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**CITY COUNCIL**

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

**PINOLE CITY COUNCIL  
MEETING AGENDA**

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

**5:00 P.M.**

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DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING IS BEING HELD VIA VIDEOCONFERENCING PURSUANT TO AB 361 - 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](mailto: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 and press \*6 to unmute.

## 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](http://www.ci.pinole.ca.us).

**VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE,** [www.ci.pinole.ca.us](http://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 Bell at (510) 724-8928 or [hbell@ci.pinole.ca.us](mailto:hbell@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](http://www.ci.pinole.ca.us). You may also contact the City Clerk via e-mail at [hbell@ci.pinole.ca.us](mailto:hbell@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 LABOR NEGOTIATORS**

Gov. Code § 54957.6

Agency designated representatives: City Manager Murray, Assistant City Manager De La Rosa, Assistant City Attorney Alex Mog, Gregory Ramirez (IEDA)

Employee organization: IAFF

**B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Gov. Code § 54956.9)(d)(4)

Number of Potential Cases: 1

**C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Gov. Code § 54956.8

Property: 612 Tennent Avenue, APN 401-142-011

Agency negotiator: City Manager Murray, Assistant City Manager De La Rosa,

Attorney Stephanie Downs, Community Development Director Lilly Whalen

Negotiating parties: E.B. Smith

Under negotiation: Price and terms

**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  
None
- 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 November 16, 2021 and December 7, 2021 Meetings
- B. Receive the December 4, 2021 – December 17, 2021 List of Warrants in the Amount of \$318,927.60 and the December 10, 2021 Payroll in the Amount of \$682,078.04
- C. Receive the Development Impact Fee Report for the Fiscal Year Ended June 30, 2021 **[Action: Adopt Resolution per Staff Recommendation (Guillory)]**
- D. Resolution Continuing Authorized Remote Teleconference Meetings Pursuant to AB 361 **[Action: Adopt Resolution per Staff Recommendation (Bell)]**
- E. Adopt a Resolution Approving a Side Letter to the Memorandum of Understanding Between the City of Pinole and IAFF Local 1230 on the Process and Compensation of the Administrative Fire Captain and Fire Prevention Captain Assignments **[Action: Adopt Resolution per Staff Recommendation (Wynkoop)]**
- F. Cooperative Funding Agreement with The West Contra Costa Transportation Advisory Committee (WCCTAC) to Receive \$100,000 in Subregional Transportation Mitigation Program (STMP) Funds for CIP Project # RO2105 – Appian Way Complete Street Project **[Action: Adopt Resolution Per Staff Recommendation (Kaur)]**
- G. Update On 2022 Garbage Collection Rates **[Action: Receive Report (Kaur)]**
- H. Authorize the City Manager to Enter into a Two Year Contract with the Pacific Coast Farmers' Market Association to Continue Operating a Year-Round Pinole Farmers' Market for the Period of January 1, 2022 Through December 31, 2023 **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- I. Approve the 2022 Council Committee Assignment List **[Action: Adopt Resolution per Staff Recommendation (Bell)]**
- J. Approve Purchase and Appropriate Funding for Replacement of Public Works Backhoe and Aerial Bucket Truck **[Action: Adopt Resolution per Staff Recommendation (Bingaman)]**

- K. Adopt a Resolution Approving a Fifth Amendment to the Exclusive Negotiating Agreement for the Sale and Purchase of the Pinole Shores II Properties and Consenting to the Assignment of the Agreement from General Realty CE, LLC to GRP Shores, LLC [**Action: Adopt Resolution per Staff Recommendation (De La Rosa)**]
- L. National Opioid Settlement [**Action: Adopt Resolution per Staff Recommendation (Casher)**]

## **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**

None

## **11. NEW BUSINESS**

- A. Review City Council Procedures [**Action: Discuss and Provide Direction (Bell)**]
- B. Program Guidelines and Application for Small Business Assistance Grant Program [**Action: Discuss and Provide Direction (Guillory)**]
- C. Program Design Considerations For Community Digital Gift Card Pilot Program [**Action: Discuss and Provide Direction (Whalen)**]

## **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 Regular City Council Meeting of January 18, 2022 in Remembrance of Amber Swartz.

**Note: The Regular Meeting of January 4, 2022 is canceled.**

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: December 17, 2021 at 11:00 A.M.**

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**Heather Bell, CMC**  
**City Clerk**