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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
August 17, 2021**

VIA ZOOM TELECONFERENCE

6:00 P.M.

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.pinoles.ca.us.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinoles.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.pinoles.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.pinoles.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinoles.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.

NO CLOSED SESSION

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. PLEASE SEE THE COVERSHEET OF THE AGENDA FOR INSTRUCTIONS ON HOW TO SUBMIT PUBLIC COMMENTS

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Friends of the Pinole Creek Watershed 20th Anniversary

B. Presentations / Recognitions

1. West Contra Costa Unified School District Presentation on Fall Reopening by Superintendent Dr. Hurst and School Board Trustee Jamela Smith-Folds

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 June 1, 2021 and June 15, 2021
- B. Receive the July 17, 2021 - August 13, 2021 List of Warrants in the Amount of \$2,476,134.46, the July 23, 2021 Payroll in the Amount of \$492,572.13 and the August 6, 2021 Payroll in the Amount of \$434,091.50
- C. Resolution Confirming Continued Existence of Local Emergency [Action: Adopt Resolution per Staff Recommendation (Casher)]
- D. Receive the Quarterly Investment Report for the Fourth Quarter Ending June 30, 2021 [Action: Receive Report (Guillory)]
- E. Receive the Quarterly Report on Implementation of the Strategic Plan for Fiscal Year (FY) 2020-21 Fourth Quarter [Action: Receive Report (Murray)]

- F. Fiscal Year (FY) 2021-22 Fourth Quarter Report on Implementation of Capital Improvement Plan (CIP) Projects **[Action: Receive Report (Kaur)]**
- G. Adopt a Resolution Approving an Amendment to the On-Call Contract with 4Leaf, Inc. to Add a Task Order, Increase the Budget for Building and Permit Technician Services to \$185,000 and Fire Prevention and Inspection Services to \$240,000, and Appropriate Funding **[Action: Adopt Resolution per Staff Recommendation (Laughlin/Wynkoop)]**
- H. Adopt a Resolution Declaring Six Police Vehicles and Two Pieces of Office Equipment as Surplus **[Action: Adopt Resolution per Staff Recommendation (Gang)]**
- I. Resolution to Participate in Discussions Regarding an East Bay Wildfire Prevention and Vegetation Management Joint Powers Agency **[Action: Adopt Resolution per Staff Recommendation (Wynkoop)]**
- J. Resolution Approving an Amendment to the City Manager's Employment Contract **[Action: Adopt Resolution per Staff Recommendation (Casher)]**
- K. Resolution Authorizing the City Manager to Execute an Agreement with Cerrell to Create a Communication and Engagement Plan **[Action: Adopt Resolution per Staff Recommendation (Murray)]**
- L. Resolution to Amend the City Council Meeting Procedures to Include an Indigenous Land Acknowledgement at the Beginning of City Council Meetings **[Action: Adopt Resolution per Staff Recommendation (Iopu)]**
- M. Adopt a Resolution Approving a Revised Management Compensation and Benefits Plan for Management and Confidential Employees **[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.

NONE

9. OLD BUSINESS

- A. Rescind and Reconsider Resolution 2021-35 Condemning Donald Trump **[Action: Consider Adoption of Resolution per Staff Recommendation (Murray)]**
- B. Effectiveness of Current Code Enforcement Program **[Action: Receive Report (Laughlin)]**

10. NEW BUSINESS

- A. American Rescue Plan Act (ARPA) Funds and Additional Fiscal Year (FY) 2021-22 Appropriations Process **[Action: Consider Approval of Staff Recommendation (Guillory)]**

- B. Appoint a Council Member and Up to Two (2) Alternates to Serve as Voting Delegates at the League of California Cities Annual Conference [Action: By Minute Order Appoint Delegate and Alternates and Provide Direction on League Resolutions (De La Rosa)]

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 September 7, 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: August 12, 2021 at 5:00 P.M.

Heather Iopu, CMC
City Clerk