the Fiscal Year (FY) 2020-21 Fourth Quarter Financial Report **[Action: Receive Report and Adopt Resolution per Staff Recommendation (Guillory)]**

- J. Approve The Fiscal Year 2021-22 Salary Schedule And Approve The Updated Fiscal Year 2017-18 Through Fiscal Year 2020-21 Salary Schedules For All Represented And Unrepresented Employee Classifications In Conformance With California Code Of Regulations, Title 2, Section 570.5 And Rescinding All Prior Salary Schedules During The Same Period [Action: Adopt Resolutions per Staff Recommendation (De La Rosa)]

9. 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. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

NONE

10. OLD BUSINESS

- A. Discuss and Provide Direction an Installation of Lights in Street Trees in Old Town During the Winter Holiday Season [Action: Discuss and Provide Direction (Bingaman)]

11. NEW BUSINESS

- A. Overview Of Senate Bill (SB) 1383, Regarding Short-Lived Climate Pollutants [Action: Receive Presentation (Kaur)]
- B. Discussion Of The City's Participation In United Against Hate Week (UAHW) In 2021 And Possible Direction To Staff [Action: Discuss and Provide Direction (De La Rosa)]

12. 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

13. **ADJOURNMENT** to the Special City Council Meeting of October 9, 2021 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, on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: September 16, 2021 at 4:00 P.M.

Heather Iopu, CMC
City Clerk