

**CORONAVIRUS ADVISORY  
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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**

**March 16, 2021**

**VIA ZOOM TELECONFERENCE**

**5:00 P.M.**

**Please note the early start time.**

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**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.**

**SUBMIT PUBLIC COMMENTS TO CITY BEFORE OR DURING THE MEETING VIA EMAIL**

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

**Comments received before the close of the public comment period for that item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on. Any comments received after the close of the public comment period will be distributed to Council and relevant staff after the meeting and filed with the agenda packet.**

**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 Iopu at (510) 724-8928 or [hiopu@ci.pinole.ca.us](mailto: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](http://www.ci.pinole.ca.us). You may also contact the City Clerk via e-mail at [hiopu@ci.pinole.ca.us](mailto: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. 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Gov. Code § 54957

Title: City Clerk

**B. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Gov. Code § 54957.6

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

Employee organizations: AFSCME, Local 1, IAFF

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

**5. 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.*

**6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS**

**A. Proclamations**

1. American Red Cross Month
2. Women's History Month

**B. Presentations / Recognitions**

1. City Employee Recognition

**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 Meetings of December 15, 2020 and January 30, 2021**

**B. Receive the February 27, 2020 – March 12, 2021 List of Warrants in the Amount of \$ 744,701.19 and the March 5, 2021 Payroll in the Amount of \$401,053.24**

- C. Placement of Liens for Delinquent Unpaid Waste Collection Charges Falling Delinquent Between August 2020 and December 2020, Considered at an Administrative Hearing on February 4, 2021 **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**
- D. Resolution Confirming Continued Existence of Local Emergency **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- E. Housing Successor Agency Annual Report for Fiscal Year 2019-20 **[Action: Receive Report per Staff Recommendation (De La Rosa)]**
- F. Adopt a Resolution Approving a Fourth Amendment to the exclusive Negotiation Agreement Between the City of Pinole and General Realty CE, LLC for the Sale and Purchase of the Pinole Shores II Properties **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**
- G. Receive the 2020 Annual General Plan Housing Element Progress Report as Required by the State of California **[Action: Receive Report per Staff Recommendation (Hanham)]**
- H. Resolution Accepting Grant from the State of California Department of Justice Tobacco Law Enforcement Grant Program **[Action: Adopt Resolution per Staff Recommendation (Miller)]**
- I. Adopt a Resolution Declaring Intent for the Levy and Collection of Annual Assessments for the Pinole Valley Road Landscape and Lighting Assessment District for FY 2021/2022, Setting the Date of the Public Hearing and Approving the Annual Engineer's Report **[Action: Adopt Resolution per Staff Recommendation (Miller)]**
- J. Approve a Purchase and Sale Agreement by and Between the City of Pinole and Pasquale and Marisa D'onofrio for the Sale of Property Located in the City of Pinole at 2361 San Pablo Avenue **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

## 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. 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.*

- A. Ordinance Adding Chapter 17.28, Historic Preservation Overlay, to the Municipal Code and Resolution Readopting Old Town Design Guidelines **[Action: Conduct Public Hearing, Approve First Reading of Ordinance and Adopt Resolution per Staff Recommendation (Casher)]**

## 9. OLD BUSINESS

- A. City Staff Assessment of the Fire Study and Recommendations Regarding Steps to Fortify the City's Fire Service **[Action: Receive Report and Approve Staff Recommendations (Wynkoop/Murray)]**

## 10. NEW BUSINESS

- A. Letter of Opposition to Senate Bill (SB) 9 Regarding Increased Density in Single-Family Zones **[Action: Discuss and Provide Direction (Murray)]**

**11. 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

**12. ADJOURNMENT** to the Regular City Council Meeting of April 6, 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, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

**POSTED: March 11, 2021 at 5:00 P.M.**

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**Heather Iopu, CMC**  
**City Clerk**